2013

Proactive Transparency and Government Communication in the USA and the Netherlands

H.J.M. (Erna) Ruijer
Virginia Commonwealth University

Proactive Transparency and Government Communication in the USA and the Netherlands

A dissertation submitted in partial fulfillment of the requirements for the degree of Doctor of Philosophy at Virginia Commonwealth University.

By
H.J.M. (Erna) Ruijer
M.Sc. Communication Science, University of Amsterdam, 1996
M.Sc. Child Development and Education, University of Amsterdam, 1996

Dissertation Chair: Jason R. Arnold, Ph.D.
Assistant Professor of Political Science,
Douglas Wilder School of Government and Public Affairs,

Virginia Commonwealth University
Richmond, VA
October 2013

Dissertation committee

Dr. Richard F. Huff, Assistant Professor, Douglas Wilder School of Government and Public Affairs, Virginia Commonwealth University

Dr. Albert J. Meijer, Associate Professor, School of Governance, Utrecht University, The Netherlands

Dr. Marcus Messner, Assistant Professor, School of Mass Communications, Virginia Commonwealth University

Dr. Blue Wooldridge, Professor of Public Policy and Administration, Douglas Wilder School of Government and Public Affairs, Virginia Commonwealth University

Acknowledgement

Unintended, a journey which started in Amsterdam led me and my family via Denver to Richmond, Virginia. Fortuitously, it was in this city where I was given the opportunity to enroll in the PhD program Public Policy and Administration. And now five years later, life has brought me back to Amsterdam with an American doctorate. My accomplishments during my graduate studies came about thanks to the encouragement of those who supported me along the way: faculty, colleagues, family and friends.

Foremost I would like to thank my chair Dr. Jason Arnold: thank you for your inspiring, thoughtful and encouraging guidance. I very much appreciate the trust and faith you had in my abilities to finish my work in an independent way. I would also like to express my sincere gratitude to the committee members who helped me through this research process. Dr. Richard Huff: thank you for always listening and challenging me to use my full potential. Dr. Albert Meijer: I greatly appreciated your expertise, positive constructive feedback and sharp comments, which guided me and significantly improved my work. Dr. Marcus Messner: thank you for taking the time to evaluate my work and for your enthusiastic feedback. Professor Blue Wooldridge: thank you for sharing your knowledge and expertise, and for being a source of inspiration. I would also like to thank my former chair Dr. Carolyn Funk who helped me in the early process of writing my dissertation.

I have greatly appreciated the help of my fellow researchers, contributing by reading parts of my work and through discussions and words of encouragement: Douglas, Maarten, Stephan

To my sons Julian and Jasper, who fall asleep at night listening to the reassuring sound of their mother's computer keyboard: thank you so much for reminding me every day that, although learning is fun, there is so much more in life than academic achievement!

Finally my husband Harm: your love and sacrifice, words of encouragement and sharp insights, endless patience and unconditional support kept me motivated throughout this sometimes challenging but very rewarding adventure. I could not have done this without you and I am looking forward to many more new and exciting adventures with you!

Table of Contents

Chapter 3 Research design and methodology

Chapter 4 Origins: (proactive) transparency in the USA and the Netherlands

Chapter 5 Perception and implementation of proactive transparency by government communicators

Chapter 6 Unintended consequences and future challenges

Chapter 7 Discussion and Conclusion

List of Figures

List of Tables

Abstract

Proactive transparency and government communication in the USA and Netherlands.

Proactive government transparency has recently entered the spotlight. Examples of information made public at the initiative of the public body, without the need for filing a request, are: www.data.gov and www.recovery.gov. Transparency is an intrinsic value of democratic societies. In much of the literature an automatic link is assumed between transparency and increased accountability or trust. However, this link may not be as straightforward. Whether and how information is used to further public objectives also depends on the way information is incorporated into the complex communication chain of comprehension, action and response. Therefore, in this dissertation a communication approach was taken. The role of federal government communicators within the government transparency realm was studied in the USA and the Netherlands. More specifically, it was examined how the institutional (macro) and organizational (meso) embedding influences the way communicators value and implement proactive transparency (micro). A mixed method comparative case study consisting of process tracing, a web-based survey and semi-structured in-depth interviews showed that the institutional embedding in the USA can be characterized as a more rules-based approach while a principles-based approach prevails in the Netherlands. This study also showed that communicators working in an organization that supports proactive transparency provide more substantial information, use less spin and are more inclined to solicit feedback and participation from stakeholders. Finally, in both countries the majority of communicators valued proactive transparency highly and most communicators were actively involved in implementing proactive

transparency. Communicators contributed to making information more findable, relevant and understandable for its users. At the same time some communicators indicated to sometimes leave out important details, give only part of the story or specifically highlight the positive elements in the information. Hence, communicators can play a role in both enhancing and constraining transparency. This study enhanced our understanding of proactive transparency and the value of communication. The project resulted in a conceptual framework for explaining similarities and differences in proactive transparency policy regimes from the perspective of the government communicator.

1 Introduction

"The presumption of disclosure also means that agencies should take affirmative steps to make information public. They should not wait for a specific request from the public."
(President Obama, 2009)

Proactive transparency has recently entered the spotlight (Darbishire, 2010). One day after President Obama took office he issued two executive orders. The Memorandum on Transparency and Open Government (January 21, 2009) is calling for a transparent, participatory and collaborative government. The Memorandum on the Freedom of Information Act (January 21, 2009) directs federal agencies to "take affirmative steps to make information public without waiting for specific requests". The memorandum is based on a *presumption* of disclosure: "In the face of doubt, openness prevails". It requires government agencies to err on the side of openness when considering Freedom of Information Act requests for government records and opening presidential records to the public (Cuillier and Piotrowski, 2009). In addition, the Open Government Directive (December 8, 2009) was issued. This directive states among others that "emerging technologies open new forms of communication between a government and the people". As a result, websites are created that allow access to government data, such as www.data.gov; www.recovery.gov; www.usaspending.gov (Jaeger and Bertot, 2010). This is in line with the international trend toward the proactive release of information electronically and otherwise. In 2010 the Worldbank released a governance working paper: *Proactive Transparency: the future of the Right to information?* that calls for the development of standards for the types of information that should be proactively released (e.g. on websites) by government agencies and for proactive disclosure principles and implementation

(Darbishire, 2010). Furthermore, the Open Government Partnership was launched in 2011. The Open Government Partnership is a global effort to promote transparency. Currently, more than 60 countries are participating in the partnership.

Transparency, as an institutional relation, is in this study defined as making available legally releasable information about a government organization, in a manner that is accurate, timely, complete and clear, allowing external actors to monitor the internal workings or performance of the organization. Transparency suggests openness and permeability (Christensen and Langer, 2009). Freedom of information is seen as the backbone of transparency. "The right to access government information has long been viewed as essential to participation in the democratic process, trust in government, prevention of corruption, informed decision making, the accuracy of government information, and provision of information to the public, companies and journalists …" (Jaeger and Bertot, 2010). As of 2010, at least 80 countries had laws on access to information (www.Right2info.org, 2011). The USA and the Netherlands were among the first nations in the world to adopt freedom of information legislation. Freedom of information laws, primarily regulate the mechanisms by which the public can request information from public institutions. This is called passive disclosure. However, "increasingly these laws [Freedom of information laws] incorporate provisions on proactive disclosure, clearly establishing a legal obligation on public authorities not only to respond to requests but also to "push out" information (Darbishire 2010, p 15). Although transparency is often considered synonymous with disclosure, there are some subtle differences (Etzioni, 2010). *Disclosure* describes a moment of transparency: the release of information that is held by an insider, to outsiders (Hillebrandt, forthcoming). *Proactive*

disclosure refers to information that is made public at the initiative of a government body, without a request being filed (Xiao, 2010; Darbishire, 2010; Wopereis, 1996). The rise of the internet has furthered transparency by making large scale publication of government data possible at low cost. The continuing development of information technologies allow institutions, organizations, and individuals alike to find, share and reuse government information (Dawes, 2010).

Public administration literature emphasizes the importance of access to information and information sharing within the realm of transparency. This study uses a communication approach to analyze proactive transparency. It will not only focus on transparency as a concept of information sharing but will also analyze on how information is shared and communicated to whom. This implies that opportunities for participation and feedback by external actors are stimulated. This study examines the origins, evolution and implications of proactive transparency regimes. It focuses on the role of government communicators, more specifically on how the institutional and organizational embedding influences the way communicators value and implement proactive transparency. Government communicators are one of the visible figures at the interface between bureaucracy and society. Communication is a universal aspect of public administration (Lee, 2008).

1.1 Democracy and (proactive) transparency

Transparency can both be seen as an intrinsic value of democratic societies and as a means to achieve other important democratic goals such as enhancing accountability, trust, good governance or reducing corruption (Grimmelikhuijsen, 2012). Or as was put by President Obama: "A democracy requires accountability and accountability requires transparency" (White

house, 2009). The idea of the open society is a democratic society, with alert and engaged

citizens able to understand and use the information that is accessible to them (Holzner and

Holzner, 2006, Fairbanks et al 2007, Hawes, 2010). In democratic systems citizens are kept

informed by governments and others in the interests of transparency and accountability

(Gaber, 2007). Informed citizens are better able to contribute to governmental processes

sensibly; better able to understand and accept the basis of decisions affecting them and better

able to help shape the context – social, political and environmental- in which they live

(Birkenshaw, 2006).

In the 1920's Dewey argued that a criterion for determining how good a particular state

is, is the degree of organization of the public. He continued that the most important condition

of organizing the public is knowledge and insight (Dewey, 1927). This will require freedom of

expression and openness. "Whatever obstructs and restricts publicity, limits and distorts public

opinion and checks and distorts thinking on social affairs (Dewey, 1927, p 167). That citizens

should know what government is doing was playing an important role in the thinking of the

German critical philosopher Jürgen Habermas as well. He links openness to government

legitimacy. In the *Structural Transformation of the Public Sphere* (1989) he argues that

government legitimacy is reinforced when citizens can discuss government policies, rationalize

them and form an opinion. These discussions take place in the public sphere. When the public is

too large for face-to face discussions it can occur through mass media. By "the public sphere"

Habermas means "a realm of our social life in which something approaching public opinion can

be formed. Access is guaranteed to all citizens" (Habermas, 1979, p.49). He continues: "The

public sphere as a sphere which mediates between society and state, in which the public

organizes itself as the bearer or public opinion, accords with the principle of the public sphere - that principle of public information which once had to be fought for against the arcane policies of monarchies and which since that time has made possible the democratic control of state activities" (Habermas, 1979, p.50). Public opinion can according to Habermas only be formed if a public engages in rational discourse about questions of the common and criticizes state power. Access to government information according to Habermas is necessary in order for these discussions to take place (Hoch, 2009). The public sphere is inseparable from civil society and the state. The political institutions of society set the constitutional rules by which the debate is kept orderly and organizationally productive. "It is the interaction between citizens, civil society and the state, communicating through the public sphere that ensures that the balance between stability and social change is maintained in the conduct of public affairs" (Castells, 2008, p. 79). If citizens, civil society or the state fail to fulfill these demands or if communication channels between two or more of these key components are blocked the system of representation and decision making comes to a stalemate, and a crisis of legitimacy follows (Castells, 2008). The idea of Habermas' public sphere was widely acknowledged but also criticized. Often it is argued that the quality of the idea of the public sphere was only ever an approximation (Burkart, 2009). Nevertheless, more recent scholars (Cuillier and Piotrowski, 2009, Piotrowski and Van Ryzin, 2007) are building on these concepts and argue that it is essential that citizens have access to government information in order to make informed decisions. For instance, if voters do not know that politicians are abusing their office, they cannot punish them at the polls.

In much of the literature on transparency an automatic link is assumed between transparency and increased accountability (Naurin, 2007) or trust. However, this link is not as straightforward (Lindstedt and Naurin, 2010; Brandsma 2012; Grimmelikhuijsen, 2012, Meijer, 2013). Some scholars challenge that transparency leads to more trust (Meijer et al., 2012; Grimmelikhuijsen, 2012). While others argue (Fung and Weil, 2010) that government transparency with a focuses on accountability, could draw excessive attention to government's mistakes. A push for transparency may have reactionary effects of 'delegitimizing government activity quite broadly as public disclosure feeds more and more stories of government waste, corruption and failure' (Fung and Weil, 2010, p. 107). Thus, transparency can also have unintended consequences. The risk of negative side effects should not stop governments from pushing towards transparency (Meijer et al, 2012); however these unintended consequences need to be identified so that possible future effects might be anticipated.

1.2 Information or communication?

Recent decades have witnessed important contributions to our understanding of transparency and its effects. However in many ways we have yet to scratch the surface. In the public administration literature we find an emphasis on information within the realm of transparency (O'Neill 2006; O'Neill 2009; Hoch 2009; Brüggemann 2010), such as freedom of information, access to information or documents and the active dissemination of information. Recent scholars (O'Neill 2006; Weil et al., 2006; Darbishire, 2010; Brüggemann, 2010) have started to argue that transparency or a focus on information disclosure is not enough. Transparency describes the availability of information but does not imply anything about the nature of the information revealed or what types of actors gain from that information (Lord, 2006). It

mandates disclosure, but it does not require effective communication (O'Neill, 2006).

Communication is deemed effective when the message or information actually reaches

audiences and has an effect on them. Hence, an emphasis on information in the transparency

realm tends to overlook the value of communication. After all, unless the material that is

disclosed can be followed, understood and assessed by its audiences, it may neither improve

incentives for trustworthy performance nor provide evidence for placing trust in government

agencies (O'Neill, 2006). Habermas (1986) emphasizes in his *Theory of Communicative Action*,

the importance that communicative speech acts should be aimed toward reaching

understanding and consensus. Habermas intends to make understanding discernible as a

fundamental democratic process (Burkart, 2009). Communication involves both speaking and

listening to stakeholders. Communication is a dynamic process that develops over time and it

takes place between at least two actors. One actor can distribute a message, the other actor

can respond with its own message. This is how they can exchange thoughts and ideas and how

they can generate new ones (Ruler, 2005). Ruler and Verčič (2012) provide an overview of all

major approaches to communication, including both one-way and two approaches. According

to Grunig (2008) the two-way symmetrical model is the most effective communication model.

Whereas research seems to focus on two-way symmetrical communication between

government (bodies) and the public, in practice too often asymmetrical models seem to

predominate (Heise, 1985; Nessman, 1995).

The Open Government Directive (2009) links transparency and participation by stressing

that transparency, participation and collaboration are the cornerstones of an open

government. Yet, in the public administration literature transparency and participation are

mostly considered separate. However, "citizens need information to *see* what is going on inside the government and participation to *voice* their opinions about it" (Meijer et al., 2012 p.11). This link between vision and voice may seem self-evident but needs to be further explored (Meijer, 2012 et al.). The communication realm, in terms of two-way information sharing, can contribute to connecting vision and voice. Communication theories and models (Heise 1985; Habermas 1986; Grunig 1992; Fairbanks et al. 2007; Horsley et al 2010; Ruler and Verčič 2012) could provide relevant insights for public administration literature with respect on how information is shared to whom in what way, about what, and if feedback and participation are solicited.

Within government agencies there are several people who are responsible for communicating to various publics about agency's decisions, policies, policy outcomes and actions. This study will focus on government communicators. *Government communicators* are government employees who spend the majority of their time facilitating the flow of information between state bodies on the one hand and the media and the public on the other. A recent survey among journalists found that the information flow in the United States is highly regulated by public affairs officers (Carlson et al., 2012). In addition, the European Communication Monitor 2011 held among communication professionals in both private and government organizations in Europe, showed that the demand for transparency and dealing with active audiences is one of the most important challenges (Zerfass et al., 2011). Furthermore, the tone and accuracy of reporting on government agencies, its decisions and the citizens' perception of the public sector are influenced by the accessibility and responsiveness of the government communicator. Due to its propagandistic history the public administration

field tends to shy away from public relations. Yet as Lee (2008) points out communication is a universal aspect of public administration. It exists to serve the information needs of a democracy, to help citizens make informed decisions, to provide a mechanism for accountability of public agencies and it can mobilize public support for an agency (Lee, 2008, Horsley et al., 2010).

1.3 Proactive transparency in two countries

At the macro level, interactions between government and stakeholders take place within a variety of legal frameworks, in different cultural settings and within complex (intern) national policy contexts (Meijer, 2013b). Or as Castells (2008) points out, sociopolitical forms and processes are built upon culture materials. These materials are either unilaterally produced by political institutions as an expression of domination or are coproduced within the public sphere by individuals, interest groups and the state. How the public sphere is constituted and how it operates largely defines the structure and dynamics of any given polity.

This chapter started by referring to government transparency regimes. In this study the *institutional embedding* of transparency refers to the legal framework and policies that are in place regarding transparency, such as the Freedom of Information laws (FOIs). This study takes the distinctiveness of institutional arrangements in specific contexts of time and space in two countries as point of departure. Differences in origins and evolution of the institutional embedding of proactive transparency might influence the way government agencies and their employees perceive and implement proactive transparency today. This dissertation focuses on the institutional embedding of proactive transparency in the United States and the Netherlands as part of the European Union. The two cases were selected as different in terms of proactive

transparency regime, yet similar in terms of being an early adopter of a FOIA law and having a long transparency tradition. In both countries the access to information law plays an important role in achieving transparency. The 1966 US FOIA requires that federal government agencies publish material relating to their structure and functions, rules, decisions, procedures and manuals. Furthermore, the US FOIA requires agencies "to publish copies of all records that have become or are likely to become the subject of subsequent requests for substantially the same records" (act, 5 U.S.C. 52). Other acts are relevant in terms of proactive transparency as well such as the Federal Register Act and the Paperwork Reduction Act. The acts relate to the proactive publication of documents, rules and regulations.

These legal frameworks stress accountability which can be dated back to the Founding Fathers. Proactive disclosure entered the spotlight in the USA when President Obama directed agencies to "take affirmative steps to make information public" without waiting for specific requests, and, to "use modern technology to inform citizens about what is known and done by their Government" (www.justice.gov, 2011). As a result, there is a trend toward using e-government for greater access to government records and increased focus on the proactive release of information (Cuillier and Piotrowski, 2009).

The 1978 Dutch Public Access Act (Wet Openbaarheid Bestuur; Wob) distinguishes between reactive and proactive disclosure. It states that administrative bodies have to provide proactive information about policy, its preparation and execution. The Wob applies to both federal and local agencies. In addition, it describes that the information must be provided in an understandable form and in such a way that as many citizens as possible are being reached. The WOB was created in the light of optimizing communication between government and its

citizens. This has resulted in the fact that communication professionals working for the Dutch

government started to look for ways of actively providing information to the public hoping that

this would lead to greater transparency. Moreover, with the possibilities of new technology, the

Dutch government decided to greatly increase the accessibility of information e.g. via the

internet (Van Gisteren and Volmer, 2004). In 2011 the Dutch minister of the Interior and

Kingdom Relations advised government agencies regarding the Wob to analyze which

information can be made available proactively in order to reduce requests (Letter to

Parliament, May 31, 2011). In 2011 the Netherlands joined the global Open Government

Partnership.

Consequently, huge amounts of information in both the USA and the Netherlands, are

made public by agencies in order to meet (proactive) transparency requirements e.g. in the

form of Open Data. At the meso level, *organizational embedding* refers to organizational

factors that impact the degree to which federal agencies in a country, support proactive

transparent, such as leadership or resources (Fairbanks 2007; Hawes, 2010). Finally, this study

focuses on the micro level; government communicators working at federal government

agencies in the United States and the Netherlands.

1.4 The scope of this study

This study examines whether the way proactive transparency is institutionally embedded and

organized influences how government communicators value and implement proactive

transparency from a pragmatic worldview. Pragmatists focus on the research problem and use

all approaches available to understand the problem. Pragmatism is not committed to any one

system of philosophy or reality and applies mixed methods research that draws from both

quantitative and qualitative assumptions. Pragmatists do not see the world as an absolute unity

and agree that research always occurs in a social, historical, political context (Cresswell, 2009).

The unique institutional context of the implementation of proactive transparency policies will

be taken into account by making a comparison between two democratic countries: the USA and

the Netherlands. Additionally, this study relies on the government communicators' view on

proactive transparency, their perception of the organizational support and their knowledge of

the institutional embedding.

Within public administration and communication literature, strongly related concepts to

transparency can be found. These concepts will be briefly discussed below in order to set the

boundaries of this study. First of all there is the concept of openness. Transparency, access to

information and openness are often used interchangeably (Meijer et al. 2012; Grimmelikhuijsen

2012; Etzioni, 2010). Openness and transparency are close in meaning but both convey

something wider than access to government information (Birkenshaw 2006a). Transparency

extends beyond openness to embrace simplicity and comprehensibility (Larsson 1998). Heald

(2006, p. 26) addresses openness more as a characteristic of an organization, "whereas

transparency also requires external receptors capable of processing the information made

available." Meijer et al. (2012) however argue that the difference is less subtle. They view open

government as the encompassing concept which consists of transparency and participation. It is

according to them not only about openness in informational terms but also about openness in

interactive terms. In this dissertation I will follow the line of Heald (2006) and Meijer et al.

(2012) by using the term openness as a characteristic of an organization and open government

as an encompassing concept.

The term Open Government brings us also to the second concept: public participation. Most policy plans seem to be built on a synergistic relationship between transparency and participation: "transparency ensures that the public gets access to information about the government and participation provides the public with access to that same government" (Meijer et al. 2012, p. 14). Public participation has long been argued to be an important foundation for the democratic functioning of a society (Kang and Kwak, 2003). Research on social capital has further sparked studies on this important topic (Putnam, 2005, Kang and Kwak, 2003). True democracy cannot exist unless all citizens have a right to participate in the affairs of the polity of the country (Tiwari, 2010). Yet, the right to participate is meaningless unless citizens are well informed (Birkenshaw, 2006). Citizens who are informed, who have access to reliable information, can act and engage in productive discussions with both like-minded and differently minded others (Swanson, 2000). This dissertation does not initially focus on the phenomenon of public participation from the perspective of citizens but it takes the perspective of the government agency as its initial focus. It takes into account how government communicators provide opportunities and stimulate feedback and participation from citizens.

Finally, there is the concept of accountability. Accountability often serves as a conceptual umbrella that covers various other distinct concepts, such as transparency, equity, democracy, efficiency, responsiveness, responsibility and integrity. Transparency is not enough to constitute accountability. It does not necessarily involve scrutiny by a specific forum (Bovens, 2007). Piotrowski (2008 p 310) describes democratic accountability as "holding elected and unelected government officials responsible for their actions". Bovens (2007 p 450) defines accountability as "a relationship between an actor and a forum, in which the actor has an

obligation to explain and to justify his or her conduct, the forum can pose questions and pass

judgment, and the actor may face consequences". Several scholars (Piotrowski 2008; Ball 2009)

point out that government transparency and democratic accountability are the underlying

tenets behind FOIs. Even though the concept of accountability is strongly related to

transparency it is not the focus of this study.

1.5 Research questions

This study focuses on proactive transparency. More specifically it analyzes how transparency

regimes influence the way government communicators perceive and treat proactive

transparency and how they shape the proactive dissemination of government information.

Hence, the research questions of this study are:

Box 1: research questions

The central question of this study is:

How does the way proactive government transparency is institutionally embedded and organized, affect how federal government communicators perceive and implement proactive transparency?

This central question can be divided in three sub questions:
1. *What are the origins and evolution of proactive transparency in the USA and the Netherlands and what implications, if any, does it have for communication practice?*
2. *How do American and Dutch federal government communication officers perceive and implement proactive transparency in their daily practice?*
3. *What do American and Dutch government communicators perceive as possible unintended consequences of proactive transparency?*

1.6 Research design: comparative mixed method case study

In order to answer the research questions a mixed method comparative case study was conducted. First, process tracing narrative technique (George and Bennett 2005), a rigorous qualitative methodology in the social sciences, was used to examine the institutional embedding of proactive transparency in both countries. Second a mixed method was performed that consisted of a web-based survey, semi-structured in depth face to face interviews and phone interviews. A concurrent embedded strategy was applied: the web-based survey was the primary method and the in- depth interviews had a supporting role. For the survey a cross sectional design with a non-probability sample was used, whereas for the interviews a convenience sample was used. The survey was partly based on existing validated instruments (Rawlins 2009; Fairbanks et. al. 2007) and was distributed via Dillman's (2007) tailored design method. The questions focused on the way federal government communicators view transparency and their role in the implementation of proactive transparency policies. The communicators were questioned about their knowledge of formal institutional rules, the support they receive within their agency and whether they have experienced any unintended consequences of proactive transparency. The quantitative data was analyzed using frequencies, independent samples t-tests, Factor analysis and MANCOVA, whereas the qualitative data was analyzed through pattern matching.

1.7 Relevance

This research project aims to enhance our understanding of proactive transparency regimes and the value of communications thereby specifically focusing on federal government communication officials. The project will result in a conceptual framework for explaining

similarities and differences in proactive transparency policy regimes from the perspective of the government communicator. This study can contribute to transparency theory development and practice by expanding the definition of transparency beyond the concept of information dissemination and is aiming to take the role of government communicator under attention. It will provide insights into how government communicators perceive transparency, how information is shaped and used and how this influences democratic values.

Second, despite the general assumption that proactive disclosure is an essential part of the right to information, so far little is known about the scope and implications of proactive transparency. The first Right to Know Rating (September, 2011 www.rti-rating.org) is based on 61 indicators drawn from a wide range of international standards of right to information, but does not include proactive disclosure because as the organization argues, more extensive research in this area is necessary. This dissertation will look at the origins in two countries: the United States and the Netherlands. It will enhance our understanding of the relevance and consequences of a proactive transparency for practice that could be relevant for other democracies as well. Finally, this study is relevant for government agencies who efficiently would like to implement (proactive) transparency policies.

1.8 How to read this dissertation

The next chapter, chapter 2, will provide the theoretical framework of this dissertation. Guided by the main research question: '*How does the way proactive government transparency is institutionally embedded and organized, affect how federal government communicators perceive and implement proactive transparency?'* the public administration and communication literature will be analyzed. The chapter starts with a description of the current state of

transparency research divided into three themes: transparency as a concept, followed by an overview of the institutional embedding of transparency in which the difference between reactive and proactive transparency will be described, and finally information content and information technology. In the second part of the chapter the focus is on communication theories that relate to transparency. The two concepts of proactive transparency and communication are brought together and it is argued why recognition of a communicative dimension of transparency is essential. Following, the chapter focuses on models that relate to the role of government communicators. The chapter results in the formulation of hypotheses and a model *Explaining proactive transparency regimes* from the perspective of the government communicator. The model is tested and validated in the Chapters 4, 5 and 6.

In Chapter 3 the dependent and independent variables in the model are defined and translated into indicators. Following the indicators are translated into survey questions. Moreover, the mixed method comparative case study between the USA and the Netherlands that consists of process tracing, an online questionnaire and interviews, are described in detail. The data collection, analysis and validity and reliability issues are discussed as well.

In Chapter 4, the results of the first research question: *What are the origins of proactive transparency in the Netherlands and the USA and what implications, if any, does it have for communication practice,* are presented. The origins and evolution of the proactive transparency regimes in both the USA and the Netherlands are described by focusing on the legal framework and policies in general and Freedom of Information legislation in particular. For the most part, the US, and the Netherlands share common legal and philosophical traditions, but the US originally follows a more rules - based approach and the Netherlands a more principles - based

approach. The FOIA was originally created "to ensure an informed citizenry, vital to the functioning of a democratic society, needed to check *against corruption* and *to hold the governors accountable* to the governed". Yet the Wob was created in the light of optimizing communication between government and its citizens, in which access was seen as one of the main solutions and openness as a mentality. The research question will be answered by using a process tracing narrative technique based on government documents and academic literature. In addition some findings of the mixed method will be analyzed in this chapter as well.

In Chapter 5 the second research question *How do Dutch and American federal government communication officers perceive and implement proactive transparency in their daily practice?* is answered. The survey results are presented along the lines of the concepts of the model *Explaining proactive transparency regimes* by presenting the findings of descriptive statistics, independent samples t-tests, followed by the results of factor analyses and MANCOVA. The interviews are used to enhance our understanding of the web-based survey results and are a secondary test of the hypotheses. It provides a broader elaboration of the analytical discussion. Based on these results the formulated hypotheses are either accepted or rejected. In the conclusion of this chapter the model is validated and adjusted based on the results and an overview of the similarities and differences between the two countries is presented.

Chapter 6 will present an answer to third research question. *What do American and Dutch government communicators perceive as possible unintended consequences of proactive transparency?* Both manifest and latent consequences as perceived by government

communicators are distinguished and presented based on theory and practice. In addition

future challenges will be discussed.

Finally, in Chapter 7 the main findings will be presented based along four broad themes:

the essence of recognizing a communicative dimension within the transparency realm, the

institutional embedding of two countries, the importance of organizational embedding and

finally unintended consequences and the future challenge: managing expectations. The

limitations of the study will be described and suggestions for further research will be laid out.

2 Theoretical framework: transparency, access to information and communication

Publicity is one of the purifying elements of politics. The best thing that you can do with anything that is crooked is to lift it up where people can see that it is crooked, and then it will either straighten itself out or disappear.
(Woodrow Wilson, 1913)

In the first chapter the theoretical framework is laid out for this dissertation. The theoretical framework will be guided by the main research question of this dissertation:

> *How does the way proactive government transparency is institutionally embedded and organized, affect how federal government communicators perceive and implement proactive transparency?*

What this chapter will contribute to the public administration literature is that it takes a communicative approach to proactive transparency, thereby analyzing the role of federal government communicators. The research question consists of two parts: the proactive transparency regime (the institutional embedding in terms of formal rules and policies) on the one hand and communication practice or the role of the government communicator on the other. In line with the research question, the first part of this chapter describes what is known in the current public administration literature at the macro level regarding proactive transparency regimes, thereby focusing on three broad themes: (a) transparency as a concept, (b) the institutional embedding of access to information in terms of reactive and proactive disclosure and (c) finally information content and the role of information technology as a means and facilitator of proactive transparency. In the second part of the chapter the focus is on

communication, more specifically, on communication theories. It is argued that in order for

transparency to enhance democracy, it is important to recognize the communicative dimension

of transparency. At the micro and meso level respectively, the role of government

communicators within federal agencies will be discussed. Finally, the literature analysis will

result in an integrative model that can be used for analyzing proactive transparency regimes

thereby taking into account both macro, meso and micro elements as perceived by government

communicators. The model will be tested in the empirical chapters that follow.

2.1 The current state of government transparency research

2.1.1 Transparency as a concept

Transparency as a concept is not new. It was already present in the days of Rousseau, Bentham

and the French revolutionaries as a way of conducting government and politics (Hood and

Heald, 2006). For instance Bentham ([1790's] in Hood) declared: 'I do really take it for an

indisputable truth and a truth that is one of the corner-stones of political science- the more

strictly we are watched, the better we behave'. Transparency measures like opening up

archives, public sessions of representative bodies and the publication of government

documents can all be traced back by Bentham's ideas. According to Bentham transparency is a

cornerstone of government since it would prevent "conspiracy" (Meijer, 2013). However, other

philosophers in the 18th century such as Jean Bodin, defended secrecy and emphasized that the

secrets of imperial policy had to be protected against senatorial prying (Roberts, 2006). Even

though the advocates of transparency won this intellectual conflict, the arguments for and

against openness continue to shape the debate about transparency (Roberts, 2006; Meijer,

2013).

2.1.1.2 Means to an end?
Advocates of transparency make four arguments of how and why transparency is essential for

democracy. It creates informed citizens, bolsters government legitimacy, strengthens

accountability and prevents corruption (Coglianese, 2009; Hoch, 2009). For instance Arnold

(2012) shows in his study among twenty-seven democracies that voters would likely have

switched their votes if they had more electorally relevant political information. Transparency

can contribute to efficient and effective governance by providing feedback channels, enabling

officials and citizens alike to evaluate polices and adjust them accordingly (Florini, 2004, p18).

Transparency in this sense is intended to improve relations between public authorities and the

general public. It is supposed to make institutions and their office holders more trustworthy

and trusted (O'Neill, 2006). It is a tool to encourage the involvement of citizens in the

development and implementation of public policies (Piotrowski and Van Ryzin, 2007). Hence

transparency is seen as a remedy for numerous issues.

Other scholars however are more critical (Balkin 1999; Florini 1999; Robert 2006; Ball

2009; Etzioni, 2010, Fung and Weil, 2010). Critics also point out that increased transparency will

only lead to less trust or will have no effect at all (Grimmelikhuijsen, 2012). It may lead to better

information who to bribe (Bac, 2001), or refer to the mechanism of window dressing (Prat,

2006)[1]. "Interest groups with greater access to ongoing discussions can derail, disrupt, or

---

[1] Window dressing e.g. when a snapshot in time is taken it can easily be manipulated by readjusting the composition just before and after the snapshot is taken.

change the agenda. The asymmetry of information between democratic and nondemocratic

nations may put democratic nations at a disadvantage" (Ball, 2009, p.298).

Underlying this discussion between advocates and critics is the assumption that

transparency is seen as a means to an end (figure 1).

Figure 1: Transparency as a means to an end
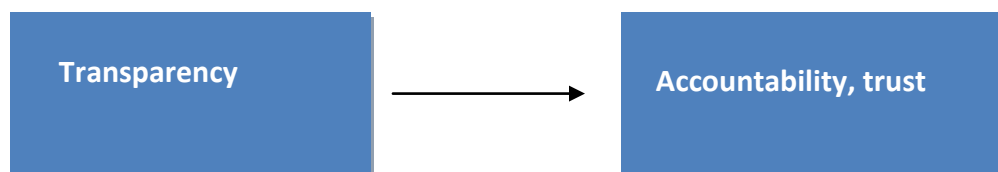
However, transparency can be viewed also as a goal in itself, in which transparency is seen as a

basic human right (Birkenshaw 2006; Florini, 2007, Scholtes, 2012). Moreover some scholars

argue that the link between the potential of transparency and the end in terms of improving

political institutions is not as straightforward (O'Neill 2006; Rawlins 2009; Lindstedt and Naurin

2010; Brandsma 2012; Grimmelikhuijsen, 2012; Meijer et al., 2013). Lindstedt and Naurin

(2010) for instance argue, based on their cross national research concerning corruption that the

information made available in terms of transparency must stand a reasonable chance of

actually reaching and being received by the public. They call this the publicity condition. If the

release of information to the public is to affect the behavior of potentially corrupt government

officials, the public must possess some sanctioning mechanism. They describe this as the

accountability condition. Just making information available will not prevent corruption if such

conditions for publicity and accountability are weak (Lindstedt and Naurin, 2010). This study

will follow this line of argument: just analyzing transparency in terms of the availability of information, without respect to content, is not enough to achieve accountability or trust. However instead of using the term 'publicity' in this study the term 'communication, is preferred. Publicity assumes a one way flow of information whereas communication assumes a two-way flow. According to Flyverbom et. al., (2011) transparency is an arena of communication. Before elaborating on this argument the concept of transparency will be analyzed and clarified by also looking at the different definitions of transparency.

2.1.1.2 A definition

Hood and Heald (2006) point out "Transparency has become a widespread nostrum of 'good governance' in many different contexts today. But its meaning and history are obscure and so are its consequences." As pointed out above, the debate about transparency is fragmented. Furthermore strong conceptualizations are lacking (Meijer, 2012, Scholtes, 2012). Meijer (2013) distinguishes three perspectives on transparency: transparency as a virtue, a relation and a system. Transparency is defined as a virtue when it is used as a set of standards for the evaluation of the behavior of public actors. Transparency as an institutional relation between an actor and a forum is based on principal-agent theory[2]. Finally, transparency as a system views transparency not as isolated but as existing within a system of these relations. In debates on good governance, transparency refers to the system level. This study focuses primarily on transparency as an institutional relation. However occasionally, the broader systems perspective and the individual virtue perspective will be taken into account as well.

---

[2] Principle agency theory is based on a principal (e.g. citizen) who requires a certain service but does not have the time or the ability to take care of it directly. Therefore the principle enters a contractual relation with an agent (e.g government) who can potentially provide the service. (Prat, 2006).

From an institutional relation perspective, Heald (2006) conceptualizes transparency as having several directions. According to him transparency can in terms of principal - agent, first of all be directed *upwards*. A superior observes the behavior or results of the subordinate or agent. Second transparency *downwards* is when the ruled can observe the behavior or results of their rulers, often under the umbrella of accountability. Where upwards and downwards transparency occurs together there is vertical transparency. The third direction is transparency *outwards*. This occurs when the hierarchical subordinate or agent can observe what is happening outside the organization. Otherwise, vertical transparency is either completely absent or asymmetrical. And finally, transparency *inwards* can be distinguished. This is when the outside can observe what is going on inside the organization. Where outwards and inwards transparency co-exist we speak of symmetrical horizontal transparency. The directions of transparency are related to how particular habitats are characterized and understood. Contemporary debates about public administration are couched in terms of greater freedom of information about government, which relates to 'downwards' and 'inwards' directions of transparency. Thus transparency as an institutional relation should give citizens the ability to both observe what is going on inside the government and to observe the results of government action.

In line with Heald, Piotrowski (2008 p 310) refers to government transparency as "the ability to find out what is going on inside the government". Transparency in this sense invokes notions like clarity, lucidity and translucency (Christensen and Langer, 2009). Florini (1998, p. 50) stated: "Secrecy means deliberately hiding your actions; transparency means deliberately revealing them". Birkenshaw (2006 p 189) describes transparency as "the conduct of public

affairs in the open or otherwise subject to public scrutiny'. These definitions assume that once

citizens *have* information or have access to information, governance will be enhanced (Ball,

2009). [3] There is however no reference to how citizens process information, whether they

understand it or actually do something with it.

Other scholars add *information characteristics* to the definition. According to Heise

(1985, p. 209) transparent organizations ''make available publicly all legally releasable

information—whether positive or negative in nature—in a manner which is accurate, timely,

balanced, and unequivocal.'' Some scholars also incorporate an explicit *reaction from outsiders*

based on the information. According to Stirton and Lodge (2001), transparency requires citizens

to be able to ''exert an influence on (to 'control') the way that public services are provided,

based on their view or preferences about how they are provided, as well as knowing about the

decisions that are made'' (p. 476). In this line Lindstedt and Naurin (2010) define that a

transparent institution is one where people outside or inside the institution can acquire the

information they need *to form opinions* about actions and processes within the institution.

Grimmelikhuijsen and Meijer (2011) define transparency as "the availability of information

---

[3] Ball (2009) traces the meaning of transparency from its use by organizations and administration literature. Ball (2009) analyzes the different definitions over time and concludes that the definition of transparency has evolved from a means to battle corruption to a means to encourage open decision-making and public disclosure to increase accountability and as a value to incorporate in policies and by which to evaluate policies. She distinguishes three metaphors. The first metaphor is transparency as a public value embraced by society to counter corruption, in which transparency is subtly intertwined with accountability. It is argued that when citizens have information, governance improves. Transparency is viewed as an intrusive mandate with associated rules created by the pressure of international conventions and national laws. The second metaphor views transparency as synonymous with open decision making by governments and nonprofits; it encourages openness and it increases concerns for secrecy and privacy. It refers to the ease of access and use of government information; the more open and easy it is for the public to obtain information, the greater the transparency is. The third metaphor focuses on transparency as a complex tool of good governance in programs, policies, organizations and nations. Transparency in this metaphor is a component of good policy. A transparent policy is deemed effective when the public acts on the information the policy provides. Here policymakers create transparency alongside accountability and effectiveness.

about an organization or actor *allowing external actors to monitor* the internal workings or

performance of that organization."[4] In Scholtes' (2012) relational paradigm[5], the information

content becomes relevant: is the information understood and meaningful for its users? It

includes an expectation that the information is known to citizens, received by citizens in a

certain context and that they can do something with it. Effective transparency includes that

receptors not only have access to information but are also capable of processing, digesting and

using the information (Heald, 2006).

Transparency in this sense becomes a *two way street.* Some scholars (Huff, 2011; Stirton

and Lodge; 2001) conceptualize this two way street in terms of both answerability and

responsiveness or in terms of connecting vision and voice (Meijer et. al., 2012). A transparent

---

[4] In line with this definition Grimmelikhuijsen (2012) distinguishes in his dissertation five components of transparency;
1. *Availability:* refers to the availability of information and more specifically to the question of how information is made available: passive or active?
2. *Information:* Grimmelikhuijsen distinguishes three dimensions of information; 1) completeness, 2) coloring and 3) usability. Completeness refers to what information is disclosed fully. The color of information refers to the degree of positiveness of information or a politically favorable interpretation. And finally usability refers to whether information is disclosed in a timely matter and presented in an understandable format.
3. *Organization or Actor;* which can include both public or private organizations, and refers to whom is disclosing information about whom.
4. *External Actors;* these are individuals or groups outside the government organization that can look inside the organization e.g. citizens
5. *Monitor internal workings and performance*: in line with the three steps in the policy cycle Grimmelikhuijsen distinguishes: 1) transparency of the decision making process, 2) transparency of policy content and 3) transparency of policy outcomes or effects.

[5] Scholtes (2012) distinguishes three transparency paradigms based on her research of both the public administration literature and an analysis of official documentation of the Dutch House of Representatives. First there is the colorless paradigm in which knowledge consists of factual information. In this paradigm neutrality is of prime importance. The information made available is accessible, complete, actual and accurate. The rational transparency paradigm is dominated by the view that reality can be described in terms of measurement and classification. And finally she distinguishes the relational paradigm. In this paradigm practicing transparency is a matter of two-way communication. Actors are aware of the fact that the impact of information is dependent on the context, situation and the people involved.

public sector communicates with and is responsive and accountable to the public (Stirton and

Lodge, 2001). It takes transparency "beyond information sharing and suggests that it is more of

an unending process of interaction striving for greater willingness to achieve a meaningful and

accurate account of agency performance, involvement with the public, improved mutual

understanding and 'the active participation in acquiring, distributing and creating knowledge"

(Cotterell, 1999 in Huff 2011, p. 47).

Adapted from the definitions by Rawlins (2009) and Grimmelikhuijsen and Meijer

(2012), in this study transparency will be defined as *making available legally releasable*

information about a government organization, in a manner that is accurate, timely, complete

and clear, allowing external actors to monitor the internal workings or performance of the

organization. This definition goes beyond just the availability of information; it incorporates

quality demands to the information and implies a reaction from external actors, a two way

street. One of the central components in this definition is the availability of or *access to*

information. This brings us to the institutional embedding of transparency; the legal compliance

to freedom of information laws and making information available proactively. Some scholars

argue that a *proactive approach* from agencies seems most beneficial in achieving the purposes

of two-way information sharing, improving the public's understanding of the agency, increasing

accountability, reducing corruption and improving performance (Huff 2011; Darbishire 2010).

This argument will be explored in more detail in the next section.

2.1.2 Institutional embedding

The first part of the definition of transparency used in this dissertation is "*making available*

legally releasable information about a government organization." The analysis of transparency

regulation and its implementation will reveal whether the rules grant citizens' right of access or rather shield state actions from public scrutiny by means of secrecy. According to Brüggeman (2010) therefore, transparency regimes can be located between the poles of transparency and arcane policy. In this study the continuum of transparent and arcane or a degree of closedness is used. [6]

There are four main ways by which citizens might get access to government information: 1) requester release (reactive) or passive release, where citizens and journalists specifically request information from agencies not proactively provided; 2) proactive dissemination by agencies through e.g. press releases, posting documents online or providing records or information to a library or depository; 3) leaks from whistleblowers and others (e.g. Wikileaks and Snowden) and 4) open public meetings where information is discussed and released in a public venue (Piotrowski and Van Ryzin 2007; Meijer et al., 2012). The passive release of information is often laid down in Freedom of Information laws (FOIs). Increasingly also the proactive release of information is laid down in FOIs. This dissertation focuses on passive but mainly on proactive release of information and not on the release of information via leaks or open meetings. Before turning to the proactive release of information the essence of FOIs will be discussed.

---

[6] In the literature, transparency is often contrasted by secrecy. Secrets corrupt and signal political conspiracy or personal repression. Secrecy has only negative connotations (Birchall, 2011). "While there are many reasons why transparency is preferable to secrecy, particularly when it comes to government actions and accounts, the moral discourse that condemns secrecy and rewards transparency may cause to overlook the integral perhaps constitutive role secrecy (in different) disguises might play (Birchall, 2011, p. 12)".

2.1.2.1 Freedom of information legislation

Freedom of information allows access (Tavares, 2007). FOIs will give citizens the opportunity to observe the behavior or results of the rulers, and they can observe the internal workings and performance of an organization. The backbone of transparency can be found in FOIs (Grimmelikhuijsen, 2010). Freedom of information laws are considered procedural policies; policies that establish the procedures by which government can act (Birkland, 2005). Or as Birkenshaw (2006 p. 47) puts it: Freedom of information is "the right to know how government operates on our behalf'. Freedom of information laws primarily regulate the mechanisms by which the public can request information from public institutions. They establish rules on where and how to file requests, the timeframes for receiving answers, costs for copies, exceptions, as well as oversight bodies and appeal mechanisms (Darbishire, 2010). Hence, passive or reactive disclosure regulates that citizens can file requests for information.

Government transparency and democratic accountability are the underlying tenets behind FOIs (Piotrowski, 2008; Ball, 2009). Or as President Obama declared: The FOIA "encourages accountability through transparency" (USDOJ, 2011). FOIs can be useful to individuals, businesses, watchdog organizations or NGO's and of course media organizations (Islam, 2006). A free press also helps voters obtain such information. After all one of the functions of the media is surveillance; it throws the spotlight of publicity on selected individuals, organizations or events (Graber, 2006). Without mass media, openness and accountability are impossible in contemporary democracies, even though they might also hinder transparency by e.g. rhetorical and media manipulation (Balkin, 1999). Even though the

mass media are an important player in the public sphere, they are not the specific focus of this

dissertation.

Many nations have attempted to increase government transparency by adopting

freedom of information legislation (Sykes and Piotrowski 2004; Piotrowski 2008b).[7] The first

access to information (ATI), law was enacted by Sweden in 1766, which gave citizens statutory

rights of access to government documents (Hood, 2006). Finland adopted its law in 1953,

followed by the United States, which enacted its first law in 1966, and Norway, which passed its

laws in 1970. France and the Netherlands adopted their laws in 1978. Almost all European

Countries now have freedom of information access laws, as does the European Union itself

(Access to Documents, 2000) (Holzner and Holzner, 2006). Of the more than 80 countries that

currently have some form of freedom of information regime, more than half were instituted

within the last decade (Piotrowski, Zhang, Lin and Yu, 2009). 70 nations have national laws

comparable to the United States FOIA (Roberts, 2010). Most of the countries that adopted

freedom of information laws in the last two decades are less affluent, less politically stable and

have weaker administrative and legal systems and are more prone to corruption (Darbishire,

2010).

---

[7] In the literature we find several other arguments in favor of Freedom of Information. First it is seen as the most effective and inexpensive way to stop corruption and waste and enhance efficiency and good governance (Brooks, 2005; Pasquier and Villeneuve 2007; Roberts, 2010). Second, FOIs can improve the democratic process by giving citizens greater access to information about government (Piotrowski, 2008b). Moreover, FOIs can bolster the integrity of the electoral process (Sykes and Piotrowski, 2004). After all, without freedom of information, governments or administrations might withhold information that would lead citizens to vote them out of office (Brooks, 2005). Third, with FOIs, citizens do not have to rely on information from leaks, often unreliable and the result of media management, or whistleblowers who run the risks of losing their jobs and facing prosecution. Fourth, FOIs can increase the quality of public administration. Civil servants now expect the public to scrutinize their decisions and actions (Darbishire, 2010).

2.1.2.2 Proactive disclosure

Increasingly, besides passive disclosure, FOIA's also incorporate provisions on proactive disclosure (Darbishire, 2010). Proactive disclosure refers to government information that is made public at the initiative of the public body, without a request being filed (Xiao, 2010; Darbishire, 2010; Wopereis 1996). According to Darbishire (2010) there are three main reasons for this increased attention to proactive disclosure. The first is to establish minimum standards for proactive disclosure applicable to all public bodies.[8] The second is to ease the burden of a new openness regime by anticipating public demand and meeting it through proactive disclosure. The third is the growing recognition that proactive disclosure is an integral part of the right of access to information, ensuring that core information is available in a timely fashion: as the European Court

> *"… when information is made public at the initiative of the public body, without a request being filed. This is known as proactive disclosure and the result is proactive transparency…"*
> (Darbishire, 2010, p 3)

of Human Rights has noted, information "is a perishable commodity and to delay its publication even for a short period may well deprive it of all value and interest" (Darbishire, 2010).

The world's earliest access to information laws only had minimal proactive disclosure provisions (Darbishire, 2010). A reactive model of FOI legislation was adopted by democracies to solve the accountability deficit arising from a perceived growth in government power (Roberts, 2006). It was the result of a compromise between key information demand side players including the media and the parliament and the executive (Schartum, 1998). The

---

[8] Darbishire (2010) suggests a minimum standard for information that should be disclosed as part of the proactive dimension of the right of access to information: institutional information, organizational information, operational information, decisions and acts, public services information, budget information, open meetings information, decision making and public participation, subsidies information, lists, registers and databases, information about information held, publications information and information about the right to information.

American FOIA, is an example of a passive model and has a limited proactive function. The

Dutch Wob, adopted in 1978, makes a distinction between passive and proactive disclosure and

it describes that the proactive released information should be understandable and in such a

way that as many citizens as possible are being reached. Chapter 4 elaborates on both the FOIA

and Wob.

Including stronger proactive disclosure provisions has been part of the expansion of the

more recent right to information laws. For instance, the Indian Right to Information Act (2005)

identifies 18 classes of information that should be made public proactively without the need for

a request. The Mexican law on Transparency and Access to public information (2002) specifies

17 classes of information for proactive disclosure. In the UK the Freedom of Information Act

2000 initially left it up to the government bodies to define their proactive disclosure. But as a

result standards for proactive disclosure varied enormously and therefore the Information

Commissioner's Office developed in 2008 a minimum set of standards for the publication

scheme (Darbishire, 2010). An international example of proactive disclosure is the Aarhus

convention on Access to Information, Public Participation in Decision making and Access to

Justice in Environmental matters. The Aarhus convention, signed by 44 European Nations,

regulates the mechanisms by which members of the public can access information about the

environment, particularly when that information is needed for participation in decision-making

or to defend environmental rights. The convention has four features on proactive disclosure: 1)

detailed definition of the information which must be collected by public authorities; 2)

requirement that registers of information held be kept and made available to the public,

thereby facilitating the search for information; 3) detailed list of core classes of information to

be made available proactively and finally 4) granted the public direct access to databases containing environmental information (Darbishire, 2010).

In the literature we can find several arguments in favor of the proactive dissemination of information. First of all the proactive release of information is beneficial for the organization overall, both in reducing the volume of FOIA requests received and in enhancing public perception of openness (Taylor and Burt, 2010). Second, proactive disclosure ensures that the public is informed about the laws and decisions that affect them. Third, it facilitates more accountable spending of public funds and promotes integrity in government. From the perspective of the citizen it ensures that they have the information needed to participate in policy and decision making. Moreover, dissemination by public bodies of information about how they function helps the public access government services (Darbishire, 2010). It ensures that information seekers get immediate access to public information and avoid the costs of filing a request or engaging in administrative procedures (OECD, 2011). The rise of the internet has furthered transparency by making large-scale publication of government data possible at low cost. In addition, it encourages better information management, improves a public authority's internal information flows and thereby contributes to increased efficiency (Darbishire, 2010). At the same time scholars warn for unintended consequences such as an information overload: "information overload corrupts wisdom and knowledge and descends to spin and spam. Most dramatically openness involving too much access to information could endanger public and national security" (Birkenshaw, 2006, p.51).

2.1.2.3 Passive and proactive disclosure: two sides of the same coin?

Thus, there is an increasing trend to incorporate proactive disclosure into FOI legislation. Public

access rights and public information activities or proactive disclosure seem to be two central

aspects of an open and transparent sector (Figure 2). Brüggeman (2010) argues that passive

and proactive disclosure, are two sides of the same coin. The literature indicates that an open

and transparent sector might lead to more accountability, improved relations with the

government and citizen participation. Yet as pointed out in the former section, this direct

relationship is questionable because the information might not reach audiences or might not be

understood.

Figure 2: Passive and proactive disclosure
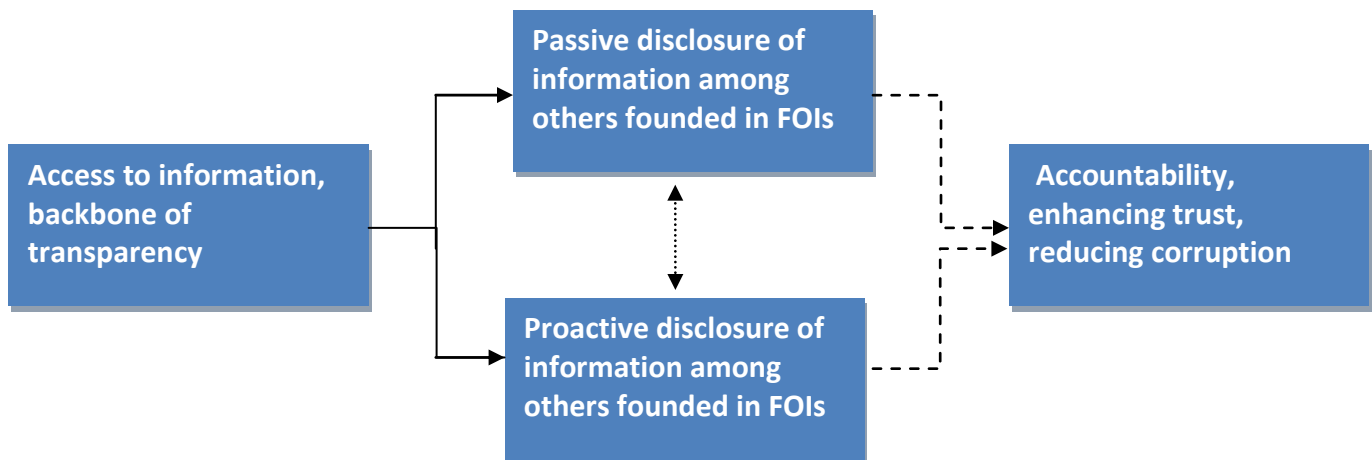
Important differences between the two approaches exist. When individuals request

information, what they obtain is genuine case documents. The citizen himself must choose

which documents he wants to read and interpret them in order to arrive at his own

understanding of the contents. When the aim is to control the exercise of public authority, this

approach has obvious advantages, because it can ensure an appropriate distance and

independence between the controller and the controlee. On the other hand, this approach will

present a difficult challenge for the large majority of citizens, especially in complicated case

areas (Schartum, 1998).

With proactive disclosure, governments decide on the way in which information is

collected, processed and published (Van den Burg, 2004). In its extreme form it could lead to

propaganda. *"*Propaganda as a concept of information policy pursues persuasive goals and

employs manipulative means. In contrast to legitimate forms of persuasion, propaganda

ignores generally accepted norms of communication such as truthfulness and a minimum of

respect towards diverging opinions" (Brüggeman, 2010, p. 9). Clearly, propaganda is not

appropriate for promoting transparency and democratic debates.

Moreover, as pointed out in *figure 2*, reactive and proactive disclosure can influence

each other. In the 2012 Open Government Status Report (White house, 2012) it is described

how some US agencies have proactively disclosed information that is traditionally sought under

FOIA. For instance the USDA's Animal and Plant Health Inspection Service (APHIS) now posts

online a variety of its reports, enforcement actions, and prior FOIA responses. " These reports

and enforcement actions were often the object of FOIA requests. As a result of posting this

information proactively instead, the APHIS reduced its incoming FOIA requests by 42%" (White

house, 2011 p. 13). Immediately after the Columbia accident, the National Aeronautics and

Space Administration (NASA) FOIA office, that is part of the Public Affairs office, developed a

plan to use FOIA as a way of informing the public of the Columbia accident. The Central FOIA

reading room would collect all released documents regarding the accident. "This was an

unprecedented move in FOIA processing across government to use FOIA as a primary means of

communication in a time of crisis and without a request. While there was uncertainty, the

result of swift movement and pro-active processing yielded greater internal governmental and

public support" (NASA, 2010). Another example is the expenses claims of the Dutch Ministers

and Directors of the Ministries. In 2000 the accusation of inaccurate expenses claims by Dutch

minister Bram Peper during his time as Mayor of Rotterdam, eventually led to his resignation as

a minister. This is also known as the "bonnetjes affaire" (the claims affaire). In order to get

access to these expenses claims, journalists filed a Public Access Act (Wob) request. In 2009 the

Dutch minister Ter Horst announced that the expenses claims would be disclosed proactively,

this however stranded in the Council of Ministers and did not come into effect until 2013. A

press release by the federal government (Rijksoverheid, February 27, 2013) states that in order

to enhance transparency, as of February 2013 the expenses claims are disclosed proactively

each month and can be found on the on the federal government portal website.

Thus, both reactive and proactive disclosure are important aspects of transparency and

both are laid down increasingly in government information laws. However the way this is done

differs per country. Some countries already have a long history in both reactive and proactive

disclosure; others have only recently adopted a law or amended. Furthermore it should be

noted that proactive disclosure does not necessarily refer only to FOIs. Other rules and policies

might be in place to stimulate proactive disclosure. These differences in origins and evolution of

proactive transparency regimes will be taken into account in this dissertation. This is in line with

historical institutionalism (Hall and Taylor, 1996) that takes the distinctiveness of institutional

arrangements in specific contexts of time and space as point of departure. The differences in

origins and evolution of the institutional embedding of transparency might influence the way

government agencies and employees perceive and implement proactive transparency. After all, institutional logics form a large construct arranging the way in which people from an institutional context think and speak in, and act and react to, the environment in which they find themselves (Hillebrandt, 2011).

2.1.3 Information content and information technology

In the former section I have discussed access to information in terms of institutional embedding. Now we turn to information content or the object of transparency: what information is disclosed and how? This is in line with the second part of the definition of transparency given above: *allowing external actors to monitor the internal workings or performance of the organization".* Grimmelikhuijsen (2010) defines the internal workings and performance as objects of transparency in line with the three steps in the policy cycle. He distinguishes: 1) transparency of the decision making process, 2) transparency of policy content and 3) transparency of policy outcomes or effects. Decision making transparency refers to both the degree of openness about the steps taken to reach a decision as to the rationale behind it. Policy transparency regard the information disclosed by government about the policy itself; what the adopted measures are, how they are supposed to solve a problem, how they will be implemented and what implications they will have for citizens. Lastly, policy outcome transparency refers to the provision and timeliness of information about policy effects.

There are also other types of information that can be released. Darbishire (2010) describes a minimum standard for proactive disclosure for government agencies which should include: institutional, organizational, operational information, decisions and acts, public

services information, Open meetings information, decision making and public participation, subsidies information, public procurement information, lists, registers and databases, information about information held, publications information, information about the right to information. Hence a wide variety of information about the internal workings and performance of a government agency could be disclosed. This research focuses on the information related to the policy cycle as defined by Grimmelikhuijsen (2010) and budget and subsidies information as categorized by Darbishire (2010) as one of the minimum standards of classes of information that should be proactively released.

The definition of transparency as used in this study uses the term '*monitoring'*. According to the Oxford dictionary monitoring means "to observe and check the progress or quality of (something)". This implies that actors not only have a legal right to access to information but also that the information is known to them otherwise actors cannot observe and check. It also implies that actors understand the information and can do something with the information in terms of forming an opinion, preferences or provide feedback. Thus there are in fact more aspects to information access, than access via formal rules. Jaeger and Bertot (2010) emphasize three aspects of access to government information; physical access (being able to reach the content), intellectual access (being able to understand the content) and social access (being able to share the content).

As argued earlier in this chapter the 'availability' of information does not necessarily constitute transparency if the material that is public disclosed, is not read, heard or seen by any or many audiences. Even where it is read, heard or seen, it may not be understood by those audiences (O'Neill 2009; Heald 2006; Wopereis 1996). This brings us to the part of the

definition of transparency used in this dissertation that refers to information being released: "

in a manner that is accurate, timely, complete and clear." Transparency requires ''to truthfully

communicate the reality of a particular subject-incident-event-etc'' (Martinson, 1996, p. 43). By

contrast, lies are part of the arsenal used to guard and to invade secrecy. Disinformation is

spreading false information in order to influence public opinion (Bok, 1982). However one can

be truthful without revealing all information (Rawlins, 2009). Truthful information therefore

must meet a standard that Klaidman and Beauchamp (1987) call substantial completeness. This

is the level at which a reasonable person's requirements for information are satisfied.

Substantial completeness is concerned with the needs of the receiver, rather than the sender.

The key to obtaining substantial completeness is, knowing what your audience needs to know.

It should reflect both positive and negative elements (Grimmelikhuijsen, 2012).

Grimmelikhuijsen (2012) refers to information usability and whether the information is

timely and understandable or clear.[9] Similarly, in the USA transparency has been promoted by

several public advocacy organizations such as Sunshine Week and the Open Government

Working Group (Popova-Nowak, 2011). These organizations have suggested eight fundamental

principles regarding public access and use of government information: data should be

---

[9] Grimmelikhuijsen (2012) combines these dimensions with the objects of transparency as pointed out earlier:

	Dimensions of transparency		
	Completeness	*Color*	*Usability*
Decision making	Complete information about decision	Information is reflecting all values and opinions in the process	Decision making process made insightful in a timely and understandable manner
Policy making	All relevant policy plans and measures are available	Reflecting both negative and positive issues about the policy	Policy plans and measures are made insightful in a timely and understandable manner
Policy outcome	All qualitative and quantitative data about relevant policy outcomes are available	Effects are determined objectively, there is no room for dissenting opinions about policy outcome	Policy outcomes are made insightful in a timely and understandable manner

complete, primary, timely, accessible, machine-processable, non-discriminatory, non-proprietary and license-free (Opengovdata.org, 2007).

Now that the quality of the information has been defined we turn to *the way* information is released. Means used in proactive disclosure can range publications and official gazettes, to publicly accessible notice boards, to radio and television announcement and to social media and posting on the internet via a public's institution website (Darbishire, 2010).

In the past decade, the internet has had a profound impact on information behavior. Technologies have opened up worldwide access to information on an unprecedented scale (Hiebert, 2005). It has reshaped virtually every channel of information; newspapers, television, movies, magazines, books and all forms of telecommunications (Jaeger and Bertot, 2010). Scholars and policymakers have focused on new opportunities these innovations have to offer for greater involvement by citizens and improved efficiency in government agencies (Mahler and Regan, 2007). Electronic government strategies, transparency, interactivity and transaction are important factors that directly affect e-government satisfaction and indirectly affect trust (Welch et al, 2005). The internet and information technologies have revolutionized the proactive dissemination of government information (Popova-Nowak, 2011). In the contemporary digital environment virtually all forms of data and information can be far more rapidly, efficiently and widely disseminated than previous possible (Moritz, 2011). Meijer (2009) has coined this "computer mediated transparency" derived from the communication science literature. This dissertation focuses on computer mediated transparency (Meijer, 2005; Mahler and Regan, 2007; Grimmelikhuijsen, 2010).

The internet has made transparency easier for governments to accomplish (Jaeger and Bertot, 2010) and has greatly reduced the costs of collecting, distributing and accessing government information (Roberts, 2006). As a result there has been a trend toward e-government for greater access to government records and increased focus on proactive release of information (Cuillier and Piotrowski, 2009). Over the last few years the volume of data has exploded (Brown et al., 2011). Data.gov in the USA provides a central platform for federal agency data sets varying from air quality information to automobile safety, crime, childhood learning, nutrition and workplace safety (White house, 2012). On the website 373, 029 raw and geospatial datasets can be found. In the UK the government is also releasing information to help people understand how government works and how policies are made. On data.gov.uk more than 9000 datasets are available from all central government departments and a number of other public sector bodies and local authorities. However as Sifry (2011, p132) emphasizes, no one in the transparency movement "is arguing that raw government data alone is all we need. Context, stories, narrative, and analysis are all vital too – plus engaged citizens".

Using the internet to promote transparency is reasonable because of the technological capacity and because it meets the expectations of many members of the public (Jaeger and Bertot, 2010). The current literature sees government websites as important tools allowing agencies to increase the amount of information proactively disseminated to the public (Jaeger, 2005; Eschenfelder, 2004). An essential function of e-government is the access and exchange of information. It allows citizens new ways to interact with the government, such as email, online meetings, forums and online voting (Jaeger, 2005). It can foster dialog between an organization and its stakeholders that boosts a two-way symmetric communication (Searson and Johnson,

2010). Technologies can thus facilitate direct communication with target publics, bypassing media intervention.

However, there are also unintended consequences. Inequity among individuals could grow. The gap is widening between the information-rich and the information-poor. At the same time technologies have opened up a whole new world, rich of information, for individuals that never had access in the past (Hiebert, 2005). Transparency through the internet might not necessarily strengthen government legitimacy. Not all citizens have access to information and those who do might be confronted with an information overload. More information on websites could result in more negative stories in the press and undermine legitimacy (Curtin and Meijer, 2006).

Furthermore, social media have been quickly adopted by many government agencies as means to reach members of the public (Jaeger and Bertot, 2010). Social media have four potential strengths: collaboration, participation, empowerment and time (Bertot et al, 2010). "Social Media is collaborative and participatory by its very nature as it is defined by social interaction. It provides the ability for users to connect with each other and form communities to socialize, share information, or to achieve a common goal or interest. Social media can be empowering to its users as it gives them a platform to speak. In terms of time, social media technologies allow users to immediately publish information in near real time (Bertot et al, 2010, p. 266)". The use of social media may create challenges for transparency. An important key precondition of transparency is the ability to locate and retrieve information (Popova-Nowak, 2011). The growing amount of government information distributed via social media could impede people's ability to locate and retrieve the information (Jaeger and Bertot, 2010).

As Sifry (2011) points out usage of social media like Twitter and Facebook have come to be seen of proof that government officials have embraced the network age when however most of the time they are still just talking *at* their constituents rather than *with* them. He continues (Sifry, 2011, p. 118) "In years of tracking the impact of two-way technology on politics, I have only encountered a handful of substantive breaks from this pattern of top down behavior."

Thus, transparency is not only about information government wants to disclose (proactive) or has to disclose (reactive). It should also take into account the *perspective of the receiver*, or actor thereby looking at criteria such as whether the information is findable and relevant for its users. In addition, completeness, timeliness, accuracy and understandability are important as well. Technology has made it easier to disclose information and the amount of proactively disclosed information by the government is growing, yet achieving two-way communication with citizens needs more attention.

2.1.4 Conclusion

The institutional context of transparency was discussed, thereby specifically focusing on making information available in a passive or proactive way as among others laid down in freedom of information legislation. Passive and proactive disclosure are two sides of the same coin and influence each other. This dissertation mainly focuses on proactive transparency. In the literature it is argued that both types of disclosure promote accountability and trust and can improve the relationship with citizens or reduce corruption. Yet other scholars are more critical. Some refer to unintended consequences of transparency such as an information overload or increasing inequity been the information-rich and the information- poor. The line of argument

44

in this dissertation is that the relationship between transparency and democratic values such as accountability and trust might not be as straightforward. Transparency regimes depend both on the demand for information, the ability of citizens to obtain information and the supply and actual release of information by the government (Mitchell, 1998). Also, information must be known and understood by citizens. Moreover citizens need *to do* something with the information in order for governance to be effective (Ball, 2009). In line with several scholars (Popova-Nowak, 2011; Burke and Teller, 2011; O'Neill, 2006; Fairbanks et al, 2007) it is argued that transparency is not only about information access or information sharing, but also about two-way communication (Figure 3).

Figure 3: recognizing a communicative dimension
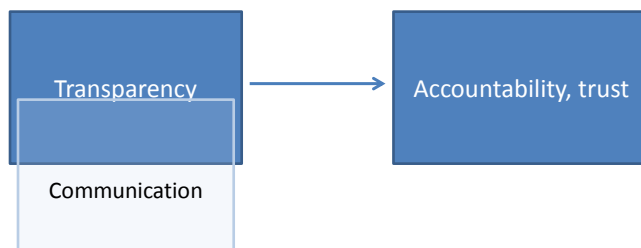
Brüggemann (2010) argues that communication activities and transparency rules in terms of access to information should be viewed as belonging to the same policy which he calls information policy. He defines information policy as a set of political decisions, which determine the goals, rules and activities of an organization's communication with its constituents. Communication activities can be analyzed "as being part of the implementation of a policy governing all activities related to the exchange of all sorts of information, facts as well as

opinions, between a public body and its environment" (Brüggemann, 2010, p. 7). Transparency

rules however "define the right of the citizens to access all sorts of sources and not only the

purposefully prepared messages of PR agents" (Brüggemann, 2010, p. 7). Communication might

facilitate broad access to information. However, tensions might arise between efforts of

communication to withhold information and give it a certain "spin" and regulations that provide

rights of full access to information (Brüggemann, 2010). Hence communication can facilitate

transparency. It does however not necessarily mean that all communication is transparency.

Nor is all disclosure of information, communication. However, recognizing a communicative

dimension of proactive transparency is essential.

2.2 Communication theory and practice

In this section it will be further examined how transparency and communication relate to one

another and what can be culled from communication theories for (proactive) transparency

theory development. By looking at transparency from a different lens, fresh and new ideas can

emerge thereby enriching public administration theory and practice (Farmer, 2010). Following,

the role of government communicators will be discussed, thereby turning to the second part of

the main research question: how a transparency regime as outlined above will *affect the way

federal government communicators value and implement proactive transparency*.

2.2.1 The relationship between transparency and communication

As argued above a focus solely on information access or disclosure within the transparency

realm neglects the value of communication. The question then becomes how do the two

concepts transparency and communication relate to each other? First the concept of

communication needs further exploration. In the literature different terms can be found

regarding the exchange of information between government and its stakeholders such as

'public information' (Weiss, 2002), 'public sector communication' (Graber, 1992), administrative

communication (Garnett, 1997), 'government public relations' (Lee, 2008) or 'government

communication' (Heise, 1985; Nessmann, 1995, Toekomst Overheidscommunicatie, 2001). In

line with Heise (1985), Grunig 2008) and Liu et al (2010), in this dissertation the term

'government communication' will be used for the exchange of information between external

actors and government agencies.[10] Communication in this study is seen as a dynamic process

that develops over time and takes place between at least two actors; one actor distributes a

message, the other actor responds with its own message. This is how they exchange thoughts

and ideas and how they generate new ones (Ruler, 2012). Communication in this sense can

connect and facilitate government transparency and citizen participation: vision and voice.

Transparency has been advocated in communication for decades (Fairbanks, 2007 et.

al). Communication scholars have looked closely at the role communication plays in restoring

and building trust in organizations (Fairbanks, 2007). The field is charged with the obligation of

securing a steady flow of information about all matters of societal relevance concerning

corporations and social institutions (Christensen and Langer, 2009). That has led to the

---

[10] Public information puts an emphasis on information dissemination, 'with little effort expended on measuring its effectiveness, that is feedback' (Heise, 1985 p 212). Public relations are often equated with spin, distortion and manipulation (Coombs and Holladay, 2007; Lee 2008). Additionally, this study focuses on communication involving administrative agencies and their internal workings and performance rather than on campaign rhetoric or political symbolism that are more in the domain of political communication (Garnett and Kouzmin, 1997). Nor does the researcher focus on propaganda. Propaganda is typically invoked to describe mass influence through mass media, is covert and refers to instances in which a group has total control over the transmission of information (Perloff, 2008).

development and models of several theories that stress the importance of open sharing of

information and that organizations understand and be responsive to their publics (Fairbanks,

2007). Government communication is a way for people to be involved in the marketplace of

ideas. It allows them to share and understand ideas before making a choice (Heath, 2005).

Communication scholars have also studied the role of communication practices in

organizational transparency (Fairbanks, 2007) and have recognized transparency as a tool for

reputation management (Goodman, 2002). They emphasize the importance of corporate social

responsibility that acknowledges the benefits of openness in the disclosure of corporate

information (Sykes, 2002). It is the task of communications to provide information to

stakeholders, but also to protect the organizational privacy to ensure control about what

information circulates about the organization. In this line of research, scholars recognize the

role of transparent organizational practices in increasing trust. The act of clear and honest

communication is essential to building, maintaining, or restoring relationships based on trust

(Goodman, 2002).

Already in the 1950's Barrett argued in his memoires "Truth is our weapon" that truth is

an indispensible ingredient. But this however does not necessarily mean that communication

presents the truth about an organization as truth is always rhetorically negotiated (Heath,

2005). As Balkin (1999, p 394) points out; "People often oppose transparency to secrecy.

However, governments and politicians can manipulate the presentation and revelation of

information to achieve the same basic goals as a policy of secrecy and obfuscation". Lindberg

(2009) conducted a study on real-life FOI requests in five countries and also concludes that spin

is used. Rawlins (2009, p 78) argues that "organizations that strive to be transparent are willing

to be held accountable to their publics, and respect their publics' autonomy and ability to reason enough to share pertinent information. For this reason, it could be expected that organizations that are considered transparent by their publics may also be considered ethical". Withholding important information, giving partial information, or distorting information disables individuals from using their ability to reason and hence is not ethical. Rawlins (2009) concludes that the transparency efforts appear to be rewarded, as expressed by respondents in their opinion that the organization is ethical and has integrity (transparency reputation traits). Hence on the one hand communications can enhance transparency while on the other hand the field can hinder transparency by using spin and withholding information.

Within communication literature there are numerous media theories, media content theories (e.g. agenda setting theory McCombs and Shaw, 1972; Priming, Yvengar, 1991; Framing, Nelson et al., 1997), media audience theories (e.g. Uses and Gratification Theory, Blumler and Katz, 1974) and social psychology theories on how individuals process information (Theory of Reasoned action, Ajzen and Fishbein, 2005; Elaboration Likelihood model, Petty et all, 2005; Heuristic Systematic Model Chen and Chaiken, 1999). What these theories make clear is that an emphasis on information ignores the importance of the content, the audience or information processing. It is therefore important to focus on essential questions like what information is disclosed by the government in the realm of transparency to whom, when, why and in what way? And for whom should the information be accessible, understandable and insightful? The public in general? Or specific target groups? What would these groups like to know? What are their needs or interests? And how is it made insightful? Is feedback expected?

However, public relations or communication often has a negative meaning due to its history and close ties to propaganda (Fairbanks, 2007; Lee 2008). Because of this negative image generations of public administrators and scholars have tended to shy away from public relations (Lee, 2008). Public relations can be used to increase compliance and public support for new policies and laws, as well as providing mangers with insight relating to how the public will respond to agency decisions (Lee, 1999). Moreover, government communication is often studied within the scope of corporate communication theory and practice (Liu, et al 2010; Hawes, 2010; Lee, 2008; Coombs and Holladay, 2007; Garnett, 1997; Heise, 1985). Yet as Liu et al (2010) point out in their study, there are clear differences between government and corporate communication. The government has to serve a more information-hungry and heterogeneous public than do their corporate counterparts. Moreover, governments are more restricted by legal frameworks such as FOIs to perform their jobs. With the rapid expansion of the digital age and the information explosion the importance of managing informational relationships is certain to increase. Public administration practitioners and educators therefore need to broaden their scope of attention to embrace communication (Lee, 2008).

Some public administration scholars have started to draw upon this body of literature in order to enhance our understanding of transparency. Cuillier and Piotrowski (2009) apply a uses and gratification theory approach to examine internet information use and its relation to support for citizens and press access to government records. Grimmelikhuijsen and Meijer (2011) use the Elaboration Likelihood Model to examine whether high levels of prior knowledge are expected to weaken the relationship between transparency and trust. Finally, Black (2008), who focuses on accountability and legitimacy relationships, argues that to the relational

concept of accountability an appreciation of the communicative structures through which accountability occurs needs to be recognized. It is beyond the scope of this dissertation to summarize each and every relevant communication theory. This dissertation will specifically focus on government communication theory and models that in the literature are linked to transparency as an institutional relation.

2.2.2. Communication theories and models

There are numerous communication theories. In this paragraph an overview is given of theories that can be garnered for the study of transparency as an institutional relation thereby at first specifically focusing on the meso level: communication of (government) organizations or as Ruler (2004) calls it: "communication management".

Ruler and Verčič (2012) provide an overview of all major approaches to communication so far, summarized in five different theoretical approaches to communication, thereby combining aspects of approaches to management and organization. This overview explains why both practices of enhancing transparency and hinder transparency can occur simultaneously in the communication field. Moreover, these five models provide an overview of the development of communication theory in general and of the different ways (government) organizations have used or are still using communication, or the transfer or exchange of information, with the public.

First, Ruler and Verčič (2012) distinguish *the information model*. Grunig (2008) calls this the one way approach. This model leads to the dissemination of information about the organization's plans and decisions. The organization is the sender and the public the receiver. It is about informing the right people at the right time, mainly via mass media. Theoretically it

refers to early theories of how the mass media work, the theoretical field on which

communication science has been based, such as Laswell's (1948) 'who says what in which

channel to whom with what effect'. Laswell speaks of the chain of communication which can be

examined in relation to input and output. Grunig and Hunt (1984) argued that in the beginning

of the eighties about 50 per cent of all organization in the USA practiced this mainly one way

model. An example of this model is informing citizens about public services on a government

website, such as how to file a FOIA-request. An online register or online library falls into this

category as well.

Second, Ruler and Verčič (2012) describe the *persuasive model*. This is seen as a means

to promote the organizations' plans and decisions to important other parties. The public as a

receiver must be convinced that there is a predefined meaning to the situation. The

introduction of a psychology approach to mass communication instead of a sociological one is

at the basis of this model. The model focuses on the persuasion of target groups to accept a

message, the organizations' view on relevant issues. This is what Grunig (2008) calls the

asymmetrical approach to communication. The organization is the sender and the public the

receiver. Receiving the message however is not enough in this model, the public must also be

convinced. There is a predefined meaning of the situation. Persuasive management is primarily

impression management according to Ruler and Verčič (2012). The persuader's aim is to

influence what people do (O'Keefe, 1990). Successful communication in this model is ensuring

that a positive image is held by important target groups. Examples of this model are the

traditional public information campaigns, which are systematic organized efforts to mold health

or social attitudes through the use of communication (Perloff, 2008). Such as, AIDS prevention

campaigns or campaigns to convince people to quit smoking or wear a seatbelt. There are also

campaigns in the political arena such as around presidential elections in the USA or encouraging

citizens to vote in the Netherlands. Another example is a budget information campaign that

shows citizens what the government is doing with their tax money in order to enable the

organization to continue. This model seems to have more in common with "spin" and less with

balanced information as defined in the definition of transparency in this dissertation.

Third there is the *relationship model* in which communication is seen as establishing and

maintaining mutually beneficial relationships between an organization and its publics (Ruler

and Verčič 2012; Cutlip et al. 2000). In this model the focus is not on communication processes

towards target groups but on communication processes between interdependent parties.

There are no senders or receivers; each is seen as an actor. The aim is to reach consensus. One

of the most influential thinkers about communication Jürgen Habermas (Durham Peters, 1999)

emphasizes in his *Theory of Communicative Action* (1986), the importance that communicative

speech acts should be aimed toward reaching understanding and consensus among actors. He

proposes a theory of how language and communication work to create a shared meaning and

mutual understanding among participants (Hoch 2009). Furthermore, this approach is based on

the "balance theories" of communication: communication between parties will always lead to

balance of interests. It is what Grunig (2008) calls two-way communication. Trust and

accountability are based on genuine dialogue, negotiation and two-way relationships in which

all parties are able to express their viewpoints and interests. Two-way communication involves

both speaking and listening to stakeholders. Listening does not only mean hearing what others

have to say but also acting upon what stakeholders have to say. The goal in symmetric

communication is that organizations and publics adjust and adapt to each other for mutual

benefit, rather than an organization using one-way persuasive communication merely to

empower the organization and foists its goals onto its stakeholders (Searson and Johnson,

2010). It concerns a communication process between inter-dependent parties. Transparency

with a focus on access to information seems a one way communication process in which the

organization provides information to other stakeholders (Welch, 2012). However, based on this

two way model Christensen and Langer, (2009, p131) argue: "Without some transparency,

symmetry is pure form: balanced communication exchanges without insight or intelligibility.

And without symmetry, transparency breeds power imbalances that potentially reduce

collaboration and trust." Rawlins (2009, p. 95) who constructs transparency as having both

reputation traits and communication efforts, concludes based on his research that "the concept

of openness could be more robust if it included the dimensions of participation and

accountability found in the measurable construct of transparency". Hence, the relationship

model encourages connecting vision and voice (connecting transparency and participation) as

two important pillars of Open Government, as was stated in the Obama Administrations Open

Government Directive (2009). A participant or actor can voice their opinion on the basis of

knowledge about decision-making processes. But to take it one step further; these opinions

then should be incorporated into policy and action (Graham, 2011). In that way actors and

organizations can mutually influence each other, leading to true dialogue and eventually a

balance of interests.

The fourth is the *dialogue model* in which communication is seen as the facilitation of

dialogic interaction between an organization and its publics (Ruler and Verčič, 2012). The

central perspective of this model is that by facilitating interactions, new meanings are

continually created. It is an open ended-model. The basis of this model is contemporary

rhetorical theory. Whereas the relationship model is focused on harmony the dialogue model is

more a battle of interests and creating as many meanings as possible. Management is aimed at

finding deliberate and pluralistic solutions for problems. The process of meaning creation in this

model is restricted to the co-creation of ongoing learning processes of people who are related

organizationally. This is also in line with modern network and learning theories on organization.

In terms of proactive transparency, an example of this model is the use of Open Data.

Government organization and stakeholders co-create meaning out of data by e.g. creating apps.

The same data might be used by different stakeholders in different manners creating several

meanings out of the same data. This model also could be associated with the term

"collaboration" as used in the Open Government Directive. Another example is an initiative by

the US National Archives and Records Administration (NARA), called citizen archivists. The

Citizen Archivist Initiative engages the public in crowd sourcing activities like tagging,

transcription, and scanning to help make the records of NARA more accessible online, where

people want them. It helped to improve access to the records of the Federal Government and

generated more public interest in the work of NARA (NARA, 2012).

Finally, there is the *reflective model* of communication management. This model is

added by Ruler and Verčič (2012), to the four models as outlined above and summarized in

table 1. They argue that in the models discussed above the organization is seen as one actor in

the communication management process and the public as the other actor. In this model the

organization is viewed from the outside or the public view. In general more recent scholars

argue that effective communication is at a minimum a two way process (Heise, 1985).

According to Grunig (2008) the two-way symmetrical model is the most effective model

compared to the two way asymmetrical and one way models. However, as van Ruler (2004)

argues, in practice it is unrealistic to choose between these different communications

strategies: all people try to inform and persuade others and they all engage in dialogues and

negotiations now and then. In fact the models in practice should not be used exclusively but

complimentary. In the reflective model, organizations are best advised to use the models

simultaneously and in various combinations as strategies (Ruler and Verčič , 2012). Moreover,

in this model organizations are viewed as institutions and as part of society at large. People are

seen as reflective human beings engaged in a continuous social process of constructing society.

In this model communication management is primarily concerned with its public legitimation, it

focuses on public opinion as quantity as well as a quality.

Table 1: *Summary of models adapted by Ruler and Verčič (2012)*

Model	Information	Persuasion	Relationship	Dialogue	reflective
Communication (Cm)	Mechanical	Psychological	system interaction	interpretive	depends
Cm problem	Knowledge	Influence	Trust	Meanings	societal development of meanings
Cm indicator	Readability	image/reputation	Relationships	understanding of meaning	public license to operate
Cm focus	dissemination of info	promotion of plans/decisions	accuracy of relationships	co-creation of new meanings	public sphere
Cm intervention	Informational	Persuasive	negotiating	Discursive	depends

The informative and persuasive model, are associated with closedness and respectively either a

focus on facts, accuracy and rationality or a focus on interpretation and emotion and less

rationality (see figure 4). The relationship and dialogue model are associated with openness

and respectively a focus on accuracy and rationality or on limited rationality.

Figure 4: Typology of communication models adapted by Ruler and Verčič (2012)

Rationality/denotation

Informative   Relational

One-way/closed   **Two-way/open**

Persuasive   Discursive

Limited rationality/connotation
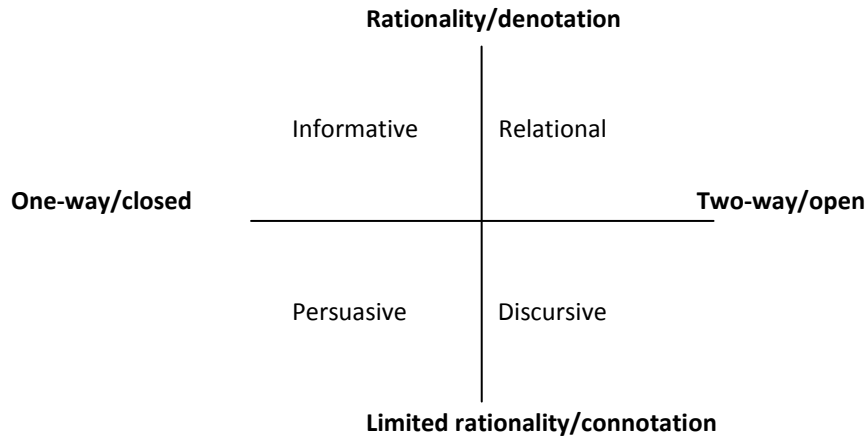
What these different approaches make clear first of all is that there is not one single

normative theory of communication management. These models should be seen as strategies

that suit solutions to certain problems. Secondly, it becomes clear that not all communication is

transparency or enhances transparency. The two way approaches, relational and discursive are

the open approaches: they stress the importance of open sharing of information and stress that

organizations understand and be responsive to their publics. These approaches can enhance

transparency and connect vision and voice. At the same time, a persuasive approach in terms of

withholding information or distorting information in order to uphold a positive image of the

organization, could distort transparency and participation. Thus, two-way symmetric model

continues to be a significant ideal in both communications theory and practice. Underlying this

thought is the idea that the citizenry must be active participants if transparency is to occur; it is

not enough for governments to simply publish information (Ball, 2009). The disclosure of

information is only meaningful if individuals or groups are capable of acting upon that information (Roberts, 2001). If bottom-up, user generated transparency is becoming more of a reality the question for government is whether they will embrace this change and show they have nothing to hide.

In conclusion, the communication field is charged with the obligation of securing a steady flow of information about all matters of societal relevance. Recognizing the communicative dimension of transparency is essential as communication can both enhance and constrain transparency. Ruler and Verčič (2012) provided an overview of different communication models and argue that organizations usually do not choose one model of communication but that all take place in practice: simultaneously but also in the form of a mix. Following this line of argument, the *degree* of use of each of these models described above might vary per organization. Rawlins (2010) argues that transparent organization might use less spin and more substantial and accountable information; information that is complete, relevant, accurate, clear, timely and balanced and timely. Thus, it might be expected that more transparent organizations might be more inclined to use the two –way models and are less inclined to use the persuasive model. Now that the importance of the communicative dimension of transparency is laid out, the focus will turn to the micro level: the role of the government communicator.

2.2.3 The role of government communication officers

Within organizations, the communications or public affairs department spends a significant amount of time and resources to improve communication between the organization and stakeholder publics (Kim, Park and Wertz, 2010). Government communicators, working at these

departments, are the visible figure at the interface between the bureaucracy and society and can make a valuable contribution to societal well-being and public support for democratic institutions (Heise, 1985; Ēdes, 2000). They are placed in the middle when attempting to balance the needs of the organization with the needs of society (Coombs and Holladay, 2007). Encouraging and facilitating effective communication practices within a government agency can be seen as the responsibility of communication staff (Fairbanks et. al. 2007). Requests under freedom of information laws may be directed through or otherwise involve a government communicator (Ēdes, 2000). Public servants have a fundamental obligation to inform their publics and to be informed by their publics. Hence having this role they are an important factor within the proactive transparency realm. Yet little is known about the role they play in implementing proactive transparency and about their attitudes toward proactive transparency. In the literature a few other studies can be found that have examined public service behavior and transparency. Some studies have been conducted in the realm of FOIA requests. Taylor and Burt (2009) study public service behavior surrounding the early post implementation of the 2002 Scottish Freedom of Information Act. Their focus is however mainly on FOI requests. Both Piotrowski (2007) and Kimball (2011) analyzed how US access professionals, government employees who regularly respond to FOIA requests for government agencies, view government transparency.

In the communication literature three relevant models can be found. First of all, In line with reflective model as described by Ruler and Verčič (2012), Liu, et al (2010) focus in the *government communication decision wheel* as a model of public relations decision making in the public sector. This model does not only focus on government communicators in

government agencies but also takes into account the unique characteristics of the public sector

environment. They argue that so far public relations models do not adequately fit the unique

attributes of the public sector. According to Liu et al (2010), primary environmental attributes

that affect which channels and dissemination strategies government communicators select are:

e.g. federalism, legal framework, media scrutiny, public good, poor public perception, politics,

devaluation of communication and leadership opportunities, diversity of the public, limited

leadership opportunities, limited evaluation and limited funding. The government decision

wheel is a tool for government communicators to select the most effective means of

communication for each individual situation and environment. The model does not specifically

focus on transparency. However they do find that, because of legal frameworks such as FOIA,

government is often not able to communicate fully and openly. Due to time and financial

constraints government communicators often do not release all information but wait for the

media and public to request specific information.

The second relevant model is the t*hree dimensional model of transparency in*

government communication by Fairbanks et al. (2007). They analyzed the role of transparency

in the government communication process and describe a model for transparency *in*

government communication. So far in this dissertation transparency was the point of

departure. In this study however the viewpoint is turned around. This model analyzed

transparent government communication, thereby focusing on government communicators

within organizations but not on the broader context, like Liu et al. (2010) did. In the three

dimensional model the commitment to transparent communication is influenced by three key

elements; communication practices, organizational support and the provision of resources.

They argue that in order to achieve transparency, government communicators must adopt

practices that promote open information sharing. These include working to enhance agency

relationships with the public through responding to public needs, seeking and incorporating

feedback and getting information out to the public through a variety of channels. This can be

achieved as agencies use the two- way symmetrical model of communication to increase their

understanding of segmented publics to develop and disseminate appropriate and

understandable information. In addition, communicators must work with managers to create

an organizational culture that supports transparency. This can be achieved by providing

communicators a seat at the management table, improving internal organizational

communication, understanding the relationship between the agency's mission and

transparency and distinguishing between communicating about policies and promoting a

political agenda. Finally communicators must have access to the time, staff and money needed

to communicate in transparent ways.

Fairbanks et al. (2007) exploratory qualitative study consisted of a convenient sample of

18 interviews and revealed a transparency model for government communicators. The sample

consisted of respondents of only three agencies and is therefore not generalizable to

government communicators as a whole. They analyzed whether government communicators

perceive it as their responsibility to provide the general public access to information and if they

do, how they fulfill that responsibility. They find that communicators clearly recognize the need

for and the benefits of transparency in government agency communication. Yet there is no

emphasis on the difference between reactive or proactive transparency neither on

transparency and the different stages of the policy process as pointed out by Grimmelikhuijsen (2012); decision making, policy making and policy outcome.

Hawes (2010) in her dissertation builds on the model of Fairbanks et al. (2007). She quantifies Fairbanks model among American city government communicators. She tests the validity of her instrument with the dimension of the Rawlins stakeholder measurement tool. She concludes that valuing transparency has no significant impact on overall transparency of the organization and that organizational support is the greatest predictor of overall support. However the concept of transparency is not elaborated on in her dissertation, neither does it make a distinction between reactive and proactive transparency. Nor does it include possible differences between countries.

Lastly, there is the *public communication model* developed by Heise (1985). Heise proposed the public communication model to restore public confidence in American government by more effectively communicating with the multitude of publics whom they serve. The fundamental tenets of the model are that government officials should make available publicly all legally releasable information whether positive or negative in nature in a manner that is accurate, timely, balanced and unequivocal. Government officials would seek not only to communicate with the general public through the mass media but would be equally as concerned to reach various specialized publics and individual citizens. Officials would seek to facilitate accurate, systematic and timely feedback on public policy issues from the entire community which they serve, rather than continue to rely on partial feedback from the well-organized and politically active individuals and groups in their jurisdiction. Within this approach it would be legitimate for senior officials to employ public communication channels and

resources in the governmental policy-making, implementation, and evaluation process. Hence

effective communication with the public requires more than the dissemination of information.

This model focuses among others specifically on the role of government officials and how they

can contribute to restoring trust via communications. Furthermore, it recognizes that

communications cannot provide full symmetrical transparency to all stakeholders. It has to take

account of the situational interests, openness and reception to particular public as well as their

different and varying information needs (Christensen and Langer, 2009). The three models

discussed above are summarized in Table 2.

Table 2: Summary of communication models:

Theory	Focus of the model	Essence	Relevance transparency
Liu et al. (2010): The government decision wheel	Macro, meso: Institutional and organizational embedding	A model for public relations decision making in the public sector	Taking into account the institutional context of the public sector, e.g. FOIA's
Fairbanks et al.: (2007) model for transparency in government communication	Meso and Micro: Organizational embedding and individual attitudes and behavior	Transparency is based on communication practices, organizational support and resources	Organizational context is affecting government communicators' practices that promote open information sharing
Heise (1985): public communication model	Micro: individual communication professional	Timely feedback	Government officials should make available publicly all legally releasable information whether positive or negative in nature in a manner that is accurate, timely, balanced and unequivocal and should facilitating feedback

2.2.4 Conclusion

Based on the communication theories and models described above several implications for

proactive transparency as an institutional relation can be distinguished. Government

communicators are the visible figure at the interface between the organization and its

stakeholders. They contribute to regulating the flow of information between the organization

and society. From an open transparent perspective they should release complete, accurate and

understandable information and should solicit feedback from stakeholders. They operate in a

unique institutional context (macro). Organizational support and resources (meso) can

influence open information sharing. The literature suggests that the macro and meso level

influence the way information is released by government communicators (micro) and whether

they solicit feedback and participation from stakeholders. Furthermore, based upon both the

transparency section and the characteristics outlined in the communication section of this

chapter, it could be that government communicators will have to make choices in their daily

practice. Gaber (2007) points out the tension for communication officers who are required to

justify government policies (and making a positive case) while at the same time being objective,

explanatory and unbiased. Other tensions that can be distinguished are *completeness* vs.

usability; in the literature there is an emphasis on striving for completeness, yet there is the

danger of information overload and making information usable or *understandable* for the user,

which might imply loss of information. Second there is the striving for disclosing *accurate* and

neutral information (providing both positive and negative arguments), but yet a certain amount

of *spin* could be unavoidable. As we have seen in the overview of Ruler and Verčič (2012),

persuasion as a strategy could be used too. Third, there is *timelines* or the time it takes for

messages to reach their targets (Graber, 2003). Finally, there is the issue of stakeholders and

making all information *available for everyone* or targeting information towards *specific types of*

publics and their needs. Finally, there is the tendency of disclosing information as a goal in itself

towards the goal of *dialogue*; expecting and requesting feedback and actually doing something

with it. Transparency should foster the engagement of government employees and citizens alike, so they feel part of the conversation, process and decisions; and thereby a part of their government (Burke and Teller, 2011).

2.3 Towards a model

In summary, democratic systems require that citizens are kept fully informed by governments. Transparency is an intrinsic value of democratic societies. In this dissertation transparency, adapted from the definitions by Rawlins (2009) and Grimmelikhuijsen and Meijer (2012), is defined as making available legally releasable information about a government organization, in a manner that is accurate, timely, complete and clear, allowing external actors to monitor the internal workings or performance of the organization. In line with Grimmelikhuijsen (2012), external actors in this definition are individuals or groups outside the government organization that can look inside the organization e.g. citizens or journalists. The internal workings and performance refer to the three steps in the policy cycle: transparency of the decision making process, policy content or implementation, outcomes or effects and to budget and subsidies information. Moreover, transparency is seen as an institutional relation and as a set policies, practices and ideas that support government action and decisions which should be visible and understandable for stakeholders. These policies and practices can have unintended consequences. Unintended consequences can be desirable and undesirable (Merton, 1936). In addition, the importance of the institutional embedding of proactive transparency was described in which a distinction was made between proactive and passive disclosure.

The link between transparency and increased accountability or trust may not be as straightforward. It was argued that whether and how information is used to further public

objectives also depends on the way information is incorporated into the complex

communication chain of comprehension, action and response (Weil et al, 2006). Therefore

more recently, some public administration scholars have started to argue that a singular focus

on information access or disclosure neglects the value of communication. In this study a

communicative approach to transparency was taken. It was argued that the communicative

dimension of transparency needs to be recognized and fostered in order to enhance proactive

transparency. While communication can be seen as a minimum of a two way process, a more

complete view of communication would see it as audience directed and as failing if it ignores

the requirements for successful communicative acts. For a communicative act to be successful,

information must be received by the intended individual or audience. It must have the

audience's attention, it must be understood. It must be believed and it must be remembered.

Ultimately in some fashion it must be acted upon. Failure to accomplish any of these tasks

means the entire message fails. Communication can enhance transparency. Yet it can also

distort transparency. For instance by excessive or misplaced secrecy e.g. hiding information or

delaying its release (Coombs and Holladay, 2007). In addition, it could be unintelligible to the

intended audience or so heavily cluttered with irrelevance that it cannot be discerned what

information matters (O'Neill, 2006). Moreover, by giving too much information and by failing to

organize it, authorities may bury important information that they do not wish to reveal

(Pasquier and Villeneuve, 2007). In addition, communication might fail in accuracy or in

honesty. A key figure in the provision of information to external stakeholders is the government

communication officer. In this dissertation the proactive transparency regime will be examined

from the perspective of the government communicator.

Based on the literature we can now work towards formulating hypotheses and developing a model. In the model the three levels: macro (institutional), meso (organization) and micro (individual government communicator), are integrated. In this chapter the importance of the institutional embedding of proactive transparency in terms of the FOIA, was laid out. It is expected that the institutional embedding influences practice. In Chapter 4, the origins of the institutional embedding will be further explored by focusing on the origins of the institutional embedding of proactive transparency in two countries: the USA and the Netherlands. More specifically this exploratory analysis will be led by the research question: *What are the origins and evolution of proactive transparency in the Netherlands and the USA and what implications, if any, does it have for practice.* Additionally, it will be analyzed whether the differences and similarities in institutional embedding have consequences for communication practice. The narrative is exploratory in nature and hence no specific hypotheses will be formulated. The narrative will therefore be led by the first sub question and possible differences and similarities between the regimes will be examined.

What was pointed out in this chapter as well is the role of American and Dutch government communicators within the proactive transparency realm. More specifically, the question is: *How do American and Dutch government communication officers perceive and implement proactive transparency in their daily practice?* In this section the perceived institutional embedding will be taken into account. Government communicators will be asked about their knowledge of formal rules. It is expected that their knowledge will influence how they value and implement transparency. As outlined above, Liu et al (2010) find that legal frameworks such as FOIA influence government communication practice. They also find that

due to time and financial constraints US government communicators often do not release all

information but wait for the media and public to request specific information. Fairbanks et al

(2007) also point out the importance of personal values or attitude of federal government

communicators towards transparency. They find that communicators clearly recognize the

need for and the benefits of transparency in government agency communication. Yet this study

does not make a distinction between reactive and proactive transparency.

Hypothesis 1:
The more American and Dutch government communicators are aware of the institutional embedding of proactive transparency the more government communicators will value proactive transparency.

Second, the three dimensional model of government communication (Fairbanks et al., 2007)

shows that organizational factors and resources impact the degree to which organizations are

transparent and how government communicators can release information to stakeholders.

Fairbanks et al., (2007) specifically focus on the impact of managers who set the tone how an

agency operates. Furthermore, there is the agency communication structure e.g. whether an

agency does a poor or good job on making the information available to communicators;

otherwise they cannot do a good job in getting the information to external audiences. And

finally whether or not there is political support for proactive transparency.

Hypothesis 2:
American and Dutch government communicators operating in a more supportive organizational embedding are more likely to value proactive transparency as more important than communicators in a less supportive organizational embedding.

Third, the way communicators value transparency impacts their individual efforts of getting

information out to the public they serve (Fairbanks et al., 2007). The individual efforts can be

generic or more specific towards the internal workings: policy decision, policy making and

policy outcomes (Grimmelikhuijsen, 2012).

Hypothesis 3:
American and Dutch government communicators who value proactive transparency more are more likely to proactively disclose information than government communicators who value proactive transparency less.

Fourth, as pointed out above transparency could benefit from a two way flow of information.

Government communicators can encourage the solicitation of participation and feedback from

stakeholders within the organization. Yet, as we have seen above one way information flow is

still common in practice. It is argued that just giving information does not necessarily constitute

transparency; information needs to be understood as well. This is where the communication

field can help by using substantial information, information that is complete, relevant, accurate,

clear and timely (Rawlins, 2009), and by making sure the information reaches audiences.

Further more information should be balanced and organizations should be forthcoming with

providing information. Rawlins (2009) calls this accountable information. However as pointed

out earlier government communicators can also hinder transparency by the use of spin.

Moreover, Fairbanks et al (2007) also finds in her study that 'fear' as a personal belief of the

government communicators can restrict the information that is made accessible. Hence, it can

be argued that government communicators who value transparency might be less inclined to

use spin and will use more substantial information.

Hypothesis 4:
a) American and Dutch government communicators who value proactive transparency more are more likely to release substantial and accountable information in their daily practice.
b) American and Dutch government communicators who value proactive transparency more are less likely to use a certain amount of spin in their daily practice.

Hypothesis 5:
The more American and Dutch government communicators value proactive transparency the more inclined they are to solicit feedback and participation from external actors in their daily practice.

Finally, as pointed out in the former section several scholars are more critical and also point out possible unintended consequences of transparency. For instance transparency could draw excessive attention to government's mistakes or it could lead to an information overload. These unintended consequences are mainly theoretical arguments. Negative side-effects of transparency are mentioned far less frequently in the literature than positive ones (Meijer et al., 2012). Yet it is well known that things do not always go as intended. In this dissertation it will be analyzed what unintended consequences government communicators themselves experience in practice and whether what they mention is in line with the theoretical arguments. This part will be exploratory in nature as well and hence no specific hypotheses will be formulated. The sociologist Robert Merton (1936) makes a distinction between intended and unintended consequences in his article *The Unanticipated Consequences of Purposive Social Action*. Recent scholars have also addressed the issue of unintended consequences related to policy design, implementation or evaluation. The issue of unintended consequences will be addressed in Chapter 6 in which the last research question will be answered: *What do American and Dutch government communication officers perceive as possible unintended consequences of proactive transparency?*

In conclusion, based upon the research questions and hypotheses as outline in this section we can now come to the following model that could enhance our understanding of transparency regimes. The integrated model *Explaining proactive transparency regimes* takes

70

the perspective of the government communicator. In this dissertation this model will be used as

a framework to analyze the transparency regimes in two countries: the United States and the

Netherlands as part of the European Union. Each individual concept in model 1 will be

operationalized in the next chapter. H1 refers to Hypothesis 1, H2 to Hypothesis 2 etc.

Figure 5: Integrated model, explaining proactive transparency regimes from the perspective of the government communicator
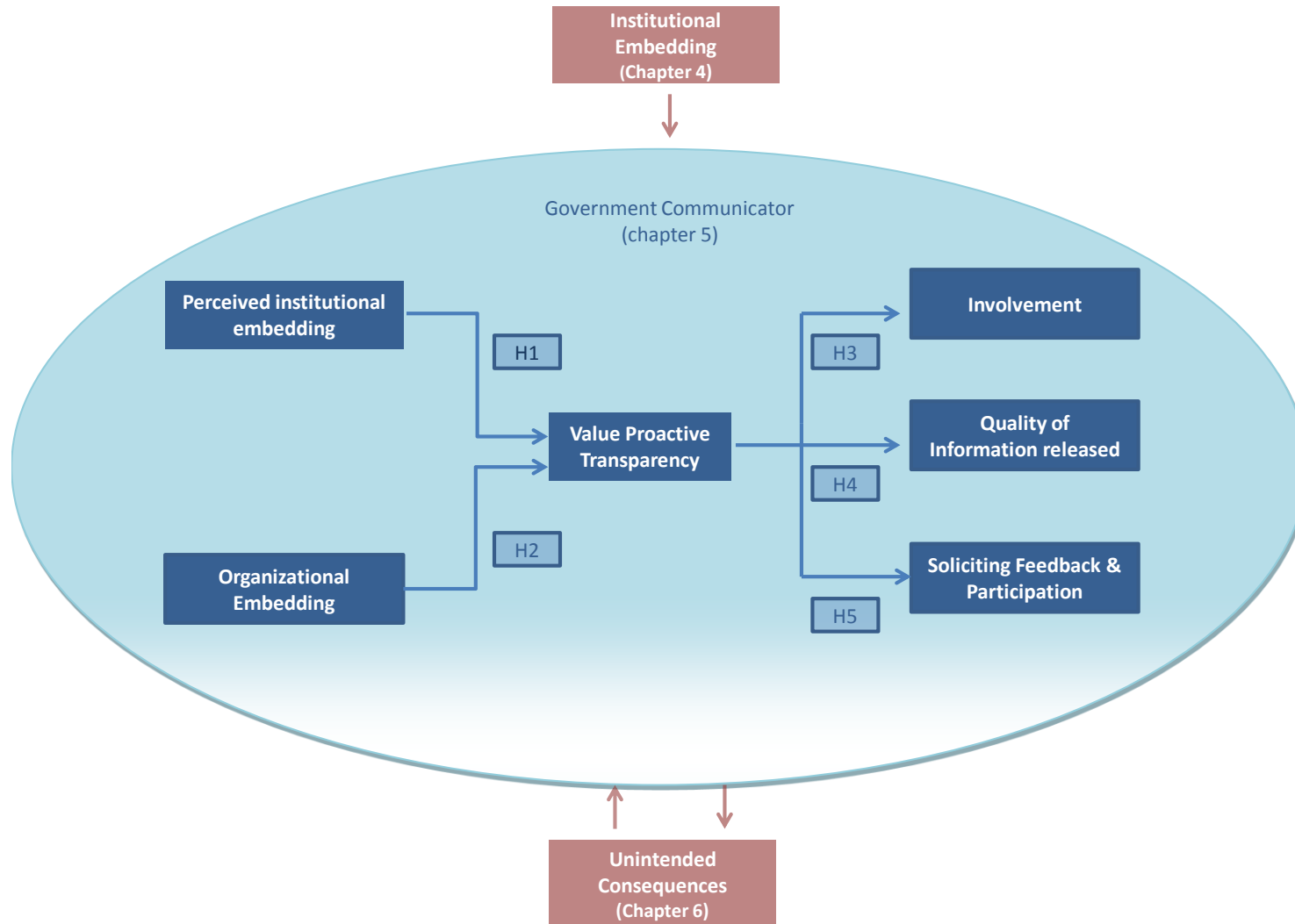
3 Research design and methodology

This chapter will describe the design of this comparative mixed method case study. The problem and purpose of this study will be summarized based on Chapter two. The dependent and independent variables will be specified. The case selection, data collection, sampling strategy, data analysis and the validity and reliability issues concerning my study will be described (George and Bennett, 2005).

3.1 Problem and purpose statement

As George and Bennett (2005) point out the formulation of the research objective is the most important decision in the design of a case study. The purpose of this mixed method comparative case study is to enhance our understanding of proactive transparency and the value of communications, thereby focusing on government communicators. This study contributes to proactive transparency theory building by testing the model *Explaining proactive transparency regimes* as described in Chapter 2. The model relies on theoretical hypotheses which will also shape the data collection (Yin, 2003). The study was conducted in two countries: the USA and the Netherlands. In both countries the origins of proactive transparency were studied as well as how federal government communicators valued and are involved in the implementation of proactive transparency. One of the benefits of a case study design is the ability to use a variety of data sources: documentation, a web- based survey and interviews.

3.2. Research questions and hypotheses

The formulation of the research questions and hypotheses requires the consideration of the

variables to be employed in the case study (George and Bennet (2005).

The central question of this study is:

> *How does the way proactive government transparency is institutionally embedded and organized, affect how federal government communicators perceive and implement proactive transparency?*

This central question can be divided in three sub questions:

1. *What are the origins and evolution of proactive transparency in the USA and the Netherlands and what implications, if any, does it have for communication practice?*
   (this question will be answered in Chapter 4)
2. *How do American and Dutch government communication officers perceive and implement proactive transparency in their daily practice?*
   (this question will be answered in chapter 5)
3. *What do American and Dutch government communication officers perceive as possible unintended consequences of proactive transparency?*
   (this question will be answered in chapter 6)

The first research question is considered to be the first part of the comparative case study and

is exploratory in nature. This part will result in a process tracing narrative. The narrative is lead

by the research questions and will also result in similarities and differences between the two

countries regarding their transparency regime. The second research question will be answered

based on results from a survey and in-depth interviews. For this part the hypotheses in box 2

are formulated, based upon the literature review in Chapter 2. Finally, the last part of the

research focuses on possible unintended consequences. The third research question is also

exploratory in nature and will result in an overview of unanticipated consequences, thereby

combining, the literature and the survey and interview results.

Box 2: Overview Hypotheses

|	
H1:	*The more American and Dutch government communicators are aware of the institutional embedding of the proactive transparency the more likely government communicators will value proactive transparency.*
H2:	*American and Dutch government communicators operating in a more supportive organizational embedding are more likely to value proactive transparency as more important than communicators in a less supportive organizational embedding.*
H3:	*American and Dutch government communicators who value proactive transparency more are more likely to proactively disclose information in their daily practice than government communicators who value proactive transparency less.*
H4:	*a) American and Dutch government communicators who value proactive transparency more are more likely to disseminate substantial and accountable information.* *b) American and Dutch government communicators who value proactive transparency more are less likely to use a certain amount of spin in the dissemination of information.*
H5:	*The higher American and Dutch government communicators value proactive transparency the more inclined they are to solicit feedback and participation from external actors in their daily practice.*

In hypotheses 1 and 2 the dependent variable is 'value of proactive transparency'. The independent variables are 'Perceived institutional embedding' and 'organizational embedding'. In hypotheses 3 -5 the dependent variables are respectively the 'involvement in the proactive release of information', 'substantial and accountable information', 'spin' and 'solicit feedback and participation'. In hypotheses 3 - 5, the independent variable is the 'value of proactive transparency' (see for summary of variables table 3). Further operationalization of these variables will be described in paragraph 3.6.

Table 3: Summary of variables

Independent variables	Dependent variables	Dependent and independent
• Perceived institutional embedding • Organizational embedding	• Involvement in proactive release of information • Quality of Information: Substantial, accountable information and use of spin • Solicit feedback and participation	• Value of proactive transparency

3.3 Case selection: two countries

In this dissertation the transparency regimes in two democratic countries were analyzed: the USA and the Netherlands as part of the European Union. The two cases were selected as different in terms of proactive transparency regime, but similar in terms of being an early adopter of a FOIA law and having a long transparency tradition. The transparency regimes in both countries are contrasted and compared thereby focusing on the legal framework and policies that are at the basis of transparency in both countries, but also the organizational embedding and perceptions of the government communicators. On the surface the transparency regimes and in particular the freedom of information laws in the USA and the Netherlands appear to have much in common. Both countries score relatively well on the corruption perception index of transparency international. The Netherlands has an 84 score (9th place) on the corruption perception index (www.transparency.org, 2012), the US has a 74 score (19th place). Both have relatively older freedom of information laws. However, proactive disclosure is only a limited part of the FOIA and is spread out over other legislation as well. Currently, proactive disclosure to achieve transparency has entered the spotlight in the USA. The recent efforts by the Obama administration make the USA an interesting case study.

Furthermore, the 1978 Dutch Act on public access to government information (Wet Openbaarheid Bestuur; WOB) made a clear distinction between proactive and reactive disclosure. It states that administrative bodies have to provide proactive information about policy, its preparation and execution. In addition, it describes that information must be provided in an understandable form and in such a way that as many citizens as possible are being reached. The Netherlands has a long history of the proactive release of information, which makes this another interesting case study as well. In 2011 the Netherlands joined the open government global partnership.

As pointed out in the literature review the FOIA is the backbone of transparency and plays an important role in the origins in both the US and the Netherlands. The FOIA however only applies to the federal level and so do the recent executive orders by President Obama. By contrast the Wob applies to all government levels. However in order to be able to make a comparison between the countries, I will therefore focus on federal agencies in both countries.

3.4 Unit of Analysis: federal government communicators

The unit of analysis is the most elementary part of what is to be studied (Frankfort-Nachmias and Nachmias, 2008). In this comparative case study the unit of analysis is the federal government communicator. Nevertheless, the institutional and organization embedding, respectively the macro and meso level will be taken into account as well, analyzed from the perspective of the government communicators.

Government communicators are the government employees who spend the majority of their time facilitating the flow of information between state bodies on the one hand and the

media and the public on the other. Government communicators, also known as public

information officer, spokespersons, press officer or public affairs officers (Ēdes, 2000).

Government communicators are government employees or contractors at the local, state or

federal level or for quasi governmental agencies such as public utilities partnerships, whose

primary responsibilities are communicating internally and externally to various publics

regarding agency, department, office policies, decisions, and actions and/or guiding

communication strategy (Liu et al. 2010 p.97).

3.5 Research design

In this comparative case study a mixed method was used of document analysis, a web-based

survey and face to face in depth interviews. Mixed methods research is an approach to inquiry

that combines both quantitative and qualitative forms (Creswell, 2009). Other terms that are

used for this approach are for instance integrating, multi-method or synthesis, but more recent

writings use the term mixed method (Bryman, 2006). This form of research poses challenges for

the inquirer such as a need for extensive data collection, the time-intensive nature of analyzing

both numeric data and analyzing text and the requirement for the researcher to be familiar

with both quantitative and qualitative forms of research (Creswell, 2009). This method has

been used by other scholars (Piotrowksi 2007; Taylor and Burt 2009; Kimball 2011) as well to

examine public service behavior and transparency.

Web- based surveys have rapidly emerged as a major form of data collection (Couper,

2008). This method has been used among government communicators in other studies (Liu et

al, 2010, Hawes, 2010). In general federal government employees have internet access and

coverage problems are therefore minimal (Dillman, 2000). The advantages of a web based

survey are low cost, reduction of biasing error and anonymity. Disadvantages of a survey are

that it requires simple questions, there is no opportunity for probing, there is no control over

who fills out the survey and finally it could have a low response rate (Frankfort- Nachmias and

Nachmias, 2008).

The survey was developed and tested in both English and Dutch. The survey can be

found in Appendix B and is based on both Rawlins's transparency tool (2009) and Hawes'

instrument (2010) . Rawlins (2009) developed a quantitative measurement tool that allows

stakeholders to evaluate the transparency of an organization. It simplifies the complex

construct of transparency into a more parsimonious set of reputation traits (integrity, respect

and openness) and communication efforts (participation, substantial information,

accountability and secrecy). He focuses on transparency efforts that could fall under the control

of public relations practitioners, thereby giving them direct contributions to the organizations

reputation. Hawes (2010) used one part of Rawlins' tool in her dissertation to measure city

government transparency from the perspective of city communicators. For example whereas

Rawlins tool uses the question: "Provides information that is easy for people like me to

understand", Hawes (2010) changed the question into "The city provides information that is

easy for its citizens to understand."

In addition, semi-structured in depth face-to face interviews with government

communicators and transparency experts in both countries were held (Appendix C). The reason

for not only focusing on government communicators is to get a broader perspective and to

minimize self reporting bias. Similar questions were asked to the transparency experts but they

were also asked how they perceived the role of government communications. In a personal

interview the interviewer asks respondents questions designed to elicit answers pertinent to

the research hypotheses. The advantages of a personal interview are the flexibility of the

questioning process, the control of the interview situation, high response rate and fuller

information. Disadvantages are however the higher cost, the possible interviewer bias and the

lack of anonymity (Nachmias and Nachmias, 2008). In this study a semi-structured

questionnaire was used. A semi-structured questionnaire gives the opportunity of specific

primary questions but will also allow for probing secondary questions (Frey et al., 2000). There

are also limitations to conducting in-depth interviews. It provides indirect information that is

filtered through the views of the interviewees and it provides information in a designated place

rather than a natural setting. Furthermore, the researcher's presence may bias responses and

not all interviewees are equally articulate (Creswell, 2009).

Finally, it needs to be pointed out that a concurrent embedded strategy was used

(Creswell, 2009). This strategy has a primary method in this case the quantitative survey and a

secondary database, the qualitative in depth interviews that provide a supporting role. This

model is often used to gain a broader perspective as a result of using the different methods as

opposed to using the predominant method alone. For instance, it might give a chance to

elaborate on dilemmas that government communicators may or may not arise from the

quantitative results or possible differences among the two countries. It provides the

opportunity to talk to government transparency experts such as open government officials that

can provide a broader perspective. It was not practically possible to conduct the survey and

interviews exactly at the same time in the two different countries but the survey and interview

period in both countries were kept close together in other to avoid intrinsic factors such as

history and maturation (Frankfurt-Nachmias and Nachmias, 2008).

3.6 From concepts to indicators and survey questions

In this paragraph the concepts from the integrated model *Explaining proactive transparency*

regimes (Chapter 2) will be operationalized by defining each concept in the model followed by

deriving indicators and finally survey questions if applicable.

Institutional Embedding

Information can be disclosed either reactive, after a request by stakeholders has been made or

proactive at the initiative of the government without a request (Darbishire, 2010). As visualized

in the model *Explaining proactive transparency regimes* (Chapter 2, Figure 5), in this

dissertation the focus is on proactive disclosure, thereby analyzing first the (historical)

institutional embedding of proactive transparency policy at the macro level in two countries:

the United States and the Netherlands. In this study the institutional embedding refers to the

legal framework and policies that are in place regarding proactive transparency in a country.

The focus thereby is on the Freedom of Information Act, as the backbone of transparency

(Grimmelikhuijsen, 2012), but also on relevant other legislation and more recently on the Open

Government initiative, which includes transparency and proactive disclosure (White House,

Open Government Directive, 2009). The results of the document analysis are described in

Chapter 4.

ELEMENT MODEL: **INDICATORS:**

	Formal rules USA (e.g. FOIA, Open Government Directive)
Institutional embedding	
	Formal rules NL (Wob)
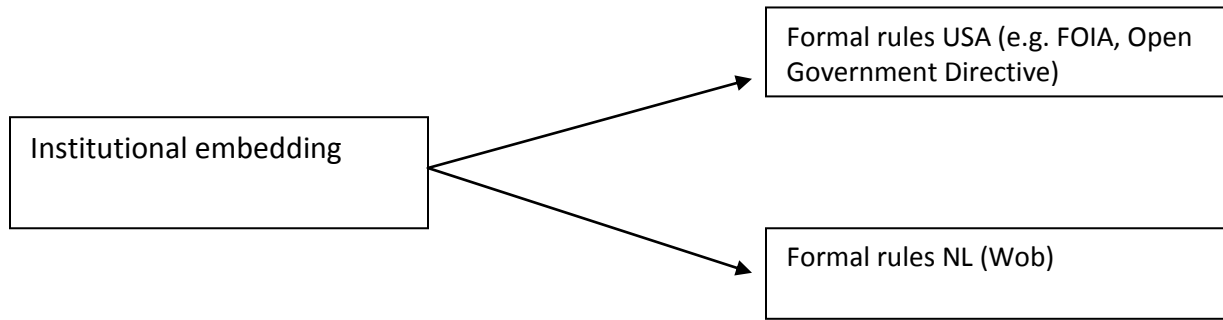
Perceived institutional embedding

Related to the independent variable institutional embedding is the independent variable

perceived institutional embedding, referring to the institutional embedding as experienced by

government communicators. Perceived institutional embedding consists in this study of two

indicators. First there is the importance and the contribution transparency can make, as

perceived by government communicators. In order to analyze if the wider context of the

general institutional embedding in each country also influences practice or the reasoning of

government communicators, questions are asked how important they think the two aspects of

proactive and passive transparency are. Also they are asked what they think government

transparency can contribute to most (Table 4). Considering the differences of the origins in both

countries we might expect differences in these answers between the respondents of the two

countries.

Second, it is measured whether the government communicators are aware of the

formal rules. The formal rules differ per country. In the USA this study focuses specifically on

the FOIA and Open Government initiatives as the backbone of transparency and proactive

transparency. In the Netherlands, both reactive and proactive transparency are laid down in the

Wob. Even though the Netherlands is part of the Open Government initiative at the time of the

research Open Government was still at an early unknown stage in the Netherlands. Hence in

the survey no questions were asked regarding Open Government but during the interviews that

were held at a later point in time, questions were asked about Open Government. Furthermore

the perspective of citizens was taken into account by adding a question regarding

'understandability' of the information is incorporated. Since formal rules are country specific

the survey questions are slightly different for the two countries (Table 5).

ELEMENT MODEL: **INDICATORS:**

Perceived Institutional embedding

Importance and contribution of government transparency Chapter 4)

Knowledge of formal rules
USA: Open Government and FOIA
NL: Wob
(Chapter 4 and 5)
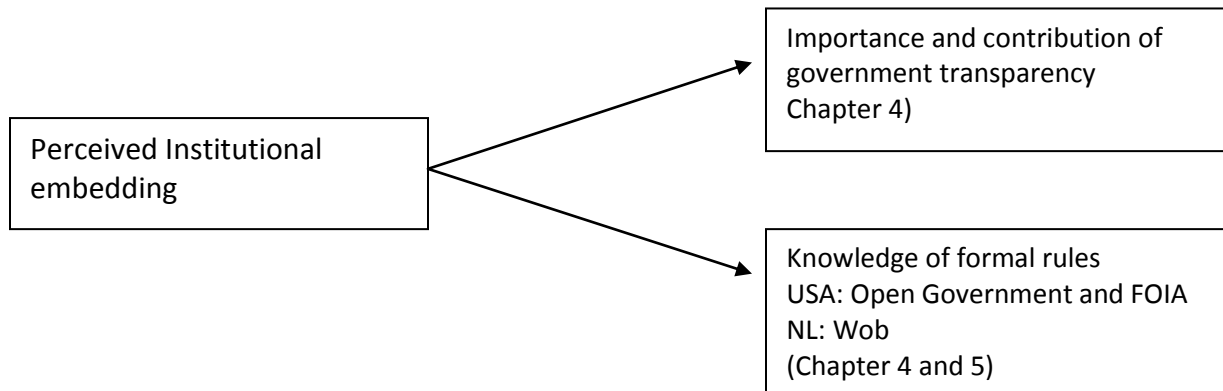
Table 4: Survey questions importance and contribution

Indicators	Survey Questions	Likert scale 1-4
Importance	Please indicate for each statement below to what extent you think this is an unimportant or important aspect of government transparency a) Disclosing information and documents without waiting for a specific request	
	Which of the following do you think is most important? o Disclosing information and documents after a request from stakeholders o Disclosing information and documents without waiting for a specific request from stakeholders o Equally important	
Contribution transparency	Government transparency can contribute most to (more than one answer is possible): o Enhancing government accountability o Enhancing trust in government o Enhancing democracy o Reducing corruption o Improving the relationship between citizens and government o Enhancing government efficiency and effectiveness	

Table 5: Survey questions knowledge of rules

Indicators	Survey Questions	Type
Formal rules (USA)	Open government and transparency initiatives requires disclosing information without waiting for a specific request.	True or False (value 1 or 0)
	The freedom of information act mandates disclosing certain information without waiting for a specific request	
	There is regulation that requires government documents to be written in a for stakeholders understandable way	
Netherlands	The WOB mandates disclosing information without waiting for a specific request	
	The WOB mandates government agencies to disclose information in an understandable manner	
	The WOB mandates that government agencies disclose information at their own initiative regarding, policy, preparation and implementation	

Organizational embedding

Organizational factors that impact the degree to which organizations are transparent were also

identified. The organizational embedding is measured using the items that were used and

validated by Hawes (2010): the impact of managers or administrators on transparency within an organization, agency communication structure and politics. In addition, Fairbanks (2007, p32) distinguishes resources that influence transparency. "Transparency requires more expenditure of resources, more people, and more time to aggressively and proactively go out and go after people and provide them with information".

ELEMENT MODEL: **INDICATORS:**
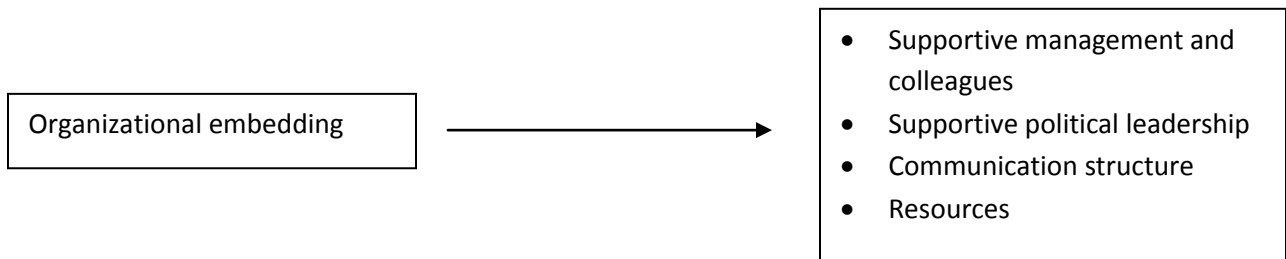
Based on these indicators survey questions using a 5 point Likert scale, adapted by Hawes (2010) are formulated (Table 6)

Table 6: Survey questions organizational Embedding

Indicators	Survey Questions	Value range
Supp. Man. (adapted from Hawes, 2010)	My agency's management highly values proactive government transparency	Likert scale 1-4
	There are formal and informal rules within the agency to stimulate the proactive disclosure of information	
Political (adapted from Hawes 2010)	The agency's political leadership highly values proactive government transparency	
Comm. Struct. (adapted from Hawes, 2010)	My agency's management invites my work unit to join in initiatives regarding making information available proactively to the public.	
	The agency needs to put greater focus on better communications practices when it comes down to proactive transparency initiatives	
Resources (adapted from Hawes, 2010)	There is sufficient communication staff allocated to ensure proactive transparency initiatives	
	There is sufficient funding in the agency's budget allocated to communications to ensure proactive transparency initiatives.	

Value proactive transparency

Fairbanks et al. (2007) describe the value of transparency as the belief in transparency as evidenced by individual efforts to get information out to the public and the fear for misuses and misunderstanding impacts the amount of information released. Hawes (2010), who builds on Fairbanks et al. (2007) research, developed survey questions regarding fear and the evaluation of transparency. These questions are adapted by focusing specifically on proactive transparency. In order to measure how communicators value transparency Hawes (2010) used a semantic differential evaluative scale. The evaluative general statements in this dissertation are also based on statements made by Darbishire (2010). Darbishire describes that proactive disclosure ensures that members of the public are informed about the laws and decisions that affect them and facilitates more accountable spending. Moreover the dissemination by public bodies of information about how they function helps the public access government services and ensures that the public has the information needed to participate. Besides these general statements in this study also specific statements were used to measure the way government communicators evaluate proactive transparency. These specific statements refer to the internal workings as adapted from Grimmelikhuijsen (2012): decision process transparency, policy formulation and implementation information and policy outcome information and adding budget and subsidies information[11].

---

[11] Darbishire (2010) describes in the World Bank report Proactive Transparency a minimum standard for proactive disclosure which should include: institutional, organizational, operational information, decisions and acts, public services information, Open meetings information, decision making and public participation, subsidies information, public procurement information, lists, registers and databases, information about information held, publications information, information about the right to information.

ELEMENT MODEL: **INDICATORS:**

```
                                          ┌─────────────────────────┐
                                          │ General evaluation of   │
                                    ┌────→ │ proactive transparency  │
                                    │      └─────────────────────────┘
                                    │
┌──────────────────────────────┐   │      ┌─────────────────────────┐
│ Value proactive transparency │───┼────→ │ Specific evaluation of  │
└──────────────────────────────┘   │      │ proactive transparency in│
                                    │      │ policy stages           │
                                    │      └─────────────────────────┘
                                    │
                                    │      ┌─────────────────────────┐
                                    └────→ │ Fear                    │
                                           │                         │
                                           └─────────────────────────┘
```
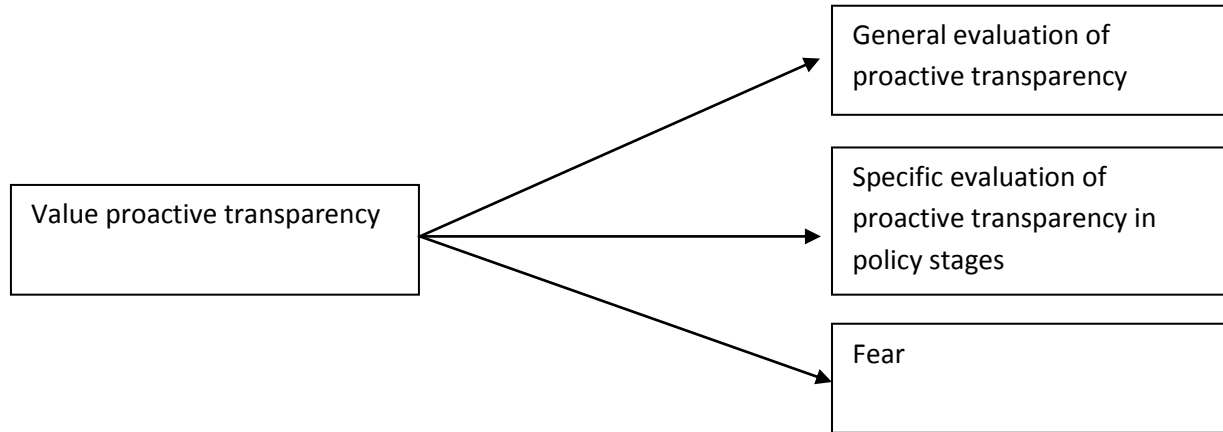
Based on these indicators the following survey questions were formulated (Table 7)

Table 7: Survey questions value Proactive Transparency

Indicators	Survey Questions	
General (adapted from Darbishire, 2010 and Hawes, 2010)	Please indicate to what extent you agree with the statements below a) Making information available proactively ensures that stakeholders are informed about laws and decisions that affect them. b) Making information available proactively facilitates more accountable spending of public funds c) Making information available proactively ensures that stakeholders have the information needed to participate in policy and decision-making.	Likert scale 1- 4
Specific (adapted from Grimmelikhuijsen, 2012)	Please indicate how important you think it is to make information proactively available about a) The decision making process b) The implementation of the agency's policies c) Outcomes or results of agency policies d) Budgets and subsidies	Likert scale 1-4
Fear (Fairbanks, 2007	Please indicate to what extent you agree with the statements below: a) Information that is made available proactively can be used by stakeholders to make the agency look bad. b) Making information available proactively leads to an information overload among stakeholders.	Likert scale 1-4

Involvement proactive transparency

Involvement in proactive transparency is measured by the extent to which government communicators think that proactively disclosing information is part of their daily practice and whether they help others in the organization with the proactive release of information (Hawes, 2010). This is called the reported proactive disclosure of information. In addition it was measured to what extent government communicators are involved in releasing information about the internal workings and performance of the government. The internal workings and performance concern the different policy stages and budget (Grimmelikhuijsen, 2012; Darbishire, 2010).

ELEMENT MODEL: **INDICATORS:**
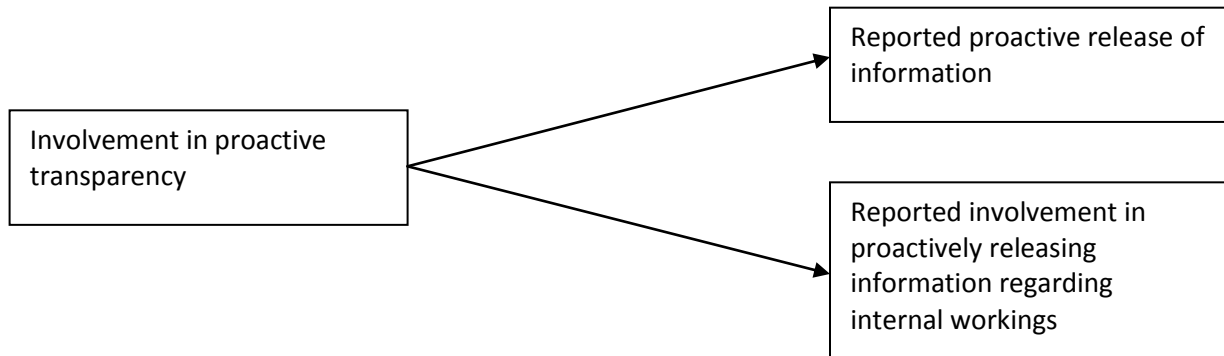
Based on these indicators the following survey questions were formulated (Table 8).

Table 8: Survey questions involvement

Indicators	Survey Questions	Value
Reported Proactive Disclosure (Adapted from Hawes, 2010)	Contributing to making information available without being asked.	Likert scale 1-4
	I regularly try and help others within the organization understand the importance of proactively disclosing information.	
Involvement internal workings (adapted from Grimmelikhuijsen, 2012)	Please indicate how often you make information proactively available about : a. The decision making process b. Implementation of the agency's policies c. Outcomes or results of agency policies d. Budget and subsidies	Likert scale 1-5

Quality of information

The dependent variable 'quality of information' focuses on the way information is shared and whether the information is substantial for its users. Rawlins (2009) developed a stakeholder measurement of transparency as an institutional relation. His instrument measures four transparency efforts: participation, substantial information, secrecy and accountability. Substantial information is information that is complete, relevant, understandable, timely and accurate (Rawlins, 2009). Accountable information refers to providing balanced information, admitting mistakes, being forthcoming with information and being open for criticism (Rawlins, 2009). As pointed out communication professionals can also constrain transparency and in fact add to secrecy by hiding information or delaying its release (Coombs and Holladay, 2007). Instead of the term secrecy in this study the term spin is used. Spin is defined as an "act involving the purposeful manipulation of information flows and information interpretation that is intended to foster a desired impression in particular audiences " (Rappert, 2011). In this study spin focuses on "withholding important information, giving partial information or distorting information" (Rawlins, 2009, p 78). But also on highlighting information; emphasizing the positive elements or emphasizing some elements more than others (Table 9).

Self reports about controversial issues can be questionable in part of social desirability bias. When it comes down to sensitive matters such as deliberating hiding information, what people say they do is often not what they actually do. Although sometimes self-reports can also be a good measure of how people behave, another way of measuring behavior is asking people to describe other people (Frey et al., 2000). Because this part of the survey also includes

89

sensitive issues questions are asked about the unit where government communicators work

instead of asking them questions about their own behavior.

ELEMENT MODEL: **INDICATORS:**
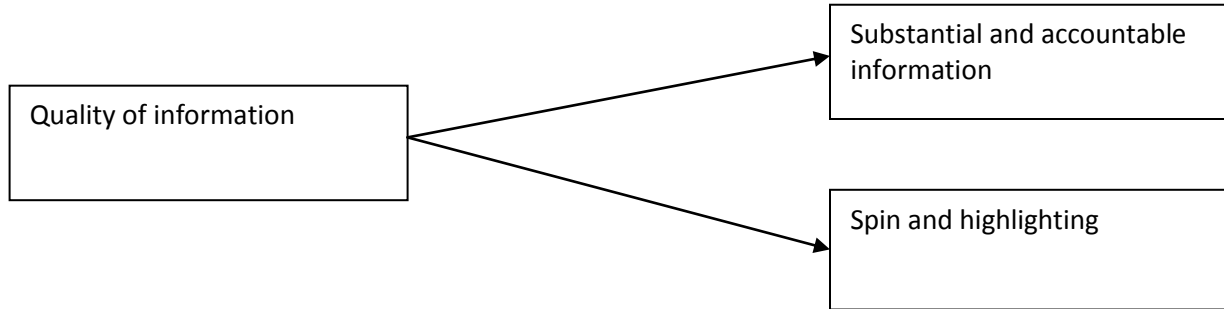
Table 9: Survey questions quality of Information

Indicators	Survey Questions	Value
Substantial Information (Adapted from Rawlins, 2009)	My work unit provides information that is accurate	Likert scale 1-4
	My work unit provides information that is relevant to stakeholders	
	My work unit provides information that is complete	
	My work unit is slow in disclosing information proactively to stakeholders	
	My work unit provides information that is easy for stakeholders to understand	
Accountable (Adapted from Rawlins)	My work unit is open to criticism by stakeholders.	
	My work unit is forthcoming with information, even if the information is damaging for the organization.	
	My work unit sometimes only provides part of the story to stakeholders	
	My work unit freely admits when it has made mistakes.	
Spin Adapted from Rawlins (2009)	My work unit sometimes provides information that is intentionally written in a way to make it difficult to understand	
	My work unit sometimes leaves out important details in the information to its stakeholders	
	My work unit sometimes provides a lot of information in one package in order to conceal controversial issues	
Highlighting	Highlights certain elements more than others when providing information (framing)	
	Specifically highlights the positive elements in the information provided	

Participation and feedback from stakeholders

In this dissertation transparency is seen as a two way process. Outside actors or participants should be able to voice their opinion. Moreover, participation in this dissertation is not only about providing an opportunity for feedback and participation but it is also about *what* citizens are participating in and *how* that input is used. A responsive government meets people's needs (Graham, 2011). This concept will measure whether government communicators facilitate the two-way process. The concept soliciting feedback and participation will be measured by partly using Rawlins' items (2009) for measuring participation in his survey regarding transparency and communication among stakeholders (Table 10).

ELEMENT MODEL: **INDICATORS:**

| Solicit feedback and participation |

→

- Opportunities for feedback and participation
- Use of input into policy and action
- Citizens participation before decisions are made
- Needs of citizens

Table 10: Survey questions feedback and participation

Indicators	Survey Questions	Value
Opportunities feedback and participation (adapted from Rawlins, 2009 and Hawes, 2010)	My work unit regularly stimulates opportunities for stakeholders to participate and provide feedback and suggestions.	Likert scale 1-4
Use of input (based on Graham, 2011)	Stimulates that suggestions from stakeholders are incorporated into policy and action	
Before decisions are made (adapted from Rawlins, 2009)	Stimulates that opinions or stakeholders are asked before decisions are made by the agency	
Needs (adapted from Rawlins, 2009)	My work unit takes into account the different needs of my stakeholders when proactively disclosing Information	

Unintended consequences

The last concept in the model *Explaining proactive transparency regimes* (Chapter 2) refers to

possible unintended consequences as a result of the proactive transparency regimes in both

countries. Intended consequences are relatively desirable. Unintended consequences can be

desirable and undesirable (Merton, 1936). In this dissertation unintended consequences refer

to both the manifest (immediately detectable) and latent (hidden or unknown) consequences

of proactive transparency (Ruijer, 2012). Some negative effects can be identified beforehand

but others might only show up in practice (Meijer et al., 2012). In this dissertation, government

communicators will be asked what potential unintended consequences are of making

information available proactively.

3.7 Data collection[12]

3.7.1. Document analysis

Process tracing is a method which attempts to trace the links between possible causes and observed outcomes. "In process-tracing the research examines histories, archival documents, interview transcripts and other sources to see whether the causal process a theory hypothesizes or implies in a case is in fact evident in the sequence and values o the intervening variables in that case" George and Bennett, p 6, 2005). Tracing the processes that may have led to an outcome helps narrow the list of potential causes. It can complement other research methods. A narrative is presented in the form of a chronicle that purports to throw light on how an event came about (George and Bennett, 2005). The first step in a case study is to gather academic literature on the case and its context. This step of immersing oneself in the case, known as soaking and poking, often leads to the construction of a chronological narrative (George and Bennet, 2005). In order to get an overview of the origins of proactive transparency in both countries, document analysis was conducted; the academic literature was analyzed but also a wide range of official documents about government transparency including white papers, evaluations, legislation, Open Government plans, as well as reports by non-governmental organizations (e.g. quantitative indexes produced by Transparency International). A limitation of document analysis is that materials might be incomplete, inaccessible or protected (Creswell,

---

[12] The research plan was reviewed and approved by the VCU's Institutional Review Board (IRB) for exempt review. The purpose of the IRB review process is that the study will not impose any physical, psychological, social, economic or legal harm to participants in the study (Cresswel, 2009). Anonymity and confidentiality were guaranteed to the participants. In the survey no identifiers were asked. The in depth face to face interviews were taped after participants had introduced themselves. Furthermore when transcribing codes were used and the data is saved at a secure place requiring a password.

2009). It was not the researchers' intention to give a complete detailed historical overview of transparency in both countries. It is however the intention to answer the first research question regarding the origins of proactive transparency in both countries, by providing a more general historical background. Led by the research questions, documents were collected and analyzed for themes per country. The overview provided a context for interpreting possible similarities and differences among the countries. Furthermore, it provided input for the online survey and the interview questions. Some of the values of the dependent and independent variables in the case study were established for the mixed method in the next paragraphs (George and Bennet, 2005). The results of this general historical overview can be found in Chapter 4.

3.7.2 Web-based survey

In order to answer the second research question regarding the perception and implementation of proactive transparency by federal government communicators, a survey with a cross sectional design was used. This design is often identified with survey research focused on describing the pattern of relation between variables (Frankfort-Nachmias and Nachmias, 2008). A modified version of Dillman's (2007) tailored design method was used for the dissemination of the survey (Liu et al, 2010). The tailored design method is "a set of procedures for conducting successful self administered surveys that produce both high quality information and high response rates" (Dillman, p 29 2000). First an e-mail was sent with a brief pre-notice letter, followed by an e-mail with a detailed cover letter and link to the online survey. The survey was

designed in REDCap[13] which allowed sending reminders/thank you notes to the respondents who did not yet completed the survey. In both countries five reminders were sent out. In the Netherlands the survey was also announced twice in the Newsletter of the Academia for Government Communicators. In addition, Dillman's visual design principles for the development of the questionnaire were taken into account.

3.7.2.1 Sampling and response rate

The population consisted of federal government communicators in the Netherlands and the USA.[14] A non-probability sample was drawn from a sampling frame. A sampling frame is the complete listing of sampling units (Frankfort- Nachmias and Nachmias, 2007). In order to obtain a sampling frame[15] the Online Leadership Directories of the Federal Government[16] was used in November 2012 to identify communication officials from federal agencies. Using an anonymous source, like the federal yellow guide a low response rate of 10% was expected. Therefore a

---

[13] Study data were collected and managed using REDCap electronic data capture tools hosted at the Virginia Commonwealth University[1]. REDCap (Research Electronic Data Capture) is a secure, web-based application designed to support data capture for research studies, providing: 1) an intuitive interface for validated data entry; 2) audit trails for tracking data manipulation and export procedures; 3) automated export procedures for seamless data downloads to common statistical packages; and 4) procedures for importing data from external sources. [1] Paul A. Harris, Robert Taylor, Robert Thielke, Jonathon Payne, Nathaniel Gonzalez, Jose G. Conde, Research electronic data capture (REDCap) - A metadata-driven methodology and workflow process for providing translational research informatics support, J Biomed Inform. 2009 Apr;42(2):377-81.

[14] In the USA there is an estimate population of about 5.000 federal public affairs officers (http://www.makingthedifference.org/federalcareers/communications.shtml) In the Netherlands the estimated population is about 608 federal government communicators (De Nieuwe Reporter, 2011). However this number of about 600 also includes library employees and administrative personnel (Prenger et al, 2011), these two groups are not the focus of this research.

[15] Initially the USA National Association of Government Communicators was approached but they indicated that they do not provide contact information or other help for surveys.

[16] The Leadership Directories is a Washington based company that publishes yellow books of among others of the federal government. It provides contact information of federal government employees. The data is based on the federal government manual.

database of at least 1000 respondents was needed in order to get about 100 respondents. The

Federal Yellow Guide contains contact information of officials working for the federal

government. When using the term "communications", the book identified 2258 people working

in the field of communications. However, upon closer examination not all participants qualified

according to the definition of a government communicator used in this dissertation. Some of

the officials were administrators, others lawyers or technicians. This reduced the sampling

frame to 1586. When the pre-notice email without the link to the survey was sent out it

became clear that some e-mail addresses were incorrect either because the email address was

not correct or the officer no longer worked for the agency and therefore the pre-notice e-mail

could not be delivered.

In addition, the database was randomly checked for accuracy by comparing the names

in the database with the government communication officials mentioned on agency's websites.

However not all agency's have their government communicators listed on their website.

Eventually this led to a database of 1393 people. All of these government communicators

received an e-mail with the link to the survey. 169 people ultimately responded, a response

rate of 12%. One of the general concerns of web based surveys is its low response rate. A meta-

analysis (Shih and Fan, 2008) of web survey response rates of 1,068 articles published in a wide

range of academic journals, showed a response rate between 7% and 88%, with an average of

34%. The meta-analysis also showed that population feature (e.g. whether the population

concerns professionals, employees, students etc) influence the outcome as well. One reason of

the low response could be the quality of the database. Some respondents responded to the

pre-notice e-mail explaining that they were not a government communicator after all. In

addition, one person mentioned that government employees are not allowed to respond to surveys. Another person wrote that not everyone at the agency might have internet access and another person worried about anonymity, even though this was guaranteed by the researcher. Another issue could have been the length of the survey, with longer surveys having lower response rates (Deutskens et al, 2004). All of this might have contributed to the low response rate. Nevertheless, in total 169 US government communicators responded.

In the Netherlands, the Academia of Federal Government Communicators was approached for the sampling frame. After all, seeking endorsements by a, for the respondents known, authority is a preferred method for increasing the response rate to surveys (Dillman, 2007). The Academia generously announced the survey in their monthly newsletter with a link to the survey. Furthermore, a database with federal government communicators was created by looking up government communicators on the Ministry's website. However the government communicators mentioned on websites turned out to be mainly press officers. In order to get a broad range of government communicators the individual ministries were approached with the question whether they would like to participate. All but one Ministry was willing to participate. The final database consisted of 169 people. In addition a snowballing technique was used by asking some participants who preferred not to provide contact information to distribute the link among their colleagues. Eventually 68 people responded. 7 of the 68 people responded either via the direct link from the newsletter of the Academia of Government Communicators or the snowballing technique. But most people responded via the e-mail sent out by the

researcher[17]. The response rate is 37%, which is a little above average (Shih and Fah, 2008). The

higher response rate in the Netherlands compared to the USA response rate (Table 11), could

be due to the fact that a more targeted database was created. Moreover, the Academia of

Federal Government Communicators endorsed the study by announcing the study in their

newsletter. In both countries the survey was online for 2.5 months from January until March

2013.

Table 11: Summary response rate

	USA	Netherlands
Sample	1393	169
Response	169	68
Response rate	12%	37%
Number of completes	137	57

3.7.2.2 Demographics

Demographics are comparable between the countries (Table 12). The American respondents

who filled out the survey are mostly bureaucrats (95%) and only a few of them were political

appointees (5%). In the Netherlands this question was not asked because federal agencies do

not have political appointees and hence it can be assumed that all of them were bureaucrats. In

the USA 49% worked at an agency's headquarters, 28% at an agency and 18% at an

independent agency. In the Netherlands most respondents 82% worked at a Ministry and 16%

at an Agency. However it should be noted that what might be called an agency in the USA could

be part of a Ministry in the Netherlands. For instance the USA Environmental Protection Agency

---

[17] It should be note that some Dutch respondents had difficulties opening the REDCap survey. Due to reliability concerns, REDCap allows one IP address to fill out the survey. This prevents one respondent being able to fill out the survey several times. However a Dutch government IT person reported that federal employees working on a different computer but sharing the same network could be identified as working from one IP address and hence were not able to fill out the survey. The people who reported the problem received another e-mail this time with a public link from the REDCap system. This problem was not reported by respondents in the USA.

is an independent agency, in the Netherlands environmental protection is part of the Ministry

of Infrastructure and Environment. On average American respondents have worked for their

current agency for 12 years and Dutch respondents for 8.6 years. 85% of the American

respondents are older than 40 and 74% of the Dutch are older than 40.

Table 12: Demographics

	USA	NLS
Gender		
Female	54%	53%
Male	46%	47%
Age		
25 and under	1%	0%
26-29	1%	4%
30-39	13%	22%
40-49	26%	43%
50-59	41%	29%
60 or older	18%	2%
Position		
Director	27%	11.8%
Press officer/spokesperson	10.7%	15.7%
Public information/Public affairs officer	23.8%	58.8%
Social media specialist	1.6%	0 %
Audio visual specialist	.8%	0 %
Speech writer	1.6%	0 %
Editor/writer	7.4%	0 %
Other	27%[18]	13.7%[19]
Stakeholders interact most with[20]**:**		
General public	50%	48%
Media	50%	33%
Not-for-Profit Organizations	29%	40%
Private Sector Organizations	15%	35%
Academia	14%	9%

---

[18] American respondents mentioned in the other category; associate director, special assistant and IT specialist, publications manager, government affairs specialist, public affairs specialist and congressional affairs officer.

[19] Dutch respondents mentioned campaign manager, knowledge consultant and research consultant.

[20] Respondents were able to choose more than one option that is why the total is more than 100%.

3.7.2.3 Survey design

The web-based survey was partly based on existing validated surveys and the literature. A draft of the web-based survey was reviewed and pretested by 15 academic and field experts in both the Netherlands and the USA. The questionnaire was edited based on their comments regarding wording and structure.

In order to prevent as many missing values as possible it was programmed into the survey that respondents needed to answer each questions (except for the background variables) in order to be able to go to the following page of the survey. However, not all participants in both countries completed the survey. One reason could be that the survey was rather long as pointed out earlier. "The save and return later" button was used in REDCap which automatically provided respondents with a code for returning and finishing the survey later. However, some people indicated that they had lost their code for returning. Since the survey is anonymous it was not possible to identify the code that belonged to a participant and resend the code. Also, one respondent in the USA reported that he felt the: "questions were designed to imply wrongdoing on the part of government agencies, such as asking whether my unit deliberately hides important information" and therefore did not wish to submit his answers. Respondents who filled out less than half of the survey were removed from the dataset.

3.7.3 In-depth interviews

The in-depth interviews took place in both countries from November 2012 until April 2013. In total 30 government workers participated. Three interviews took place by phone the other 27

face to face. The interviews were recorded, except for five interviews. In these five cases

extensive notes were taken. The face to face interviews took one hour on average, whereas the

phone interviews took about 45 minutes. An IRB approved letter (see Appendix D) explained

the purpose of my research, the focus on communications and in particular government

communicators. The interviews in the Netherlands were carried out in Dutch and translated by

the researcher.

In order to recruit possible respondents several methods were used. In the USA, the

Office of Management and Budget who issued the Open Government Directive was contacted

and they advised to approach each individual agency by sending an e-mail to the Open

Government official as mentioned on the Agency's Open Government (OG) website. Hence,

each Agency that is listed on the Open Government Dashboard[21] was contacted. The agencies

that had not listed an explicit name on their Open Government website (about one third) did

have a contact form on their website which was filled out. In addition, a snowballing technique

was used: a request for an interview was sent out by a helpful OG- official to colleague OG

officials of other agencies who are taking part in the regular interagency Open Government

meeting. The people who were interviewed were asked if they knew someone else who might

be interested in participating. One participant responded to the researchers' invitation for

participating in the web-based survey, indicating a preference for participating in an interview

instead of filling out an online survey. This person was contacted and interviewed by phone.

Eventually this resulted in seven participating federal agencies and 14 different respondents.

---

[21] The Open Government dashboard reviews the initiatives of federal department and agencies of initiatives they have undertaken in order to make government more transparent, participatory and collaborative. http://www.whitehouse.gov/open/around

One respondent was interviewed twice. During the first interview documents were handed over and the respondent offered to answer additional questions after reading the documentation.

Within the different agencies the Open Government official is located in different offices. In one agency it is part of the Office of the Chief Information officer, in another of the Chief Financial Officer and Assistant Secretary for Administration or in the Office of Innovation. In five agencies both a government communicator and an open government official were interviewed. Other agencies indicated that the Open Government (Deputy) Director would have the best overview of communications, even though they did not always have a background in communications themselves. Often they led an Open Government working group in their agency which included a representative from the Public Affairs or Communications Department. Within another agency only government communicators were interviewed.

In the Netherlands several techniques were also used to recruit respondents. At first, the Department of the Interior and Kingdom Relations, in charge of Open Government partnership at the Dutch government, and the Academia of Government Communicators were initially approached to identify possible transparency experts and government communication professionals. Following these government officials were approached by the researcher. In addition, a very helpful federal government communicator was asked if the person would know of a colleague government communicators interested in participating. Finally, agencies were randomly approached by e-mail. This eventually resulted in participation of seven different federal agencies and 16 different respondents. Within two agencies the researcher spoke to

both transparency/Open Data experts and government communicators. In the other agencies either the transparency expert or a government communicator was interviewed.

Due to the anonymity of the survey it is not known if some of the survey respondents participated in the interviews as well. Because the target population in the Netherland is smaller than the one in the USA, it is more likely that Dutch respondents might have participated in both. Furthermore, initially the intention was to approach similar agencies in both countries. This turned out to be too complicated; where an agency in one country was eager to participate, the comparable agency in the other country declined. Furthermore the agencies were not always organized in the same way: where there might be a separate agency for a specific government task in one country, the same task would be part of an agency's headquarters (Ministry) in the other country. The interviews were used to get a broader picture, for being able to compare whether the answers are in line with the survey and for having the opportunity to ask more detailed questions.

3.8 Data analysis

3.8.1 Quantitative analysis

The data analysis of the web-based survey consisted of three steps. First a descriptive statistical analysis was conducted. Frequencies are used to both construct simple descriptions about the characteristics of the data set and to summarize the data (Frey et al., 2000). They give an overview of possible similarities and differences between the two countries. Thus, the distribution and frequencies of the data were examined. The data was screened for missing data and outliers. The variables were tested for distribution of the variables and for

frequencies. Furthermore an independent samples t-test was conducted to see if there is

sufficient evidence to infer that the means of the corresponding populations in the two

countries also differ (George and Mallery, 2009). A t-test is used when the independent variable

has two categories, in this case it concerns two countries. Furthermore, a t-test assumes

normality. Therefore the items were checked separately for each country for normality using a

Q-Q plot. Before performing an independent statistically significant t-test to analyze the

differences in means for each country, the items on the survey that used the scale from 1 until

4, with 1 = *strongly disagree*, 2 = *disagree*, 3 = *agree* and 4 = *strongly agree* were recoded. The

survey was initially designed to have the neutral category off the scale: *neither agree nor*

disagree was coded as 8. However many respondents used this category. Therefore the item

was recoded from 8 into 3, forming a scale from 1 until 5. Respondents who filled out the

category 'not applicable' or 'don't know' were taken off the scale by listing these categories as a

discrete missing value in the variable view of SPSS. The question "contributing to making

information proactively is part of daily practice" contains 47 missing values out of 137 in the

USA database due to a possible REDCap error. The item was left in because of its importance

for the model *Explaining proactive transparency regimes* (Chapter 2). A series mean was not

computed and inserted for missing data because the rule of thumb is that missing data can be

replaced by a mean when it is about 15% of the data (George and Mallery, 2009). In this case it

concerns about one third of the data, so caution needs to be taken.

Second, in order to analyze whether the indicators were indeed dimensions of the

concepts as defined in the model an exploratory factor analysis was conducted in SPSS using

principle components analysis with varimax rotation[22]. Principle components analysis is a technique used in order to discover which variables in the set form coherent subsets that are relatively independent of one another. Variables that are correlated with one another but largely independent of other subsets of variables are combined into components (Tabachnick and Fidell, 2007). Its utility is reducing numerous variables into a smaller number of factors and to test the theory about the nature of underlying processes. Varimax is the most commonly used rotation. It is a variance maximizing procedure to maximize the variance of factor loadings by making high loadings higher and low ones lower for each factor (Tabachnick and Fidell, 2007).

A sample size of 300 cases is preferable for factor analysis, however Tabachnick and Fidell (2007) point out that a sample size of 200 is fair and that even smaller sample sizes of 100 or 50 can be sufficient. The total database of both Dutch and American respondents equals 194 respondents. The eigenvalue[23] for extraction was set at greater than 1, meaning that only those factors will be retained. In addition, the items were retained if the item loadings exceeded .44 for at least one factor; second, there needed to be a minimum of difference of .1 between items in factor loadings (Rawlins, 2009). One assumption of an exploratory factor analysis is that outliers can affect the analysis. The survey questions regarding the variables, *organizational support*, *information quality* and *participation* were based on a validated survey instrument by Rawlins (2009) and Hawes (2010). Rawlins (2009) used an exploratory factor analysis in order to analyze the dimensions of transparency for stakeholder evaluation of an

---

[22] Rawlins (2009) used the same technique in order to validate his questionnaire for stakeholders.
[23] The eigenvalue for a given factor measures the variance in all the variables which is accounted for by that factor. If a factor has a low eigenvalue, then it is contributing little to the explanation of variances in the variables and mya be ignored as redundant with more important factors (Dattalo, 2009) .

organizations' transparency. In line with Hawes (2010), Rawlins' questions were adapted in this

study for evaluating the role of government communicators regarding proactive transparency.

The questions regarding the variable *value transparency* and *implementation* were also based

on public administration and communications literature and needed to be validated. Based on

the results of the exploratory factor analyses, the factor analysis using principle component

analysis was run again to compute variables in line with the components that resulted from the

exploratory analysis. The factors computed by the analysis resulted in several dependent and

independent variables associated with the concepts in the model *Explaining proactive*

transparency regimes. Following these newly computed variables were used in the third step of

data analysis: testing the hypotheses using a Multivariate Analysis of Covariance (MANCOVA).

MANCOVA is used when a model includes both nominal (independent variable) and

scale (covariate) variables as predictors of the linear combination of two or more quantitative

dependent variables. The dependent variables should be related conceptually, and they should

be correlated with one another at a low to moderate level or they should be strongly negatively

correlated. If they are strongly positively correlated, there is a risk of multicollinearity. If the

variables are uncorrelated, there is usually no reason to analyze them together. In MANCOVA

the linear combination of DV's is adjusted for differences in the covariates. The adjusted linear

combination of DV's is the combination that would be obtained if all participants had the same

scores on the covariates. MANCOVA asks if there are statistically significant mean differences

among groups after adjusting the newly created DV for differences on one or more covariates

(Tabachnick and Fidell, 2007). MANCOVA was used in this study to determine whether the

variables associated with 'knowledge of formal rules' and with 'organizational support' on their

own or in combination with country had a significant on the dependent variables associated with 'value proactive disclosure'. In addition, MANCOVA was used to determine whether the variables associated with value proactive disclosure on their own or in combination with each other or country had a significant effect on the dependent variables associated with 'implementation of proactive transparency' and 'the quality of the information provided'. An Analysis of Covariance (ANCOVA) was carried out to determine whether the independent variables related to the concept value transparency had an effect on the one dependent variable feedback and participation. ANCOVA is used instead of a MANCOVA because there is only one dependent variable. Furthermore, it was analyzed whether there were any significant differences between the USA and the Netherlands. In each of the models presented under the hypotheses, Wilk's Lambda multivariate statistics is presented as the indicator of significance. Wilk's lambda is a likelihood ratio statistic and is considered the most reliable of the multivariate measures (Tabachnick & Fidell, 2007). The results of the survey are presented in Chapters 4 and 5.

3.8.2. Qualitative analysis

The document analysis was at the basis for the process tracing technique used in Chapter 4 in order to analyze the institutional embedding in each country. The documents in the exploratory phase were analyzed for themes and patterns of convergence and divergence. Rival and alternative explanations were sought and explored. In addition, as pointed out earlier for the mixed method, a concurrent embedded strategy was used in which the survey is the primary method and in which the in depth interviews have a supporting role. The in-depth interviews

were transcribed and the transcripts were analyzed. The following steps were used to analyze

the data (Creswell, 2009). After transcribing the interviews the individual transcripts were read

in order to obtain a general sense of the information, following a more detailed analysis of the

data was conducted by initially using codes related to the model *Explaining proactive*

transparency regimes (Chapter 2); *perceived institutional embedding*, *organizational*

embedding, value transparency, involvement, quality of the information and participation and

feedback. However some codes also addressed topics outside the model such as *the meaning of*

transparency, best practices, *challenges* and *unintended consequences* and finally it addressed

relationships between the concepts. The data of the two countries were displayed separately in

accordance with the model (Yin, 2003). Word tables were created reflecting processes and

outcomes which enabled to draw cross case conclusions. Rival interpretations were

addressed[24].

In order to prevent inter-subjectivity, another scholar was asked to verify the findings by

coding an interview as well. The results were compared and if needed adjusted. Following the

coding process was used to generate a description of the themes of analysis and build

additional layers or subthemes, based on more detailed word frequencies. For instance within

the theme organizational sub-layers of leadership support, resources but also whether the

respondent typified the agency as more proactive or reactive were identified. The description

and themes are represented for each country. The final step was interpreting the data: How did

the data confirm or diverge from the survey? And what are possible new questions?

---

[24] The data was analyzed using the software program NVivo. NVivo is a qualitative data analysis system, which is designed to aid researchers in handling non-numerical, unstructured data by supporting processes of indexing, searching and theorizing.

3.9 Validity and Reliability

In this study triangulation was used to enhance the accuracy of the study. By using different data sources a coherent justification of themes was built. This will add to the validity of the study. Triangulation however does not prevent all validity issues. In terms of internal validity, the study was conducted at about the same time in the two countries, thereby trying to prevent the issue of history. However practical issues made it impossible to conduct the study at exactly the same time. The survey in the Netherlands started about two weeks after the USA survey.

Selection could have been an issue. Respondents interested in the subject of transparency might have been more inclined to fill out the survey or participate in interviews. However, one agency who initially scored low on the White house open government scorecard[25] also participated.

In terms of content validity the survey was based as much as possible on questions from validated surveys. The Rawlins' instrument had a Cronbach's alpha of .85 and the questions used to measure how much the government communicator values transparency had a Cronbach's alpha of .76 (Hawes, 2010). However this is based on the English version of the survey. In order to conduct the web-based survey among the Dutch communicators the survey was translated by the researcher in Dutch and checked and tested by Dutch academic and field experts to make sure that the instrument measured the concepts as defined in this dissertation.

---

[25] The Dashboard tracks agency progress on the deliverables set out in the Directive, including each agency's Open Government Plan. http://www.whitehouse.gov/open/around

Threats to external validity arise when researchers draw incorrect inferences from the sample data to other settings and past or future situations (Creswell, 2009). A limitation of a non-probability sample is that there is no assurance that every unit has some chance of being included. Hence the sample might not be fully representative of the sampling population (Frankfurt-Nachmias and Nachmias, 2007). What should be noted here as well is that despite the use of Dillman's tailored design method (2007), the response rate, especially in the USA among the survey respondents was low, yet not uncommonly low as pointed out earlier. The survey results were therefore compared with the results of the in-depth interviews. In general the results were similar. The model *Explaining proactive transparency regimes* was validated in two Western democratic countries. Further research needs to be done to examine whether similar results can be found in other countries as well.

In addition, the study was conducted among federal government communicators and might not be generalizable to all levels of government. However, the results of this dissertation were partly in line with Fairbanks three dimensional model developed based on interviews with federal government communicators and Hawes' dissertation results (2010) among city government communicators. This could indicate that the model would be applicable to other levels of government as well but further research needs to be done because as pointed out earlier, the unique environment at different levels of the government might also influence the way government communicators value and implement proactive transparency. This issue could especially be at play in the USA where states have their own FOIs.

Reliability indicates that the researchers' approach is consistent across different researchers and projects (Creswell, 2009). As pointed out in the paragraph above the results

are in line with results of other studies. Furthermore, the researcher has carefully documented

the procedure or steps of this study. For the interviews, the transcripts were checked and the

codes were checked as well so that there was not a drift in the definition of the codes. Finally,

what needs to be mentioned here is that the researcher has worked as a government

communicator herself before starting an academic career. It brings the advantage of knowing

the situation and circumstances under which government communicators operate but also the

possibility of identification with respondents.

4 Origins: (proactive) transparency in the USA and the Netherlands

"The government can do much to help distribute necessary information by making it readily available and in a form which can be understood"
(Siebert, 1948)

"Citizens have a right to communication and maximized transparency"
(Wallage, 2001)

The focus of this chapter is the historical institutional context of proactive transparency regimes in the USA and the Netherlands. This is in line with the concept 'institutional embedding' in the model *Explaining proactive transparency regimes* (Chapter two). Institutional embedding in this study refers to the statutory and regulatory frameworks that regulate public access to government held information. In this chapter the following research question will be answered:

> *What are the origins and evolution of (proactive) transparency in the Netherlands and the USA and what implications does this have for practice?*

The origins and evolution of transparency in each country are analyzed using process-tracing, or more specifically by a detailed narrative as part of a comparative mixed method case study. The narrative shows similarities and differences in transparency regimes; whereas the USA originated from a more rule based approach the Netherlands did from a more principle based approach. These differences in transparency regimes could influence the thinking of

government officials which is partly confirmed by the results of the web-based survey[26] and

interviews[27].

4.1 Case 1: The origins and evolution in the United States

Promotion of transparency has become enshrined in America's fundamental laws such as the

constitutionally protected rights of freedom of assembly, speech and the press. The drafters of

the US constitution emphasized the need for open law making (Roberts, 2006, Birchall, 2011).

Public access to information has been eased through sunshine laws that open the meetings of

public bodies to the citizenry and through freedom of information law that permits private

citizens to scan information files collected by the government (Graber, 2003). In order to

understand current American policy making, it is important to be familiar with the historical

foundations of American government and politics (Birkland, 2005).

4.1.1 The Constitutional Framers

The United States (U.S.) Constitution of 1787 is based on the separation doctrine (Rutgers,

2000).[28] US Federalism allocates governmental powers between the federal and state

government. The relative absence of coordination and control is largely intentional. The

constitutional framers feared the control of the central government over the states (Peters,

---

[26] The survey results are based on answers by 169 American federal government communicators and 68 Dutch federal government communicators, see for more details on the research method Chapter 3.

[27] The interviews were conducted among 16 Dutch respondents and 14 American respondents, see for more details on the research method Chapter 3.

[28] The separation of powers distributes the powers of federal government over three branches: the president, congress and the court. Each branch is capable of applying the checks and balances to the other two branches (Peters, 2010; Birkland, 2005). US Federalism allocates governmental powers between the federal and state government.

2010). Nelson (1982) argues that the birth of the United States was conceived as much in anger as in liberty. Much of that anger was directed at perceived abuses by the British Administration. "The United States was born in a war that rejected the organizational qualities of the state as they had been evolving in Europe over the eighteenth century" (Skowronek, 1982, p. 20). According to King and Nank (2011), there is a historical distrust in government. Or more specifically, there is a profound distrust in the state and of its administration (Rutgers, 2001). King and Nank (2011) argue that a constitutional government may have soothed fears about governmental power, but the elitism of the authority, power structures of the government, and inequity left simmering resentment on the part of the average citizen. However, data from the Pew Research Center that has measured citizen's trust in government since 1958, shows that in 1958 trust is about 73%. Yet, in the 1960's a decline starts with a low of 17% in 1994 and about 22% in 2010 (Pew Research Center, 2010).

The ideological and relative political stability of the US prevents sudden shift in ideas or the hasty adoption of policy fads (Birkland, 2005). Ideological stability means according to Birkland (2005, p. 37), that Americans and their representatives have not been quick to shift their basic political ideas: "Since the founding and even before Americans have believed in personal liberty and equality (…) and generally limited government, "popular sovereignty" or the belief that the highest power in government is held by the people, the rule of law and respect for market economics, free enterprise and private property." Political stability refers to the fact that the United States has operated under the same constitutional structure since 1789 (Birkland, 2005).

The notion of transparency can be traced back to the Founding Fathers (Popova-Nowak 2011). When they envisioned their ideal government, it was with the notion that citizens would determine the course of the new nation (Quinn, 2003). The Founding Fathers believed in the open official publishing of government information and the necessity of providing information access to citizens as a precondition for the existence of a democratic society that requires citizen's active engagement in the dialogue on social and political issues (Jaeger, 2005). "The idea of public information was a radical concept at the time of the American Revolution" (Quinn, 2003, p283). The Declaration of Independence specifically notes the separation of public records and legislative bodies as one of the reasons for the revolution.

The US Constitution established a national postal system for the distribution of information and the First Amendment of the Bill of Rights focuses on information access and exchange through freedoms of exchange, assembly and press (Jaeger and Bertot, 2010; Herold, 1981). The view was that citizens could be adequately informed about their government through an unhampered press (Herold, 1981). The constitutional founders including James Madison, Thomas Jefferson and George Mason, placed great value on the

> "He [the king of Great Britain] has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures"
>
> (Declaration of Independence 1776)

necessity of the new government to foster a culture of open official publishing and information by the government. The values of access and exchange catered the development of a participatory democracy well. Furthermore, Jaeger and Bertot (2010, p. 371) point out that "Among its first acts, Congress mandated the printing and distribution of laws and treaties, the

preservation of state papers, the creation of official places where the public could access

printed government information, and the maintenance of files in government agencies". They

continue (p. 371): "These mandates were unified by the goal of making government

information available to the public, with the intentions of ensuring an informed electorate and

bringing transparency to the process of governance."

4.1.2 Laws leading up to the Freedom of Information Act

In the early twentieth century, Woodrow Wilson's presidential campaign focused on a call for

the governmental and financial reform contained in the "New Freedom" (Birchall, 2011). He

wrote:

> "I, for one, have the conviction that government ought to be all outside and no inside. I,
> for my part, believe that there ought to be no place where anything can be done that
> everybody does not know about (...) a first necessity is to open the doors and let in the
> light on all affairs which the people have a right to know about. (…) it is necessary to
> open up all the processes of our politics" (Wilson, 1913).

Once elected, Wilson fell short of imposing the ideal of complete openness that he advocated

(Bok, 1982). Yet these early ideas concerning national transparency were later reflected in the

Federal Register Act of 1936 (Birchall, 2011). The Federal Register Act of 1936, requires that the

Federal Register, be the Federal government's comprehensive vehicle for publishing all agency

promulgated rules and regulations as well as all Presidential proclamations and executive

orders or other such documents that the President determines has general applicability and

legal effect as may be required by Act of Congress. Moreover in the 1930's the role of the

central government expanded. The perception of bureaucrats changed dramatically at this time

(Roberts, 2006). They were no longer clerks, but lawmakers with the capacity to formulate rules

that could have a profound effect on the economic interest of American business and citizens. In the 1930's under Roosevelt, power had shifted from Congress to a newly enlarged bureaucracy.

In order to regulate and legitimize bureaucratic power Congress adopted in 1946 the Administrative Procedure Act (APA), the progenitor of the Freedom of Information Law (Roberts, 2006). The APA required federal officials to publish information about their operations in the Federal Register (Birchall, 2011)[29]. The APA also requires notice of proposed rulemaking to be published in the *Federal Register* and provide interested parties an opportunity to comment (Roberts, 2006). According to Roberts (2006, p. 21): *"*The rapid diffusion of FOIA-style laws could be regarded as a sort of triumph, a definitive statement about the subordination of executives and bureaucracies to the principle of transparency". Following, the goal of transparency was formalized with the passage of the Freedom of Information Act in 1966 (Jaeger and Bertot, 2010).

4.1.3 Freedom of Information Act

"The FOIA was originally created "to ensure an informed citizenry, vital to the functioning of a democratic society, needed to check against corruption and to hold the governors accountable to the governed" (McDermott, 2007). The FOIA is the most important information disclosure act in the United States (Sigler, 1997). The FOIA imposes documentary transparency on federal agencies and it has created a legal expectation that public administration at the federal level

---

[29] The information includes "substantive rules and interpretations of general applicability, statements of general policy, rules of practice and procedure, descriptions of agency forms, rules of organization, descriptions of an agency's central and field organization, and amendments or revisions to the foregoing. Matters of national secrecy or those relating to an agency's internal management have always been exempted from publication" (McKinney, 2010).

will be open to external review. There are a variety of developments that fueled calls for greater openness in government and set the stage for the introduction of FOIA in the United States (Sykes and Piotrowski, 2004). With the expansion of the government in the New Deal "it became clear that public regulation needed to be made more accessible to the public" (McDermott, 2007 p 66). All public regulations began to be published and made accessible with the first publication of the Federal Register in 1935. Prior to FOIA section 3 of the APA had been interpreted as giving agencies unlimited discretion to withhold records.

Another important event was a UN conference on freedom of information in 1948. At the time, UN officials believed that greater public information might help the world avoid war. Discussion about freedom of information legislation quickly followed in the US (Sykes and Piotrowski, 2004). However, Congress debated the merits of freedom of legislation for more than a decade before its passage. In the early 1960s, protest movements encouraged greater "power to the people." Environmental and consumer rights groups advocated for a right to information, to scrutinize federal agencies (Roberts, 2006). As the 1960's progressed, people grew increasingly skeptical of official information and credibility gaps emerged. At the same time, increased executive power shifted the focus of lobbyists from the legislature to the executive, and pressure groups demanded more information from incumbent administrations and governments (Sykes and Piotrowski, 2004).

According to Frost (2003) pressure for open government came from a desire to improve the quality of the decision making. The FOIA was legislated in the face of considerable opposition by the executive branch. No agency or department supported the legislation (Relyea, 2008). Finally, the FOIA passed on July 4, 1966 and went into effect in 1967[30]. With the passage of the FOIA the burden of proof shifted from the individual to the government. The "need to know" standard had been replaced by a "right to know". The government now had to justify the need for secrecy (McDermott, 2010). The FOIA addresses access to documents but also establishes that agencies must publish basic information about themselves, such as their organizational structure, rules of procedure and the substantive rules and statements of policy they have issued in the *Federal Register* (Frost, 2003). The act also requires that agencies make available for public inspection and copying: copies of records released in response to FOIA requests that an agency determines have been or will likely be the subject to additional requests.[31] This latter requirement is the underpinning

"Proactive disclosures -- where agencies make their records publicly available without waiting for specific requests from the public -- are an integral part of the Freedom of Information Act. All federal agencies are required to affirmatively and continuously disclose records proactively by subsection (a)(2) of the FOIA. Although this "proactive disclosure provision" has always served a vital role in achieving an "informed citizenry" -- the central purpose of the FOIA, now, proactive disclosures are in the spotlight like never before."

(Department of Justice Guide to Freedom of Information, 2009)

---

[30] The FOIA provides for any person, corporate or individual presumptive access to unpublished, existing and identifiable *records* of the agencies of the Federal executive branch without having to demonstrate a need or reason for such a request (Relyea, 2008).

[31] Agency records are releasable in the United States. There is considerable case law on what is and is not an agency record but essentially 1) the record must be in possession of an agency covered by the act and 2) that agency must have substantial control over the record. The definition of records includes documents, emails, videos, pictures, electronic files, and databases (Sykes and Piotrowski, 2004). An agency should respond to the

for the Administration's requirement that agencies not rely solely on FOIA requests, but also

engage in proactive disclosures (McDermott, 2010).

From the time it was enacted, the FOIA has been a continual work in progress, with

policy shifts from one presidential administration to the next and major amendments by

Congress every decade. Throughout the Cold War the security establishments successfully

resisted demands for increased openness. However, the first series of major amendments came

in 1974 in the wake of Watergate. Americans learned of the secret escalation of the war in

Vietnam and of the executive abuse of power that came to be known as "Watergate".

Concluding that abuse of power, corruption and mismanagement could only be eradicated if

the public had a direct view of the workings of their government (Frost, 2003). Congress moved

to strengthen FOIA. The change allowed courts to order the release of documents even when

the President said they would not be released (McDermott, 2010).

The 1990's, were characterized by a new attitude of openness, where sensitive projects

that had been hidden in the name of national security were laid open for public scrutiny.

Human rights advocates asserted a new norm "a right to know the truth" (Roberts, 2006). In

1996 the Electronic Freedom of Information Act Amendments were incorporated (freedom of

information US, 2010). This requires that certain documents are provided preferably online by

administrations *on their own initiative* (Ormel and van Schagen, 2001). In addition, agencies

---

requestor and let them know if their request is going to be met within twenty working days. The U.S. also has a multi-tracking system that allows expedited access if a requestor has a compelling need. It also delineates between simple and complex requests. The FOIA has nine exemptions: national security information, internal agency rules, information exempted by other statutes, business information, inter- and intra-agency memoranda, personal privacy, law enforcement records, records of financial institutions and oil well data. In the United States, an appeal is made directly to the agency. Frequently the decisions are reversed or partially reversed immediately. The final recourse is through the U.S federal court system.

must provide electronic reading rooms for citizens to have access to records. Also it requires

agencies to aid the public in finding and obtaining federal government records. This decade of

openness came to an abrupt end with a change in the context of governance triggered by the

terror attacks of September 11, 2001. New worries about terrorist attacks led to an expansion

of secrecy as government agencies reconsidered the wisdom of disclosing information that

once had been made routinely available (Roberts, 2006). Legislation in response to the 9/11

attacks greatly restricted the act's scope.

The Bush Administration-Ashcroft Memorandum (2001) encouraged presumptive non-

disclosure. Although the memorandum acknowledges the importance of government

accountability, it also actively encourages federal agencies to "fully consider" all potential

reasons for non-disclosure and emphasizes national security considerations, effective law

enforcement and the protection of sensitive business information (McDermott, 2010). The

memorandum (Department of Justice, 2001) contains the section "when you carefully consider

FOIA requests and decide to withhold records, in whole or in part, you can be assured that the

Department of Justice will defend your decisions unless they lack a sound legal basis or present

an unwarranted risk of adverse impact on the ability of other agencies to protect other

important records". That memo effectively turned FOIA's presumptions of openness upside

down (Houston, 2010). By contrast under the Clinton Administration the previous Attorney

General Janet Reno sent out a memorandum that warned FOIA officers: "the Justice

Department would no longer defend and agency's withholding of information merely because

there was a substantial legal basis for doing so" (Sassen 2006, p183). Birchall (2011) concludes

based on these examples that the same government supposed to uphold the Freedom of

Information Act and its ideals, has at its disposal the power to discount them. Moreover, during the Bush administration a new form of secrecy emerged as organizations not typically counted with the security establishment began to restrict access to information already in the public domain such as information about critical infrastructure; pipelines, dams, nuclear plants and other physical assets. Critics argued that these restrictions undermined the capacity to monitor government (Roberts, 2006).

The most recent amendment was by the 2007 Open Government Act, which was designed to aid FOIA requesters, improve agency FOIA performance and foster greater disclosure (Metcalfe, 2009). And finally President Obama signed two executive orders when he came into office: the Memorandum on Transparency and Open Government and the Memorandum on the Freedom of Information Act (January 21, 2009), which will be further discussed in the section below.

4.1.4 Government communication and other related acts

Proactive dissemination by agencies does not only take place by posting documents online or putting them in a library or depository. Other means can be used as well such as press releases or public information campaigns. Here we come into the realm of government communication or public relations. Lee (2008, p 294) points out:"This law [FOIA] is an important component of the environment in which federal agencies conduct their public relations. It means that the sine qua non of public administration in Washington is a basic openness to the public". Lee (2008, p 284) continues: "…the lofty ideals of the Act have the effect of pitting the public against federal agencies in a perpetual adversarial relationship of openness versus professional discretion".

Until then there was a long-standing tradition for government not to communicate (Runyan, 1981). Lee (2008) explains that the public relations goal of "increasing public support"[32] is the reason why government managers shy away from relying too much on public relations of fear of triggering a legislative backlash. Regardless of ideology and party, legislators and chief executives do not want an agency so popular with the citizenry that they cannot exercise effective control over it. To prevent this from occurring, US politicians have a generic hostility towards public relations. This is deeply enshrined into the culture of American public administration. In fact, already in the 1950's Congress enacted laws that tried to corral even neuter the use of public relations by federal agencies (Lee, 2008). 5 U.S.C. 3107 prohibits the use of appropriated funds to hire publicity experts. Furthermore, appropriations law "publicity and propaganda" clauses restricts the use of funds for puffery of an agency, purely partisan communications and covert propaganda. However no federal agency monitors federal public relations activities. But a member of Congress may ask the Government Accountability Office (GAO) to examine an agency's expenditures on public relations activities with a view to their legality (Kosar, 2008). Recent controversies such as the National Drug Control Police who produced video news releases that looked like evening news segments and discouraged the use of illegal drugs, bring the debate between critics and proponent to light. Another example. After the fall of Saddam Hussein in 2003, a video came out featuring Iraqi-Americans celebrating the fall of the regime and praising Bush in the streets of Kansas City, Denver and San Jose. However, viewers were not informed that the video was scripted, staged and paid for

---

[32] Lee (2008) points out several purposes of government public relations in the USA: 1)media relations, 2) public reporting, 3) responsiveness to the public, 4) increasing the utilization of services and products, 5) public education, 6) seeking voluntary compliance with laws and regulations, 7) using the public as the eyes and ears of the agency and 8) increasing public support.

by the US State Department (Arnold, forthcoming). Critics complain that public relations activities are inappropriate, whereas proponents argue that there is nothing wrong with agencies educating the public about their programs, activities and positions on policies (Kosar, 2008). The division between these viewpoints is according to Kosar (2008), partly rooted in the longstanding competing notions over the nature of federal executive agencies: should agencies be apolitical and semi-autonomous, or should they be politically responsive? Yet there is nothing inherently inappropriate in an agency expending funds to communicate with the public. A Hoover commission task force in 1949 wrote (in Kosar, 2008): "Apart from his responsibility as spokesman, the department head has another obligation in a democracy: to keep the public informed about the activities of his agency. How far to go and what media to use in this effort presents touchy issues of personal and administrative integrity. But of the basic obligation [to inform the public] there can be little doubt".

After invigorating FOIA, Congress enacted other open government laws mandating public access to government decision-making such as, the Federal Advisory Committee Act (FACA)[33] and the government in the Sunshine Act (1976).[34] The limitations on this requirement roughly parallel the exemptions allowed under FOIA. All these open government laws were enacted and amended during a period when Americans had lost faith in their government due to a series of unilateral illegal actions by the executive branch and the subsequent attempt to cover up wrong doing. "Open government legislation was intended to improve the performance of the executive branch by opening up agency decision-making to public view,

---

[33] (FACA) regulates agencies' use of committees of non-governmental experts to assist them in formulating policy.

[34] the Sunshine Act (1976) grants the public access to the meetings of all multi-member federal agencies

which it was hoped, would increase accountability, reduce corruption and abuse of power"

(Frost, 2003).

Furthermore, McDermott (2010) points out that the 1980 Paperwork Reduction Act

(PRA)[35] is also at the base of the current Open Government, as well as the in 1985 the Office of

Management and Budget (OMB) published circular A-130[36]. And finally there is the E-

---

[35] The PRA gave the Office of Management and Budget the authority and responsibility for a broad range of responsibilities related to information management. The primary purposes of the Act were to minimize the federal paperwork burden and the cost to the Federal Government of collecting, maintaining, using and disseminating information; to maximize the usefulness of information collected by the Federal government; to coordinate, integrate and make uniform federal information policies. In addition, the act ensures that automatic data processing and telecommunications technologies are acquired and used by the Federal Government in a manner that improves service delivery and it ensures that the collection, maintenance, use and dissemination of information by the Federal government is consistent with applicable laws relating to confidentiality (PRA, 1980). The act was amended in 1986. A seventh purpose was added to the act: to maximize the usefulness of information collected and disseminated by the Federal government. McDermott (2010) points out that both the Reagan (1980 PRA) and the G.W. Bush (1986 Amendments of the Act) administrations and their congressional supporters viewed information as an economic resource and not as a public good. Usefulness was not seen as the ability of the government *and* the public to use the information, but was only understood in terms of whether the agency needed to collect information. The 1995 revision states that each agency should "improve the integrity, quality and utility of information to all users within and outside the agency, including capabilities for ensuring dissemination of public information, public access to government information and protections for privacy and security" (PRA, 1995, Section 3506 C). The reauthorized PRA used the term "public information" meaning "any information regardless of form or format that an agency discloses, disseminates or makes available to the public" (PRA, 1995 section 3502). McDermott (2010) points out that an important new revision refers to the agency responsibility to ensure that the public has "timely and equitable access to the agency's public information." This also provides the underpinning for initiatives under the Open Government Directive such as Data.gov.

[36] In 1985 the Office of Management and Budget (OMB) published circular A-130, "The Management of Federal Information Resources, implementing the Paperwork Reduction Act". According to McDermott (2010) the Circular represents the Reagan era attitude that information held by the government was government information and not information to which the public necessarily had a right, other than disclosure through the Freedom of Information Act. McDermott (2010) concludes that in general the Circular advocated that agencies wait for the public to approach agencies and request information. The circular used the term "government information" rather than public information. This implied that government publications, previously considered public information were now government information distributed only on request or under legal entitlement. Government information was defined as "information created, collected processed, disseminated or disposed of by or for the Federal Government. The Clinton Administration rewrote Circular A-130 in 1996 and significantly changed information policy and practice. Among others it states that government information is a valuable national resource. It provides the public with knowledge of the government society and economy, past present and future. Moreover it is seen as a means to ensure the accountability of government, to manage the government's operations, to maintain the healthy performance of the economy and is itself a commodity in the marketplace. However the Circular retains the term "government information" and does not incorporate the term "public information" (McDermott, 2010).

Government Act (2002) focused on government's management of its information content. It deals with the "Accessibility, Usability and preservation of Government information." The E-government Act was seen as an opportunity to effect a real change in how government identifies and makes available information. Public information in the implementation was defined as the information that the government chooses to make public (McDermott, 2010).

4.1.5 Open Government

Lastly, we turn to Open Government. During his campaign President Obama focused on information policy, including promises of increased government transparency and the use of new technologies to new means of access to government information (Jaeger, Paquette and Simmons, 2010). One day after President Obama took office, he issued two executive orders. The Memorandum on Transparency an Open Government is calling for a transparent, participatory and collaborative government (White House January 21, 2009). "Transparency promotes accountability and provides information for citizens about what their Government is doing. Information maintained by the Federal Government is a national asset. My Administration will take appropriate action, consistent with law and policy, to disclose information rapidly in forms that the public can readily find and use". Regarding participation the Executive Order states: "departments and agencies should offer Americans increased opportunities to participate in policymaking and to provide their Government with the benefits of their collective expertise and information". And finally regarding collaboration: "Executive departments and agencies should solicit public feedback to assess and improve their level of collaboration and to identify new opportunities for cooperation". This eventually led to the

Open Government Directive issued on December 8, 2009. Input for this Directive was sought

from the public using a variety of social media technologies (Lathrop and Ruma, 2010). The

Memorandum on the Freedom of Information Act (White House January 21, 2009b) states: "In

our democracy, the Freedom of Information Act (FOIA), which encourages accountability

through transparency, is the most prominent expression of a profound national commitment to

ensuring an open Government". Furthermore, it directs federal agencies to "take affirmative

steps to make information public without waiting

for specific requests." "In the face of doubt,

openness prevails". [37] Since these orders much of

the focus of the Obama administration has been

on increasing government transparency through

the use of technology (Jaeger and Bertot, 2010)

This is in line with the development of technology

and the trends in recent years toward using e-

governance and the increased focus on the

proactive release of information (Darbishire,

2010, Cuillier and Piotrowski, 2009). It has led to

several initiatives such as the development of

> *Box 3: Regulations.gov*
>
> On regulations.gov citizens can submit their comments on proposed regulations and related documents published by the U.S. Federal government. They can also use the site to search and review original regulatory documents as well as comments submitted by others. Federal regulations have been available for public comment for many years, but people used to have to visit a government reading room to provide comments.
>
> Regulations.gov is based on Executive orders 13563 (2011) and 12866 (1993).

---

[37] Agencies are directed to adopt a presumption in favor of disclosure that should be applied to all decisions involving FOIA and to take affirmative steps to make information public, without waiting for a specific request from the public. Moreover, the government is directed to not keep information confidential merely because public officials might be embarrassed by disclosure, because errors and failures might be revealed, or because of speculative or abstract fears. This Act was followed by the announcement of an intra-agency review of classification procedures. Among others the review was set up to remedy over-classification and to systematize procedures concerning sensitive but unclassified information. Public input was solicited on the topic of classification and declassification (Birchall, 2011).

www.data.gov which provides direct access to enormous amounts of unrefined government data with the hope that the visitors to the site will find new uses for the data and that these new uses will lead to new insights into government activities. In addition, it led to the use of social media and websites that allow access to the data of government processes, particularly spending such as www.recovery.gov and www.usaspending.gov in order to promote public monitoring of government spending. But it also mandated that agencies created their own open government plans and web pages (Bertot and Jaeger, 2010). In October, 13, 2010 President Obama signed the Plain Writing Act of 2010. This law requires that federal agencies use "clear Government communication that the public can understand and use" in order to improve the effectiveness and accountability of federal agencies. Government documents issued to the public must be written clearly[38]. Most recently, on May 9, 2013 President Obama issued the Executive Order Making Open and Machine Readable Information the Default of Government Information. It states that "Government information shall be managed as an asset throughout its life cycle to promote interoperability and openness, and, wherever possible and legally permissible, to ensure that data are released to the public in ways that make the data easy to find, accessible, and usable. In making this the new default state, executive departments and agencies (agencies) shall ensure that they safeguard individual privacy, confidentiality, and national security" (White house, 2013).

---

[38] In September 2011 the president issued a Memorandum on Smart Disclosure for consumers. Smart disclosure "refers to the timely release of complex information and data in standardized, machine readable formats in ways that enable consumers to make informed decisions". Furthermore, it states that to be effective "disclosures should be designed in recognition that people have limited time, attention, and resources for seeking out new information, and it is important to ensure that relevant information is salient and easy to find and understand." An example of smart disclosure is a website that releases information about automobile safety and crash ratings, along with data rating child safety seats. Characteristics of smart disclosure are: Accessibility, Machine Readability, Standardization, Timeliness, Market adaptation and innovation, Interoperability and Protecting privacy.

4.2 Case 2: The origins and evolution in the Netherlands

Since 1848 the Dutch system of government has been defined as a constitutional monarchy, in which the power of the executive is limited by the constitution and in which the government is responsible to an elected parliament (UN, 2006). The Netherlands uses proportional representation in electing municipal, provincial and national assemblies. The government is usually a coalition. As a result parties always have to work together and search for compromise (Van Gisteren and Volmer, 2004). In general, the Dutch style of politics, government and governance are characterized by deliberation, cooperation, compromise and consensus (Kennedy, 2000; Kickert, 2008). This model of co-operation has had different manifestation over time; e.g. pillarization, the consociational model and more recently the so-called "polder model". The system of consensus works in effect through political participants developing a self-consciously "progressive" vision in which change is regarded as both inevitable and good. Changing times is seen as a self-evident given (Kennedy, 2000). Contrary to US legacy of "stateless" ideas amounting to a rejection of unitary administrative models and of centralization of power, the Netherlands can be characterized by a "stateness" legacy which is characterized by institutions, the general interest and social welfare (Rutgers, 2001)[39]. Furthermore, despite the fact that trust in government is diminishing as of the nineties, the

---

[39] Rutgers (2001) argues that state and stateless refer to different ways of conceptualizing social reality. In the Continental European *stateness* tradition the state is a meaning structure to interpret the existing institutional arrangements. The state is considered to be a necessary institution to guarantee well-being. It is considered the guardian of the general interest and the organizer of collective action. The general interest acquires an objective status. The state provides the context in within which social and political interactions take place. In the Anglo-American *stateless* tradition government rather than state is the core concept. Government by the people and serving the community is regarded as essential in this tradition to fight oppression and support the fight of man against the system. The starting point is not the community but priority is afforded to individual and group interests. Hence, state should not simply be equated with the nation state. State as a theoretical notion is only analytically distinct from society. It is primarily understood as societies order.

Netherlands can still be considered a high trusting society (Rob, 2010). Compared to other

countries, the distance between power and people is fairly small. Egalitarian relationships are

found almost everywhere. Together with Sweden, Denmark and Finland the Netherlands is

counted among the "Nordic" countries which advocate far-reaching openness and accessibility

of information in Europe (Ormel and van Schagen, 2001).

4.2.1 Laws and policies leading up to the Wob

Before the adoption of the freedom of information law, freedom of information was mainly

based on legal traditions rather than detailed legislative regulation (Sandukhchyan, 2007). The

fundament of proactive and reactive openness can be found in article 110 of the Dutch

constitution (Daalder, 2005). The article describes:

> *In the exercise of their duties government bodies shall observe the right of public access to information in accordance with rules to be prescribed by Act of Parliament.*

How the government shall observe the right of public access is described in the Dutch Act on

public access to government information (Wet Openbaarheid Bestuur; Wob). Under certain

circumstances this also influenced by article 2 and 8 of EVRM: the Convention for the

protection Human Rights and Fundamental Freedoms, citizens have a right to be informed by

the government such as regarding dangers in their environment.[40]

The origins of openness and the disclosure of information by the government are closely

linked to government information/communication [overheidsvoorlichting] (Daalder, 2005).

Before the Second World War openness was mainly seen in terms of which information the

---

[40] In addition, there are rules concerning access to public registers such as Kadaster (Daalder, 2005). Kadaster collects information about registered properties in the Netherlands, records them in public registers and in cadastral maps and makes this information available to members of the public, companies and other interested parties in society (Kadaster, 2011).

government should provide to parliament. Only after the Second World War the discussion

started when government information should be given to *citizens* (Daalder, 2005). Wagenaar

(1997) identifies three periods of government information. First from 1945 until 1948, right

after the Second World War the question was whether there should be government

information for citizens at all. At this time the country was in a state of chaos after the Second

World War. During the war, public information had been spread via the Government

Information services in London, where the Cabinet resided at the time (Wagenaar, 1997).

After the war Prime Minister Schemerhorn established the Government Information

Service. He considered it to be essential for government to communicate with its citizens

directly, because he did not trust the press (Wopereis, 1996). However, the newspapers that

had evolved from the resistance movement felt that the government was far out of line in

making propaganda for its own policy. As a consequence, Schemerhorn installed the Van

Heuven Goedhart committee, who had to provide recommendations regarding government

information (Wagenaar, 1997). The report states that government information does not have a

good reputation and that it does not go together with freedom of expression. Therefore the

government should be extremely reticent in supplying information and the committee warned

the government not to influence the will of the citizens and to refrain from propaganda.

Educating citizens was seen as the responsibility of "normal organs of state and society" such as

the press and political parties (Hajema, 2001). However, the Committee did not wish to abolish

government information all together, but required that it must be clear to citizens when it

concerns government information, it has to be as open as possible, meaning that not part of

the story is hidden. Lastly, it is better if information is asked from the government (passive)

than that it is proactively offered to citizens (Wopereis, 1996). Hence, the committee strongly

opposed anything remotely resembling propaganda. Government information was to follow not

lead and was to serve solely to *explain and clarify* the policy of the government.

In the second period from 1948 until 1970 we mainly see passive government

information. This is the time that pillarization had regained a stronghold on Dutch society.

Strong ties existed between the political parties, newspapers and affiliated networks

throughout the fifties. One of the main rules of the game of the pillarized political system was

secrecy. The number of parliamentary journalists was limited. Throughout the fifties, journalists

were repeatedly denied access to the ministries because they were suspected of publicizing

'secret' information. During the sixties it was mainly the press that started to demand more

openness. The driving factors behind more openness at that time were the arrival of a new

generation of young journalists, the development of television and of a social and political

democratic movement (Wagenaar, 1997). The young post war generation rebelled en masse

against the "Regents mentality" and the closed atmosphere that still pervaded many public

institutions (Van Gisteren and Volmer, 2004). Although the demand for more openness

increased, government information remained passive. The debate among political scientists

and lawyers arose regarding a right to information but the debate gained momentum mainly

due to political reasons (Daalder, 2005) as pointed out below.

The third period from 1970 till 1994 is characterized by proactive government

information. One of the lessons the Dutch elites took from the 1960's was that the public had

become hostile to many intrusions of the state (Kennedy, 2000). In this period there is a

growing desire towards proactive information; the government has a duty to provide citizens

with information on present and future policy, so that he or she can come to his own

independent opinion (Schelhaas, 1979). The role of the communication officer changed

(Dekker, 1969) from passive; waiting until questions regarding policy were asked to active in

which the officer has a role in policy design and presentation. Due to depillarization and a

political crisis, a turning point in thinking about openness took place in 1970 (Wagenaar, 1997).

The direct reason for this was an incident in 1967 regarding an independent public

relations officer, Ben Korsten who advised several Roman Catholic Cabinet members (the

Korsten affair). He caused uproar at the time because it was thought that he was selling

government policy as propaganda for a minister instead of independently explaining

government policy (Schelhaas, 1979; Wopereis, 1996; Wagenaar 1997). This incident started a

political discussion regarding the boundaries of government communication; communication

should be neutral and its main function is explaining and clarifying (Wagenaar, 1997).

In 1970 therefore a second state Committee was set up, chaired by B.W. Biesheuvel,

leader of the Anti-Revolutionary Party (Hajema, 2001). The Commission Biesheuvel, which

consisted of representatives of the press, politicians and the government information service,

advised the government on its information policy (Wagenaar, 1997; Van Gisteren and Volmer,

2004). As Daalder (2005) points out no law makers were involved in the committee which was

likely in line with the fact that the primary task of the committee was to reconsider the task of

government information and openness to which establishing the right to information by law

was considered secondary.

Following the Korsten affair, parliamentarian Wiegel asked whether the Biesheuvel

committee could not only incorporate a duty of the government to disclose information, but

also the access to government documents. In addition, the press also called for more openness.

Inspiration is found in both the Swedish and US freedom of information act regarding the right

to government information (Wagenaar, 1997). Hence the committee had the task to both

analyze "access to government documents" as well as the obligation of the government *to*

provide information. Prime minister de Jong at the time asked the Biesheuvel Committee to

reevaluate the contact between citizens and government, the role of government

communication and to analyze how openness of the government can be enhanced (Wopereis,

1996). The issue according to Prime Minister de Jong goes now beyond government

information, but has to deal with government *communication* (Wagenaar, 1997). Increasing

democratization can be found by improving communication between government and citizens

(Openbaarheid Openheid, 1970). Communication between citizen and government needs to be

optimized, the policy process needs to be more transparent for citizens in order for them to

understand the how and why of the policy process (Openbaarheid Openheid, 1970). The central

question was to what degree and in what way does government information need to be

available for citizens?

In the final report *Openness and disclosure*, the Biesheuvel Committee views openness

as a *mentality* of government to provide and receive information from society. The Committee

argued in its final report that the government should be actively obligated to publicize its

policy. This obligation was to be laid down in a Public Access Law. Proactive and passive

disclosure are considered to complement each other. The minister is responsible for both active

and passive disclosure of information of his department (Wopereis, 1996). Whereas the Van

Heuven Goedhart Committee advised that the government had to be reticent, the Biesheuvel

committee now thought the government should pursue an active information policy.

Furthermore, whereas the Heuven Goedhart Committee had dreaded propaganda, it was public

relations that the Biesheuvel committee was apprehensive about it. A majority of the

committee thought that the government should steer clear of public relations in the case of

controversial plans not yet ratified by parliament. This was considered an unacceptable

"manipulation of will" (Hajema, 2001).

The conclusion of the committee focused on openness: openness of government

information. The commission argued that the norm of "everything is secret, except for what the

administration makes public" should be replaced by "everything is public except for what needs

to be kept a secret". Government information is now not only defined in terms of *explanation*

and clarification but also in terms of *disclosure.* By disclosure the committee meant that

information should either be made accessible or made public. Information needed to remain

neutral. In addition, the committee introduced a proposal for a new law designed to ensure

greater openness: the Act on Public Access to Information.

The report was received with political resistance and it took another decade before the

law came into effect (Wagenaar, 1997). The cabinet of Prime Minister de Jong argued that the

proposed law went too far. They viewed disclosure as a means to better communication

between government and citizen and hence should not be seen as a goal in itself. The

information had to be in the interest off the citizens understanding of government. For

Biesheuvel, who became prime minister in 1971, passing the Act was a priority. However his

cabinet fell in 1973. Eventually the Act passed in 1978 and was finally implemented in 1980. In

1991, the 1978 Act was replaced by Government Information (Public Access) Act (WOB) (Sandukhchyan, 2007)[41].

The openness with which politicians had faced the press in the seventies waned. Many politicians turned to off-the record dealings with the press and the number of leaks soared. Throughout the eighties and nineties, the enormous tangle of burgeoning legal rules and regulations forced the government to provide clear and concise information to people (Wagenaar, 1997). There was a strong increase in government intervention regarding socio economical, cultural and education policy. In 1983 a working group on the "Reconsideration of Government Information" was established. They pointed out that public information as described by the Biesheuvel Committee mainly equaled disclosure. According to the working group, information targeted towards the public and press had four functions of which disclosure is one of them. The other three are 'information as a tool', 'customer service' and 'public relations'. Hence, their report introduced two new concepts.

Where Biesheuvel had recoiled from the idea of using government information for public purposes, this working group viewed pr as an accepted phenomenon. Moreover, public information was increasingly viewed as a tool by which politically accepted policy could be made acceptable to the people as well (Wagenaar, 1997, Wopereis, 1996). Public information was seen as the information provided via government communication means with the general public or specific groups of individual citizens as a target. There was an increase in the amount of public information campaigns (Wopereis, 1996). The extent to which the government may

---

[41] The last amendment was made in 2005, as a response to the 2003 European Union Directive on public access to environmental information (Van Gisteren, 2005).

attempt to manipulate attitudes in this respect became a topic of discussion. The government also started to use other than its own radio and television commercials to explain its policy to the people, such as co-sponsored television programs in which the ministries could broadcast their message. However if the government is a co-sponsor of a broadcast, this must be visibly evident in both the advance notices and the credit titles. The co-sponsoring of entertainment programs was out of the question, nor where those in office permitted to appear in a program co-financed by the government (Wagenaar, 1997).

Wagenaar (1997) distinguishes three periods but a fourth period can be added from 2000 to present. With the rise of information technology another State Committee was established: the Committee Wallage (In Dienst van de Democratie, 2001). This committee recommended the proactive dissemination of government information as much as possible, preferable online in order to improve communication between the government and its citizens. The proactive dissemination is seen as the most important function of government communication. In addition it states that there should also be proactive communication about not yet accepted policy. The prevailing norm of *citizen's right to information'* should be replaced by the '*right to communication'* (In Dienst van de Democratie, 2001). Following, in 2001 the Committee Wallage (In Dienst van de Democratie, 2001) recommends proactively disseminating government information as much as possible, preferable online in order to improve communication between the government and its citizens. The term communication expresses the reciprocity of the relationship. Communication professionals are encouraged to take a more active role in policy-making. Communication should be built into the decision

making process at an early stage. The Committee Doctors van Leeuwen 2001 advised to let

information technology be the catalyst of government institutional innovation.

Building on this report the Council for Public Administration[42] released a report in 2012

Gij zult Openbaar maken [Thou shall make public] that focused on the proactive disclosure of

information as a means to enhance trust and legitimacy. Furthermore they concluded that in

order to enhance the contact with the horizontal society[43] more attention needs to be given to

proactive disclosure of information. The first conclusion of the reported stresses that proactive

disclosure, should be the starting point of government communication policy. Like in the

reports and committee reports discussed above over time there again a clear link between

proactive disclosure and communication can be observed. Furthermore, at the beginning of

2011 a report on Open Government (Van den Broek et al, 2011), commissioned by the Ministry

of the Interior and Kingdom Relations, was published with policy recommendations based on an

international comparative analysis. In a response to the report the Minister of the Interior and

Kingdom Relations (May 30 2011) at the time indicated that Open Government is not a new

concept and that transparency, participation and collaboration in the Netherlands are already

taking place, whereas under different names. Nevertheless, in September 2011, the

Netherlands submitted a letter of intent to join the Global Open Government Partnership. A

---

[42] The Council for Public Administration is an advisory body of the Dutch government and parliament. The can advise when requested or on their own initiative. The Cabinet is obliged within three months to announce its position to the Lower House regarding advice issued.

[43] The Council for Public Adminstration released in 2010 *Vertrouwen op Democratie* [Trust in Democracy] The report describes changes in society that have transformed hierarchical vertical relationships into horizontal networks of people, nonprofit organizations and business in which each party participates on an equal basis. Government however has not yet adapted to this horizontalization of society. The Council concludes that a vertically organized government remains necessary but that the government should get in contact with the horizontal society by emphasizing among other enhanced citizen participation.

draft Action Plan was presented to the Open Government Partnership Steering Committee in

April 2012 with enhancing proactive disclosure as a crucial component. In 2012 and 2013

several meetings were held to solicit feedback and participation from experts, government

officials and civil society to further define the Open Government vision and action plan.

4.2.2 Wob: Public Access Act

The Wob[44] makes a distinction between passive and active information (Daalder, 2005). The

Biesheuvel Committee advocated that proactive information does not only imply sending out

press releases but also proactively explaining and informing citizens about government policy

(Rijksvoorlichtingsdienst, 2000). Proactive dissemination in the WOB is based either on article 8

or 9. Article 8 provides that:

> '*the administrative authority directly concerned shall provide, of its own accord,*
> *information on its policy and the preparation and implementation thereof, whenever the*
> *provision of such information is in the interests of effective, democratic governance.*'

This concerns information necessary in order to participate in the process of policy preparation.

This information should be provided in a timely fashion (Memorie van Antwoord, 1976-1977;

Wopereis, 1996). In addition article 8 places demands on the mode of dissemination:

> "*the information should be supplied in a comprehensible form and in such a way as to*
> *reach the interested party and as many interested members of the public as possible at a*

---

[44] Under the Wob, any person can demand information related to an administrative matter if it is contained in documents held by the public authorities or companies carrying out work on behalf of a public authority[44]. Hence, whereas the FOIA addresses *agency records*, the Wob addresses *information* related to an administrative matter (Galjaard, 2002). The FOIA (5 USC 552 (a)(3)) concerns "documents which are (1) either created of obtained by an agency, and (2) under agency control at the time of the FOIA request". A system of documents requires that the requester knows which document it concerns and thus recordkeeping by government agencies is essential (Daalder, 2005). In a system with a focus on information, like the WOB, requesters do not specifically have to know exactly which record it concerns. It is enough to relate to an administrative matter without having to mention a specific document. An advantage of the information system is that it gives extended possibilities for making a request (Daalder, 2005).

time which will allow them to make their views known to the administrative authority in good time" (art. 8(2) Wob).

Moreover, in general the Wob demands information to be *up to date, accurate and comparable* (Wob, section 2 (2)). The Wob was the first FOIA law to set communicative standards but does not specify classes of information that should be made public proactively like more recent public information laws as pointed out in Chapter 2.

Article 9 deals with the publication of policy recommendations of independent advisory committees. These recommendations must be made public within a month upon receipt, and such publication must be notified in the official gazette or similar periodical. The most obvious form of making such reports public is publishing them in print or electronically, but they may also be made available in, for example, a reading room. Although active dissemination of government information is encouraged, the Dutch authoritative bodies can decide for themselves if, how and what they publish. Contrary to passive dissemination, proactive dissemination is not based on an enforceable right. There is no legal recourse for citizens or any interested party. The compliance with Article 8 is under the supervision of the representative organs of the state, i.e. the local council, the representative organ of the province and Parliament. Thus, if Parliament is of the opinion that a minister (i.e. his or her department) fails to inform the public accurately on one matter or another, it can call the minister to account in parliament, because the minister is politically accountable for a failure to comply with the access to government information act. The WOB does not explicitly declare that the limitations to public access also apply in case a public body decides upon dissemination of its own accord. The highest court for Wob matters, the Administrative Jurisdiction Division of the Council of

State (Afdeling Bestuursechtspraak Raad van State) however clarified that the limitations of article 10 do apply (Eechoud and Van der Wal, 2008).

Article 8 is the legal foundation for several types of government communication (Wopereis, 1996). The RVD (The Dutch federal communications Department, 2005), describes that the active provision of the Wob applies to the different policy phases: agenda setting and design, decision making, implementation, evaluation but also press releases and speeches. Press information and information regarding policy design and implementation. Wopereis, 1996) distinguishes three forms of communication. First, press information usually concerns information given by agencies regarding political decision making. The press functions as an intermediary between government and citizens. Second there is communication regarding policy design with the goal to actively involve citizens in the political decision making process. Lastly there is information regarding policy implementation within which he distinguishes social marketing (e.g. traffic safety campaigns and alcohol abuse) and service oriented information (e.g. a brochure that explains how to get a permit).

Several evaluations of the Wob took place over the years. The evaluations show that in general the Wob is functioning adequately (Memorie van Toelichting bij Voorontwerp Algemene Wet Overheidsinformatie, 2006). However, most of these evaluations focus on the reactive part of the WOB, while originally the Biesheuvel Committee tried to put an emphasis on proactive disclosure (Toekomst Overheidscommunicatie, 2001)[45].

---

[45] In 1983 the evaluation committee concludes (Evaluatiecommissie Wet Openbaarheid Bestuur 1983) that as a result of the Wob there have been no significant changes in the vision or the facilities regarding government communication. Both Wopereis 1996) and Wagenaar (1997) come to a similar conclusion in their dissertations on the Wob. The WOB is not much used by journalists or citizens and did not bring government and citizens closer together. Wopereis (1996) describes the history of the WOB in general and the proactive provision

None of these evaluations though let to any changes in the Wob.[46]

According to Van Gisteren and Volmer (2004), the proactive provision in the Wob has resulted in the fact that communication professionals working for the government started to look for ways of actively providing information to the public e.g. in form of press releases but also public information campaigns. Yet Wopereis (1996) points out that proactive disclosure took place under ministerial accountability, even before the Wob was implemented. The contribution of article 8 was that departments should take proactive disclosure seriously.

---

in particular by analyzing parliamentary debates over the years. He concludes that article 8 of the WOB, the proactive provision, is both confusing and superfluous and did not make a real contribution to government communication. He therefore recommends withdrawing it from the WOB and concludes that good communication cannot be enforced by law. Moreover it could eventually lead to an information overload for citizens. The 1997 Evaluation based on research conducted between 1994-1996, also mainly focuses on the reactive disclosure of the WOB. The letter to Parliament based on the evaluation describes on how to incorporate ICT and the accessibility of government information and whether therefore changes in the WOB are necessary. As far as the proactive provision is concerned, the Minister concludes that the proactive provision is sufficient and that changes in this provision, in light of new information technology is not necessary. Following, several committees and researchers analyzed the relationship between access to government information and information technology. The 2000 Committee Franken advised to incorporate a right to access to government information in the Constitution. On behalf of the Minister of Interior and Kingdom relations the Free University conducted research in 2000 regarding the consequences of information technology for the WOB. The 2004 Wob Evaluation (Tilburg University, 2004) concludes that proactive disclosure should in fact receive more emphasis. Proactive disclosure is seen as a solution to reducing the amount of voluminous requests and enhancing transparency.

[46] In 2006 a committee drafted on behalf of the Minister at the time the "General Law Government Information." This law was supposed to replace the WOB. Reasons for a new law were among others the relationship between frequent requesters and the government, the fact that the proactive provision is insufficiently implemented in practice and the discussion between openness and the protection of privacy. Regarding proactive disclosure the committee first of all recommends to keep article 8 and emphasizes that transparency is more than access to information; it also requires active communication with citizens. Second it describes exactly which types of documents must be made public by law[46]. Third documents that must be made public by law according to the committee do not really fit within the term "proactively disclosed", but do have to be made public online. Finally every government body should make an electronic register for public documents. However, the draft of the General Law of Government Information did not lead to a change in the WOB. Finally, most recent, the Minister of Kingdom and Internal Relations wrote a letter to Parliament (Kamerbrief 31 mei, 2011) regarding the wrongful use of the WOB. One of the solutions as seen by the minister is that State Departments should explore further what information should be proactively released in order to prevent yearly recurring similar requests. Furthermore it makes it possible for Departments to choose their own moment of release. Currently a bill to amend the Wob is taken into consideration by parliament. This new Wob defines categories of the proactive release of information and includes an independent organ that monitors the implementation of the Wob.

Recently, with the possibilities of new technology, the Dutch government has decided to greatly increase the accessibility of information among other things via the internet, in the hope that this will contribute to greater transparency of policy and administration (Van Gisteren and Volmer, 2004). The ambition is that in due course all public information will be available to members of the public, organizations and businesses in electronic form. Furthermore, as pointed earlier, the requirement of understandability as set out among other things in the Wob brings with it several obligations. Such as that the focus is not on the message or the messenger but what is important it the effect on the *receiver* and whether the information is understandable for them.

4.3 Similarities and differences between the two regimes

If we compare and contrast the origins and evolution of proactive transparency in the United States and the Netherlands several observations can be made. First, it can be observed that proactive disclosure in the US initially focused on the proactive release of government records online or in the Federal Register. The FOIA affects the environment of public relations of agencies but the debate on public relations itself seems to be less related to transparency. As pointed out earlier there are several other related acts that influenced proactive transparency. President Obama's memoranda however put transparency as a principle and proactive disclosure in the spotlight and encouraged agencies to proactively disclose information. In the Netherlands, Article 8 of the Dutch WOB, the proactive release of information, is in fact the legal foundation for several types of government communication. Proactive disclosure and communication were initially close intertwined. It resulted in the fact that communication

professionals working for the government started to look for ways of actively providing information to the public e.g. in form of press releases but also public information campaigns. Yet a shift can be observed. In the 1980's the proactive provision of the Wob is considered to not make any contribution at all, whereas more recently there is a call for more proactive transparency. Currently an initiative for a new Wob is taken into consideration by parliament. This new Wob defines categories of the proactive release of information and includes an independent organ that monitors the implementation of the Wob. Over time we can observe that the regimes in both countries seem to approach each other on the scale of rules and principles.

Second, in the evolution of proactive transparency we can clearly identify the influence of technology in both countries and the role of new administrations or coalition governments. Especially with the rise of the new media, proactive transparency is seen as having a positive influence on trust between citizens and government, as a way to improve transparency, to improve the image of the government and finally as a way to reducing the administrative burden by a reduction in the amount of voluminous requests (Tilburg University 2004; Memorie van Toelichting bij Voorontwerp Algemene Wet Overheidsinformatie version symposium May 19 2006).

Finally, it can be argued that the US transparency regime, compared to the Dutch regime, emphasized originally a more legalistic or rules-based perspective. In the Netherlands a more principles- based approach prevails. These differences in the institutional embedding of transparency, might still influence practice today. Burgemeestre et al.(2009) conclude based on

a comparison between US rules- based and European principles- based customs regulations, that these differences have consequences in practice in terms of reasoning.

4.3.1 Rules and principles

In the field of accounting and law (Burgemeestre et al. 2009) and finances (Black, 2008) there is a long standing debate about the relative merits of rules-based and principles- based regulatory systems. A rules- based approach is more explicit and prescriptive, it focuses on detection and on compliance with a specific set of procedural requirements and emphasizes enforcement and tends to be fear driven (Arjoon, 2006). The regulatory relationship is characterized by directing and controlling (Black, 2004). Applying rules requires relatively little knowledge. It requires knowledge of the rules itself and instantiation of the concepts involved suffices. Applying principles requires more knowledge, such as knowledge of the context and all other relevant principles (Burgemeestre et al. 2009). Furthermore a principles- based approach is more implicit and broad, focuses on prevention and emphasizes 'doing the right thing' by appropriate means and tends to be values- driven (Arjoon, 2006) (see Table 13). Finally, rules are typically procedural; specifying *how*, i.e. by what actions an objective should be achieved. By contrast, principles are declarative. A declarative representation specifies *what* situation is required. How this should be achieved is left to the discretion of the implementer (Burgemeestre et al, 2009).

Table 13 Overview characteristics different regimes adapted by Arjoon (2006) and Burgemeestre et al. (2009)

Rules- based	Principles- based
Complies with a specific set of procedural requirements Follows the letter of the law	Emphasizes doing the right thing. Follows the spirit of the law
Emphasizes details and enforceability	Emphasizes communication
More explicit, detailed and descriptive	More implicit and broad
Quite a lot of knowledge needed	Relatively little knowledge needed
Mandatory	Discretionary
Tends toward quantitative objective end of the spectrum	Tends toward the qualitative subject end of the spectrum
Tends to be fear driven	Tends to be values driven
Easier to implement	More difficult to implement

A principles- based approach is characterized by an institutional context of mutual trust between participants in the regulatory regime in which regulators communicate their goals and expectations clearly (Black, 2008b). A rules-based approach is more commonly found in societies favoring bureaucracies while a principles-based approach is more commonly found in societies characterized by strong and operative social controls (Sama and Shoaf, 2005). As Sama and Shoaf (2005) argue in their research on corporate governance that fundamental American values of independence, innovation and personal civil rights fly in the face of what is perceived as efforts to control. Social controls are expected to inhibit risk-taking. "Bureaucratic controls engender similar resistance but enjoy greater legitimacy in the US" (Sama and Shoaf, 2005 p. 181). Furthermore, Burgemeestre et al (2009) find that the two approaches result in differences in reasoning in practice.

It should also be noted that according to Dworkin (1978) there is a strict logical distinction between rules and principles. Yet more recently scholars (Verheij et al, 1998) argue that the differences between rules and principles are merely a matter of degree. Most regulatory systems contain a mixture of rules and principles. Rules may become more principle-

like by adding qualifications and exceptions. Principles may become more rule-like by the

addition of best-practices and requirements (Burgemeestre et al, 2009). Keeping a continuum

in mind we can now turn to the analysis of the institutional embedding in both countries.

In both countries there was a call for openness from society at the time of the design of

the freedom of information laws. However the US FOIA was originally created to ensure an

informed citizenry, vital to the functioning of a democratic society, needed to check against

corruption and to hold the governors *accountable* to the governed. Related legal frameworks

that were adopted also stress *accountability* and empowering citizens. This can be dated back

to the constitutional framers. In addition, at that time Americans had lost faith in government

due to a series of illegal actions by the executive branch and attempts to cover them up.

According to Sykes and Piotrowski (2004) "the broad scope of FOIA in the US reflects citizens'

deep suspicion of government and historic skepticism about power and those who wield it".

Regulators and industry players sought refuge in rules, which fits in the more rules-based

approach.

By contrast, looking at the origins in the Netherlands, we see how transparency or

openness is embedded in the public information or communication realm. The trend towards

more openness started in 1970 as a consequence of increasing depillarization and a political

crisis. Increasing transparency is by Prime Minister de Jong seen as a means in order to achieve

a better *relationship* between government and citizens. The Wob was created in the light of

optimizing communication between government and its citizens, which would lead to enhanced

democratization. In this light, access was seen as *one* of the main solutions, as was providing

information on its own initiative. It was thought that proactive transparency should not be seen

as endless because too much information might lead to an information overload (Wopereis, 1996). Hence early on, disclosure and communication were seen as belonging to the same information policy in the Netherlands. Additionally, openness was considered a *mentality*; it referred to a positive attitude of the government to provide information and to receive information from society. This emphasis on relationship and values resembles a more principle based approach. In line with van der Burg's study (2004) on the disclosure of environmental information in the Netherlands and the United States, we can conclude that in the Netherlands proactive disclosure is used to inform civil society whereas in the United States there seems to be more of a focus on the empowerment of civil society by the implementation of rules[47]. As pointed out above in the United States we find several acts, amendments, directives and circulars that touch upon proactive transparency. In the Netherlands this mainly concentrates on the Wob and several committees who produced a report that did not necessarily lead to rules but to recommendations and guidelines. Furthermore whereas FOIA is explicit and based on agency records, the Wob is more implicit in the sense that is information based. As pointed out earlier in footnote 43, a document system requires that the requester knows which document it concerns and recordkeeping is therefore essential, whereas with an information system requesters do not specifically have to know which record it concerns, it is enough to relate to an administrative matter.

---

[47] In general, the FOIA is a more expansive and exhaustive piece of freedom of information legislation than the WOB. The FOIA is a 19-page document whereas the WOB is described in 8 pages. For instance the section about fees, exemptions and conditions under which information can be deleted are much more detailed in the FOIA. In addition, the FOIA gives direct instructions to agencies about an annual report with an elaborative description of the requests, denials, how long it took the agency to respond etc. that needs to be submitted to the Attorney General of the United States. For long there was no federal register in the Netherlands. However, currently most official publications can be found online. Also there's no official oversight on the implementation of the Wob.

4.3.2 Empirical Findings

In order to analyze whether the differences in institutional embedding between the countries also have consequences for practice, questions were asked in the web-based survey and during the interviews among government communicators in both countries regarding formal rules and practice. In Chapter 5 the implementation of proactive transparency will be discussed. This section will only present the findings that relate to the *perceived* institutional embedding.

A rules- based model implies knowledge of the rules, whereas the principles- based approach requires knowledge of the context and principles. The web-based survey respondents were asked about their knowledge regarding the formal rules in each country; for each statement they could indicate whether they thought the statement was true or false. The questions were slightly different for the two countries due to differences in formal rules and regulation, hence some caution needs to be taken into account when comparing these results.

Table 14: Results knowledge of formal rules

	Survey Questions[48]	True	False	Don't know
USA	Open government and transparency initiatives requires disclosing information without waiting for a specific request.	71.8%	13.5%	14.7%
	The freedom of information act mandates disclosing certain information without waiting for a specific request	32.7%	29.9%	37.2%
	There is regulation that requires government documents to be written in a for stakeholders understandable way	82.8%	6.4%	10.2%
Netherlands	The WOB mandates disclosing information without waiting for a specific request	45.6%	31.1%	19.3%
	The WOB mandates government agencies to disclose information in an understandable manner	45.6%	35.1%	19.3%
	The WOB mandates that government agencies disclose information at their own initiative regarding, policy, preparation and implementation	31.9%	43.9%	24.6%

---

[48] The correct answer to all questions is "true."

For each respondent a total score was calculated based on the three statements (Table 14). The

respondents were given 1 if the answer was correct and 0 for an incorrect answer or if they did

not know the answer. Following, an independent two-tailed t-test was performed which

showed that Americans score statistically significantly higher (M= 1.9124, SD = .87845) on their

knowledge of formal rules than do Dutch government communicators M = 1.12281, SD =

1.14981) (t(84.45) = 4.013, p =. 000). Americans have more knowledge of the formal rules

regarding their proactive transparency regime compared to Dutch respondents.

Some slight differences between the countries can also be noticed during the

interviews. American survey respondent commented[49]:

> *"I believe open and transparent communication with stakeholders is the single most important thing a government can support. It was the first act of our current president to sign a transparency executive order and that guides my actions daily".*

A Dutch survey respondent:

> *"The most important dilemma is that society becomes more and more transparent and horizontal. Depending on the ruling coalition, the 'The Hague decision making' is strongly vertically organized and are directed by the appointments as stated in the coalition agreement. Cabinets with little support in Congress are more often dealing with minority opinions in the coalition agreement (Ostrogorskiparadox). Communication on these topics become little transparent and are mainly about pushing their points of view."*

Interviewees where asked during the in depth interviews about the rules in their

country regarding transparency. Americans referred to the different rules and regulation in

general and Open Government and FOIA in particular. When discussing aspects of Open

Government respondents spontaneously also referred to other laws and regulations such as the

---

[49] At the end of the web-based survey respondents could leave their comments. The comments were analyzed and categorized along the concepts of the model.

Administrative Procedures Act, the Sunshine Act, The Privacy Act, Federal Advisory Committees

and the Paperwork Reduction Act.

> *"Well I mean I think it [Open Government] springs from a tradition that you know that probably arises out of earlier programs like FOIA and you know sunshine laws that really speaks to the degree to which a government agency or department should try and share with the public as much information as it can." (Interviewee 6 US)*

> *"So even when we had these discussions about you know [Open Government], we try to not only focus on the Open Government initiative per se. We tried to look at all the tangent pieces and how they roll up into this concept called openness. So we spend a lot of time going back to a lot of laws and regulations and executive orders that have been out there for years". (Interviewee 2c US)*

> *"As we develop policies we have to look at what the impact is and have to ask for comments. Particularly when we talk of regulations, there's a whole website regulations.gov. And there are rules that you must go out and you have it out there and post it for so many days for comments and then you must have a review of the comments and if there are any significant changes based on the comments then you have to repost it". (Interviewee 10 US)*

By contrast, instead of referring to rules most Dutch respondents referred directly or indirectly

to a changing society and technology[50] that influenced a changing role of government toward

more openness. They indicate that transparency falls within a general trend of diminishing

government authority and a government who has to earn trust from citizens.

> *"Fifteen years ago the government was very closed, as a citizen you just had to accept that because these were the government rules and the government was considered to be trustworthy. That got damaged when citizens started saying that they did not think the government was that trustworthy. (…) now you must earn that trust (…) Society changes". (Interviewee 11 NL)*

---

[50] In 2010 the Scientific Council for Government Policy (WRR) published the report iOverheid [i (information) Government]. The WRR is an independent advisory body for the Dutch government. The task of the WRR is to advise the government on issues that are of great importance for society. The report focuses on the use of technology by the government. It concludes that technology has changed the relation between government and citizens. iOverheid is characterized by information flows and networks that are not only focused on government services but also on control and care. The WRR concludes that the government is still too focused on the concept of e-government which views technology as beneficial to internal processes and techniques instead of taking an approach that integrates information flows and takes into account the effect of these flows on society as a whole as well. The latter is the focus of iOverheid.

Two respondents referred in this context to an increasing horizontalization within society, a network society. This network society entails mutual trust and proactively and openly showing what you do as an agency.

> "*There is the horizontalization[51] movement that implies that you have to show how you deal with things (…) So I think it is mainly because of these kinds of movements that we are becoming more proactive. In the horizontalization movement we would like to be seen as a partner, with mutual trust.*" (Interviewee 7 NL)

Others referred to the Wob or reports such as 'in dienst van de democratie' by the Committee Wallage but also 'Andere Overheid' en the most recent one 'Gij Zult Openbaar maken'. Respondents also referred to public opinion reports that showed that citizens expect data the government collects to be publicly accessible. As one respondent summarized, pressure for disclosing information comes:

> "(…) *from parliament, society and is supported by a little regulation*". (Interviewee 3 NL).

The results of the survey also showed that Dutch government communicators mainly indicated that government transparency can contribute to enhancing trust in government and second in improving the relationship between citizens and government, whereas American government communicators indicated that transparency can contribute most to both trust and accountability (Table 15). This seems to be in line with the origins and the focus on accountability and corruption in the US and relationships and trust in the Netherlands.

---

[51] The interviewee referred to the in the 2010 the Council of Public Administration published report *Vertrouwen op democratie* [Trust in democracy] as discussed earlier in this chapter. The report describes changes in society that have transformed hierarchical vertical relationships into horizontal networks of people, nonprofit organizations and business in which each party participates on an equal basis.

Table 15: Results goal

Government transparency can contribute most to (more than one answer is possible)[52]	USA	NLS
Enhancing government accountability	62%	32%
Enhancing trust in government	65%	70%
Enhancing democracy	28%	19%
Reducing corruption	23%	7%
Improving the relationship between citizens and government	49%	39%
Enhancing government efficiency and effectiveness	29%	26%

Respondents in both countries considered both passive (USA 93.4% and NLS 98.1%) and proactive disclosure (USA 92.6%, NLS 93%) to be (very) important aspects of government transparency. However, when asked which of the two is more important for enhancing government transparency in the USA the majority indicated both proactive and passive (53.3 %), but 37.2% indicated proactive disclosure to be more important and only 9.5% indicates that making information available after a specific request is more important. By contrast, in the Netherlands, with a history of strong ties between proactive disclosure and communication, communicators indicated that proactive transparency is most important (45.6%). However, 43.9% indicates that both proactive and passive are most important and 10.5% making information available after a specific request. Furthermore, when asked about their daily practice 32.8% of the American respondents (strongly) agreed to be involved with FOIA-requests and only 17.5% of the Dutch respondents (strongly) agreed to be involved.

Additionally, it is remarkable that 87.7% of the American respondents (strongly) agreed that they contribute to making information available proactively in their daily practice, whereas 63.1% of the Dutch respondents. This difference could be explained by the current heightened attention in the USA for proactive disclosure as laid out in the different directives by President

---

[52] Respondents were allowed to chose to select the three most important contributions that is why the total is more than 100%.

Obama. It could also point towards differences in organizational support.[53] Furthermore, it is remarkable that about half of the respondents in both countries (USA 51.4% NLS 50%) (strongly) agreed that they sometimes would like to provide information proactively to stakeholders but are held back by government processes and rules.

4.4 Conclusion

In this chapter the institutional embedding of proactive transparency in the United States and the Netherlands was laid out in the form of a narrative, thereby focusing on the rules and regulations that affect proactive transparency. Special attention was given to the freedom of information laws in both countries. Early on disclosure and communication were seen as belonging to the same policy in the Netherlands. The American FOIA was created to ensure informed citizenry, seen as vital for democracy and needed to hold the governors accountable. Furthermore, in the USA we find a broad range of rules and regulations influencing proactive transparency and different administrations moving (incrementally) on the continuum between openness and secrecy. On a rules- based and principles- based continuum the American origins of proactive transparency fit in a more rules- based approach whereas the Dutch institutional origins fit in a more principles- based approach.

Based on some of the survey and interview findings there is some indication that these differences might still influence reasoning today, such as that the focus of the goal of transparency is slightly different (accountability versus trust) and the way that government communication and transparency are or are not interwoven and seen as part of the same information policy. At the same time we can also observe that even though the origins of FOIA

[53] The importance of the organization will be further discussed in Chapter 5.

stressed access to documents whereas the origins of the Dutch wob stressed the importance of proactive disclosure, today the countries increasingly both emphasize the importance of passive and proactive disclosure in the transparency realm.

The next chapter focuses more in depth on the role of government communicators, their daily practice regarding proactive transparency and possible differences between the two countries. The relationship between knowledge of the formal rules and the other variables in the model will be examined more in depth.

Next to a more rules or principles-based approach, alternative factors might influence the transparency regimes as well that need to be taken into consideration, such as the differences in trust in government of the political system. American interviewees referred to different administrations over time with a different emphasis regarding transparency, but in general they experience the push towards transparency as incremental.[54] In the Netherlands the Dutch polder model could be a factor. Due to the polder model, disclosing information sometimes occurs in close cooperation with trade associations and business. Then the government is not the sole sender of information. Several interviewees referred to the polder model. One interviewee gave the example of an agreement that was proactively disclosed recently. The agreement consisted of a compromise between the government and stakeholders. But the sentences in the document were multi-interpretable according to the interviewee.

> "The text of the agreement might be transparent because everybody could download it from the internet but how transparent is it really, if people have to guess what was exactly agreed upon?" "(…) the content has to be crystal clear as well" (Interviewee 10 NL).

---

[54]In Chapter 5 the point of incrementalism in terms of transparency policy will be discussed further.

When each partner in the agreement started communicating they gave the information its own color in the media which led to a lot of confusion about what was really agreed upon. Another interviewee referred to the fact that because the Dutch political system has a coalition agreement and therefore discussions and negations can only take place behind closed doors instead of more in the open like in the Anglo-Saxon model. All these elements influence a transparency regime and might need further exploration. Yet at the same time, in terms of rules and principles, the responses the interviewees confirm the fact that in a more principles-based approach the context of the transparency regime and knowledge of that context is very important. A rules-based approach can establish a minimum standard for ethical conduct while principles- based approaches may be too broad to interpret a micro level for the individual decision maker (Sama and Shoaf, 2005).

5 Perception and implementation of proactive transparency by government communicators

In this chapter the findings of the mixed method, the web-based survey and the in depth

interviews will be presented. In this chapter the following research question will be answered:

> *How do American and Dutch government communicators perceive and implement proactive transparency in their daily practice?*

What this chapter contributes to the literature is that it will provide an overview if, and in what

way government communicators can enhance or hinder proactive transparency. In addition,

similarities and differences will be examined between the countries, thereby also building on

the results of Chapter 4. To measure the proactive transparency regime from the perspective of

government communicators the survey instrument and interview questions were designed in

line with the concepts discussed in the model *Explaining proactive transparency regimes* in

Chapter 2. This chapter focuses on the concepts within the blue oval of the model[55].

---

[55] **Summary of variables in the blue oval of the model**

Independent variables	Dependent variables	Dependent and independent
• Perceived institutional embedding • Organizational embedding	• Involvement in proactive release of information • Quality of Information: Substantial, accountable information, use of spin • Solicit feedback and participation	• Value proactive transparency

Figure 6: Role government communicator
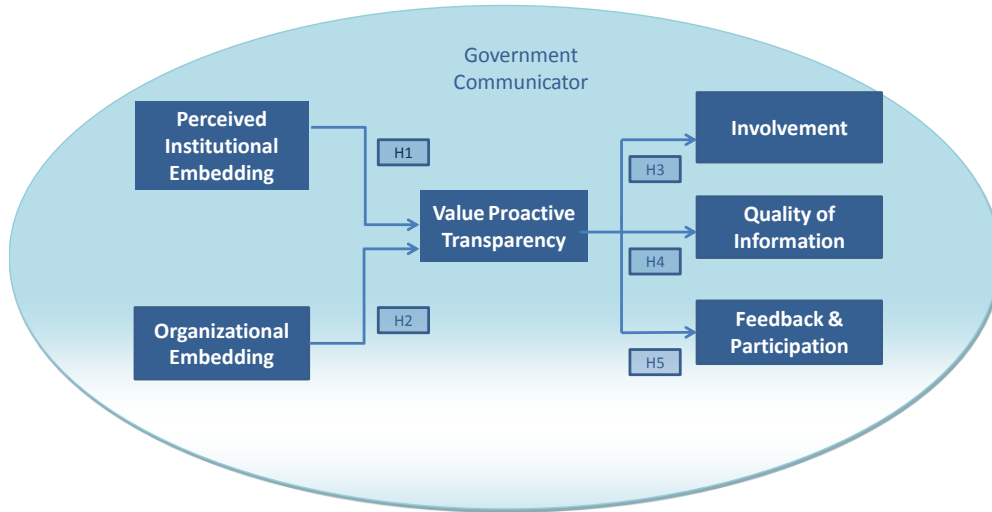
First the results of the web based survey will be presented in the form of frequencies and an independent samples t-test, followed by a principle component factor analysis and MANCOVA. The results of the interviews are used to verify the results of the survey and to be able to understand the relations between the concepts in more detail. The results of the interviews will be presented by country in a separate section. At the end of the chapter, the hypotheses as formulated in the model will be rejected or accepted and the model will be adjusted accordingly.

5.1 Part 1: Results quantitative analysis[56]

5.1.1 Frequencies[57]

In this section the frequencies will be presented of the questions asked in the web-based survey

(Appendix B). The questions will be presented for each concept as identified in the model

Explaining proactive transparency regimes. They will be presented for each country separately.

Following the results of an independent samples t-test will be presented in order to examine

whether there are any significant differences between the countries for each question.[58]

Perceived institutional embedding

As pointed out in Chapter 4, respondents were asked about their knowledge regarding the

formal rules related to transparency in each country. An independent samples t-test showed a

significant difference between the countries with American respondents being more aware of

the rules than Dutch respondents.[59] The total score of the three statements (described in

---

[56] Statistical help was received from the VCU Statistical Consulting Services. Matt and Naha, graduate students of the VCU Department of Biostatistics have been an extremely valuable help.

[57] First all the data was screened for missing variables and possible outliers. The frequencies table in the USA dataset showed that for the concepts "reported proactive transparency" the "way information is released" and "participation" some values are missing. Following, a missing data dummy code (missing value=1 and non-missing value =0) was created and correlated. The questions 11 and 12 regarding the way information is released and the questions regarding participation (Q13) and background were significant. Hence this could influence the analysis. Therefore the analysis is conducted both with and without missing data (Tabachnick and Fidell, 2007) in order to see if that influences the results. In addition the data was screened for outliers that were found in both databases but it was decided to keep these variables in.

[58] At the end of the survey respondents were given the opportunity to comment. The comments are organized along the lines of the model and can be found in Appendix E

[59] As pointed out in Chapter 4 for each respondent a total score was calculated based on the three statements. The respondents were given 1 if the answer was correct and 0 for an incorrect answer or if they did not know the answer. Hence the maximum score is 3. Following, an independent two-tailed t-test was performed which showed that Americans score statistically significantly higher (M= 1.9124, SD = .87845) on their knowledge of formal rules than do Dutch government communicators (M = 1.12281, SD = 1.14981) (t(84.45) = 4.013, p =. 000).

Chapter 4) for each respondent forms the indicator "knowledge of formal rules" and is used in the model as an independent variable that could affect the dependent variable "value of proactive transparency". [60]

Organizational embedding

Respondents were asked on a scale from 1 till 5 to express their opinion regarding the organizational support they receive within their agency. In general respondents agree to receive support from their agency. However table 16 shows there are some differences and similarities in terms of the extent to which the agency supports proactive transparency.

Table 16: Results organizational embedding

Questions	USA (Strongly) Agree[61]	NLS (Strongly) Agree[62]
Management values making information available proactively	80.3%	68.4%
Political leaders value making information available proactively	73 %	56.1%
There are formal and informal rules within agency that stimulate making information available proactively	76.7%	73.7%
My agency's management invites my work unit to join in initiatives regarding making information available proactively	77.4%	54.1%
My agency needs to put greater focus on better communications practice when proactively making information available	50.3%	56.1%
There's enough budget	35.7%	47.4%
There's enough staff	48.2%	68.4%

---

[60] The results of the indicator "goal and importance" as operationalized in Chapter 3 is used in Chapter 4 but not in this Chapter because no total score can be calculated of these variables, nor can it be used for factor analysis.

[61] Percentages based on scale from 1 until 5 including the "Not Applicable" category but without missing values.

[62] Remarkable that 35.1% of the Dutch respondents indicate "not applicable" to the statement "My agency's political leaders value making information available proactively". Additionally, 10% of the Dutch government communicators indicate "not applicable" to the statement 'my agency's management values making information available proactively'.

Based on the proactive transparency push by the Obama administration as described in Chapter 4, it could be expected that there is more support and resources in the US than the Netherlands. An independent samples t-test showed that American respondents (M = 4.0620, SD = 1.11) statistically significantly agree more with the statement that the agency's management invites their work unit to join in initiatives regarding making information available proactively to the public than Dutch respondents (M = 3.5319, SD =1.21317) (t(174)= 2.654, p = .009). Dutch government communicators agree statistically significantly more strongly (M = 3.3182, SD = 1.09487) that there is enough budget for making information available proactively than American government communicators (M = 2.7970, SD = 1.30709) (t(175) = -2.382, p = .018). The Dutch also agree more (M = 3.5849, t = 1.13398) that there's enough staff compared to Americans (M = 3.0373, SD = 1.35117) (t (112.880) = -2.813, p = .006). There were no statistical differences found for the other items. Thus, in line of expectation, Americans are more likely to be invited by their management. Yet despite of the Open Government push Americans indicate more often than Dutch government communicators to not have enough resources.

Value proactive transparency

Regarding the way respondents value proactive transparency, some generic and more specific questions were asked. In general, government communicators highly value proactive transparency as can be seen in the tables below. Considering the push for Open Government it might be expected that American respondents have a more favorable view towards proactive transparency. Yet the Netherlands has a long tradition of proactive transparency as pointed out

in Chapter 4. Table 17 shows that both respondents highly value proactive transparency especially in terms of informing citizens about laws and decisions and that it ensures stakeholders that they have the information needed to participate.

Table 17: Results value generic

Questions Please indicate to which extent you disagree/agree. Making information available proactively:	USA (Strongly) Agree[63]	NLS (Strongly) Agree
Ensures that stakeholders are informed about laws and decisions that affect them	84.7%	86%
Facilitates more accountable spending of public funds	73%	56.2%
Ensures that stakeholders have the information needed to participated in policy and decision making	84.7%	77.2%
Can be used to make the agency look bad	47.8%	43.8%
Can lead to an information overload among stakeholders	21%	17.7%

The independent samples t-test showed that American government communicators (M = 3.8797, SD = 1.06627) agreed statistically significantly (t(186)= 2.022, p = .045) more than Dutch government communicators (M = 3.5273, SD = 1.13618) with the statement that making information available proactively facilitates more accountable spending of public funds.

Looking at the more specific questions (Table 18) regarding the internal workings of the government agency in terms of the policy process we also see that in both countries respondents think it is (very) important to proactively make information available.

---

[63] Percentages based on scale from 1 until 5 including the "Not Applicable" category but without missing values.

Table 18: Results value specific

Questions Please indicate how important you think it is to make information proactively available about	USA (Very) Important[64]	NLS (Very) Important
The decision making process	78.9%	78.9%
Implementation of the agency's policies	96.1%	89.5%
Outcomes or results of the agency's policies	97.3%	100%
Budgets and subsidies	94%	89.7%

The independent t-test did not show any statistical significant differences on these items.

Hence in both countries communicators value proactive transparency highly. However because

no statistical differences were found between the countries, except for "facilitating more

accountable spending of public funds", it should be taken into account that the variable "value

transparency" in the model might not be a distinguishable variable.

Involvement in implementation of proactive transparency

The results (Table 19) show that respondents are mainly involved in making information

available proactively and are less involved in disclosures related to FOIA or the Wob.

Furthermore, considering the recent transparency push in the US as laid out in Chapter 4, we

might expect higher involvement among American than Dutch communicators.

Table 19: Results reported involvement

Questions	USA (Strongly) Agree[65]	NLS (Strongly) Agree
Contributing to making information available proactively is part of my daily practice	87.7%	63.1%
I try and help others within the organization understand the importance of making information available proactively	87.6%	64.9%
I am regularly involved in disclosures in response to FOIA-requests	32.8%	17.5%

---

[64] Percentages based on scale from 1 until 5 including the "Not Applicable" category but without missing values.

[65] Percentages based on scale from 1 until 5 including the "Not Applicable" category but without missing values.

An independent samples t-test showed that there are statistically significant differences in means between the two countries. Americans agree more (M = 4.39, SD = .881) to the statement that making information available proactively is part of their daily practice than Dutch government communicators (M = 3.57, SD = 1.312) (t (82.81) = 4.044, p = .000). American government communicators also agree more (M = 4.3881, SD = .84880) that they help others within the organization understand the importance of proactive transparency than Dutch government communicators (M = 3.6667, SD = 1.31752) (t (71.416) = 3.724, p = .000) and agreed more (M = 2.7463, SD = 1.30174) to being regularly involved in FOIA requests than Dutch government communicators (M = 2.1064, SD = 1.41781)(t (179) = 2.833, p = .005).

In addition, government communicators were asked how often they contribute to making information available proactively about the different policy stages and budget information (Table 20).

Table 20: Results involvement internal workings

Questions Please indicate how often you contribute to making information available proactively about	USA (Very) Often[66]	NLS (Very) Often
The decision making process	40%	17.3%
Implementation of the agency's policies	61%	42.2%
Outcomes or results of the agency's policies	72%	35.1%
Budgets and subsidies	42%	17.5%

An independent samples t-test showed that the differences in means between the two groups are all statistically significant. American government communicators (M = 3.2640, SD = 1.19234) indicated that they contribute more often to making information proactively about the decision

---

[66] Percentages based on scale from 1 until 5 including the "Not Applicable" category but without missing values.

making process than Dutch government communicators (M = 2.5385, SD 1.19234) (t(175) =

3.724, p= .000). Furthermore, Americans (M = 3.8984, SD = 1.11426) make a contribution more

often regarding the proactive disclosure of the implementation of the agencies policies than

Dutch government communicators (M = 3.1481, SD = 1.27985) (t (180) = 3.967, p = .000). They

also make more often (M = 4.1615, SD = 1.00024) a contribution regarding policy results

compared to Dutch government communicators (M = 2.9455, SD = 1.28262) (t(83.186) = 6.268,

p=.000). Finally, Americans indicated that they are more involved (M = 3.3047, SD = 1.27086) in

the proactive disclosure of budget information than Dutch government communicators (M =

2.3519, SD = 1.27616) (t (180) = 4.615, p = .000).

Thus, when it comes down to the involvement of government communicators in the

proactive disclosure of information we can conclude that Americans are more involved than

Dutch communicators on a broad variety of aspects. Unlike the variable value proactive

transparency, we clearly see some differences within the variable involvement among the

countries.

Questions (Table 21) were also asked regarding the channels government

communicators use in the proactive disclosure of information.

Table 21: Results channels

Questions Please indicate how involved you are in	USA (Very) Involved[67]	NLS (Very) Involved
Making information available proactively to the press	62.7%	33.3%
Proactive release of high value datasets (Open data)	38 %	14.1%
Proactively placing information on agency's website	63.2%	56.1%
Making information available proactively through public information campaigns	63.5%	52.6%
Making information available proactively through social media	59.8%	63.1%
Making information available proactively through traditional media	62.8%	59.6%
Making information available proactively through open meetings	43.1%	43.9%
Writing a communication strategy that also concerns making information available proactively	58.5%	57.9%

An independent sample t-test showed a statistically significant difference (t (130.257) = 5.171, p = .000) for Open Data with Americans indicating being more involved (M 3.1719, SD 1.36381) than Dutch government communicators (M 2.1964, SD 1.08577). In addition a statistically significant difference (t (188) = 4.093, p = .000) was found for the involvement with the press with Americans being more involved (M = 3.8433, SD = 1.29112) than the Dutch (M = 2.9821, SD = 1.39468). This was also the case for the agency's website (USA M = 3.9179, SD = 1.1375; NLS M = 3.5357, SD = 1.09485, t(188) = 2.135, p = .034) and public information campaigns (USA M = 3.8712, SD = 1.20688; NLS M = 3.4821, SD = 1.27908, t (186) = 1.986, p = .049). These differences however might partly be explained by the differences in the functions of the participating officers.

Quality of information

Questions were asked related to the *quality of information* provided to stakeholders by government communicators. Even though most respondents score high on substantial and

---

[67] Percentages based on scale from 1 until 5 including the "Not Applicable"category but without missing values.

accountable information, spinning techniques and highlighting specific information is used as well. Again based on the institutional embedding as laid out in Chapter 4 we might expect that Americans score higher on items that are related to substantial information (Table 22) such as completeness and accuracy than Dutch government communicators considering the recent push. Yet the Netherlands early on incorporated the perspective of the receiver in the Wob by adding the quality aspect "understandability" in the proactive provision. In both countries most respondents strongly agreed to items related to substantial information (Rawlins, 2009).

Table 22: Results substantial Information

Substantial information Questions My work un it provides information:	USA (Strongly) Agree [68]	NLS(Strongly) Agree [69]
that is easy to find	83.7%	79.2%
that is relevant for stakeholders to understand	85.2%	79.3%
that is accurate	96.9%	85.8%
that is understandable	83.7%	86.8%
that is complete	89.1%	66 %
Is slow in providing information to stakeholders	22.5 %	16.8 %
using diverse communication channels	86.1%	94.3%

An independent samples t-test was conduct for possible significant differences in means for the two countries on items related to the quality of the information. In line with the expectation, the t-test showed that there are some significant differences between the countries. American government communicators (M = 4.6429, SD = .52861) agree significantly (t(171) = 5.015, p = .000) more than Dutch government communicators(M = 4.1569, SD = 1.15723) with the

---

[68] Percentages based on scale from 1 until 5 including the "Not Applicable" category but without missing values.

[69] In the USA 7.8% indicates that they (strongly) disagreed that the information they provide is relevant for stakeholders, 7.1% (strongly) disagreed that it is understandable. In the Netherlands 5.7% of the respondents indicate that they (strongly) disagreed that the information they provide is relevant or understandable. Besides, 4.7% of the American government communicators (strongly) disagreed that the information is complete, compared to 10.9% in the Netherlands.

statement that their unit provides information that is *accurate* and with the statement that their unit provides information that is *complete* (USA M = 4.333, SD = .82946; NLS M = 3.5962, SD = .70349; t(78.382) = 4.505, p = .000). American government communicators significantly (at a level of >.1) agree more (M = 4.1905, SD = .88285) to the statement than Dutch government communicators (M = 3.9615, SD = .76598) that the information the unit provides is relevant for the daily life of stakeholders (t(108.896 = 1.732, p = .086).

Due to the historical institutional emphasis on accountability in the USA as pointed out in Chapter 4 it could be expected that Americans would score higher than Dutch respondents on questions related to accountability. Americans score higher on most items (Table 23).

Table 23: Results accountable information

Accountable Questions	USA (Strongly) Agree[70]	NLS (Strongly) Agree
Is open to criticism by stakeholders	82.1 %	84.5 %
Is forthcoming with providing information, even if it is damaging to the organization	66.4 %	25.1 %
Freely admits when the agency has made mistakes	58.4 %	44.3 %
sometimes only gives part of the story to stakeholders	27.3 %	32.7 %

The independent samples t-test showed that American government communicators statistically significantly (t(164) = 4.852, p = .000) agree more (M = 3.6750, SD = 1.02213) that their unit is forthcoming with providing information even if it is damaging to the organization than Dutch participants (M = 2.8043, SD = 1.06707). Furthermore at a p >.1 level, that Dutch government communicators statistically significantly agree more (M = 2.700, SD = 1.15723) that they only provide part of the story to stakeholders (M = 2.3496, SD = 1.25439) (t(171) = -1.897, p = .060) than Americans. Thus the findings supported the expectation.

---

[70] Percentages based on scale from 1 until 5 including the "Not Applicable" category but without missing values.

When it comes down to items related to spin techniques (Rawlins, 2009) the response is diverse (Table 24).

Table 24: Results spin

My work unit:	USA (Strongly) Agree[71]	NLS (Strongly) Agree
sometimes leaves out important details in the information provided	17 %	21.6 %
sometimes provides information which is intentionally written in a way to make it difficult to understand	9.3 %	1.9 %
sometimes provides a lot of information in one package in order to conceal controversial issues	8.6 %	5.8 %

Based on the Open Government push it might be expected that Americans use less spin techniques. 71.1% of the American respondents (strongly) disagreed that they leave out important details in the information provided compared to 69.8%. Notwithstanding, 90.4% of the Dutch respondents strongly disagreed with the statement that they sometimes provide information which is intentionally written in a way to make it difficult to understand compared to 84.4% in the USA. However these differences are not statistically significant.

Furthermore, in both countries government communicators indicated that highlighting certain things or especially the positive ones are common practice (Table 25).

Table 25: Results highlighting

My work unit:	USA (Strongly) Agree[72]	NLS (Strongly) Agree
sometimes specifically highlights the positive elements in the information provided	81.4 %	64.2 %
highlights certain elements more than others (framing) when providing information	71.2 %	76.9 %

---

[71] Percentages based on scale from 1 until 5 including the "Not Applicable" category but without missing values.

[72] Percentages based on scale from 1 until 5 including the "Not Applicable" category but without missing values.

The independent samples t-test showed that American government communicators statistically significantly (t(81.693) = 2.721, p = .008) agree more (M = 4.1138, SD = .82946) with the statement that their work unit sometimes specifically highlights the positive elements in the information provided than Dutch government communicators (M = 3.6471, SD = 1.07375).

In conclusion in line with the expectation of the institutional embedding, it appears that American communicators score higher on the items related to substantial information and accountability, whereas the results related to spin and highlighting show a more diverse image.

Feedback and Participation

Finally, the concept of feedback and participation in the model will be discussed. As laid out in Chapter two in this dissertation a communicative approach is taken in which participation and feedback is an important component. As the table below shows, in general government communicators contribute to soliciting feedback and participation. Furthermore, Chapter 4 showed the historic perspective of the Dutch institutional embedding that focuses on transparency in the realm of communication. Hence it could be expected that Dutch government communicators would score high in trying to achieve a two-way communication flow by soliciting feedback and participation. At the same time in the USA we have seen that the recent Open Government also stresses the concept of participation. The Dutch communicators do seem to score relatively higher than Americans on stimulating opinions of stakeholders are asked before decisions are made Americans score higher on taking into account the different needs of stakeholders (Table 26). Notwithstanding, an independent samples t-test did not show any statistically significant differences between the two countries

Table 26: Results feedback and participation

My work unit:	USA (Strongly) Agree[73]	NLS (Strongly) Agree
Takes into account the different needs of its stakeholders when providing information	86%	79.2%
Asks feedback from stakeholders about the quality of the information provided	61.9%	59.6%
Stimulates that suggestions from stakeholders are incorporated into policy and action	59.8%	62%
Stimulates that opinions of stakeholders are asked before decisions are made by the agency	55%	67.9%

In addition, it was asked how often government communicators stimulate or advise others

within their organization to solicit public participation through various channels (Table 27).

Table 27: Ways of stimulating feedback and participation

Questions	USA (Very) Often[74]	NLS (Very) Often
Social media	74.2 %	50.4 %
Website	74.4 %	51 %
Research (e.g. customer satisfaction survey)	34.4 %	51 %
Personal conversations with stakeholders	58 %	50.9 %
Open meetings	42.8 %	25.5 %
Focus groups/round table conferences/web seminars	35.2 %	47.2 %

An independent sample t-test was conducted and found statistically significant differences for

the use of websites (t (72.621) = 3.985, p = .000) with Americans scoring higher (M = 4.25, SD =

.90980) than the Dutch (M = 3.5208, SD = 1.12967). The same applies for the use of social

media (t(120.779) = 2.204, p = .029; USA M = 3.9832, SD = 1.7879 and NLS M = 3.6250, SD =

.84110) and open meetings (t(161) = 3.102, p = .002, USA M = 3.4174, SD = 1.13927, NLS M =

2.8125, SD = 1.12337). Dutch government communicators scored significantly (t(164) = -2.036,

p =.043) higher (M = 3.5208, SD = 1.12967) on stimulating public participation via research (e.g.

[73] Percentages based on scale from 1 until 5 including the "Not Applicable" category but without missing values.

[74] Percentages based on scale from 1 until 5 including the "Not Applicable" category but without missing values.

customer satisfaction surveys) than American government communicators (M = 3.1186, SD = 1.6332).

Hence, there is no significant difference in the degree of soliciting participation and feedback. But we do see differences in the channels that are used. Americans more often use social media, websites and open meetings, whereas Dutch communicators use more research (e.g. customer satisfaction survey).

5.1.2 Factor analysis

In the former section it was analyzed based on what role government communicators have in terms of valuing and implementing proactive transparency based on descriptive statistics. Furthermore similarities and differences were described between the countries. In line with the model *Explaining proactive transparency regimes* and hypotheses, the relationships between the concepts as presented in the model need to be further examined. However before testing the hypotheses the nature of the underlying constructs as defined in the model will be explored by performing a principle component factor analysis with Varimax rotation[75]. For factor analysis interval data are assumed although ordinal data in terms of a Likert scale can be used as well (Rawlins, 2009). Except for the concept 'knowledge of rules', which was measured by dichotomous variables, the other concepts in the model were measured by statements using a five-point scale between strongly disagree and strongly agree were developed and adapted (Rawlins, 2009; Hawes, 2010). Factor analysis is a technique used in order to discover which variables in the set form coherent subsets that are relatively independent of one another.

---

[75] SPSS was used to conduct the factor analysis. Varimax rotation finds the pattern of structure coefficients that maximizes their variance.

Variables that are correlated with one another but largely independent of other subsets of variables are combined into factors (Tabachnick and Fidell, 2007). Its utility is reducing numerous variables into a smaller number of factors, which facilitates theory testing about the nature of underlying processes.

The factor analysis was used to identify how the items as described above fit within the larger structural concepts as described in the model. For each concept in the model a separate analysis was performed because each concept has its own individual scale. The factor analysis was run combining the datasets of the two countries which brought the total of 194 cases. Tabachnick and Fidel (2009) indicate to be wary off pooling the results of several samples for factor analysis purposes, unless different samples produce the same factors. If that is the case it is in fact desirable to pool them together because it will increase the sample size. Therefore the results of the two samples together will be described in detail but I also explored whether the datasets for each individual country resulted in the same factors. The eigenvalue[76] for extraction was set at 1, and loadings for each factor were conducted using the following criteria: first, item loadings had to exceed .44 for at least one factor; second, there needed to be a minimum of difference of .1 between items in factor loadings (Rawlins, 2009).

Organizational embedding

The principal component factor analysis with Varimax rotation for the scale organizational support had a Kaiser-Meyer-Olkin (KMO)[77] value of .723, which is middling. The extraction for

---

[76] The eigenvalue measures the variance in all the variables which is accounted for by that factor. If a factor has a low eigen value it is contributing little to the explanation of variances and may be ignored as redundant with more important factors.

the variable "communication practice" is relatively low (.261), hence this item might not be very well represented.[78] Looking at the SPSS output of the total variance explained, in the rotation Sums of Squared Loadings component one explains 42.51% and component two 20.1 %, in total they explain 62.55% of the variance. Factors that explain a large enough percentage of variance to be deemed important may be retained and those that explain only a small percentage of variance maybe discarded.

Table: 28 Organizational Embedding

Rotated Component Matrix[a]		
	Component	
	1	*2*
Management	**.860**	.178
Rules	**.756**	.159
Invited by management	**.769**	-.070
Political support	**.842**	.122
More focus on communication	.503	.091
Staff	.118	**.904**
Budget	.104	**.915**
Extraction Method: Principal Component Analysis. Rotation Method: Varimax with Kaiser Normalization.		
a. Rotation converged in 3 iterations.		

Furthermore, the rotated component matrix shows (Table 28) that component one *organizational support* has high factor loadings on the items "management support"(.860), "political support" (.842), " formal and informal rules that support proactively making information available" (.756), invites my work unit to join in (.769). Component two has high factor loadings on the items "sufficient budget" (.915) and "sufficient staff" (.904). This variable will be called *resources*. Hence two dimensions of the concept organizational support can be

[77] The Kaiser- Meyer-Olkin (KMO) measure of sampling adequacy is used to examine the appropriateness of factor analysis. According to Kaiser and Rice (1974) A KMO measure larger than 0.9 is marvelous, larger than 0.8 meritorious, larger than 0.7 middling, larger than 0.6 mediocre, larger than 0.5 miserable and finally below 0.5 unacceptable.

[78] The communalities table and scree plot can be found in the appendix.

distinguished "organizational support" and "resources"[79]. Based on the findings we can conclude that the variable supportive organizational embedding actually consists of two independent variables. This influences the hypotheses as well[80]. It means that a supportive organizational embedding essentially consist of organizational support *and* resources and should be analyzed separately. The scores that resulted from the factor analyses on the two components were saved and created into the independent variables 'organizational support' and 'resources'.

Value proactive transparency
The KMO value for proactive transparency is .728, which is middling. The extraction for the item the importance of providing information proactively about the decision making process are both rather low (.362). The total variance explained, in the rotation Sums of Squared Loadings component is 63.09%: component one explains 33.29%, component two 18.51%, component three 11.29%.

---

[79] In addition a factor analysis was conducted for each country individually to see whether the same components were found. For the USA the same items were identified whereas in the Netherlands the items "communication practice" and "disclosure", loaded as a separate component but not negatively with the items related to organizational support. Because there is no negative association the items will be kept together based on a theoretical standpoint.

[80] The hypothesis was formulated as follows :
American and Dutch government communicators are operating in a more supportive organizational embedding are more likely to value proactive transparency as more important than communicators in a less supportive organizational embedding.
Hence it should be analyzed whether government communicators with more organizational support are more likely to value proactive transparency as important And whether government communicators who have enough resources value proactive transparency as more important.

Table 29: value proactive transparency

Rotated Component Matrix[a]	Component		
	1	2	3
Best policy	.043	**.779**	.120
Funds	.068	**.762**	.002
Feedback	.192	**.707**	.083
Decision making	**.305**	.515	.062
Implementation	**.841**	.196	.009
Results	**.876**	.074	-.041
Budget	**.808**	.150	-.009
Information overload	.010	.402	**.625**
Look bad	-.039	-.060	**.900**
Extraction Method: Principal Component Analysis. Rotation Method: Varimax with Kaiser Normalization.			
a. Rotation converged in 5 iterations.			

The rotated component matrix (Table 29) shows that component one, which will be called *value specific* consists of the dimensions importance of proactive disclosure of 'policy implementation'(.841) and 'policy results'(.876) and 'budget' (.808). The item regarding the importance of the decision making process has a low loading (.305), yet will be included in the analysis nevertheless because it is part of the policy stages.

Component two will be called *value generic* and consists of the items 'making information available proactively ensures that stakeholders are informed about laws and decisions that affect them' (best policy .779), 'ensures that stakeholders have the information needed to participate in policy and decision making' (feedback .707) and 'facilitates more accountable spending of public funds' (762). Component three only contributes for 11% and will be left out of further analysis. The item 'overload' loads on two components and that only leaves the item make the agency look bad. Consequently, "Fear" as was identified by Fairbanks et al (2007) does not seem to be a strong component in this model and will be left out of further analysis.

Based on the scores on the two components resulting from the factor analysis, the two new variables were created[81]. This means for the hypotheses that 'value proactive transparency' also consists of two separate dependent (or in some hypotheses independent) variables 'value generic' and the 'value specific'.

Involvement in implementation

For the concept involvement in implementation, the KMO- value is 7.18 which is middling[82]. There are no low extractions. The total variance explained is 74.27%, whereby component one explains 56.18% and component two explains 18.06%.

Table 30: Involvement

Rotated Component Matrix[a]		
	Component	
	1	*2*
Daily practice	.256	**.851**
Help others	.150	**.887**
Decision making	**.801**	.256
Implementation	**.830**	.186
Results	**.791**	.318
Budget	**.833**	.073
Extraction Method: Principal Component Analysis. Rotation Method: Varimax with Kaiser Normalization.		
a. Rotation converged in 3 iterations.		

The first component in table 30 will be called *'involvement internal workings'*. It consists of the items (Table 30) 'decision making'(.789) 'implementation' (.854), 'results'(.739) and 'budget' (.818). The other component will be called *'reported proactive disclosure'* and consists of the items 'part of daily practice' (.861) and 'helping other understand the importance of proactive

---

[81]   In addition a factor analysis was conducted for each country to see if there are differences with the combined sample factor analysis results. In the American sample 'overload' and 'fear' loaded on the first item and not separately whereas the item the importance of proactive transparency loaded separately. In the Dutch sample the item 'funds' loaded rather low on the first component. However based on theoretical grounds and the fact that the items did not load negatively the joined database results will be followed.

[82] This analysis is based on fewer respondents in the USA due to the REDCAP error for the question daily practice. The shown result is based on the data as is without computing a mean. It was analyzed whether the result for the factor analysis would change if a mean would be inserted but the components remained the same.

disclosure' (.832)[83]. This implies for the hypothesis formulated earlier that the concept 'involvement' consists of two dependent variables: 'involvement internal working' and 'reported proactive transparency'.

Quality of information

The value of KMO measure was .830, which is meritorious. Four components were retained which explained 59.66% of the variance contained in the correlation matrix for these data: the first component 31.13%, the second 13.39%, the third 8.12% and the forth 7.02%. The extraction of the item 'different channels'(.238) and critic (.423) is low.

Table 31: Quality of the information

Rotated Component Matrix[a]				
	Component			
	1	*2*	*3*	*4*
Easy to find	**.745**	-.186	-.015	.237
Relevant	**.794**	-.094	.105	.145
Understandable	**.811**	-.081	.023	.079
Accurate	**.637**	-.033	.385	-.177
Complete	**.626**	-.276	.399	-.178
Different channels	.454	-.188	.045	.032
Slow	**.504**	-.534	-.002	-.099
Forthcoming	.094	-.122	**.849**	-.025
Admitting mistakes	.125	-.229	**.708**	.253
Open to criticism	.144	-.191	.198	.571
Part of the story	-.154	**.699**	-.131	.196
Difficult to understand	-.102	**.796**	-.137	-.006
Leaving out details	-.149	**.782**	-.205	.170
Information in one package	-.196	**.802**	-.064	-.100
Highlighting elements	-.145	.205	-.095	**.710**
Highlighting positive	.253	.275	.055	**.607**
Extraction Method: Principal Component Analysis. Rotation Method: Varimax with Kaiser Normalization.				
a. Rotation converged in 6 iterations.				

[83] For each individual country the same result was found as for the joined factor analysis.

The first component (Table 31) is called *substantial information* and consists of the dimensions: 'easy to find' (.745), 'relevant' (.794), 'understandable' (.811), 'complete' (.626), 'accurate' (.637) and 'slow' (.504). The item 'communication channels' has a rather low loading, furthermore the communalities table showed a low extraction. If we look at the samples from the individual countries then this item loads low as well. The second component *spin* consists of the items 'leaving out important details' (.782), 'providing information that is intentionally written to make it difficult to understand' (.796) and 'providing information in one package in order to conceal controversial issues' (.802). The item 'providing part of the story' (.699) also loads on component two. However this is operationalized in Chapter three as part of accountability and not spin. Hence this item will be left out of the analysis. The third item will be called *accountability* and consists of the items forthcoming with information (.849) and freely admitting mistakes (.708). The fourth component only contributes for 7% of the variance. Hence even though it has high factor loadings, 'highlighting' will be left out of the further analysis. The quality of information consists of three dependent variables: substantial, accountable and spin.

Soliciting feedback and participation

The KMO value is .688, which is mediocre. One component is extracted which explains 58.60% of the variance. The item 'need' has a rather low extraction (.353) and will be left out of further analysis. Hence *feedback and participation* (Table 32) consists of the items 'stimulates that opinions of stakeholders are asked before decisions are made' (.828), 'stimulates that suggestions are incorporated into policy and action' (.831) and 'feedback' (.667).

Table 32: Feedback and participation

Component Matrix[a]	Component
	1
Feedback	**.667**
Suggestions incorporated into policy	**.831**
Stimulates opinions before decisions are made	**.828**
Need	.594
Extraction Method: Principal Component Analysis.	
a. 1 components extracted.	

Conclusion Principle Component Factor analyses

The factor analyses resulted in scores for two components that are in line with the concept

organizational support in the model. The concept organizational support consists of two

separate independent variables:

Variable 'Organizational support' consists of items:
- Political support
- Management support
- Formal and informal rules
- Join in initiatives

Variable 'Resources' consists of items:
- Budget
- Staff

Organizational embedding
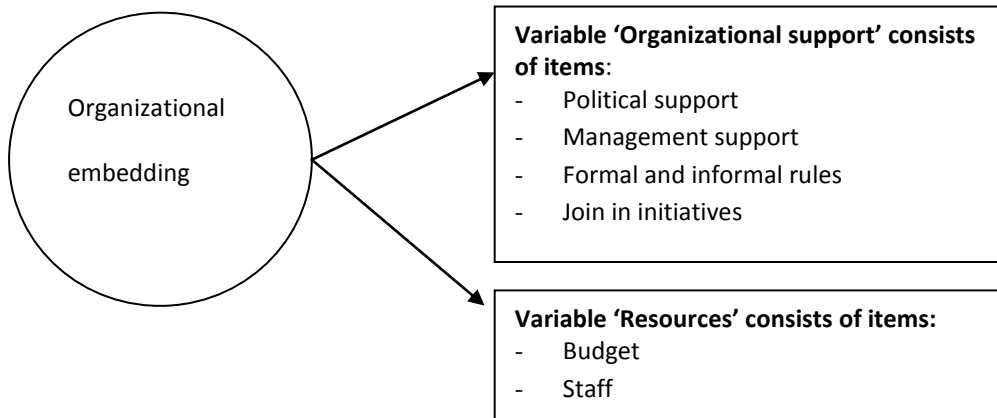
Second the concept *Value proactive transparency* consists of three separate components.

 Depending on the hypothesis these variables can be both the dependent or independent

variables.

Value Proactive Transparency

Variable 'Generic' consists of items:
- Proactively making information available ensures that stakeholders are informed about laws and decisions
- Facilitates more accountable spending of public funds
- Ensures that stakeholders have information needed to participate

Variable 'Specific' consists of items:
- Making information proactively about decision making process
- Implementation
- Results
- Budget

Third there is the concept of implementing proactive transparency which consists of two components. This concept consists of two dependent variables: reported proactive disclosure and involvement of internal workings. These two dependent variables consist of the scores on the items listed in the graph below.

Variable 'Reported proactive disclosure' consists of items:
- Making information available proactively is part of my daily practice
- I try and help others within the organization understand the importance of making information available proactively

Variable 'Involvement internal workings' consists of items:
How often do you contribute to making information available proactively about:
- Decision making process
- Policy implementation
- Policy results
- Budget and subsidies

Implementation

The model also identifies the concept Quality of the Information. This concept consists of two separate components. The two dependent variables are called: substantial, accountable information and spin.

Variable 'Substantial information' consists of items:
- Easy to find
- Relevant
- Understandable
- Complete
- Accurate
- Slow (recoded)

Variable 'Accountable' consists of items:
- Is forthcoming in providing information, even if damaging
- Freely admits mistakes

Variable 'Spin' consists of items:
- Providing a lot of information in one package in order to hide the real news
- Providing information that is intentionally written in a way to make it difficult to understand
- Leaving out important details

Quality of the information

The last concept "soliciting participation and feedback" consists of one dependent variable.

```
          ┌─────────────────┐
         /                   \
        /                     \      ┌──────────────────────────────────────────────────┐
       /                       \     │ Variable 'Feedback and participation' consists of │
      /                         \    │ items:                                            │
     │      Feedback and         │──▶│ -   Asks feedback from stakeholders about the     │
     │      participation        │   │     quality of the information provided           │
     │                           │   │ -   Stimulates that opinions of stakeholders are  │
      \                         /    │     asked before decisions are made by the agency │
       \                       /     │ -   Stimulates that suggestions from stakeholders │
        \                     /      │     are incorporated into policy and action       │
         \                   /       └──────────────────────────────────────────────────┘
          └─────────────────┘
```
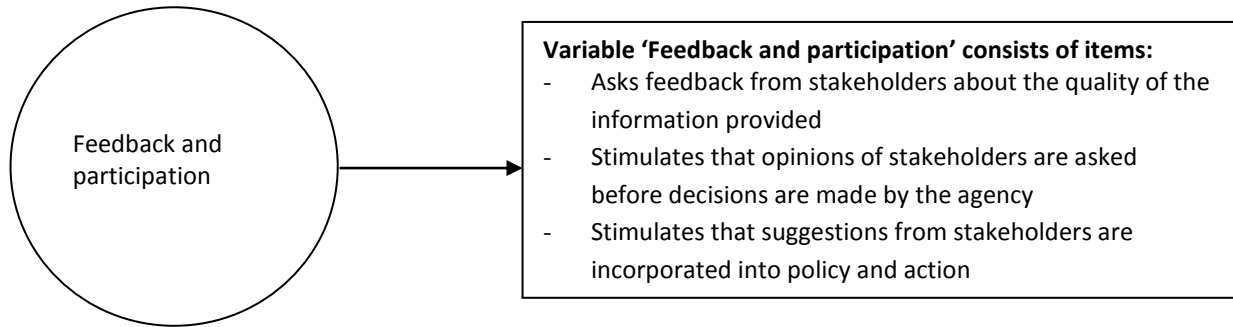
As pointed out earlier, institutional embedding is measured by dichotomous variables and is not included in the factor analysis. However the internal consistency of this variable can be analyzed using Cronbach's alpha. A mean score was computed for 'knowledge of rules' based on the three items whereby False = 0, True = 1 and don't know =9[84]. For the newly computed variables that resulted from the factor analysis, Cronbach's alpha was calculated as well (Table 33).

Table 33: Cronbach's alpha

	N of cases	N of items	Mean	Variance	SD	Alpha
Knowledge of rules	194	3	1.71	1.03	1.01	.55
Leadership support	155	44	25.97	12.14	3.48	.83
Resources	175	2	6.07	5.57	2.36	.81
Value contribution	184	3	12.20	4.97	2.23	.68
Importance internal workings	189	4	17.36	5.85	2.42	.72[85]
Reported proactive transparency	140	2	8.22	3.87	1.97	.71
Involvement internal workings	176	4	13.53	17.94	4.24	.86
Substantial information	174	6	24.56	17.37	4.17	.85
Spin	168	3	5.72	6.14	2.48	.82
Accountable	168	2	6.65	4.60	2.14	.62
Participation	168	3	10.36	9.51	3.08	.72

---

[84] 9 is treated as a missing variable in SPSS.

[85] If item decision making process is deleted alpha is .815

Table 33 shows that in general the alpha is high for the different scales except for 'knowledge of rules' and 'accountability'. The other new variables were created by running the principle component factor analysis again based on the components as described above and the newly created variables were saved.

5.1.3 Multivariate Analysis

In order to test the hypotheses MANCOVA and ANCOVA were used. A MANCOVA is best when the DV's are uncorrelated (Tabachnick and Fidell, 2007). Therefore the pattern of correlations between the different variables were analyzed. Table 34 shows that a meaningful pattern of correlations within the moderate range can be observed.

	Knowledge	OrgSupport	Resources	Value	Importance	Involvement	Reported	Spin	Substantial	Accountable	Participation
Knowledge	*1*										
OrgSupport	.268*	1									
Resources	-.016*	.206*	1								
Value	.103	.267*	.017	1							
Importance	.103	.126*	-.033	.345*	1						
Involvement	.153	.238*	-.089	.094	.165*	1					
Reported	.073	.313*	-.125	.229*	.318*	**.466***	1				
Spin	-.254*	-.572*	-.0.74	-1.70*	-.100	-.031	-.088	1			
Substantial	.311*	**.496***	0.52	.299*	.090	-.214*	.333*	-**.492***	1		
Accountable	.167*	**.458***	.161	.091	.068	.299*	.209*	-.300*	.354*	1	
Participation	-.030	.380*	1.20	-.036	.029	.140	.096	-.130	.158*	.392	1

*Statistically significant p<.005

Hypothesis 1:

The more American and Dutch government communicators are aware of the institutional embedding of proactive transparency the more government communicators will value proactive transparency.

A MANCOVA was performed with two dependent variables associated with value proactive disclosure of information: "value generic" and "value specific", with country as a factor and the independent variable "knowledge of rules" as a covariate. Box's M value is 9.923 was associated with a p .021, which was interpreted as non significant. Non significance is preferable because it means that the co-variances matrices between the groups are assumed to be equal for the purposes of MANCOVA. MANCOVA makes the assumption that the within-group covariance matrices are equal. If the design is balanced so that there is an equal number of observations in each cell the robustness of the MANCOVA tests is guaranteed. However in this case the samples are unbalanced, and therefore the equality of covariance matrices using Box's *M* should be tested. If this test is significant at less than 0.001, there may be severe distortion in the alpha levels of the tests and hence the model will not be robust.

The custom model[86] found a statistically significant effect (p<0.1) for 'knowledge' (Wilks Lambda = .971, df2, p=.070) and no interaction effects. Moreover, looking at the tests of between-subjects effects (Table 35) there is a significant effect for 'value generic' (p=.069) and 'value specific' (p=.051). The parameter estimates[87] show that the effects of 'knowledge of rules' on 'value generic' (B=.141) and 'value specific' were positive (B =.152). Hence the first

---

[86]Model building was used, meaning that in the custom option in SPSS all possible interaction effects are added in the model. The interactions are kept in the model if they are significant. However if they do not make a significant contribution they are left out of the model and the MANCOVA is run again.

[87] Parameters help to investigate more specifically the power of the covariates to adjust dependent variables.

hypothesis is accepted: knowledge of the institutional embedding influences the way

communicators value proactive transparency. Based on Chapter 4 the expectation would have

been to also find a statistical difference for country[88]. However that is not the case in this

model.

Source	Dependent Variable	Type III Sum of Squares	Df	Mean Square	F	Sig.	Partial Eta Squared
Table 35: Hypothesis 1							
Test of Between-Subjects Effects							
Corrected Model	Value Generic	4.163[a]	2	2.081	2.085	.127	.023
	Value Specific	4.475[b]	2	2.238	2.217	.112	.024
Intercept	Value Generic	3.048	1	3.048	3.053	.082	.017
	Value Specific	3.765	1	3.765	3.730	.055	.020
Country	Value Generic	.112	1	.112	.112	.738	.001
	Value Specific	.024	1	.024	.024	.877	.000
Knowledge	Value Generic	3.345	1	3.345	3.351	**.069**	.018
	Value Specific	3.895	1	3.895	3.859	**.051**	.021

a. R Squared = .023 (Adjusted R Squared = .012)
b. R Squared = .024 (Adjusted R Squared = .013)

Hypothesis 2:

American and Dutch government communicators operating in a more supportive organizational embedding are more likely to value proactive transparency as more important than communicators in a less supportive organizational embedding

A MANCOVA was run with two dependent variables associated with value proactive disclosure

of information: "value generic" and "value specific", with country as a factor and the

independent variables associated with organizational support "organizational support" and

"resources" as covariates in SPSS. Box's M value is 9.110 was associated with a p .031, which

---

[88] This table shows there is a difference in means however as pointed out there was no significant difference between the countries

Descriptive Statistics	Country	Mean	Std. Deviation	N
Value Generic	USA	.0409529	1.07776384	130
	NL	-.1074787	.79441334	52
	Total	-.0014561	1.00508984	182
Value Specific	USA	.0182813	1.07417769	130
	NL	-.1067353	.83665190	52
	Total	-.0174377	1.01133756	182

was interpreted as non-significant. Thus the covariance matrices between the groups were assumed to be equal for the purposes of MANCOVA. The full factorial model found a statistical significant effect for organizational support (Wilks Lambda = .925, df 2, p= .004) but not for resources or country[89].

Source	Dependent Variable	Type III Sum of Squares	Df	Mean Square	F	Sig.	Partial Eta Squared
Table 36: Hypothesis 2							
Tests of Between-Subjects Effects							
Corrected Model	Value Generic	11.214[a]	3	3.738	3.653	.014	.072
	Value Specific	3.586[b]	3	1.195	1.109	.348	.023
Intercept	Value Generic	.027	1	.027	.026	.871	.000
	Value Specific	.161	1	.161	.149	.700	.001
Country	Value Generic	.021	1	.021	.021	.886	.000
	Value Specific	.176	1	.176	.163	.687	.001
Organizational Support	Value Generic	11.173	1	11.173	10.920	**.001**	.072
	Value Specific	3.406	1	3.406	3.160	**.078**	.022
Resources	Value Generic	.002	1	.002	.002	.962	.000
	Value Specific	.069	1	.069	.064	.801	.000

a. R Squared = .072 (Adjusted R Squared = .052)
b. R Squared = .023 (Adjusted R Squared = .002)

Furthermore, analyzing the individual variables (Table 36), there is a significant effect for 'organizational support 'and the concept 'value generic' (p=.001) and value specific (p=.078). In addition the parameter estimates show a positive effect. Thus hypothesis 2 can be partly accepted because organizational support did, but resources did not show an effect. Government communicators working in a supportive organization are more likely to value proactive transparency as more important.

---

[89] This table shows there is a difference in means however as pointed out there was no significant difference between the countries

Descriptive Statistics				
	Country	Mean	Std. Deviation	N
Value Generic	USA	.0386843	1.08221388	118
	NL	.0029443	.84200718	27
	Total	.0320293	1.03913128	145
Value Specific	USA	.0034520	1.10503453	118
	NL	.0800525	.69551371	27
	Total	.0177155	1.03941424	145

Hypothesis 3:

> *American and Dutch government communicators who value proactive transparency more are more likely to proactively disclose information in their daily practice than government communicators who value proactive transparency less.*

A MANCOVA was performed on the dependent variables associated with implementation: 'reported proactive disclosure' and 'involvement in internal workings', the independent variables are country and 'value generic' and 'value specific'. Box's M value is 13.265 and .005 and hence not significant. The overall full factorial test showed a significant effect for country (Wilks Labda =.835, df 2, p .000) and 'value specific' (Wilks Labda = .888, df 2, p= .003). Looking at the test of between subjects effects (Table 37) it can be observed that 'Value specific' has a significant effect on both reported proactive transparency (p =.006) and the involvement in proactive transparency (p=.004). Furthermore, country is significant for both aspects.

Table 37: Hypothesis 3 Tests of Between-Subjects Effects							
Source	*Dependent Variable*	*Type III Sum of Squares*	*Df*	*Mean Square*	*F*	*Sig.*	*Partial Eta Squared*
Corrected Model	Involvement	25.615[a]	3	8.538	10.451	.000	.210
	Reported	24.995[b]	3	8.332	10.830	.000	.216
Intercept	Involvement	4.054	1	4.054	4.962	.028	.040
	Reported	.531	1	.531	.690	.408	.006
Country	Involvement	13.913	1	13.913	17.030	**.000**	.126
	Reported	9.787	1	9.787	12.721	**.001**	.097
Value Generic	Involvement	.112	1	.112	.137	.712	.001
	Reported	.898	1	.898	1.167	.282	.010
Value Specific	Involvement	6.400	1	6.400	7.833	**.006**	.062
	Reported	6.571	1	6.571	8.541	**.004**	.067

a. R Squared = .210 (Adjusted R Squared = .190)
b. R Squared = .216 (Adjusted R Squared = .196)

Looking at the means (Table 38), American respondents score higher on reported proactive disclosure and on involvement in internal workings than Dutch respondents. Furthermore, the parameter estimates show a positive effect.

Table 38: Descriptive statistics hypothesis 3				
	Country	Mean	Std. Deviation	N
Involvement Internal workings	USA	.2429921	.85572504	75
	NL	-.5662526	1.03113785	47
	Total	-.0687661	1.00420015	122
Reported proactive disclosure	USA	.3210594	.73180209	75
	NL	-.3936814	1.15518780	47
	Total	.0457084	.97817079	122

Hence H3 can be partly accepted because 'value specific' is significant but 'value generic' is not. This means that government communicators who consider proactively releasing information about the internal workings of their agency as more important are more likely to actually proactively disclose information and are also more involved in disclosing information regarding the internal workings of the agency.

Hypotheses 4a and b

H4a: American and Dutch government communicators who value proactive transparency more are more likely to release substantial information in their daily practice.
H4b: American and Dutch government communicators who value proactive transparency more are less likely to use a certain amount of spin in their daily practice.

A MANCOVA was performed with the dependent variables associated with the predictor variables country and variables associated with the quality of the information provided: substantial information and spin. Box's M value is 12.507 and non significant (.051). The overall model showed a significant effect for the 'value generic' (Wilk's Lambda .934, df 2, p= .018) and at a significance level of p<1 also for country (Wilk's Lambda .922, df 2, p =.008).

Analyzing the tests of between-subjects effects (Table 39) it can be concluded that there is a significant effect for "value generic" and substantial information (p=.002). Furthermore there is a significant effect for country and accountability (.007) and a close significant effect for country and substantial information (p=.108).

Source	Dependent Variable	Type III Sum of Squares	Df	Mean Square	F	Sig.	Partial Eta Squared
		Table 39: Hypotheses 4 **Tests of Between-Subjects Effects**					
Corrected Model	Substantial	11.398[a]	3	3.799	5.258	.002	.096
	Accountable	8.164[b]	3	2.721	2.908	.037	.056
	Spin	2.946[c]	3	.982	1.020	.386	.020
Intercept	Substantial	.001	1	.001	.001	.969	.000
	Accountable	.472	1	.472	.505	.479	.003
	Spin	.026	1	.026	.027	.869	.000
V3country	Substantial	1.887	1	1.887	2.612	**.108**	.017
	Accountable	7.126	1	7.126	7.616	**.007**	.049
	Spin	.396	1	.396	.411	.522	.003
Value generic	Substantial	7.038	1	7.038	9.741	**.002**	.062
	Accountable	.020	1	.020	.022	.883	.000
	Spin	.862	1	.862	.896	.346	.006
Value specific	Substantial	.039	1	.039	.055	.816	.000
	Accountable	.690	1	.690	.737	.392	.005
	Spin	.801	1	.801	.832	.363	.006

a. R Squared = .096 (Adjusted R Squared = .078)
b. R Squared = .056 (Adjusted R Squared = .037)
c. R Squared = .020 (Adjusted R Squared = .000)

Looking at the means (Table 39) the USA respondents have reported to give more accountable and substantial information than Dutch respondents. The parameter estimates show positive effects. Hence hypotheses 4a can be accepted whereas 4b should be rejected.

	Country	Mean	Std. Deviation	N
	Table 40: Descriptive statistics hypotheses 4			
Substantial	USA	.1638122	.88471241	113
	NL	-.1430909	.85737332	39
	Total	.0850673	.88523001	152
Accountable	USA	.1876247	.98923111	113
	NL	-.3120252	.88571161	39
	Total	.0594250	.98548874	152
Spin	USA	.0299935	1.06243465	113
	NL	-.0715916	.70133049	39
	Total	.0039289	.98132224	152

Hypothesis 5
The more American and Dutch government communicators value proactive transparency the more inclined they are to solicit feedback and participation from external actors in their daily practice.

In order to test this hypothesis an ANCOVA was performed. After all, the concept participation consists of only one dependent variable. Country, value contribution and importance of internal workings were put in the model as predictors but no significant effect was found. Hence this hypothesis should be rejected.

5.1.4 Alternative relations and explanations

In addition, it was examined whether other relations have an effect. As pointed out above, the independent variable 'knowledge' had an effect on the dependent variables 'value'. It was also examined whether 'knowledge' had a *direct* effect on the dependent variables 'reported proactive transparency', 'involvement proactive transparency', 'spin', 'substantial', 'accountability' or 'participation and feedback'. The MANCOVA showed a significant effect for the dependent variables 'reported proactive transparency' and 'involvement of transparency' and the factor 'country' (Wilks Lambda = .865, df 2, p= .000) and covariate' knowledge' (Wilks Lambda = .952, df 2, p= .050). No statistical significant effect was found for the other variables.

Table 41: Knowledge Tests of Between-Subjects Effects							
Source	*Dependent Variable*	*Type III Sum of Squares*	*Df*	*Mean Square*	*F*	*Sig.*	*Partial Eta Squared*
Corrected Model	Involvement	22.365[a]	2	11.182	13.313	.000	.177
	Reported	17.634[b]	2	8.817	10.766	.000	.148
Intercept	Involvement	7.741	1	7.741	9.216	.003	.069
	Reported	2.129	1	2.129	2.600	.109	.021
Country	Involvement	11.089	1	11.089	13.201	**.000**	.096
	Reported	10.678	1	10.678	13.038	**.000**	.095
Knowledge	Involvement	4.583	1	4.583	5.457	**.021**	.042
	Reported	2.180	1	2.180	2.662	.105	.021

a. R Squared = .177 (Adjusted R Squared = .163)
b. R Squared = .148 (Adjusted R Squared = .134)

Looking at the descriptive statistics (Table 42) it suggests again that Americans are more involved than Dutch respondents in proactive transparency activities. Furthermore it indicates as well that the more communicators are aware of the institutional embedding the more likely they are also involved in proactive transparency initiatives.

Table 42: Descriptive statistics knowledge				
	Country	Mean	Std. Deviation	N
Involvement	USA	.2167767	.86283563	78
	NL	-.5518938	1.03496936	49
	Total	-.0797969	1.00207160	127
Reported	USA	.3239650	.73139094	78
	NL	-.3926445	1.14149216	49
	Total	.0474779	.97259441	127

In addition, it was analyzed whether the organizational embedding had an effect on the dependent variables 'reported proactive transparency', 'involvement proactive transparency', 'spin', 'substantial', 'accountability' or 'participation and feedback'. Box's M value is 31.574 and non significant (.132). Remarkably, the overall model showed a significant effect for the 'country' (Wilk's Lambda .752, df 2, p= .001), 'organizational support' (Wilk's Lambda .572, df 2, p= .000) *and* 'resources' (Wilk's Lambda .856, df 2, p =.042). The between subjects test (Table 43) shows that in line with earlier results that there is a significant difference for country and involvement, accountable and substantial information, with Americans scoring higher on this variables.

In this model there is a close to significant effect for 'country' and 'feedback and participation' (p=.110), with Dutch government communicators scoring higher and thus soliciting more feedback and participation. Finally it is remarkable that in this model 'resources'

does show a significant effect for the variable reported involvement. However the parameters

show a negative effect, which would imply that having more resources would have a negative

effect on involvement, which is difficult to explain conceptually.

Source	Dependent Variable	Type III Sum of Squares	Df	Mean Square	F	Sig.	Partial Eta Squared
Table 43: Organizational embedding							
Tests of Between-Subjects Effects							
Corrected Model	Involvement	5.903[a]	3	1.968	2.705	.050	.085
	Reported	14.145[b]	3	4.715	8.826	.000	.233
	Spin	16.311[c]	3	5.437	9.295	.000	.243
	Substantial	18.574[d]	3	6.191	11.797	.000	.289
	Accountable	14.488[e]	3	4.829	7.940	.000	.215
	Feedback and Participation	12.492[f]	3	4.164	5.711	.001	.165
Intercept	Involvement	.014	1	.014	.019	.890	.000
	Reported	.497	1	.497	.930	.338	.011
	Spin	.033	1	.033	.057	.812	.001
	Substantial	.047	1	.047	.089	.766	.001
	Accountable	3.508	1	3.508	5.768	.018	.062
	Feedback and Participation	.928	1	.928	1.273	.262	.014
Country	Involvement	1.777	1	1.777	2.443	.122	.027
	Reported	4.059	1	4.059	7.599	**.007**	.080
	Spin	.068	1	.068	.116	.734	.001
	Substantial	2.946	1	2.946	5.614	**.020**	.061
	Accountable	9.074	1	9.074	14.920	**.000**	.146
	Feedback and Participation	1.902	1	1.902	2.609	.110	.029
Organizational support	Involvement	3.447	1	3.447	4.739	**.032**	.052
	Reported	7.373	1	7.373	13.803	**.000**	.137
	Spin	16.043	1	16.043	27.429	**.000**	.240
	Substantial	15.247	1	15.247	29.052	**.000**	.250
	Accountable	4.020	1	4.020	6.610	**.012**	.071
	Feedback and Participation	10.600	1	10.600	14.537	**.000**	.143
Resources	Involvement	.627	1	.627	.863	.356	.010
	Reported	2.518	1	2.518	4.714	**.033**	.051
	Spin	.201	1	.201	.344	.559	.004
	Substantial	.036	1	.036	.069	.794	.001
	Accountable	1.652	1	1.652	2.716	.103	.030
	Feedback and Participation	2.097	1	2.097	2.876	.093	.032

a. R Squared = .085 (Adjusted R Squared = .054)
b. R Squared = .233 (Adjusted R Squared = .207)
c. R Squared = .243 (Adjusted R Squared = .217)
d. R Squared = .289 (Adjusted R Squared = .265)
e. R Squared = .215 (Adjusted R Squared = .188)
f. R Squared = .165 (Adjusted R Squared = .136)

Furthermore, the parameters do show a positive effect for organizational support and reported proactive transparency, involvement, substantial, accountability, feedback and participation and a negative relationship on spin. Organizational support has a positive effect on participation and feedback and the involvement of communicators in proactive transparency.

5.1.5 In summary

In this section the results of the first part of the mixed method were presented. Frequencies and an independent samples t-tests were conducted to see where American and Dutch respondents score differently. In order to reduce the items of the constructs in the model a factor analysis was performed followed by a MANCOVA to test the hypotheses of the model.

Alternative relations were examined. It was found that American and Dutch government communicators who are aware of the institutional embedding also reported to be more involved in proactive transparency activities. In addition, organizational embedding appeared to be an important variable. Organizational support not only has an effect on how government communicators value transparency but also directly on how they implement transparency. A positive direct effect was found for the provision of substantial and accountable information and for soliciting feedback and participation. Moreover, a direct *negative* effect was found between organizational support and spin. Suggesting that in organizations supportive of proactive transparency, government communicators use more substantial and accountable information and less spin when releasing information proactively. In addition differences were found for country with American government communicators being more involved in proactive

transparency and providing more accountable and substantial information. There is some

indication that Dutch communicators provide more feedback and participation.

These results also have consequences for the hypotheses and model *Explaining*

proactive transparency regimes as presented in Chapter two. The model will be adapted based

on the results in the conclusion at the end of this chapter. However, before adapting the model,

the results of the interviews will therefore be presented.

5.2 Part two: Results qualitative analysis[90]

As described in Chapter three, the results of the in depth interviews provide a supporting role in

the concurrent embedded mixed method design. It will be analyzed whether the results of the

interviews support the model and the results of the web-based survey. By using both

quantitative and qualitative methods a deeper understanding of the concepts of in the model

can be provided. In addition, the interview results can also provide a deeper understanding of

the similarities and differences between the USA and the Netherlands in depth. The results of

the interviews of each country will be presented separately.

5.2.1 Case one: United States

Perceived institutional embedding

As was pointed out in Chapter 4, during the interviews[91] the interviewees were asked about

their perception of institutional embedding. Institutional embedding in terms of origins and

evolvement has already been extensively discussed in Chapter 4. Furthermore in paragraph 5.1

---

[90] NVivo 10 was used to identify themes and subthemes and to illustrate the themes quotes of respondents were used that reflected the theme. Because the interviews were anonymous any reference to specific policies that could lead to agencies has been taken out of the quote.

[91] In the USA 14 different government workers were interviews of seven different agencies.

an effect was found of knowledge of rules and value of proactive transparency and

involvement. This section describes how American interviewees view Open Government in a

broader perspective and what it means for them in practice.

Interviewees described Open Government in general as either incremental, no

monumental change or as something that has always existed. One respondent described it as

follows:

> "(...) *in 1984/1985 Ronald Reagan started promoting electronic release of information in a more advantageous manner to the public. The government was not quite ready for that at that time but they were moving towards it. Under the first Bush administration it came a little more. Under the Clinton administration they actually published more information and actually you look at the information reform act of 1996 more information became available to the public, while it wasn't open government, it was open government. Then in 2007 there was the Open Government Act under the Bush Administration. (...) the good thing about the Obama administration, what they have done, they made it a front burner, top priority for agencies that were not necessarily doing that." (Interviewee 10 USA)*

Another mentioned:
> "The government has made multiple attempts at related things: the FOIA and the various changes to the FOIA, including the electronic reading rooms everyone is supposed to have. This is not a new concept, only we keep trying to just getting further down that road" (Interviewee 2bUSA)".

However, interviewees did also mention that Open Government established a benchmark for

openness, a goal, a formalized way of making all government agencies to adhere to certain

practices. It brought a certain amount of openness the public expects from the government and

that cannot be rolled back. According to most interviewees, Open Government facilitated or

heightened the acceptance of e.g. technology based changes, social media, releasing data sets

and looking at data in new ways that have not been done before.

At the start Open Government was mainly about data and the FOIA. It was about access

to data that springs from earlier programs. As one respondent remarked:

> *"I don't think that the Open Government transparency movement has stimulated necessarily the development of new collections (..) It really has resulted in hey, we have all this data that is sitting in this database, let's give it to people". (Interviewee 6b USA)*

The initial response therefore was to release datasets and other information with no context,

which wasn't necessarily immediately meaningful for citizens. It took an organization to dig

through the data to see if there's anything valuable

in it:

> *"I still think there is value in that. But just releasing the raw data in itself does not necessarily mean that you get better governance or better accountability because there's such a volume of it" (Interviewee 9USA).*

In addition, Open Government gave interviewees

some leverage e.g. a refocus on plain language:

> *"We would have the same argument without open government but we would simply have to say the office of public affairs does not put out things like that. So the argument is the same but we have a little extra thing under the Open Government umbrella" (Interviewee 7USA).*

Box 4: FOIAonline
Open government spurred the interagency portal FOIAonline which according to the participating agencies makes the FOIA process itself more transparent and cost effective for both the requester and the government.

The portal provides the public to submit a request to all the participating agencies. It makes it easier for people to ask for information and taking away the obstacle of having to know at which Department to go for the information. Furthermore, the public can track the progress of their request, communicate with FOIA staff and search and view FOIA requests and responses made by others.

Interviewees of four agencies also expressed that they as an agency are being more proactive in

their release of information e.g. by doing more outreach or by providing information earlier in

the process. This increased proactiveness, is also reflected in their communications e.g. by

technology that facilitates earlier release such as videotaping an entire press briefing and

putting it on YouTube, by providing people information on places where citizens already are

such as social media or providing information during public meetings at their locality instead of

having people having to come to the agency and lastly proactively sending out press releases.

Some respondents referred to Open Government as a culture:

"(…) *the great thing about the Obama administration is that there have been all kinds of corresponding executive orders and initiatives to make all of these things happen. (..) For us really we benefit of a whole ecosystem of things. It is not really what it is: transparency, participation and collaboration, but it is a culture" (Interviewee 1a)*.

A culture of openness and information sharing also comes with a challenge as pointed out by

one respondent:

"*I mean you can get out all the laws and regulations but it is sitting on my desk (…). And how do you get it from my desk out there so that other people can use it and other people can see it" (Interviewee 2c)*.

In summary, interviewees experienced open government and transparency as part of a

historical incremental process. This is in line with the theoretical findings in Chapter 4.

Organizational Embedding

During the interviews questions were asked regarding organizational embedding. As pointed in

paragraph 5.1 organizational support showed a significant positive effect on the way the survey

respondents valued proactive transparency but also on the involvement of government

communicators, on the quality of information and the solicitation of feedback and

participation. In this section it is analyzed in depth what organizational embedding means for

American government communicators.

Interviewees who emphasized that their agencies had a long history of being open also

reported having organizational support:

"Open Government and transparency are a big issue right now across the whole agency. They are making a really big push (…)" (Interviewee 6b USA).

Some interviewees referred to their secretary as being a driving force. Others pointed out the

importance of the support of senior administrators or a board.

"My new boss has brought a more rigorous and a more defined and demanding effort into Open Government and the fact she doesn't want the easy things done she wants us to do things that have never been done before (…)" (Interviewee 10 USA).

Some differences can be observed as well in terms of the degree to which the

communications office gets involved regarding proactive transparency efforts within the

agency. Respondents of five different agencies indicated that someone from the

communications office or public affairs office is part of the Open Government Working group.

In one agency, communications was not involved and in the other agency there was no Open

Government plan. Several respondents also referred to an occasional tension with other

divisions in the agency. This was not specifically asked for in the quantitative survey but

emerged as a new subtheme from the interviews. As one respondent phrased it:

"They are supposed to contact us ahead of time and identify issues that we need to be involved in and unfortunately that doesn't always occur. There are times that we are playing catch up on something that someone forgot to tell us about. Or someone pushed the button on releasing something before we were going too (…). It is a constant battle to make sure that the engineers and the program staff that they keep public affairs in the loop of their activity" (interviewee 7 USA).

Others also referred to some parts of their agency that are reluctant to share information, not

at the top but at a lower level. Respondents of one agency pointed out that that reluctance can

also be found at the communications office. An open government official said:

"The very first workshop that you and I went to they said the folks that are going to present the biggest barrier are the lawyers and the public liaisons. Because they are used to controlling the message and are protecting the agency and the director. So they don't want to be as open" (interviewee 2a USA).

Internal organizational factors can form a barrier for making progress on proactive transparency as well. Three respondents from one agency experienced a tension between political appointees and career executives. Furthermore they referred to silos within the organization and the necessity of a culture change from being reactive to becoming proactive:

"(..) If you can't be open with your peers you can't be open with the public"(interviewee 2a USA).

Respondents from three other agencies also explicitly referred to respectively a culture change, culture shift or change management within their agency or parts of their agency.

"One bureau has undergone a large culture change when they stopped focusing on I produce this data because I produce this data. Instead I'm producing this data because it is important to X,Y,Z person. So now I need to make sure that X,Y,Z person gets what they need. Not just I publish what I want to publish. And that made a huge difference, also in how they attacked their website and the way they engaged with third parties (…)" (Interviewee 9 USA).

Additionally, respondents referred to the agency's mission and values as either a supporting or constraining factor. Some respondents indicated that openness and information sharing has been part of their agency's mission, principles, or organizational values for a long time. They pointed out that it is in their agency's interest to share and to supply the public with information. For instance, transparency and accuracy are important for their credibility as an agency and their reputation. That made it easier for them to comply with Open Government and transparency.

"One of the ways that we are different is that we rely on transparency for the effectiveness of what we do." (interviewee 5USA)

The respondents from the other two agencies who did not specifically refer to a culture change emphasized that openness had long been part of their agency already. Another barrier that is often mentioned is resources; budget and staff.

"(..) we would love to webcast more meetings in a proactive way and take questions from people who are watching these webcasts or even with phone calls but we run into trouble because it costs money and there's some legal requirements that we can't meet due to resources. So we sort of have not been able to do that" (interviewee 9 USA).

Despite these constraints respondents reported in most cases that it did not completely hinder their work towards more proactive transparency:

"(..) if you are moving towards tools, new initiatives or different pieces that need to be implemented, you need funding. But there has been a lot that we could do that didn't require funding. Making changes in processes in terms of how you do your work isn't a huge amount of money"(interviewee 2a USA).

"Just because we got under that budget constraint they have not stopped that proactiveness" (interviewee 10 USA).

Hence in line with the survey results these findings support that organizational embedding is a very important factor in a transparency regime.

Value Transparency

During the interviews interviewees were asked about their view on transparency in general and proactiveness in particular. As one communicator put it:

"Every public affairs office on the planet wants to be proactive that is what everybody ideally wants to do. It just doesn't always work that way" (interviewee 7 USA).

In line with the survey results, transparency was viewed by the interviewees as very important. They most often referred to transparency as *showing* people (or *that people can tell),* what is going on inside the government in terms of internal workings and processes. However touching upon the subject more in depth slight differences can be found within the way respondents or even agencies define transparency. Some respondents stress access to records other stress information or information sharing:

"We are trying to do business in a way so that people can tell what we are doing. Probably the biggest thing we did for transparency, the one single thing that has the most value is our

document system. Every single public record that the agency has is put into a system that is on the web and accessible from our website" (interviewee 4 USA).

However most respondents emphasize that information sharing is not enough:

"I think one of the things we learned early on, and this was in our engagement with many external stakeholders, is the data dump. You can put all the information out there that you want but if people don't have an understanding of the context or the processes within an organization then it is really meaningless. So we can say we are transparent by dumping all that stuff out there but if there is nothing that surrounds it to help give meaning to that data it is useless. So that is why it was really comfortable for people early on and that is probably why they landed with the data.gov. This is transparency check the box: data dump, boom we're done. But then as it all started to evolve we learned that is only one small piece of being open" (interviewee 2a USA).

"Information and knowledge sharing assumes you have a two way conversation. When I talk about information and knowledge sharing, the basis is that it is always open for feedback. It is always listening while it is sharing. Because if you don't do that then all you have is publishing. And I can publish all of the books and all of the literature in the world but if I don't get that feedback coming from the (..) then I have got a publishing service and I do not have a lifecycle of information and knowledge sharing" (Interviewee 10 USA).

One respondent summarizes the gradual scale from access to a two way process as follows:

"(…) there is a real tension between the people who think that transparency is about putting stuff out there and people who think that transparency is about making sure that the public understands what you are doing and how you are doing it. And I'd say we have worked to make sure that they are both there. But there certainly are some people who think we'll dump some data and we'll be transparent. And others who might not see all that much value in the data in the first place" (Interviewee 2b USA).

There are however also constraints to transparency. Several respondents emphasized the issues of privacy and national security. In fact one respondent mentioned that privacy and national security are the fourth and the fifth pillar of Open Government next to transparency, participation and collaboration.

"Everyone wants an open and accountable government but how many people want to look at how a grant is given. My parents live in (…) they are very smart but they don't care. They want to know that the process is open and honest they do not actually want to watch the process" (interviewee 9 USA).

"Transparency is showing the people you work for, in the government I work for the American people (…), what they may or may not have seen before and how the system is working while

still protecting privacy and national security. Nothing we do should be behind a closed curtain. Unless it is protecting privacy and national security. Those are the only two constraints that you don't make public." (Interviewee 10 USA).

"There are a lot of program experts that are very keen in getting the product out there. However there are some tension points regarding revealing predecisional issues. There are times that you can not reveal because it just is not baked yet" (interviewee 3 USA).

Thus, there are differences in the way interviewees value and define transparency; it varies

from a focus on data to information and knowledge sharing in terms of a two way process.

Involvement

Interviewees were asked about their own personal involvement in proactive transparency

activities and specifically also about the role of their communications division. In line with the

results of the survey, respondents indicated that communications are involved with both

reactive as proactive transparency efforts within their agency.

"The underlying principle of Open Government, openness, has been fueled in part by the public affairs office in its desire to do its job" (interviewee 7 USA).

Although their involvement in FOIA requests was not the specific goal of the interview, it was

brought up in several conversations. In general most government communicators are involved

in the FOIA process especially when it concerns sensitive issues but it is not the bigger part of

what they do. Most respondents expressed that they try to release information proactively in

order to prevent a FOIA request:

"If it is releasable then we will provide the information, why go through FOIA then at all. The FOIA process is time and labor intensive. There's a lot of information that people do not wish to release such as underperformance. But if that information is to be released eventually then it is better to release it sooner. It only inflames journalists if you let them go through a long FOIA process" (interviewee 3 USA).

Moreover, respondents pointed out that if there are a lot of FOIA requests on a specific topic one might try to be more proactive the next time on that topic in order to prevent requests. Yet one interviewee mentioned that sometimes stakeholders are advised to submit a FOIA-request instead of answering the question themselves:

> "*We only use FOIA if it costs a communications office a tremendous amount of time to get the information. Sometimes the journalists are fishing: they don't have a real question or do not understand what they ask for then we send them to FOIA. It can be a tension if people don't really know what they are looking for*" (interviewee 3 USA).

As pointed out earlier in all but one of the participating agencies a communications representative is part of the Open Government work group or team, they are engaged and a critical partner.

> "*Well, certainly not everything that the office of public affairs does is captured under Open Government. Open Government is this very small formalized thing that the office of public affairs supports. That is, part of the requirement of Open Government is communications. And the office of public affairs is the primary means by which the organization communicates to the media and to some degree to the public. But other program offices also have responsibilities in communicating with the public. So it certainly makes sense for the office of public affairs to be part of the Open Government team. (…)*" (interviewee 7 USA).

Communication officers make several contributions to proactive transparency efforts. Respondents of two agencies reported that they had a separate communications plan focused on open government and transparency and one respondent of another agency said they were working on a communications plan. In line with the survey results communicators work towards more outreach, they try to get the message out in an understandable manner using plain English and are targeting the information towards the different stakeholders.

In terms of making information available regarding the *policy process*, communicators indicated that this mainly concerns information at the back end of the policy process and not so much information regarding decision making.

> "*They are not up for that. They are still not up for that. They are not going to be transparent in terms of the development of the process or the actual engagement and discussion. After it is formulated they put it out in a certain place and people have a right to comment and then they will entertain that feedback. That's a process that has been in place and that is what they will continue to do. There has not been any movement towards, you know in discussion and getting input in terms of formulating the policy*. (interviewee 2a USA)"

> "*I think it [information released] is for the most part data based. I don't think we, for example, we were in the office of X and there was a decision that was going to be made on Y or something. I don't think that we would be well advised necessarily for a host of reasons that you can probably imagine to divulge the process decision making process that led to that ultimate policy decision. A lot of that would be privileged information and I don't think that the Open Government regulations or programs changes any of that.*" (interviewee 6b USA).

Yet one interviewee mentioned information is also released in terms of the process.

> "*There's an incredible part of the change in the media, just part of the change in society worldwide this expectation of information very quickly and we've done our best to respond to that as we do on YouTube and a lot of times with twitter with little pieces of information just to point out what we are doing. People want to know what we are doing. Sometimes we say we are gathering information about it. (…) So here are little pieces information that (…) is just about the process*" (interviewee 5 USA).

In line with the survey, respondents remarked that most often they are involved in terms of coming up with new and inventive ways to proactively share information with the public and the media, such as via *social media* and blogs. Interviewees had different opinions regarding the usefulness of social media. Some are positive and think social media are a good tool, especially for soliciting participation. Some are using the comments for input for communications products whereas others are using social media also around policy issues.

> "*We have had a very robust social media presence and I think our efforts on open government we have been able to rest on that robust social media presence to take it to the next level on substantive conversations with the public around policy issues (…). I think social media is the*

foundation, leveraging technology, web 2.0 kind of tools and putting that next layer on top of it to be transparent and to encourage folks to participate" (interviewee 1a).

"(…) ways for people to be involved in the decision-making process rather than just publish it in the register that no one except for lobbyists will read. Instead, the social networks, take Facebook and we can say hey we're seeking peoples' comments on [policy, legislation] whatever it is. This is how you do it. Please share it with your friends. That's a proactive way. We provide information for people to get involved in a place that they are already at. Again the average citizen is not going to read the legislation the one piece of information on [policy X], who cares about it. (..) it is going to where our customers or citizens are, providing the information to them rather than making them come to us" (interviewee 9 USA).

Others are more skeptical regarding social media:

"*Let me put it this way social media in and of itself are not a great tool for government because the expectations that are associated with social media, the government is not staffed for. You know the 24/7 routine. And quite frankly I wouldn't want the job of responding to all of those folks. I mean you'd have to be a special person to enjoy that kind of work and to have enough knowledge of the agency so that you can give a response that is representative of the agency" (interviewee 2c USA).*

"I monitor our social media; Facebook, Twitter and our blog. They [the comments] are totally useless there are probably 100 bad comments for one good comment. And the one good comment is usually a request for data or information where is my local x, y, z, or how can I contact this person? We do not accept at this point comments about policy issues on social media. We expect everyone with comments on policy through the official channels such as regulations.gov" (interviewee 9 USA).

Interviewees of three different agencies were also involved in *Open Data*, the other interviewees are not. The ones that are involved in open data projects are trying to get datasets out on an earlier basis and emphasized the importance of the impact of the data. Respondents of two of these agencies also pointed out that sharing information has been part of their agencies history and they experience full organizational support.

"(…) at our agency we release lots of datasets but without the ability to understand the methodology behind it, the usefulness of it or the potential uses of it. It is just a bunch of numbers on a spread sheet. Mostly numbers. So the Open Government, I mean you know you should not, not publish that because the public has paid for it. What Open Government needs to do now is figure out how does the average citizen do anything with it. So that's where it stands right now four year since the Obama administration" (interviewee 9 USA).

Communicators are not only involved in trying to make the data more meaningful to the public but one respondent also mentioned that they are using open data or links to the open data in their own communications with stakeholders:

> "*Before the information would be more anecdotal now we have data to support it and journalists say thank you. (…) So we use the data in our information, press releases. Communications is also helpful in providing the context of the data*" (Interviewee 3 USA).

Yet one of the interviewee mentioned being worried about misuse of data or a mosaic effect. The other communicators indicated that they were not involved in datasets in their agency.

Although internal communications was not the primary focus of the interviews, several respondents spontaneously mentioned their role in terms of transparency and internal communications, such as getting federal employees to write in plain English and educating them in relation to transparency and open government.

In sum, the interview results showed that most interviewees are involved in proactive transparency activities. This is in line with the web based survey results. A new theme emerged as well; internal communications, which again stresses the relevance of organizational embedding.

Quality of information
When it comes down to the quality of the information the interviewees all, in line with the results of the web based survey, refer to aspects of substantial information such as understandability, clarity of the information, timeliness, honesty, accuracy, providing context for data and making information more easily accessible and providing balanced information. These are the things that they bring to the table and try to incorporate in their work. They also addressed the importance of knowing what stakeholders and citizens want, need and are

interested in. Additionally, they mentioned increasing access to information by using different

channels and trying to reach out to distinct audiences.

> *"There has been a long standing program in terms of saying you know we have x million pounds of xyz substance released. But the average citizen wants to know. Ok is that good or bad. What do I do with that? There's a lot of judgment and analysis and thought that goes into how to sort of portray that fairly and accurately. And within confines of the programs that dictates"* (interviewee 6b USA).

> *"We are four years now in this administration and a lot of low hanging fruits have been fetched and now we hit a little bit of a lull again; what does open government do, partially because the initial response in 2009 was to release datasets and other information with no context. So it wasn't necessarily immediately meaningful for citizens. Instead it took an organization or a group of scholars like yourself who were going to dig through the data to figure out the meaning. (..) it is tens of thousands of rows of an excel spreadsheet and it takes a newsroom or a big organization to dig through and what, if anything, is valuable in that. I still think there's value in that. But just releasing the raw data in itself does not necessarily mean that you get better governance or better accountability because there's such a volume of it. So that is where the Open Government initiative is right now. So what we need to do next is providing the context for the actual data being released"* (interviewee 9 USA).

In the web-based survey almost 10% of the respondents mentioned that some of the

information was intentionally written in a way to make it difficult for people to understand or

that only part of the story was provided. None of the interview participants explicitly

mentioned using these techniques.

> *"We don't do a lot of spinning"* (interviewee 4 USA)

Nevertheless, two respondents referred to these techniques but pointed out at the same time

that if secrecy techniques are being used people are missing the point of what Open

Government stands for.

> *"I have never been in a conversation where people say we cannot release this data because it is embarrassing or horrible or whatever. You know we put out data that is not as rosy as we would like it to be but we put it out there because it is what it is. Although under the Bush administration the [x[92]] division was. Their information was not released in public. Or it was*

---

[92] Because anonymity was promised to the respondents names are intentionally obscured.

released in a way which made it very unfriendly to do something with it on purpose because it went counter to the political argument (..) So I would say yes that potential hazard does exist. I have to say that during the period I have been here I have not seen it personally. I'm sure if you talk to people in [Department x][93] or in some of the other areas where information is being used in a way that is less than flattering towards their mission, I'm sure there's that tension. I mean and who likes to be punched in the eye? But certainly I think the Open Government organization would say you are missing the point. If we're going to get a black eye than we are going to fix it, we take our laps and move forward but there are other folks who would say we'd rather not take the punch. But in the years I have been here I have never seen it or hear people say we're not releasing this because it is bad for us or I don't like the results" (interviewee 9 USA).

"But it is that honesty that is going to make the difference with the public. Now do we still put spin on things, yes. Everybody does. It is public deception to say we don't. But when it is an honest yes or no answer. Give a yes or no answer. Why did it happen, what are you doing. Every one of them, every one of these secretaries has said give the answer, if it is bad news give the way we are moving forward. But don't give a snow job" (interviewee 10 USA).

A few respondents pointed out that there can be a tension with other divisions in the

organization when it comes down to substantive information:

"It is more when I talk to the data producers it is more on the idea on trying to get them to show what their data is good for. So I produce data about the number of the photocopies made annually. I have a great methodology and then we publish so that it is open data. (..) So my first question to them without being offensive, because it is their job, is why does anyone care? So once we get to that point then there's a focus on accessibility, usability, plain writing in the way in which that it would be communicated.(..) But we are really not actually to that point." [to making it understandable] (Interviewee 9 USA)

Respondents of three different agencies referred to the issue of findability and information

overload. During one of the interviews one respondent actually tried to be helpful to the

researcher by trying to point out a document on the agency's website but she had to look for

minutes before finally finding the information herself.

Thus, interviewees spontaneously refer to the importance of providing substantial

information. A few respondents indicated that spin is used, yet none of the respondents

personally admitted using spin, which is not in line with the survey results.

---

[93] Because anonymity has been guaranteed to the interviewees names of divisions and agencies are left out of the quotes.

Feedback and participation

Finally, participation and feedback was brought up during the interviews. As we have seen in

the former paragraph no statistical significant effect was found between value of proactive

transparency and the variable participation and feedback. Yet respondents do stress the

importance of participation and feedback.

> *"If we are all just inside these government walls saying people will be interested in that, we're probably missing something and that interaction and seeing and knowing that people are excited about something can give you some clues of what else you can be putting out there" (Interviewee 1b USA).*

Social media are often mentioned in terms of soliciting participation and feedback but also

outreach in communities. For some it is relatively new for others not so much. There are formal

rules and regulations regarding regs.gov but as two respondents pointed out, comments are

mostly made by interest groups. Hence efforts are being made to involve citizens.

> *"We recently had a public meeting (…) on public involvement. In which the discussion two-way communication was a hot topic during the meeting. Do we really have two-way communication do we have mutual understanding or do we just have the stuff and it goes into a black hole. It's that's an area that we want to work on. We want to work on more two-way communication and making sure and that we do incorporate comments and other viewpoints" (interviewee 4 USA).*

> *"We have a formal way by which comments are submitted to program offices as input into regulatory activity we have very rigid processes for that to occur. Social media does not take away from that. They cannot submit a comment to blog post and expect that to be incorporated into rule making. If they want to submit a comment for the rulemaking that is kind of a legal thing they need to do that through regulations. If they do comment on our blog we might send those comments to a program office here is some information here's a question. When we do get questions we do answer and post the answer so that people can see and submit questions through social media. And often times the comments we get through social media would spur us to create other communication products or for example let's say we got a blog post up and we got a bunch of comments and it is very clear that people don't understand x, well then I'll look at that and say we need to do a blog post on x because people don't understand x. So the comments are used to inform our communication products not so much to inform policy or regulatory decisions" (interviewee 7 USA).*

> Hence, feedback and participation are considered important for transparency.

Furthermore, looking at the relationships among the concepts there is some indication that institutional embedding and organizational support might also influence participation and feedback directly.

> *"There are some really good efforts. But I think it emerged from this because of these initiatives [Open Government], agencies had to find ways to engage the public. All the way to the point of proactive notification where you are basically trying to put the information out there before folks even ask for it. If you think it would be of interest to the public" (interviewee 2c).*

> *"Having that feedback is a really new dimension of government and that is a really great byproduct of the open government. But it can also be, gee we are not quite ready to release, we might want to but we don't know how to do it or have the tools" (interviewee 1b).*

Summary

American interviewees experience Open Government, with transparency as one of its cornerstones, as an incremental process over time. This seems to be in line with the narrative in Chapter 4. The interview findings support the survey results that organizational embedding is a very important factor in a transparency regime. Interviewees refer to political or management leaders or other divisions that can be either an enabling or constraining factor. They refer to the agency's mission and culture. Some agencies have a long history of openness; their agency's mission or task benefits directly from transparency. Culture was not specifically addressed in the web-based survey but appeared to be an important aspect of organizational support for some respondents. The survey results showed that half of the respondents did not think there were enough resources but 'resources' did not show a significant effect on the way respondents value proactive transparent. The interview results showed that despite the lack of resources some respondents indicated that it does not stop the proactiveness per se but that they are just not able to do all the things they would like to do.

There are some differences in the way interviewees value and define transparency; it

varies from a focus on data to information and knowledge sharing in terms of a two way process. These statements were not specifically addressed as such in the survey, which might explain why in the survey not a lot of variance was found among the variable 'value'. Interviewees are involved in both passive and proactive provision of information. Mainly though, interviewees are involved in the proactive provision of information that concerns information at the end of the policy process. In terms of enhancing proactive transparency, social media are perceived to be a key facilitator. Yet the use of social media gives mixed results. Some interviewees contribute to Open Data by emphasizing in their organization the importance of a context and taking the perspective of target groups into account. Open Data is also used by communicators themselves in the provision of information to stakeholders. A new theme also emerged: the importance of internal communications. This again indicates the essence of having or creating organizational support .

In line with the survey results respondents referred to the importance of providing substantial information. In terms of the use of spin the interview results differed from the survey results. Some respondents referred to the use of spin but none of the respondents personally admitted using spin. One explanation could be that in a personal interview social desirability might be at play. Another possible explanation is selection bias: the participating agencies might be more interested in achieving transparency. Finally, it should be mentioned that one interviewee explicitly pointed out that it is against transparency principles to not release information because the information is not as rosy as the agency would like it to be. This is in line with the hypothesis 4b, the more one values proactive transparency principles the less likely one would be inclined to use spin. However no significant effect was found based on

the web-based results.

In terms of the relationships among the concepts, there is some indication based on the interview results that institutional embedding and organizational support might also influence participation and feedback. Three of the four agencies who have a long history of openness and valued proactiveness, also stressed the importance and relevance of outreach and have increased these efforts. The respondents working for the agency that is described as being reactive and having organizational barriers also indicated that the input from the public still needs some work. Yet they value transparency as a two way process. Although this concerns only a few cases, this might suggest that the variable 'value proactive transparency' is less influential for soliciting feedback and participation than organizational and institutional embedding are.

5.2.2 Case two: The Netherlands

Perceived institutional embedding[94]
The Netherlands is a partner in the Open Government partnership since 2011. At the time the interviews were conducted the Ministry of the Interior and Kingdom Relations which coordinates Open Government was working on a draft vision and action plan. Some of the Dutch interviewees[95] had heard about the partnership while others had not. One interviewee remarked:

> "*Open government is a different way of working, a different way of collecting information. (…) We started with a simple register and it is online now (…) That sparked the interest of my*

---

[94] The interviews were all held in Dutch and the interviews were described in Dutch. The quotes were translated into English. The researcher's native language is Dutch

[95] In the Netherlands 16 respondents were interviewed from seven different agencies.

communication colleagues because they realized it is something new (…) and they now see opportunities" (Interviewee 4NL).

The concept of Open Government might be relatively unfamiliar among interviewees yet interviewees remarked that the government in general over the last decade had changed towards more openness and a more open way of communicating: being clear about *why* the government is doing certain things. And another mentioned that at their organization they are looking at ways to proactively disclosing information on a structural basis[96].

The Wob was also discussed. In line with the results of the survey Dutch government communicators associated the Wob mainly with the passive provision of information. They mentioned that requests are mainly done by journalists and not so much by citizens. Two interviewees referred to the proposal for a new Wob legislation. Furthermore, respondents expressed that proactively releasing information or e.g. open data can help in reducing the amount of Wob-requests. Proactively providing information can also spark a Wob-request:

" if you ask attention for a certain topic and you have not disclosed all the information you can expect a Wob-request" (Interviewee 8NL).

Two respondents also pointed out the misuse of the Wob. During a Wob- expert meeting (May 23, 2013 Leiden) for local Dutch government employees that the researcher attended, one of the participants pointed out the case of the City of Dordrecht were a local, after a dispute with the City, submitted hundreds of Wob-requests just to nag the City.

Thus, Open Government as an international effort is a relatively unknown policy to the Dutch government communicators, yet openness is part of the government.

---

[96] Public disclosure manager .

Organizational Embedding

Interviewees referred to a wide variety of organizational factors that affect the degree of

proactive release of information. In line with the results of the survey, most respondents of

different Ministries and Agencies referred to the role of political leaders such as a Minister, or a

Cabinet[97] when it comes down to the degree of proactive transparency. One respondent who

has been working for the national government for 30 years remarked:

> "*I have seen a lot of different cabinets and then you start to notice the differences" (Interviewee 11NL).*

Furthermore, when information is released communications analyzed whether the release will

result in possible (negative) consequences and whether or not a minister could get into trouble

or even fall due to the release of information:

> "*As a consequence it [the organization] remains closed*" *(interviewee 4NL).*

By contrast, other respondents mentioned that in fact communications is often the division in

the organization that thinks that more needs to be communicated. After all a Minister can also

get into trouble if people think he is not doing enough.

Just like the American interviewees, the Dutch interviewees also referred to the role of

directors and managers of their Ministry of Agency:

> "*You need their support for project maturity" (interviewee 3NL).*

> "*(…) in most government organizations you will find resources and opportunities for change. But how well that goes depends on the starting point, how fast you can make progress, how many supporters you have, how much knowledge there is on a topic and whether someone at the top of the organization supports it and will go for it". (Interviewee 1NL)*

---

[97] Cabinet consists of ministers and state secretaries, led by the Prime Ministers. The ministers are head of a Ministry.

One respondent mentioned that the director is in very close contact with academia and prefers

to involve stakeholders in the agency's quest for solutions to certain problems or questions:

"*That is being transparent while searching for solutions"(interviewee 5NL).*

Another respondent however referred to the management style at the agency that is outdated

and no longer in line with the demands of society in terms innovation and e.g. social media.

Like the American respondents, Dutch respondents of four different Ministries and Agencies

pointed out the role of other divisions within the Ministry or Agency. Some divisions are eager

to share information while others are not:

"*Transparency is not only providing insight in the end result but also in the process leading up to the result. That can be scary to some people*".

"*Transparency, yeah, I can imagine that every once in a while we forget about that*" *(interviewee7 NL).*

Sometimes transparency implies that the process internally needs to change in a way that

makes it easier for information to be proactively released. Often the communications

department is the one who stresses open communication and the proactive release of

information.

"*Communications has an enormous desire to be transparent because that is what we believe in professionally. But we can feel counter pressure from the organization because they are afraid that if the information is released proactively the consequence might be extra research or complicated questions. The counter pressure is not from communications but from the organization itself where people because of all sorts of reasons will wonder do we really have to release this?*" (Interviewee 2NL).

By contrast, one respondent, who is not a government communicator but an IT professional,

mentioned that the communications department itself hinders activities in disclosing

information because they fear possible negative consequences. Moreover one respondent

mentioned that there are many layers within the bureaucracy and if one does not want to

release or upholds the information then it will delay the release or it will prevent release while

the Department of Communications would like to release the information.

The majority of the respondents also referred to aspects of culture within the agency.

One respondent remarked that a culture change is necessary because Open Government and

Open Data require a different way of thinking. Another respondent mentioned that proactive

transparency and open data fit within the vision of the agency and therefore is getting things

done because:

> "*If the project fails it will also look bad for the vision" (Interviewee 3NL).*

Respondents of two different agencies referred to a fear culture when it comes down to using

social media and the possibility that something might go wrong:

> "*We are an authority so people [employees] think that nothing should go wrong" (interviewee 4NL).*

Or as another respondent put it:

> "*I think we are a risk avoiding agency which is a little inherent to the agency's task, but at the same time it also affects other issues" (interviewee 7NL).*

Making things transparent also entails a certain amount of vulnerability. Other issues that are

mentioned are fragmentation or silos in the organization.

In line with the survey results, the majority of the respondents did not experience a lack

of resources for proactively releasing information. One respondent however did point out a lack

of staff at the agency and another pointed out a lack of budget. However it should be noted

that both of these respondents worked at agencies that are experimenting with open data and

social media and they expressed concerns about the costs and amount of time it takes to do it right.

Finally, stakeholders outside the organization can play a role as well. This was not specifically asked in the survey but several respondents spontaneously mentioned this as a potential influencing factor on the proactive transparency policy of their organization. Some groups of stakeholders do not prefer the proactive release of information because they worry about 'naming and shaming' or worry that that the wrong conclusions will be drawn by people with no knowledge of substance. One respondent explained that information about these stakeholders is in fact already public but hardly anyone looks at the information because it is not very user-friendly. The expectation is that once the information is more accessible it will reach a wider audience.

In conclusion, the results of the interviews are very much in line with the survey results. Yet, like American interviewees, Dutch interviewees referred to the importance of organizational culture, something that was not specifically addressed in the web-based survey.

Value proactive transparency
In general Dutch interviewees valued proactive transparency and they emphasized that government should show what it is doing, should be able to explain what it stands for and should explain why certain choices are made. Half of the respondents referred to the different stages of the policy cycle; the government should openly show how decisions are made, should be transparent about processes, about policy goals and about the results of policy evaluation. One interviewee explained that the advantage of providing information proactively is that it allows you to put information in the proper context. If the agency waits until interest groups

submit a FOIA request then the interest group itself will give the information the context it

thinks is appropriate. That however might be a different judgment. A few respondents indicated

that transparency is important in terms of citizens' trust in government and keeping that trust,

while others referred to the importance of citizens being able to control the government.

Some slight differences can also be observed in the way interviewees value proactive

transparency. Two respondents emphasized that transparency is not only just about being open

but also about being honest:

> *"(..) an honest way of communicating with citizens" (interviewee12NL)*.

Yet another mentioned that transparency is not just about publishing information.

> *"We're putting something online and then we're done. No! That's only the starting point then you come to what can people do with it. No one thinks about that (..)"(interviewee 4NL).*

Additionally, like in the USA, there are some differences in the degree of openness among

communicators. One respondent said that if it would be up to him all information would be

made available proactively unless there are integrity issues. In this line another respondent

refers to privacy issues. Another respondent mentioned that information should be provided in

layers for different target groups.

> *"Transparency (…) does not mean that you should overload the public with information. You can make choices. However, complete information should be available for anyone who is interested" (interviewee 10NL).*

> *"It is OK to not tell everything but it is not ok to not tell everything because you are scared of the consequences. (…) you don't have to release everything because then you become crazy but you do have to release what the outside world expects you to release." (interviewee 9NL)*

To most respondents transparency is a precondition of governance. A few see it as a goal in

itself and two respondents see proactive transparency as a means and referred to open data in

this context. In one agency transparency is used as an instrument for stakeholder compliance.

"I think transparency is a philosophy. You can easily gain something with it but you have to facilitate it with enough people" (interviewee 4 NL).

In conclusion, communicators value transparency yet, like in the USA, there's some degree and variation in the concept of transparency for the different communicators.

Involvement

Government communicators viewed themselves as the link between the organization and citizens. Interviewees are both involved in the passive and proactive release of information.

Most interviewees were not personally involved in the handling of Wob requests. Yet Wob requests are analyzed and anticipated.

"*It is analyzed how much damage can be done by disclosing the information*" *(interviewee 11NL).*

"W*hat do they [requesters] want to know, why do they want to have that information and what is being released? In that way they [press officers] can prepare for questions from the media after the information is being disclosed"(interviewee 4NL).*

One interviewee mentioned that the communications department sometimes makes other workers in the organization aware of possible consequences of e.g. conducting research.

"*If it concerns a sensitive issue for example, then you should not conduct the research because eventually the research report will have to be disclosed. That is fine if that is what you want but you cannot not disclose the report once the research is conducted and a Wob - request has been made. You can't do that. We warn for that. If you conduct research it has to be Wob worthy, you have to take into account that a request can be submitted" (interviewee 8NL).*

Furthermore, several respondents pointed out that the sensitivity of a topic plays a role as well in the proactive release of information:

" (..) *If it is safe then we release proactively. If it is less safe or sensitive then the attitude often becomes let's see how this plays out first" (interviewee 10NL).*

In this case the respondent meant by 'safe or sensitive' when the information is not in line with what the organization would like it to be. Another reason not to release information is

reputation damage. By contrast, one interviewee remarked that from a communications perspective it is important to keep the lead. If not,

> "*Then someone else might give the story a turn. From a communications perspective we always say, keep the lead"(Interviewee 2NL).*

In line with the survey results, respondents said that the channels used in the proactive release of information are diverse such as websites, public information campaigns, press releases/the media, social media and open data.

Due to time constraints it was not possible to focus on all the different media types during the interview. In the interviews in both countries the mains focus was on the use of Open Data and Social Media because both are relatively new and associated with proactive transparency and open government. Communicators of two agencies were involved in Open Data related projects and the respondents of the other agencies were not. The latter indicated that they thought there were no Open Data projects yet within their agency. Some of the interviewees were true believers of the opportunities of Open Data while others were more skeptical. Yet all interviewees expressed that it is important to not only focus on Open Data in itself but on the question what can you do with the data? One mentioned that innovation can happen when you least expect it; data might appear useless, yet something could evolve from it. Additionally, interviewees did not see citizens as a direct target group for Open Data but other stakeholders such as companies. According to one interviewee communications can help with that insight by providing a context, the story behind the data and by promoting the data.

> "*Open Data in itself are not necessarily transparent. You can talk of transparency when the data are understandable and readable. It should allow you to see what the government is doing. It should have an appropriate context" (Interviewee 13.NL).*

Furthermore, interviewees mentioned opportunities for communications to use open data in achieving their own goals and objectives e.g. in public information campaigns. One interviewee noted that so far the current IT programs are not yet designed for disclosing information and hence the internal process needs to be rearranged because e.g. they are used to writing reports in their own way and for their own colleagues and not in a user friendly way. Some respondents are more skeptical and pointed out risks of wrong conclusions being drawn based on the data or the possibility of incorrect data.

"*Open data is a quick win. You disclose already existing information*" *(Interviewee 10NL)*.

In line with the survey, social media does not seem to be as widely used among the Dutch communicators compared to the Americans. The use of and the opinions about social media are very diverse. Twitter, Facebook and LinkedIn are most often mentioned by the Dutch government communicators. Some government communicators monitor the web in order to see if there is unjust information out there on a certain topic; others have used social media in a campaign. They do see opportunities to facilitate and enhance proactive transparency.

There are some successful examples of using social media in terms of communicating about processes or an event which made it possible for citizens to know what was happening as early as possible. However there are also examples of only a handful of likes on a Facebook page. There is also reluctance to use social media and some have a feeling of not really knowing what to do with it. One interviewee mentioned that so far, at their agency it is mainly used in terms of "sending information" and not so much in terms of feedback and participation. Hence, as interviewees pointed out themselves, there is room for improvement. One interviewee

mentioned that one of his colleagues had tweeted that inspectors were on their way. The next day however his colleague went on maternity leave.

> *"If you look at our twitter account, they [the inspectors] are still on their way. No follow up took place. In that way, it doesn't work" (interviewee 4NL).*

Respondents were also asked about their involvement in the information being released related to the internal workings of the government, or more specifically related to the policy process in terms of decision making, implementation and results. In line with the survey results, most interviewees indicated that there is room for improvement when it comes down to their involvement in the policy process. Some interviewees said that they are occasionally involved in the formulation or decision stage, one said that to get involved at the backend while another said to get involved from the beginning.

> *"It depends on the communications office and the organization. If you have strong knowledgeable people in the communications department and you are willing to put a lot of energy into it you can make sure that you are involved earlier in the process" (Interviewee 1NL).*

The communicator who indicated to always get involved from the beginning works within an agency with organizational support, institutional embedding and a high value of openness. In general communicators preferred to be involved earlier in the policy process. Government communicators gave examples of best practices when they were involved from the beginning by e.g. facilitating citizen participation or contributing by pointing out word choice such as the name of a policy or a law or already adding a central message to an explanatory memorandum of a law. This prevents being confronted with a name for a policy that is not understood by anyone or does not reflect the content. Yet two respondents also noted the importance of policy intimacy and the fact that the Dutch system is based on coalitions and negotiations that take place behind closed doors.

Hence, in general the results are in line with the survey. However, communicators indicated that there is some room for improvement in terms of social media, open data and being involved earlier in the policy process.

Quality of information

In terms of the quality of information released, Dutch interviewees referred to similar transparency characteristics as US respondents, such as the importance of understandability, accessibility and findability and taking into account the interests of the (different) target groups. Respondents gave examples of how understandability of some information should be improved because the language is too technical.

> "*Recently I read something about x policy but I didn't understand any of it and then we are considered open because we disclosed the information. (…) but the question is how you deliver, (…) is this information understood by citizens?*" (interviewee 11NL).

> "*If you would like to show best practices to your stakeholders, are you only going to show positive encouraging stories or also failures and struggles? You could put a lot of negativity in there but from a communication perspective that would not work. But you can be realistic and positive and show a struggle with a good end result. It is a dilemma.*" (interviewee 10NL)

Some interviewees emphasized how the interests of the audience determines what information you provide and how you provide it.

> "*How do you make sure that people find the information they are looking for?*" (*Interviewee 14NL*).

> "*Let's take the perspective of target groups. I mean do they benefit from a little less transparency, not all information but selective and understandable information or do they benefit from disclosing all data under the heading of accessibility? That to me is a quality aspect. (…) The key question is what can people do with this information, does it add anything?*" (interviewee 10NL).

Furthermore, several interviewees indicated that the government should more often freely admit mistakes:

"They prefer to only show the good news" (interviewee 6 NL).

Interviewees of three ministries/agencies pointed out that there are some cases in which

negative results in e.g. a report or results that are not in line with what the agency would like it

to be, are swept under the carpet. They added that they don't agree with these practices and in

fact think that the government should be open about a negative result as well. One respondent

however gave an example of a recent research report that had both positive and negative

conclusions. The negative conclusions confirmed stigmatized of a certain group in society. Due

to the stigmatizing conclusions, the decision was taken by communications to not proactively

release the report to the media. The report however is accessible via a Wob-request.

In addition, the interviewees were asked whether they recognized that one quarter of

the Dutch respondents agreed to the survey question "is forthcoming with the information

even if it is damaging to the organization". The interviewees indicated that they recognized this

and explained that sometimes the bureaucratic process is slow however most referred to being

careful and taking into account possible scenario's and consequences, preventing damage and

asking themselves the question is it useful to come out with this information right now?

> *"Eventually it will come out but does it have to be now? If you disclose information and are open about it, it is a positive thing. On the other hand the question is what is the end result? There's a danger in that in the sense that who decides whether something is important or not (…) who am I to decide what can be disclosed and what not?" (Interviewee 11NL).*

In terms of spin and framing respondents referred to word choice, word order or the way a

story is set up. But they also referred to the importance of a balanced story, because if the

information is not balanced it will only lead to resistance from the media and or citizens.

> *"If a report has nine conclusions that you do not like and one that you do like then you should not only select the one that you do like. Yet, I don't mind emphasizing that one conclusion that is right up your alley in the accompanying press release" (interviewee10NL).*

> *"You can use a frame. How you mention something or in what order makes a difference. You can emphasize certain elements more than others. That's OK. However it is not done to withhold information.' (interviewee 12NL)*

In conclusion, the results show that both substantive information and spin are both used.

Unlike the American interviewees who did not mention using spinning techniques themselves,

the Dutch interviewees did.

Feedback and participation

In line with the survey, the communicators mentioned a broad range of means that are being

used to solicit feedback and participation. However, the pattern that emerged from the

interviews is that the means are used in different contexts.

> *"Participation has two sides. There is the Second Chamber and that is democracy in action. And we implement these democratic decisions. And we design instruments for that; websites and other ICT applications. We do that in close cooperation with citizens and other stakeholders. Such as citizens panels that review our websites and provide feedback. We ask for direct feedback but also indirect feedback through attitude and behavior monitors"* (Interviewee 5NL).

Hence several types of participation can be distinguished. First of all some participation is

means related; citizens are asked their opinion regarding e.g. a public information campaign, a

website, a new form or a new tool. This could contribute to transparency if the instruments are

in line with the quality aspects as mentioned above. Second, participation and feedback can be

service oriented. For instance by monitoring social media and analyzing if citizens have certain

types of questions. Or as one respondent pointed out:

> "*You have to be there where the questions arise" (Interviewee 6NL).*

It can be a proactive way of answering questions, questions that relate to services the ministry

or agency provides. Third a few respondents mentioned Open Data and the feedback that can

be received by research journalists. However another respondent indicated to be skeptical

regarding participation and Open Data because:

> "*You have to find people who are interested in that data. If they are not interested they will not look for it" (Interviewee 11NL).*

Fourth, some interviewees referred to participation during the different stages of the policy

process and in particular personal conversations with stakeholders during policy formulation.

However, another interviewee mentioned in this line that it can be useful to know how people

talk about a certain topic, what connotations they have with certain words in order to frame a

policy a certain way. Social media are less used for these purposes. The general government

website www.rijksoverheid.nl is directed by certain guidelines and procedures according to

some interviewees; therefore e.g. a Facebook page provides more opportunities for soliciting

feedback. However, one interviewee gave an example of the successful use of Facebook

whereas another interviewee indicated that Facebook does not lead to much meaningful

response. Finally, interviewees described public opinion research, attitude and behavior

feedback.

In general, half of the respondents referred to the importance and the value of

participation and feedback. One interviewee mentioned that the Minister has declared

participation a cornerstone which facilitates her work. This is in line with the survey findings

that organizational support has a statistically significant effect on soliciting participation and

feedback.

Summary
Open Government as an international effort is a relatively unknown policy to Dutch

government communicators at the time the interviews were conducted. Yet openness is part of

the government and their work. The Wob is mainly associated with passive disclosure, yet

interviewees point out how passive and proactive disclosure can mutually influence each other.

In terms of organizational embedding the results of the interviews are very much in line with

the survey, indicating that supportive leadership, political support and the support of other

divisions are important. Unlike the American interviewees, Dutch respondents in general do not

experience a lack of resources, nor do they refer to the agency's vision or mission very often.

However in line with American respondents, they do emphasize the importance of

organizational culture and the role of stakeholders such as nonprofit organizations and

associations. Dutch communicators value transparency yet there is some degree and variation

in the concept of transparency. Several respondents mentioned that the public should not be

overloaded with information but that information should be available for people who are

interested; information should be seen as consisting of several layers. Furthermore, looking at

the model *Explaining proactive transparency regimes* in Chapter 2 and the relationship between

the independent variables institutional embedding, organizational support and the dependent

variable value proactive transparency, it can be observed that in two agencies respondents who

reported institutional embedding (both formal and informal), organizational support, also

highly valued transparency and think that there should be even more openness. By contrast in

one agency where there is no clear organizational support in terms of e.g. a leader who makes

transparency his or her priority, all three respondents of the agency shared the opinion that not

necessarily all information needs to be proactively released. This seems to be in line with the

hypotheses. In two agencies respondents highly valued proactive transparency and in particular

open data, yet they indicated that the organization where they worked was not yet quite ready

for the change. They perceived themselves as the innovators in the organization. However a manager or director did give them the opportunity to start innovative projects related to open government, open data or social media. The innovators were also the ones who reported a lack of resources. In the other agency the pattern is not as clear cut. Even though these are only a few agencies it does seem to suggest that the variable 'value transparency' does play a role.

Like their American counterparts Dutch government communicators are involved with both passive and proactive transparency initiatives, but mainly proactive. Communicators indicate that there's some room for improvement in terms of their use of social media, open data and their involvement earlier in the policy process. In line with the survey results, communicators use both substantive information and spin when disclosing information. Furthermore, communicators solicit participation and feedback, yet there are different forms of participation and feedback, requiring different channels and depending on the internal workings of the agency.

5.3 Conclusion mixed method

The central question in this chapter was: *How do American and Dutch government communicators perceive and implement proactive transparency in their daily practice?* In order to answer this question a mixed method was conducted, consisting of a web-based survey and in depth surveys interviews. Hypotheses were tested. The table below presents the hypotheses and the support that was found by the mixed method results.

Table 44: Hypotheses		Accepted/ Rejected
H1	The more American and Dutch government communicators are aware of the institutional embedding of the proactive disclosure of information the more likely government communicators value proactive transparency	**Accepted**
H2	American and Dutch government communicators who are operating in a more supportive organizational embedding are more likely to value proactive transparency as more important than communicators in a less supportive organizational embedding	**Partly accepted[98]**
H3	American and Dutch government communicators who value proactive transparency more are likely to be more inclined to proactively disclose information in their daily practice.	**Partly accepted[99]**
H4a	American and Dutch government communicators who value proactive transparency more are more likely to release substantial information in their daily practice.	**Accepted**
H4b	American and Dutch government communicators who value proactive transparency more are less likely to use a certain amount of spin in their daily practice.	**Rejected**
H5	The higher American and Dutch government communicators value proactive transparency the more inclined they are to solicit feedback and participation from external actors in their daily practice.	**Rejected**

In general the survey results were supported by the interview results. The findings showed that

federal government communicators are involved in the implementation of both proactive and

passive transparency policies. They are involved in FOIA requests in terms of judging the extent

on how sensitive the information is and how to best release that information. However they are

mostly involved in proactive transparency initiatives. They are enhancing transparency by

making the information that is released proactively more understandable, relevant and findable

for stakeholders. Some communicators also constrain transparency of their agency by

withholding information, giving only part of the story or deciding what information to actively

promote to a wider audience and what not.

---

[98] The variable organizational support did show a significant effect but the variable resources did not.

[99] The variable value specific regarding the internal workings did show a significant effect but value generic did not.

The results also showed that government communicators who score higher on perceived institutional embedding will value the proactive disclosure of information about the internal workings of the agency more favorable and are more involved in proactive transparency initiatives. In both countries organizational support is an important factor not only in how government communicators value proactive transparency but also on the quality of the information they release and whether they solicit feedback and participation from stakeholders. Government communicators in a more supportive organizational embedding are more likely to value proactive transparency, provide more substantial information, less spin and are more likely to solicit feedback and participation. Organizational factors can facilitate their work or become a barrier. Not only leadership and political support are important but also the support of other divisions, the agency's function and more in general the culture in the organization.

There are also some differences between the countries. Americans indicated more often to be invited by their management to join in initiatives regarding making information available proactively to the public than Dutch respondents. Additionally, even though resources are an important component, especially for Americans, it does however not influence government communicators' attitudes and practices regarding proactive transparency. Dutch respondents indicated less often that they needed more resources. However during the in-depth interviews the respondents who were already working on Open Government, Open Data and social media initiatives did point to not having enough resources. It could be that Dutch communicators simply have enough resources. But another possible explanation is that they are not yet fully realizing what the implications of e.g. Open Data and social media are.

In terms of their daily practice, government communicators who valued proactive disclosure regarding the internal workings more were also more likely to proactively disclose information and were more involved in the proactive disclosure of information regarding the internal workings of the agency. Communicators are mainly involved with the proactive release of information regarding the implementation and results of policies and less with decision making or budget information. Here again we see a difference between the countries: American respondents are more involved in proactive disclosure and internal workings than Dutch government communicators. Americans are also more involved with Open Data initiatives and social media.

Communicators who valued proactive transparency more, were also more likely to release substantial information. Communicators stressed the importance of providing understandable information that is meaningful for citizens and stakeholders. Just releasing information is not enough and does not necessarily contribute to more transparency. American respondents agreed more to the statements that the information they provide is accurate, complete and relevant to stakeholders than Dutch respondents. In terms of spinning techniques, a few respondents in both countries left out important details of the information provided or gave only a part of the story. Specifically highlighting positive elements or highlighting certain elements (framing) more than others is common practice in both countries. Yet, no significant effect was found between the variable value proactive transparency and spin. Americans more often than Dutch government communicators specifically highlighted the positive elements in the information that is provided. No significant effect was found regarding the way communicators valued proactive transparency and whether they solicited feedback

and participation. But as pointed out earlier, organizational support does have a direct effect on whether government communicators solicit feedback and participation from stakeholders.

More information is not always considered better by communicators. The pattern that emerges from the interviews is the importance of distinguishing information in layers and adjusting the information to different target groups. Keeping it simple and to the point for the less interested but more technical in the form of e.g. a dataset for the truly interested as is depicted in figure 7.

Figure 7: layers of information
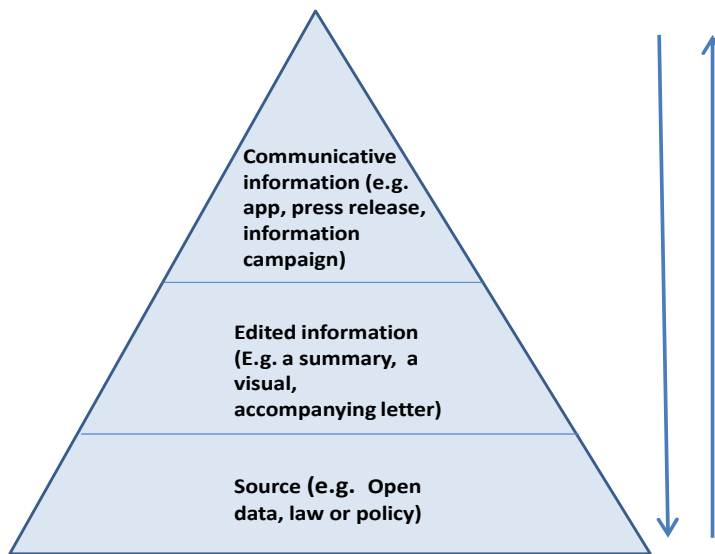
Bottom up, we first find the source, this can be Open Data but also a new law for instance. Open Data or laws can be found on e.g. a website for those interested. Based on the source, a visual could be presented in order to summarize the information with a link to the source. Finally, a public information campaign about the source for instance a new law might be developed, accessible and understandable for a wide audience. Top down; an interested citizen

is informed via an app or other communication channel about a new law and would like to know the specifics of the law and hence can look for the source. A less interested citizen might not look for the source and will base its opinion on a newspaper article based on a press release. The findings showed that government communicators are involved in each layer, but they are least involved in the source such as open data.

Based on these findings the blue oval in the model *Explaining proactive transparency regimes* as was derived from the literature in Chapter two can be revised (Figure 8). In the revised oval the significant relationships that were found are pointed out. Significant relations were found between the variables perceived institutional embedding and value proactive transparency, but this relation is not as strong. The findings underscore the importance of organizational support, which showed a significant relationship with all variables in the model, except for knowledge of formal rules.

Figure 8: Revised model, explaining proactive transparency regimes from the perspective of government communicators
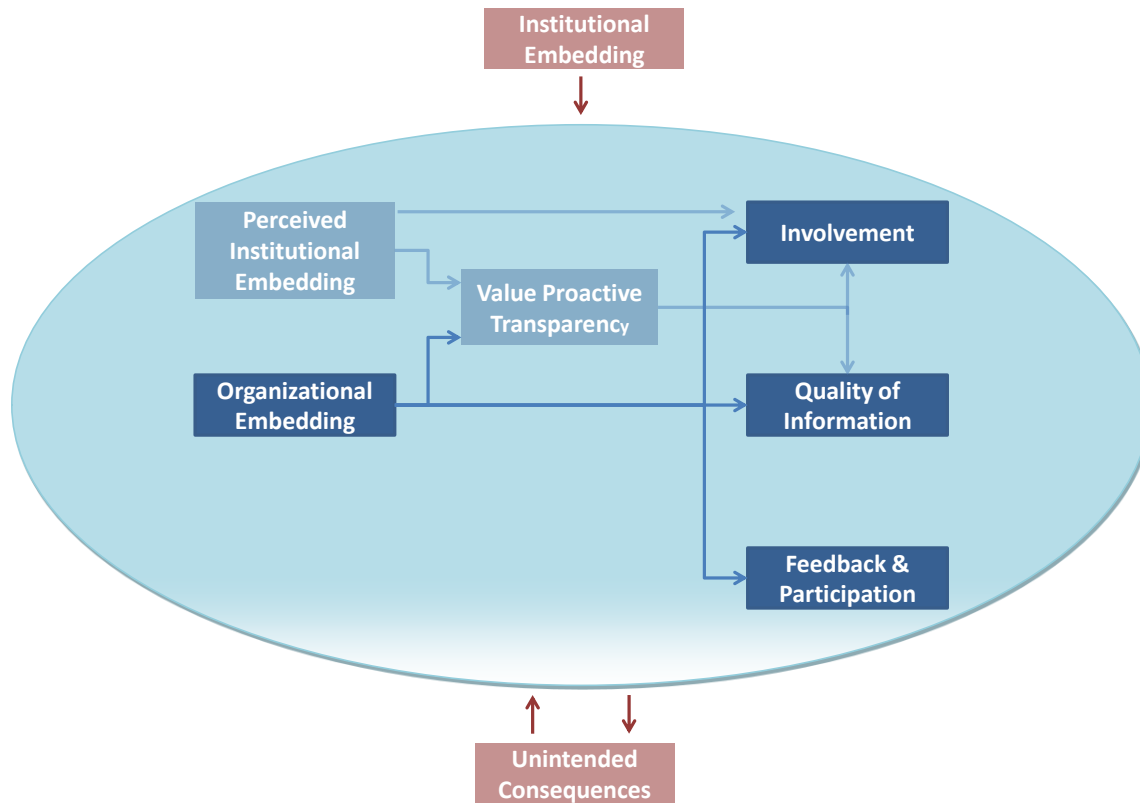
6 Unintended consequences and future challenges

My administration is committed to creating an unprecedented level of openness in Government. We will work together to ensure the public trust and establish a system of transparency, public participation and collaboration. Openness will strengthen our democracy and promote efficiency and effectiveness in Government. (The White House, 2009)

In the former chapters the origins and evolution of proactive transparency in the USA and the Netherlands were analyzed and it was examined how American and Dutch government communicators perceive and implement proactive transparency in their daily practice. The findings of chapters 4 and 5 contribute to answering the main research question as formulated in Chapter 2. However before turning to the conclusion and the main research question, the last concept in the model *Explaining proactive transparency regimes* will be discussed: possible unintended consequences.

In the first chapters of this dissertation the focus has mainly been on the contribution proactive transparency can make to democracy. In the empirical chapters attention was given to how respondents value transparency; the importance and goal of proactive transparency were discussed. However in the survey and during the interviews questions were not only asked regarding the intended aspects of transparency, it was also asked whether respondents had encountered unintended consequences of proactive transparency in their daily practice. After all, it is well known that things do not always go as intended in social settings. Even the most conscientious planning cannot always prevent such occurrences (Bernhard and Preston, 2004). Robert Merton (in Preston and Roots, 2004) suggests that every social activity, politics as well as institutions, cultural traditions, family structures and religious practices, produces both

manifest (immediately detectable) consequences and latent (hidden or unknown)

consequences. Hence, social scientist should study the hidden consequences of social behavior

as well as the obvious ones (Ruijer, 2012). The actions of government communicators could

have unintended consequences and these unintended consequences could encourage

individuals to make adjustments and improve their actions. Yet these actions themselves could

have unintended consequences. In this chapter the last research question will be addressed:

> *What do American and Dutch government communication officers perceive as possible unintended consequences of proactive transparency?*

6.1 The concept of unintended consequences

The study of unintended consequences is among the oldest topics of inquiry in the social

sciences (Preston and Roots 2004, Fine 2006). In 1936 the sociologist Robert Merton makes a

distinction between intended and unintended consequences in his article *The Unanticipated*

Consequences of Purposive Social Action. The intended and anticipated consequences are

relatively desirable "though they may seem axiological negative to an outside observer. This is

true even in the polar instance where the intended result is the "lesser of the two evils" (…)

Merton, 1936, p. 895). Unintended consequences can be desirable and undesirable. Merton

made the paradigm explicit in the field of sociology and gave numerous illustrations of how

collective phenomena are made the effect of unintended individual actions. Functionalism for

Merton meant the practice of interpreting data by establishing the consequences of the larger

structures in which they are implicated (Scott, 2007): "(..) precisely because a particular action

is not carried out in a psychological social vacuum, its effects will ramify into other spheres of

value and interest" (Merton 1936, p.902). Once these effects are recognized they continually

encourage us to make adjustments to unanticipated consequences, adjustments that themselves have unanticipated consequences (Tilly, 1996).

Merton's juxtaposition of functions and dysfunction with his terms manifest and latent can provide a useful lens for analyzing the consequences and implications of policies (Ruijer, 2012; Russell and Preston, 2004). Functions "are those observed consequences which make for the adaptation or adjustment of a given system" (Merton 1967: 105). Dysfunctions are "those observed consequences which lessen the adaptation or adjustment of the system" (Merton 1967:105). In addition, Merton makes a conceptual distinction between manifest and latent: "manifest functions are those objective consequences contributing to the adjustment or adaptation of the system which are intended and recognized by participants in the system; latent functions correlatively, being those which are neither intended nor recognized" (Merton 1967: 105). He also points out reasons for the occurrence of unanticipated consequences (Ruijer, 2012). The first limitation to a correct anticipation of consequences of action is incomplete knowledge because the circumstances are so complex or because knowledge can be obtained but it was not. The second limitation is error which implies an assumption that actions which have led in the past to the desired outcome will continue to do so. Third there is the imperious immediacy of interest which refers to "instances where the actor's paramount concern with the foreseen immediate consequences excludes the consideration of further or other consequences of the same act (Merton 1936, 901). Finally, Merton refers to basic values and self-defeating predictions. Basic values refer to instances where there is no consideration of further consequences because of the felt necessity of certain action enjoined by certain fundamental values (Ruijer, 2012). Self-defeating predictions imply social knowledge which, by

its very existence, changes the course of events in such a way that the prediction fails to materialize (Merton, 1936).

More recently, several scholars in the public administration literature implicitly or explicitly address unintended consequences related to policy design or implementation (Ruijer, 2012). For instance Martin (2007) discusses the concept of backfire; an action that recoils against its originators. Schneider and Ingram (1997) show in their social construction theory of target groups the unintended consequences of policy designs. Howlett (2011) points out both the merits and unintended consequences of different policy implementation tools. Other scholars address the issue of unintended consequences in a more general context of policy evaluation and impact analysis (Smith and Larimer, 2009), policy success (McConnell 2010, Marsh and McConnell 2010), policy fiasco (Bovens and 't Hart 1996) or policy disorders (Hogwood and Peters 1985). Policy evaluation focuses on the consequences of actually initiating a public policy or program and/or the judgment of these consequences based on a normative yardstick. Unforeseen events, unaccounted for consequences and misunderstood causal relationships can result in a very different reality then was intended (Smith and Larimer, 2009).

The framework of unintended consequences can be used to discover a possible gap between intentions and possible outcomes of proactive transparency policy and it can eventually lead to possible future challenges. Meijer et al (2012) assess the positive and negative effects of open government based upon theoretical and empirical publications from over 50 academic journals. They find that negative side- effects are cited relatively less frequently than positive side effects. In line with Merton's concept of manifest and latent

consequences, they argue that some negative effects can be identified beforehand while others only show up in practice. Furthermore, so far there are few empirical studies of the effects of transparency (Etzioni, 2010). In this chapter an overview is given of possible unintended consequences as described in the literature related to communication. It is not the intention in this chapter to provide an exhaustive overview because other scholars (Grimmelikhuijsen 2012b; Scholtes 2012) have pointed out unintended consequences of transparency. What this chapter will contribute to the literature however, is that it will analyze unintended consequences of proactive transparency as experienced in practice by government communicators in two countries as well, thereby focusing on manifest and latent (dys-) functions.

Both during the web-based survey and during the in- depth interviews, questions were asked regarding possible unintended consequence of proactive transparency. The survey answers[100] of American federal government communicators and Dutch federal government communicators were analyzed by making a word cloud.[101] The answers given during the in depth interviews[102] were categorized in order to see whether they confirmed the word clouds. Finally, during the in depth interviews, interviewees were also asked about future challenges. Their answers are analyzed with a word cloud as well.

---

[100] The survey results are based on answers by 169 American federal government communicators and 68 Dutch federal government communicators, see for more details on the research method Chapter 3.

[101] The program NVivo 10 was used to make word clouds based on the answers of the online survey by Dutch government communicators.

[102] In total 16 Dutch interviewees and 14 American interviewees participated in the study, see for more details on the research method Chapter 3.

6.2 Unintended consequences of proactive transparency

As pointed out in chapter two, within the public administration realm advocates of

transparency emphasize the manifest functions of transparency. Such as that transparency can

enhance accountability and trust in government. Wider information sharing enables the public

to make informed political decisions (Etzioni, 2010). Transparency can have the effect of

helping citizens understand the many positive things that the government does (Sifry, 2011).

Even though transparency is often presented as a public virtue which is inadvisable to propose

(Heald, 2012; Scholtes, 2012), possible unintended consequences need to be taken into account

as well in order to be able to fully understand the effects of transparency. As discussed in

Chapter 2 other scholars are more critical and argue that the positive impact of transparency

should not be overestimated (Grimmelikhuijsen, 2012b).

Already in 1921 Walter Lippmann wrote in *Public Opinion* that democratic theory is built

around the assumption of an "omnicompetent citizen," able to make sound, rational decisions

about public affairs if given enough information. He argues that it is intolerable and unworkable

fiction that each of us must acquire a competent opinion about all public affairs. Lippmann

(1921) provides several sets of reasons for his skeptical stance. Peoples' access to facts is

limited by many factors. They don't have the time necessary to adequately follow public affairs

and most simply don't have the interest. In this dissertation it was argued, in line with Rawlins

(2009, p74) that "…disclosure alone can defeat the purpose of transparency. It can obfuscate

rather than enlighten." However, by adding a communication dimension, it was argued in

chapter two, transparency can be enhanced. As pointed out above, adjustments themselves

can have unanticipated consequences; adding a communication dimension can also have

unintended consequences. By adding a communication dimension and taking into account the

needs of the users e.g. by making *relevant* information available and providing a context of

appropriateness or germaneness, some limitations on information accessibility are used as well

(Drucker and Gumpert, 2007). Drucker and Gumpert (2007) argue that filters such as relevance

of the information restrict access. Filters selectively mask or reveal. Some filters are known

others are unknown. Transparency is often viewed as functioning on a continuum from pure

transparency to secrecy. According to Drucker and Gumpert (2007), the 100% pure

transparency, the uncontrolled flow of information and the revelation of organizational details,

is an impossibility. Transparency in this way seems to forget about reasons for not releasing

government information such as national security, homeland security, law enforcement,

proprietary information and personal privacy (Piotrowski and Van Ryzin, 2007). Drucker and

Gumpert (2007) therefore speak of the *illusion* of transparency.

The illusion of transparency is fostered by an ever-growing environment of

informational access often bleeding into the realm of information overload or message

saturation. "Too much disclosure can produce a white noise effect, making it difficult to know

what is significant or even to have the time to sort through all the data. Indeed, in a cynical

view, if you really want to hide information, the best thing to do is to bury it in a flood of data

(Florini ,1999, p9)."Additionally, evidence assembled by behavioral economists strongly

indicates that people are neither as able to process information nor as likely to act on it as.

There are limits to knowing and processing (Etzioni, 2010). Furthermore, proactive

transparency might implicitly imply control, control of the government over the information it

provides. Yet as Drucker and Gumpert (2007) point out, total control of information is not

possible: leakage is part of the system by "accidental slip of the tongue, the intentionality of whistleblowers, malfunctioning firewalls, and the paraphernalia of spying and surveillance" (Drucker and Gumpert, 2007, p. 494). As we have seen recently in the case of Wikileaks and Snowden. Even though, scholars (Fenster, 2012; Roberts, 2012) have pointed out that advocates of Wikileaks have overstated the scale and significance of the leaks. "Wikileaks learned that intermediation was not a function that could be taken for granted" (Roberts, 2012, p. 122).

Finally, the illusion of transparency is fostered by growing press coverage of institutions of government coupled with more sophisticated use of media technologies to make organizations appear accessible and open (Drucker and Gumpert, 2007). Moreover, increased transparency could make organizations more vulnerable to both just and unjust citizens and journalists (Grimmelikhuijsen, 2012). Balkin (1999) points out that political transparency can be subverted by the media who alter the context in which people view information. At the same time scholars warn for an information overload: 'Information overload corrupts wisdom and knowledge and descends to spin and spam. Most dramatically openness involving too much access to information, could endanger public and national security' (Birkenshaw, 2006, p. 51).

Hence in the literature we find several possible unintended consequences of proactive transparency. Now we will focus on what government communicators experience as possible unintended consequences.

6.3 (Un)intended consequences as perceived by government communicators

The word clouds showed the American and Dutch web-based survey responses to unintended consequences. Some respondents indicated that there are no unintended consequences of proactively making information available. An American respondent:

"I believe that there is very little risk in providing info proactively and in plain language".

A Dutch interviewee reported that in fact possible unintended consequences are important in all their communications:

"We always try to anticipate unintended consequences. We always consider whether or not the Minister will get into trouble by providing the information. It is an important approach to all our communications." (interviewee 8 NL).

Yet most people did experience unintended consequences and these results will be discussed below. [103]

Based on the word clouds, themes were identified and a distinction was made between manifest dysfunctions and latent functions and dysfunctions (Figures 9 and 10). As Russell and Preston (2004, p 1421) point out a latent function is not synonymous with an unintended consequence. "There are two elements involved intention and consequence. There can be both latent and manifest functions and likewise there can be both manifest and latent dysfunctions". Hence, perverse effects can be manifest dysfunctions, latent functions and latent dysfunctions. Manifest dysfunctions are the consequences that are recognized and intended by the participants in the system but can divert from the objectives of an action. Latent functions are consequences that are (initially) not recognized, nor intended by the participants in the system but contribute to a given system whereas latent dysfunctions do not contribute to the system.

---

[103] The Word clouds for each country are based on the answers to the open ended question in the webbased survery regarding possible unintended consequences. The Word cloud was conducted in NVivo 10 with a Word Query

Hence, answers indicating a consequence not thought of before were identified as latent consequences[104]. Respondents were specifically asked about unintended consequences, yet a few respondents did spontaneously give an example of a manifest function. These answers are reported as well.

6.3.1 Manifest (dys)functions

Most interviewees and respondents mentioned manifest dysfunctions. First there is the manifest dysfunction that the proactive release of information can lead to *misunderstanding* among the public because either no *context* is given in the case for Open Data for instance or a context is given but the information is taken out of context and could lead to negative publicity. American respondents mentioned this issue most often and are trying to take this issue into account.

Figure 9: *Word cloud based on the online survey responses by US government communicators*

---

[104] Sometimes the distinction between latent and manifest based on the answers given by the web-based survey respondents was not as clear. The answers where short and it was not always clear whether it was an issue that they experienced along the way or something they took into account beforehand. During the interviews there was time to elaborate on the issue, which was not possible with the survey. If it was not clear, it was analyzed if the answer related to answers that were given by other respondents or interviewees.

"The only thing I would say is that especially from our agency we just have to be careful about what is released and how it is said. Because people take it in all different ways" (interviewee 6a USA).

American survey respondents[105]:

"Different audiences harbor different knowledge and expectations, and, therefore, by proactively releasing certain information in different forms, at different levels of completeness, or in different contexts--all with good intentions--it is possible to generate negative reactions among stakeholders or more unintended questions from stakeholders".

"Mis-interpretation and, a critical problem, the failure of the recipient to read and understand all of the relevant information. Too often, the recipients of information pick and choose excerpts and use them without fully understanding or appreciating the full context"

"The difficulty is presenting information without context. I would say that is 99% of the concern".

"Inability or unwillingness of media to understand or write about complex information in accurate context".

Figure 10: Word cloud based on the online survey answers by Dutch communicators

---

[105] The term respondent refers to a person who filled out the web based survey. The term interviewee refers to a person who participated in an in depth interview.

247

Dutch respondents:

'Information might be seen by other groups than the target groups and these groups could misinterpret the information.'

'Media, lobbyists and politicians (...) can put the information out of context and thereby making the general interest of transparency subordinate to their own interest'

"Once, an internal quality audit was conducted. The final report was disclosed. The report is nuanced but a journalist will sit down and think this is not good and this is not good. That whole quality system is designed to find points of improvement. So even though you do really well there is still room for improvement and on these points you can get slaughtered. And if you're not careful it will lead to a convulsive reaction because you can explain internally how you deal with it but a journalist won't care" (interviewee 1 NL).

Yet anticipating misunderstanding can have unintended consequences as well. An American

respondent:

"Material must be prepared so it is impossible to be misunderstood or taken out of context. That can appear as an effort to withhold information".

A second manifest dysfunction is *information overload*. This issue is mentioned by

respondents from both countries but most often by Dutch respondents. They fear that people

might not be able to see the forest for the trees by providing information proactively. A Dutch

interviewee wondered if people really need to know everything and that you always have to

wonder whether the information could harm anyone or is even relevant for citizens:

"The danger of that is that who decides what information is important or not? (..) Am I the one who should decide? Yet on the other hand when it concerns sensitive information you can anticipate the consequences and estimate if it will cause a panic for instance. And you think shall I do it this way or that way. That makes being open, sometimes complicated. You shouldn't be secretive or lie but you do have to think doesn't this information cause more harm than good" (interviewee 11 NL).

Americans*:*

"One risk is overwhelming the public or sharing info they don't need to know. I actually do believe that the public doesn't need to be involved in ALL public policy, which they tend to simplify--plus, government (at least in the U.S.) is *designed* to move slowly--in theory, at least, that makes its decisions more thoughtful"'.

"I think people are on an information overload too. (...)There's so much information already out there. People are just like give me the answer because I have 5 minutes to think about this in

between making dinner putting my children to bed and doing my taxes. (..) I think that is a problem. We don't necessarily solve that problem by putting more information out there. I think information is most valuable to people when it is tailored directly towards their situation" (interviewee 6b USA).

Another respondent pointed out that due to the Open Government initiative they are trying to

proactively put all the information in one place. The consequence however is:

"Our site is so rich and there's so much on it and the problem is finding things sometimes" (interviewee 4 USA).

Another manifest dysfunction is that is proactive release could lead to *more inquiry*. An

American respondent:

"The open availability of information and data stimulates opportunity for further inquiry; allows comparisons to previous informational reports that might highlight inconsistencies, lack of organizational progress, or backslides in customer service and/or services delivery".

A Dutch survey respondent:

"You'll get a question that otherwise might not have been asked".

Moreover a few respondents in both countries expressed concerns regarding privacy, yet

respondents in the USA referred to security issues, whereas the Dutch respondents did not.

American respondent:

"Inadvertent release of personal identifying information or sensitive/classified information."

Dutch respondents:

"If crime rates are released of less populous areas together with nationality one might be able to identify the person" (interviewee 13 NL).

"My biggest worry is a privacy meltdown between now and 10 years" (interviewee 6 NL).

Furthermore several Americans referred to error or a mistake that might come out, whereas

only one Dutch interviewee did. American respondents:

"So if we release information that turns out to be less than accurate and we have a mistake in some information that we have released.(…) And then we basically had to go and issue and explanation and correct the record. Do we take a little bit of a hit for making a mistake? Sure.

Yeah, a little. Overall I still think it is worth it. We know that when we put stuff out there and give people the opportunity to scrutinize the finding. There's the potential that errors will be uncovered. And for us to correct those errors.(…). But you know overall it is fair, as hard as we try there's going to occasionally be an error that is going to go out" (Interviewee 5 USA).

"There is always the risk of something embarrassing coming out but we deal with it in stride"

'Opens you up for criticism and if providing information before a release of a decision, it may cause incomplete or pre decisional information being released. Being pro active allows you to shape the message better than being reactive. Proactive always wins'.

American respondents also mentioned legal issues such as the risk of: *"Being sued", "Legal risks and complications"* Dutch respondents did not mention this but expressed a concern for stakeholders. One interviewee referred to a program the agency had designed in order to make the process more transparent; a consequence was that certain stakeholders were not happy with it because the program was for free and takes away business from for profit stakeholders:

"So we got the message do not make the program too good because then we will have other stakeholders who are not happy" (interviewee 7 NL).

'Naming and shaming of companies can have unintended effects for the reputation of these companies. We try to be very careful about this which not always benefits transparency. It is a matter of weighing the interests'.

Other unintended consequences that were mentioned by a Dutch respondent:

"Making data available always has unintended consequences. Positive in the sense that innovative applications might be found (…) negative in the sense that it could result in an unfavorable analysis (…) and then you have to defend yourself."

A Dutch interviewee:

"If you have to disclose everything the costs will go sky-high and then the costs and benefits of when it is and when it isn't relevant to disclose something. I think it is nonsense that all the expense claims[106] are proactively disclosed. An internal accountant should check that" (interviewee 9 NL).

---

[106] The expense claims issue is elaborated on in Chapter 2 in section *2.1.2.3 Passive and proactive disclosure: two sides of the same coin?*

A few respondents mentioned manifest *functions*. One American respondent indicated that in their agency social media were not as intensely used by government communicators. However, now communicators report that they see the value of it.

> *"I honestly think people are beginning to understand that technology can really assist with this. In a way that they didn't at the beginning (interviewee 4 USA)".*

Three Dutch interviewees of three different agencies mentioned how government information is being used in a positive way by corporations. Furthermore, one agency proactively released information about the quality of certain businesses. Following, the business association itself picked up on the issue and started with its own quality program.

> *"You notice that they [Business] start to invest and take their own measures. Whether that will lead to more safety I don't know yet but I do know that they are taking action on it."*
> *(interviewee 3 NL)*

6.3.2 Latent (dys)functions

Latent (dys) functions were mentioned less frequently compared to manifest (dys) functions by respondents. This is in the line of expectation because these functions are initially hidden. Most frequently American respondents mentioned managing expectations. They mention that the Open Government movement may have set unrealistic expectations on the part of stakeholders.

> *"if I had to say one, perhaps an expectation that everything gets made publicly available and gets made public much more quickly than it just can be. And the fact is that not all of our material is appropriate to be made public. There are security concerns and other reasons why some material is not releasable to the public. I do believe that it is possible that Open Government has fuelled, how do I say this, unrealistic expectations about how much material can actually be made public. (…) There seems to be an idea that everything is releasable and when something is withheld that can create some upsetness" (interviewee 7 USA).*

An American respondent:

"But the critical thing that has not been done well is that the government has not managed the publics' expectation properly. For instance this is what we can give you and if the answer is no then it should not take a month to say no. That is transparency too".

Dutch respondents also referred to managing expectations. A survey respondent:

'*Sometimes you cannot meet stakeholder expectations, managing expectations is crucial.*'

However this seemed to be more of a general strategy in order to prevent unintended consequences then a latent dysfunction.

Another latent function that was mentioned referred to organizational support. According to several respondents due to the Open Government initiative in general, there are less silos in the organization. One American interviewee described it as follows:

"I don't feel we had any especially negative unintended consequences. Certainly one of the positive things is definitely that certain elements of the bureau are talking to each other you know the policy people talking to the communications people, data producers talking to the policy people. Because often times the data producers and the policy people who know a lot about the substance know why their data is useful. (…) whereas public affairs would know how to tell the story but would not necessarily know the public impact. I think that is probably the most positive and I think that was unintended when we began. The initial purpose was to get what we are doing out to the public. But there are now less silos; people across the organization talk to each other who wouldn't normally talk to each other" (Interviewee 9 USA).

Other American interviewees however pointed out that due to a lack of resources and organizational support their Open Government flagship initiative was not implemented.

"So the thing that was unexpected and disappointing was that we did not launch our own flagship. After that they are the ones that selected that flagship and gave feedback and support all the way through until it is time for implementation (interviewee 2a USA)".

Initially, the interviewees were supported by the executives in the organization but due to money and a lack of collaboration inside the organization it was not possible to follow through. Something they had not foreseen and led to disappointment within the Open Government team.

Additionally, respondents in both countries mentioned the format of the data. One interviewee said:

"I'm going to back up a little bit because you were asking about unintended consequences. I think one problem, a lot of agencies, or most agencies have found as they have been trying to really get on board with open government is that they haven't really been prepared with really having data in the right format, in a usable formats. They haven't really been until recently, as seriously about proactive disclosure. Because it has been up until recently, you released something when someone asked for it. Or when you were required too or when Congress makes you. Instead of being prepared though they have been caught surprise by format issues, inoperability, by privacy and sensitive data issues that they had not thought through before. All of a sudden they are being told put your data out there, put your information holdings out there, but they weren't really ready to do that" (interviewee 1b USA).

6.3.3 Summary

Respondents in both countries in general refer to similar unintended consequences. There are a few differences though. Americans most frequently mentioned 'misunderstanding' and Dutch communicators 'information overload'. Furthermore while American respondents also mentioned legal risks and inaccuracy of the information, Dutch respondents did not, yet they referred to a concern for the interest of stakeholders. The most important latent unintended consequence that American government communicators mentioned is managing expectations.

6.4 Future challenges

The interviewees in each country were also asked about future challenges[107] (Figures 11 and12). The results slightly differ per country. In line with the unintended consequences pointed out in the former paragraph American interviewees most often perceived managing expectations in terms of the degree of openness as the biggest challenge.

American interviewee:

"There might be an expectation on some part of the public that thinks that open government means you have to disclose everything and that is not the case. So maybe clarifying to them what that means is helpful (interviewee USA 2a)."

---

[107] Due to the already lengthy survey no questions were asked regarding future challenges. Hence this is solely based on the interviews

American respondents do not only refer to managing expectations in terms of the degree of

openness but also in terms of resources and costs:

"*The biggest challenge is helping the public and management understand the cost of putting
open government into place. It is not free. Now that is the biggest challenge by far because you
have got to change the culture you have to understand that existing legacy systems might not be
able to support it, so you have to have some kind of investment to move them in the next realm
of information and knowledge sharing*" (interviewee 10 USA).

"*It goes back to managing expectations. What does the public really expect from its government
and just how much are you willing to invest in that*" (interviewee USA 2c).

*Figure 11: Word cloud based on answers by US interviewees to question what
challenges lie ahead for proactive transparency*

Second, American respondents mentioned trying to get the information in an understandable way to the public, or related to that, plain language challenges, such as translating the technical results to for the public understandable results and avoiding jargon.

> "*One of the challenges for us that I should mention is trying to get the information in an understandable way to the public. We are dealing with regulatory matters which are very complex. Often it is very difficult for the public to understand what we are doing or why we are doing it. We have to work with engineers and people often speak in a very different language than what the public does. We have to work very hard to translate the information into products that the public can understand. One of our philosophies is just throwing a lot of information out there does not automatically constitute transparency if the public can't understand the content. But that's a battle. We try to phrase things in a way that is more understandable to the public and the engineers look at it and go no that's wrong. And it's not wrong it is just not a 100% down to the penny accurate. It is but it isn't. That is one of the challenges that we have in terms of transparency. In trying to get the output at a level that the public can easily understand*" (interviewee 7 USA).*

Other challenges that were mentioned by American interviewees were the fact that there are so many ways to disseminate information now:

> "*Something I have struggled with internally but it could also pertain externally there are so many ways to disseminate information right now and people look at it from different ways. Some people are very e-mail based and they read every e-mail that comes in and that there are other people who get everything from Facebook. So instead of using one mechanism we have to use ten different ones to try to reach as many people as we possibly can*" (interviewee 6a).

Dutch respondents referred to managing expectations as well but not as often. In fact most often Dutch respondents mentioned that simply becoming more transparent is a challenge in itself. They refer to different ways of achieving more transparency, such as improving the use of open data and social media. But also in terms of better and more often explaining why the government does what it does and explaining the policy process. Finally, making the information more understandable and privacy issues are mentioned as well.

> "*The first challenge is let's become more transparent*" (interviewee 4 NL)
>
> "*How to best use social media in order to become more transparent*" (Interviewee 8 NL)

Figure 12: Word cloud based on answers by Dutch interviewees to question what challenges lie ahead for proactive transparency

apart automatiseren bedrijven beeld belangrijk beleid best betalen beter blog bright burger campagne capaciteit cijfers communicatie communicatief compassie consumentenbond controleren data dataset derde discussie doel draaien duidelijk effect faciliteren fonds gebruiken gedrag geld gemeente gerechtvaardigd geval gevoel gewerkt handhaving heilig hem idee individueel individuele ingewikkelde interessante intern jaren kamer kans kijk laatst lastig leiden leidt leuke lopen makkelijk materie medewerkers media merk minder minister model mooi niveau ondernemer onderzoek online openbaar openbaarmaking openheid organisatie overheidsorganisatie overtuigd partij personen persoonlijk plaatje politiek privacy proces publiceren reactie redenen regel regelgeving rijksoverheid risicoprofiel samen situatie snel social spannende transparantie uitdaging verhaal vertrouwen verwacht

6.5 Implications of unintended consequences and future challenges

Hence, what can be culled out of the analysis of unintended consequences? First, the choices that people make, whether intended or unintended have consequences (function or dysfunctions) for social structures. These consequences affect the future structuring of alternative choices. Respondents in this study for instance indicated that providing information without a context can lead to misinterpretation of the information. Yet by anticipating this

challenge and providing a context and understandable information, it can be explained that in fact information is being withheld.

Second, it shows the limitations of the correct anticipation of consequences. Government communicators tried to anticipate the consequences of the proactive release of information. In fact one interviewee described that analyzing unintended consequences is part of their job. This in some cases could lead to self defeating predictions. For instance, withholding information in order to prevent an information overload, or because it is thought not be relevant or of interest, can constrain transparency. Moreover, government communicators realize that despite anticipation misunderstanding or inaccuracy can happen nevertheless. Incomplete knowledge is a limitation as well. An American respondent:

> *"Not thinking through how best, and most clearly, to provide that information so folks can find it and so that it's useful to them. Just putting it out there isn't enough. Providing that information in an unorganized, illogical or ununderstandable way won't help anyone. It doesn't matter how proactive you are if people can't find, use or understand your information".*

Another limitation mentioned is that short-term evaluations could weigh more heavily than long term concerns. Respondents described how the push for Open Government started with open data, yet e.g. format issues were initially not taken into account, neither was culture. Yet in the Directives issued by the Obama administration that followed the initial Memoranda, culture and format issues were mentioned.

This chapter started with a quote from the Open Government Directive that the Obama Administration is committed to creating an *unprecedented level of openness* of Government. This might have led to a gap between expectations and the reality of openness bound by aspects of exemptions as stated in e.g. FOIs. The unprecedented level of openness does not admit the mutual dependency of secrecy and transparency. Or as one American interviewee

indicated in Chapter 5; there are in fact five pillars of Open Government, not only transparency,

participation and collaboration but also privacy and national security. The basic values and

expectations gap becomes especially clear when looking at it from a broader perspective in

time. As Birchall (2011b, p134) points out "Trust in the power of transparency has been given

added moral weight in the US after eight years of President George W. Bush's apparent

investment in state secrecy. Obama has used transparency in his endeavor to restore faith in

the US government on a national and international level. Obama's rhetoric and actions

constitute an attempt to reinvigorate transparency as a position and practices that is above,

and superior to, the preceding paradigm of secrecy. If Bush's administration seemed to be in

the thrall of a particularly resilient and excessive strand of secrecy, Obama's has deliberately

sought to distinguish itself with the promise of financial, political, bureaucratic and personal

transparency." This very fact could lead to unanticipated consequences. As pointed out by

American respondents in this study, it has led to a believe that everything will be released, yet

in practice this is not always possible. Birchall (2011b, p. 142) argues that: "Bush forever aligned

with the secret, could not pass over onto the side of transparency". When Obama is being

exposed as less transparent than he claims, he automatically crosses the line into the realm of

secrecy". For instance, this could be the case currently with dealing with whistleblowers such as

Manning and Snowden.

Third, the manifest consequences mentioned by the government communicators are

generally in line with the unintended consequences found in the literature such as information

overload, information leading to confusion and misunderstanding and by providing information

proactively, requests for more information might follow. However what is stressed by

government communicators but less in the transparency literature is managing expectations

and the importance of organizational culture.

Fourth, even though in general the communicators in both countries identify similar

unintended consequences, some differences were found as well. Americans more often

indicate mistakes as a possible unintended consequence. As we have seen in Chapter 4 in the

origins, transparency and accountability are often related in the USA. One possible explanation

for this difference could be that as Fung and Weil (2010) argue that the transparency discourse

focused accountability, such as in the USA, produces policies and platforms that are particularly

sensitive to governments' mistakes but are often blind to its accomplishments. Dutch

respondents more often referred to stakeholders and taking into account their interests. This is

in line with "poldermodel", as described in Chapter 4. They also refer to the issue of

information overload more often, which has been part of the transparency discussion over the

years as described in Chapter 4. Furthermore, American government communicators refer to

managing expectations more often than Dutch government communicators. This could be in

line with the push for Open Government in the USA.

Finally, power, wealth and freedom are increasingly derived from control over, access to

and effective use of information (Drucker and Gumpert, 2007). As pointed out earlier,

transparency is facilitated by technology. The Open Government movement stressed the use of

social media and Open Data. This emphasis on technology, brings as one American interviewee

pointed out, the necessity of even more communication channels in order to get the message

across. With the emphasis on technology it should not be forgotten that according to a report

by the US Commerce Department *Exploring the Digital Nation* roughly 30% of American adults

do not have an Internet connection at home even though 98% of Americans live in areas where

broadband internet connections are available. 10% of those who do not have an internet

connection have a mobile device that can access the web (Pew, 2013). That leaves however one

out of five Americans who do not have access. In the Netherlands 94% of the households have

an internet connection at home, the highest percentage in Europe (CBS, 2012). 92% of these

households have a broadband connection (CBS. 2012). Factors such as income, educational

attainment, age, gender, race, employment status, and disability status correlate with uneven

internet adoption rates in the USA (Commerce, 2013). Almost nine in ten college graduates

have high-speed internet at home, compared with just 37% of adults who have not completed

high school. Similarly, adults under age 50 are more likely than older adults to have broadband

at home, and those living in households earning at least $50,000 per year are more likely to

have home broadband than those at lower income levels (Pew, 2013). Geography also makes a

difference, including population density and state. Additionally, those households that do not

go online at home reported a range of underlying reasons for non-use. Lack of need or interest

and affordability ranked as the major reasons for non-use at home. In 2010, Pew found that

Americans generally feel that individuals who do not have broadband at home are at a major

disadvantage when it comes to finding out about job opportunities or learning career skills, or

when getting health information, learning new things for personal enrichment, and using

government services. The report *Exploring the Digital Nation* (Commerce Department, 2013)

concludes that the digital divide seems to narrow yet a significant gap remains. In terms of

social equity, a concept that has grown in importance in the field of public policy and

administration and elevated to be the fourth pillar along with economy, efficiency and

effectiveness by the American National Academy of Public Administration (NAPA) (Wooldridge and Gooden, 2009), the still existing digital divide should not be ignored.

6.6. Conclusion

This chapter gave an impression of what American and Dutch federal government communicators perceived as unintended consequences of proactive transparency. Negative consequences or unintended consequences are less often cited in the transparency literature than positive ones. However, as shown in this chapter, by incorporating the concept of unintended consequences in theory and practice, new challenges can come to light, such as managing expectations. Most unintended consequences as pointed out by the government communicators in both countries were in line with the literature. More research however is necessary in this area. Furthermore, some differences between the countries were found. These differences are partly in line with the institutional context of proactive transparency in the two countries. Finally, it should be noted that not all consequences can be anticipated. Some negative consequences might be inevitable (Ruijer, 2012).

7 Discussion and Conclusion

7.1. Main findings

In this last chapter we will return to the main research question:

How does the way proactive government transparency is institutionally embedded and organized, affect how federal government communicators perceive and implement proactive transparency?

In this dissertation a communication approach was used to analyze transparency. The role of federal government communicators within the government transparency realm was studied, thereby not only looking at the perceptions and actions of government communicators (micro level) but also at the organizational (meso) and institutional (macro) level. The comparative mixed method case study found some support that the institutional embedding of proactive transparency in a country influences both reasoning and practice of government communicators. This study also showed that government communicators working in an organization that supports proactive transparency provide more substantial information to stakeholders, use less spinning techniques and solicit more feedback and participation. Communicators can play a role in both enhancing and constraining organizational proactive transparency.

Before discussing the main findings in depth, the limitations of this study will be pointed out. Following, the findings will be discussed along four broad themes: the communicative dimension, a comparison between two countries, the importance of organizational embedding and finally unintended consequences and future challenges. Conclusions will be drawn and recommendations for further research will be given.

7.2 Limitations

First of all, although there are indications that the origins and evolution of institutional

embedding have an effect on practice, no specific predictions were made in advance because

the narrative was exploratory in nature. A limitation is that only provisional conclusions can be

reached (George and Bennet, 2005). Therefore, in this study the transparency regimes were not

only analyzed based on a principles - based and rule - based framework, but other causal

mechanisms were explored as well. Additionally, the second phase of the study, the mixed

method, showed some support for the arguments made in the narrative. Hence, even though

no strict causal relationships can be established, the rules and principles- based difference

seems like a plausible explanation. Additionally, the hypotheses in model *Explaining proactive*

transparency regimes, assumed that government communicators who know more of the formal

rules and/or work in a supportive organization will also value proactive transparency more. This

direction was statistically confirmed. However, conceptually one could also argue that

government communicators interested in proactive transparency might prefer to work in an

environment where this is stressed and they might also be more interested in the official rules

and regulations. This would suggest that a relationship in the opposite direction would be

possible as well. It could be that both directions are at play; this might be interesting for further

research.

Second, the response rate of the web-based study was rather low; however not

uncommonly low compared to other studies (Shih and Fan, 2008). 169 American federal

government communicators responded and 68 Dutch federal government communicators. In

addition, fourteen USA government communicator and or Open Government officials and

sixteen Dutch government communicators or public disclosure experts were interviewed. The

results of the web-based survey were mostly in line with the in depth interviews which suggests

that the findings are relatively robust despite the low response rate. The multivariate statistics

used, occasionally further decreased the sample size which may have caused the survey results

to have low power in detecting significant differences (Tabachnick and Fidell, 2007). For

instance no statistical differences were found for the way government communicators value

proactive transparency and the use of spin. A larger sample size might have detected more

significant differences, also between the countries[108].

Third, there is the issue of operationalization. Most survey items were based on existing

validated surveys. The questions in the existing surveys only asked the respondents one

question regarding transparency; whether they thought transparency was important or not. As

we have seen in the literature review in Chapter 2, transparency is a popular concept, favored

by many. Therefore in this study generic and specific statements were developed in order to

get a better understanding than merely importance. The developed statements had a

Cronbach's alpha of respectively .68 and .72, which is sufficient. Future research could try to

increase alpha by adding more or different statements. Possibly, with different statements, the

variable 'value proactive transparency' might show a more prominent role in the model. This

might also be the case with the independent variable 'knowledge of formal rules'; the questions

were slightly different for the two countries because of differences in rules and regulations.

Fourth, research in the transparency field has focused on the demand side and less on

the supply side (Coronel, 2012). This dissertation focused on the supply side; it relied on the

---

[108] It should be noted that both countries are Western democratic countries that score relatively high on transparency indexes. The findings might be different for non-Western countries or for more low scoring countries.

government communicators' view on proactive transparency, their perception of the

organizational support and their knowledge of the institutional embedding. The study

examined the role of government communicators in proactive transparency regimes, in line

with other researchers such as Fairbanks et al (2007) and Hawes (2010). A limitation of this

approach is that external actors such as the media, might have a different view in terms of

proactive transparency or obstructed transparency used by government agencies. However it

was not the intention of this study to measure the degree of transparency of government

agencies in each country. Because triangulation was used and the results seem largely

consistent over the different methods, it might be expected that government communicators

have given a realistic perspective on their daily practice. It should however be noted that in

terms of the use of spinning techniques there was a difference in results between American

survey respondents and American interviewees. Whereas the survey respondents admitted to

sometimes withholding information, the American interviewees did not. An explanation could

be that the respondents participating in the interview might have a more favorable view

towards transparency and might therefore have been more willing to participate than other

agencies. Another explanation could be that there was more reluctance in a personal interview

to admit to these practices. It therefore seems relevant for future research to examine this

more in depth by comparing the results as pointed out by the respondents themselves with

external indicators by independent organizations.

Finally, it should be noted that in this comparative case study it was not the researchers'

intention to empirically prove that once communication benefits are embraced in the

transparency realm it will automatically contribute to enhancing democratic values. A next step

could be to empirically prove that relationship. Further research is therefore needed. This study

should be seen as a first step in which the role of government communicators within the

proactive transparency realm was studied. The potential benefits, possible harms and dilemmas

were analyzed.

Even though this study has its limitations, the main findings are thus thought to be

rather robust.

7.3 Recognizing the communicative dimension

Transparency can be seen as an intrinsic value of democratic societies. Government legitimacy

is reinforced when citizens can discuss government policies and form an opinion (Habermas,

1989). The public sphere assumes alert and engaged citizens able to understand and use the

information that is accessible to them (Holzner and Holzner, 2006, Fairbanks et al 2007, Dawes,

2010). Citizens need access to government information in order to make informed decisions

(Cuillier and Piotrowski, 2009; Piotrowski and Van Ryzin, 2007). Recent decades have witnessed

important contributions to our understanding of transparency and its effects. However in many

ways we have yet to scratch the surface. Often an automatic link is assumed between

transparency and increased accountability or trust. However this link is not as straightforward

(Brandsma, 2012, Grimmelikhuijsen, 2012). Whether and how information is used to further

public objectives depends on its incorporation into complex chains of comprehension, action

and response (Weil et al., 2006). This study therefore not only focused on access to and the

disclosure of information, but also on *how* information is disclosed and communicated. The

demand for information, the ability of citizens to obtain, understand and do something with

that information, and the supply and actual release of information by the government needs to

be taken into account as well. Factors such as completeness, timeliness, accuracy,

understandability of disclosed government information and opportunities of feedback and

participation should not be ignored. An emphasis solely within the transparency realm on

information access or the availability of information could encourage us to think of information

as detachable from communication, and of informing as a process of "transferring" content

rather than as achieved by speech acts that communicate with specific audiences (O'Neill

2006). Information made available must stand a reasonable change of actually reaching and

being received by the public. Citizens need to be able to do something with the information in

order for transparency to be effective. Information access and communication practices should

be seen as belonging to the same policy.

In this study, it was argued that a communication dimension should be recognized

within the realm of transparency. This argument is in line with more recent scholars (Popova-

Nowak, 2011; Burke and Teller, 2011; Lindstedt and Naurin; 2010O'Neill, 2006; Fairbanks et al,

2007) who stress the importance of effective communication. What this study contributes to

the public administration literature however is that it explored to what extent these arguments

hold up empirically, thereby focusing on the role of communicators working at federal agencies

in the USA and the Netherlands. The model *Explaining proactive transparency regimes* from the

perspective of government communicators was developed based on the literature and tested

empirically. Recognizing the communicative dimension of transparency is essential because

communication can not only enhance transparency but could also constrain transparency.

The communication field is charged with the obligation of securing a steady flow of information

about all matters of societal relevance and making sure that the information is received by

external actors. Several models in the communication field can be distinguished: one way

models such as the information and persuasive model and two way models such as, the

relationship and dialogue model. The two-way symmetrical model continues to be a significant

ideal in both communication theory and practice. Communication can enhance transparency by

stressing the importance of open sharing of information and stressing that organizations

understand and be responsive to their publics; thereby also connecting vision and voice:

transparency and participation. Yet withholding information or distorting information prevents

stakeholders to reason and hence can hinder transparency and participation. As Sifry (2011)

wonders:

> "Will they [government] work harder to align their actions with their words,(…) and substitute
> spin with candor? Instead of giving out as little information as possible, will they actively share
> all that is relevant to their government service (…)? Will they trust the public to understand the
> complexities of that information, instead of treating them like children who can't handle the
> truth? And will we as citizens show that we do understand, and appreciate being dealt with as
> full participants, and accepting that governing a modern society is complicated?"

The theoretical claims in the literature, as outlined above, that the communication field

can enhance transparency are for the first time supported with a mixed method comparative

case study. The findings showed that most government communicators stressed the

importance of transparency. Proactive transparency is part of their daily practice. Some

government communicators are also involved in processing FOIA requests. Government

communicators help others in their government agency understand the importance of

proactive transparency and are invited by their management to join in activities regarding

proactive transparency.

The majority of the government communicators in this study indicated to provide

substantial information: that is accurate, relevant, complete and easy to find information.

Several communication channels are used to be able to reach a wide audience and the needs of

stakeholders are taken into account. Participation by stakeholders is solicited by e.g.

stimulating that opinions of stakeholders are asked before decisions are made by the agency.

Yet there is also room for improvement in terms of the communication channels that are used

and more specifically the use of social media and open data. Although the communicators have

very mixed experiences (both positive and negative) with social media and open data, they

pointed out its usefulness in terms of stimulating feedback and participation from stakeholders.

Some empirical support was also found for the claims in the literature that

communication can hinder transparency. In this study it was shown that even though the

majority of the respondents indicated to (strongly) disagree with techniques to hinder

transparency, such as leaving out important details or providing a lot of information in order to

conceal controversial issues, a few respondents indicated that this does happen. Another

mentioned technique was disclosing information on e.g. a website but not actively giving it any

attention or publicity. If stakeholders do not know it is there they might not look for it. These

techniques can lead to confusion, uncertainty, false beliefs and misinformation or

disinformation among actors outside the organization (O' Neill, 2006). These results have

implications for the media as well as important actors in the public sphere. Dahlgren (2009),

emphasizes that the media must provide citizens with information, ideas and debates about

current affairs to facilitate informed opinion and participation. The media are currently in a

turbulent period characterized by proliferation, concentration, deregulation, globalization and

digitalization. Journalism evolves with the transformation. According to Dahlgren (2009) from

these developments the role of the media in democracy is being altered and reduced. Prenger

et al. (2009) express their concern regarding the quality and independence of journalism based

on their research among Dutch journalists. They argue that the reduction in independent print

and audiovisual media, not yet compensated by web media, might make it easier for

communicators to bring their message across. Furthermore, one US interviewee in this study

pointed out in that in line with becoming more transparent, press conferences can now be

watched on YouTube so journalists do not have to physically attend. Convenient, but watching

a video does not provide direct interaction options and room for questions. Another

interviewee mentioned that FOIA online automatically publishes the FOIA requested records by

one journalist, online for everyone to see. This could lead to getting scooped by colleagues. The

media were not the focus of this study but further research is necessary to examine what the

full implications are for the media landscape and eventually for democracy.

Additionally, the findings of this comparative mixed method case study underscored

that there can be possible tensions or choices in the provision of information. Some other

scholars (Mahler and Regan 2007; Gaber, 2007) have referred to these possible tensions,

however few studies have explicitly addressed the issue. First, while the findings showed that

most government communicators disclosed *accurate* information, it also appeared to be

acceptable practice to highlight positive elements or certain elements more than others.

Highlighting could contradict the transparency characteristic of providing balanced and

accurate information. However, Grimmelikhuijsen (2012) found in his experimental study that a

slightly positive government message gave rise to higher levels of perceived competence[109] of

the government by the respondents than a very positive message. But that a balanced message

---

[109] Perceived competence is seen as a dimension of perceived trustworthiness of the government
(Grimmelikhuijsen, 2012).

had a negative effect on perceived competence. He concludes that there's some indication that

"people might prefer to be appeased by a false image that the government knows what it is

doing and where it is heading." Yet merely publishing success stories does not pay off either.

This could point to a balancing act between transparency and communication.

 Second, there is the possible tension between *completeness* and *usability*. Even though

in the web-based survey the majority of the respondents indicated to provide complete

information, other respondents both in the survey and the interviews warned for the danger of

information overload among stakeholders. Consequently, stakeholders might not be able to

find the information or understand the complexity of the information, which will diminish

usability. Klaidman and Beauchamp (1987) call for substantial completeness; the level at which

a reasonable person's requirements for information are satisfied. Substantial completeness is

concerned with the needs of the receiver, rather than the sender. Government communicators

in this study suggested to present information in layers[110], as was depicted in Figure 7 in

Chapter 5. Each layer might be targeted for different groups; some information is interesting

for relative expert audiences while other are suitable for "lay audiences" (O'Neill, 2009).

 That brings us to the third tension of making information *available for all external actors*

or actively targeting information towards *specific types of publics* and their needs.

Conceptualizing citizens as an amorphous mass is not helpful. It should be recognized that there

is a diverse group of individuals with varied capacities and interests (Meijer et. al. 2012). Open

---

[110] In this dissertation information was described in terms of the internal workings of the government. However this does not make a distinction in the form in which the information is presented and for whom. It is therefore important to realize that the information contains several layers.

Data can be published on a website for everyone to see and use. Yet agencies can also try to

actively look for possible interested stakeholders. As one interviewee mentioned:

> *"How do we find those people who care about the actual process. And for us, we have several*
> *bureaus that do a lot of different things, it is hard to find those communities. How do we find*
> *those groups? And even if we find them what do they want? This is like a full time job plus if you*
> *have to find all these niche community who want our open data and want our open content and*
> *then work with them so that they can produce something with it".*

Another possible tension could be *timelines.* The literature and institutional rules stress

timely disclosure (Darbishire, 2010). The findings showed that even though most respondent

are not slow in providing information to stakeholders, a considerable amount (one fifth), of the

respondents is. An argument that respondents gave for their slow response is prevention of

reputation damage. Yet, there are also examples[111] that stress the essence of being

forthcoming with information which contributes to a *reduction* of reputation damage.

Finally, there is the tension between disclosing information as a goal in itself, such as

releasing open datasets without contexts on the one hand and on the other hand the goal of

dialogue and soliciting feedback and participation. A dialogue assumes interested and active

citizens. Yet it should also be noted that citizens might not always be interested in each and

every aspect of government internal workings. Even though a two-way model is considered

ideal in theory (Habermas, 1986; Grunig, 2008) the findings of this study are in line with Ruler

and Verčič (2012) who argued that organizations usually do not choose one model of

---

[111] In 2003 the city of Amsterdam started with the infrastructure project, the expansion of the North
South metro line. The project should have been completed in 2011, but the current expectation is 2017. The
project encountered several problems such as budget exceeding, damage to historic houses in the city center,
reputation damage and resignation of municipal executive councilors. The setbacks resulted in an almost standstill
of the project from 2008 until 2009. In 2009 top management was renewed and a new head of the
communications department started. The new head drastically changed the communication strategy from leaving
out information and one way communication to a balanced, honest, transparent, two-way communication strategy
in which among others, timing in terms of forthcoming responses by the government with the help of social media
was crucial. This led to a positive change in the reputation of the project and even to a sense of proudness of the
project (Baetens, 2012).

communication but that all takes place in practice, both one way and two- way models, both

informative and persuasive communication. Yet the *degree* of the use of each model might vary

per organization. That will be further discussed in the section 7.3.

These findings have four important implications for both theory and practice. First of all,

when studying government transparency, the role and contribution of the communication field

should not be ignored. Both the field and its practitioners can contribute to enhancing

transparency of government agencies. That does not however imply that government

communicators are the only ones disclosing information with the outside world. Nor does it

imply that all government communication practice necessarily falls under the umbrella of

transparency, or that all communication presents clear and completely honest information. This

research supports other studies (Balkin, 1999; Pasquier and Villeneuve, 2007; Lindberg 2009)

suggesting that *obstructed* transparency, legal means to limit access to information (Pasquier

and Villeneuve, 2007), does take place. This according to Rawlins (2009) is not ethical because it

disables individuals outside the organization from their ability to reason and form judgments. It

should be recognized that the act of clear and honest communication is essential in building,

maintaining and restoring relationships with actors outside of the organization.

Second, in addition to obstructed transparency, the research in terms of the tensions as

described above also indicates that *strained* transparency takes place. Pasquier and Villeneuve

(2007) refer to strained transparency in terms of passive transparency. Strained transparency

corresponds to behavior on the part of the public body which, consciously or unconsciously,

limits access to information, for instance due to a lack of resources. The tensions as pointed out

above might consciously or unconsciously strain behavior of government communicators in

terms of proactive transparency. Furthermore anticipating possible unintended consequences, as was pointed out in Chapter 6 such as preventing information overload, could strain transparency as well.

Third, the tensions also give an indication of a certain amount of discretion government organizations and/or government communicators can exercise in presenting and sharing the information. Bureaucratic discretion is exercised both at the level of the agency (Birkland, 2005) and at the level of the individual bureaucrat (Goodsell 2004; Brodkin 2006). After all, bureaucrats not only implement policy but shape and advocate it as well (Goodsell, 2004). Some agencies have more discretion than others (Birkland, 2005). Discretion is a fact of organizational life. The challenge, as Brodkin (2006) points out however is how to make full use of discretion's potential benefits while preventing potential harms.

Fourth, the concept of strained transparency brings us to the illusion of transparency as discussed in Chapter 6. The findings in this study support the argument by Drucker and Gumpert (2007) that 100% pure transparency, the uncontrolled flow of information and the revelation of organizational details, seems impossible in practice. Maximized transparency as defined by Pasquier and Villeneuve (2007), that the organization makes all information in its possession available, is not necessarily taking place in practice. Yet it does not mean that transparency is not a principle worth striving for.

7.4 Institutional embedding; two cases, two countries

In this dissertation the institutional embedding of transparency regimes in two countries, the USA and the Netherlands, were examined. The institutional embedding in this study focused on passive and more specifically on proactive disclosure of information. Proactive disclosure

permits the public administration itself to select and interpret the case documents. The

narrative of the origins and evolution of the transparency regimes suggests that on a *continuum*

the US transparency regime emphasized originally a more legalistic or rules-based approach,

whereas the Netherlands seemed to fit in a more principles-based approach.

A rules- based approach is more explicit and a principles-based approach more implicit.

The regulatory relationship of a rules-based approach is characterized by directing and

controlling (Black, 2004), whereas a principles-based approach is characterized by an

institutional context of mutual trust between participants in the regulatory regime in which

regulators communicate their goals and expectations clearly (Black, 2008b). A rules-based

approach focuses on detection and on compliance with a specific set of procedural

requirements. A principles- based approach emphasizes 'doing the right thing' and is value

driven (Arjoon, 2006).

The US FOIA, with a focus on access to documents, was originally created to ensure an

informed citizenry, vital to the functioning of a democratic society, needed to check against

corruption and to hold the governors accountable to the governed. The Dutch Wob was created

in the light of optimizing communication between government and its citizens, which was

supposed to lead to enhanced democratization. Moreover, openness was considered a

mentality. In the light of optimizing communication, access was seen as one of the main

solutions, as was providing information on its own initiative (proactive disclosure).

In the United States we find several acts, amendments, directives and circulars that

touch upon proactive transparency. In the Netherlands this mainly concentrates on the Wob

and several committees who produced reports leading to recommendations and guidelines.

In the Netherlands it was thought that proactive transparency should not be seen as endless because too much information might lead to an information overload (Wopereis, 1996).

These differences in transparency regimes have some important theoretical and practical implications. The narrative presented in a chronicle for each country purported to throw light on how the institutional embedding of proactive transparency came about in each country. From a theoretical perspective, the narrative underlines the importance of taking into account the institutional embedding of proactive transparency. Not only do the current rules and regulations matter, but there is some indication that the origins still influence practice today.

The findings of the mixed method showed differences between the countries that can partly be explained by the more rules-based and principle- based approach. In line with a more rule- based approach, American government communicators scored higher on knowledge of formal rules compared to Dutch government communicators. Americans emphasized the importance of accountability and scored higher on providing accountable and substantial information as well. They agreed more than Dutch government communicators that making information available proactively facilitates more accountable spending of public funds. Dutch communicators scored higher on items regarding the solicitation of participation, which could be in line with the origins that already focused on the concept of communication instead of information.

Furthermore, the multivariate analysis showed that the knowledge government communicators have of the institutional embedding is both a predictor of the way they value proactive transparency as well as of their involvement in proactive transparency initiatives in

their daily practice. However, no statistical significant effect was found for country regarding knowledge of the rules and the way communicators value proactive transparency. A statistical significant effect was found for the degree of involvement in proactive transparency initiatives, with Americans being more involved. Thus, despite the fact that the Dutch Wob explicitly states that information should be provided about the policy and the preparation and implementation thereof, American government communicators make information available more often than Dutch government communicators about the decision making process, the implementation and outcomes of the agencies policies and about budgets and subsidies. However if we look at organizational support, American government communicators are more often invited by their management to join in initiatives regarding making information available proactively to the public than Dutch respondents. It therefore seems more likely that Americans are more involved in the proactive disclosure of information regarding the different aspects of the internal workings of the agency. Looking at the institutional embedding, the current push for Open Government in the USA could also contribute to this difference. Even though American interviewees perceived the Open Government movement as an incremental process, it also gave them leverage in terms of technology and being more proactive. The research also showed that Americans are more involvement in Open Data, a key issue of the Open Government movement. Although causality is difficult to prove, these findings suggest that institutional embedding has some effect on practice.

In terms of possible unintended consequences, Americans mentioned more often the possibility of mistakes in the proactively released data. A transparency discourse focused on accountability, produces policies and platforms that are particularly sensitive to governments'

mistakes (Fung and Weil, 2010). As another possible unintended consequence, American government communicators also pointed out that expectations have not always been properly managed as in terms of the promised degree of transparency and the actual transparency constrained by issues such as privacy and national security. By contrast, Dutch respondents more often referred to information overload and taking into account the interests of stakeholders, which seem to fit within the 'polder model'.

In addition, despite the general assumption that proactive disclosure is an essential part of the right to information, not much research has been conducted regarding the scope and implications of proactive transparency. These findings underline the importance of proactive transparency next to passive transparency. Passive and proactive transparency influence each other. Or as Brüggeman (2010) pointed out they are two sides of the same coin and hence should both be taken into account when analyzing transparency. From a practical point of view we can observe that proactive disclosure is not yet incorporated into international comparative transparency indexes such as the Global RTI rating. There is a call for incorporating proactive transparency in a global index (Darbishire, 2010; Coronel, 2012). The findings of this research support this call, but also warn for the complexity of the institutional embedding of proactive transparency. The differences in the institutional embedding in the two countries make clear that it is not enough to conduct a cross national analysis by only focusing on a proactive provision as laid down in FOIs. Other rules and initiatives might also influence the degree of proactive transparency.

In conclusion, this study showed that the unique institutional context of the implementation of proactive transparency policies matters. The institutional embedding influences transparency regimes.

7.5 Organizational support is key

In this dissertation a model for analyzing proactive transparency regimes from the perspective of government communicators was developed and tested empirically. Based on the research findings the model was revised in Chapter 5. In the first version the way government communicators value proactive transparency was considered a central concept. The revised model stressed the importance of organizational support.

The model was partly based on Fairbanks' et al (2007) three dimensional model, which states that the dimensions personal beliefs, organizational factors and resources influence the degree to which transparency was able to take place within an agency. The findings of this study partly support these findings, but also show that the three dimensional model might be too simplistic.

First of all, more dimensions play a role in the degree of transparency of an agency. The three dimensional model does not incorporate the perceived institutional embedding by government communicators. Yet the findings seem to suggest that knowledge of the institutional embedding does influence both the way government communicators value proactive transparency and their involvement in daily practice.

Second, almost all government communicators in both countries agreed that proactive transparency is important. This is in line with Scholtes (2012) findings that show the general popularity of the concept of transparency. Some slight differences can be found whether

respondents perceive transparency in terms of access to documents or in terms of a two way process. Consequently, because transparency is generally accepted as important in both countries, it is believed that the variable ' value' in the first model had limited predicting power in. That does not mean that personal beliefs are not relevant. This study did show that the way government communicators valued transparency had a positive effect on the provision of substantial information and on the degree of involvement in proactive transparency. But no effect was found for the other variables.

Third, the findings of this study support the importance of organizational support as was pointed out in Fairbanks' et al. (2007) three dimensional model. What the findings of this study contribute though, is that organizational support appears to be the stronger predictor in the oval as presented in Model 2 *Explaining proactive transparency regimes*. Government communicators, working in an organization where political leaders and management support proactive transparency, where there are formal and informal rules that support proactive transparency and where government communicators are invited to join in proactive transparency initiatives, are more involved in proactive transparency. Moreover, what this study remarkably also points out, in addition to Fairbanks et al. (2007) findings, is that government communicators in these agencies will provide more substantial and accountable information. Information is more likely to be relevant for stakeholders, easy to find, understandable, accurate and complete. Mistakes will be admitted more freely and information will be disclosed forthcoming. Government communicators working in these agencies are also more likely to solicit feedback and participation from stakeholders as well; a two -way flow of information that encourages dialogue with actors outside the organization.

Fourth, the findings showed a negative relation between the degree of organizational support for proactive transparency and the use of spin. This implies that in organizations supportive of proactive transparency, government communicators are less likely to use spin techniques, such as leaving out important details, providing a lot of information in one package in order to hide the real news or providing information that is intentionally written in a way to make it difficult to understand. This does not mean that in less supportive organizations only spin techniques are used. As pointed out by Ruler and Verčič (2012), in practice all takes place, both one way and two-way information and informative and persuasive communication.

Fifth, in this study no significant effect was found for Fairbanks' et al, (2007) third dimension of the three dimensional model: resources. Interviewees did mention resources as a constraining factor, Americans more often than Dutch government communicators. At the same time American interviewees pointed out that the lack of resources did not prevent them from being proactive, it implied that they could not always do everything they would like to do.

A theme that arose from the in depth interviews, that was not specifically addressed in the survey, was the importance of organizational culture and the agency's mission and values in creating openness. An open culture was perceived as a precondition for being able to be open with actors outside the organization. This is in line with Pasquier and Villeneuve's (2007) findings that point out that legal principles obliging organizations to practice greater transparency cannot fully achieve their purposes without a profound culture change in favor of transparency. Besides, what needs to be taken into account is the agency's function or task. Agencies who are dealing with sensitive information might be less proactive than agencies that benefit from being proactive because it is e.g. in line with their mission. The research gave

some indication that agencies that have a long history of openness tend to be more proactive.

However, this issue needs to be explored further.

Thus, from a theoretical perspective, this study underlines the importance of

organizational embedding when studying proactive transparency. An organization that supports

proactive transparency helps in reaping the benefits but also in managing the possible harms of

communication. From a practice perspective this stresses the importance of the role of political

leaders and managers, formal and informal rules which support proactive transparency.

This finding also implies that a commitment to transparency by a government solely in terms of

institutional rules or principles is not enough. After all, the findings of this dissertation also

suggest that unsupportive organizations can limit transparency.

7.6 Future challenge: managing expectations

What becomes clear in the sections above is that government transparency is constructed in

interactions between actors with different perspectives within a certain institutional and

organizational playing field. At the same time these interactions change the nature of the

playing field (Meijer, 2013b). The choices that people make, whether intended or unintended

have consequences for the degree of government transparency. These consequences affect the

future structuring of alternative choices. This study also examined possible unintended

consequences of and future challenges for proactive transparency from a communicative

perspective. Only by examining not only the intended but also the unintended consequences

can the possible effect of transparency be fully comprehended.

What came to light when studying unintended consequences and future challenges is

the issue of managing expectations. The Open Government Directive states that the Obama

Administration is committed to creating an *unprecedented level of openness* of Government, which may have led according to government communicators to a gap between expectations and the reality of openness bound by aspects of exemptions as stated in e.g. FOIs. The unprecedented level of openness does not admit the mutual dependency of secrecy and transparency. This contains a potential risk. After all, Bovens and 't Hart (1996) conclude in their study on policy failures that policy failures are as much a product of social expectation as it is due to substantive failures of government delivery.

President Obama has used transparency in his endeavor to restore faith in the US government on a national and international level. It has led to a believe that everything will be released, yet when Obama is being exposed as less transparency than he claims, he automatically crosses the line into the realm of secrecy (Birchall, 2011b, p. 142). This risk could be at play by looking at the way the Administration is dealing with whistleblowers such as Manning and Snowden. This dissertation did not focus on whistleblowers, yet it may be seen as a part of proactive transparency as well. Shkabatur (2012) refers to whistleblowers policies as involuntary transparency. While the Obama Administration initiated an ambitious effort to declassify governmental records, the Administration's treatment of whistleblowers has been far less favorable which, according to Shkabatur (2012) is surprising given his campaign promises and his general transparency pedigree. As a possible explanation she argues that the Obama administration has been the first to confront the transformative effects of technology on governmental whistle blowing: the Internet has made it easier than ever to leak massive amounts of information, but harder than ever to expose whistleblowers. Despite the influence of technology, the occurrences can have a backlash on the administrations promise of

unprecedented openness and in fact reduce faith in government. After all, a perception of injustice and awareness of events by significant audiences are crucial in making actions eventually counterproductive (Martin, 2007).

Furthermore, government communicators perceived anticipating unintended consequences of the proactive release of information, as part of their job. While this anticipation has benefits in terms of e.g. preventing reputation damage, it also entails the possibility of constraining transparency e.g. withholding information or publishing the information without giving it any further attention, in order to prevent an information overload, or because the information is thought to be not relevant or of interest for external actors.

Negative or unintended consequences are less often cited in the transparency literature than positive ones (Meijer et al, 2012). However, as shown in this study, by incorporating the concept of unintended consequences in theory and practice, new challenges can come to light. It brings several implications for studying proactive transparency. Some unintended consequences are unavoidable in the implementation of proactive transparency policies. After all the limits of knowledge, coupled with the dynamics within a government agency and the dynamics of its environment, limits the capacity of government communicators to avoid surprises. Still, the identification of unintended consequences offers an opportunity to improve transparency practice and enhance our understanding of implementing transparency policies as a process. The identification of the issue of managing expectations and setting realistic expectations could be of help to other nations who have joined the Open Government partnership.

7.7 Further research

This research project has enhanced our understanding of proactive transparency regimes and the value of communication. It was shown that institutional and organizational factors influence the way government communicators value and implement proactive transparency. Studying the origins and evolution of the institutional embedding helped explaining some of the similarities and differences in proactive transparency policy regimes between the USA and the Netherlands. This study contributed to transparency theory development and practice by expanding the definition of transparency beyond the concept of information dissemination and emphasized the importance of recognizing a communicative dimension. It provided insights into how government communicators perceive transparency and how they shape and use government information. It enhanced our understanding, the relevance and consequences of proactive transparency in the USA and the Netherlands. The findings could be relevant for other democracies and for government agencies who efficiently would like to implement (proactive) transparency policies.

Even though the main research question and it sub questions have been answered in the past chapters, several questions for further research remain. For instance it would be interesting to study whether the differences in rules- based and principles-based regimes also have consequences for the degree of discretion of agencies and bureaucrats. Rules are typically thought to be simpler and easier to follow than principles, thereby demarcating a clear line between acceptable and unacceptable behavior. Rules reduce discretion on the part of individual and managers (Coglianese, et al. 2004). Therefore it might be expected that in terms of the tensions as described in the first section of this chapter, Dutch communicators might

have more room to maneuver. Even though this was not a specific focus of the empirical study, a few Dutch government communicators did spontaneously refer indirectly to the issue of discretion, whereas none of the Americans did. However, further research is necessary to study whether this is indeed the case.

In addition, organizational culture emerged as a relevant theme. The findings suggested that an open culture within the organization is a precondition for being able to share information with external stakeholders. More research is necessary to study how the internal culture influences external information sharing and what can be done in order to stimulate an open culture within federal government agencies. As pointed out, this study relied on the perception of government communicators. It could be interesting to also take into account the opinions of external actors, such as journalists, representatives of NGO's and citizens. The results could be compared and contrasted.

Finally, this study mainly focused on the role of government communicators in *proactive* transparency initiatives. As was shown, some government communicators are also involved in passive transparency. What their role is in passive disclosure and how that influences government transparency can be further examined as well.

References

Act of 31 October 1991, containing regulations governing public access to government information. *Ministerie van Binnenlandse Zaken*. Retrieved from http://www.minbzk.nl/bzk2006uk/subjects/constitution- and/publications/4327/act-on-public-access March 28, 2010

Ajzen, I. and Fishbein, M. (2005). The influence of attitudes on behavior. In: Albarracin, B.T., Johnson,M.T., Zanna, M.P. *The handbook of attitudes*. Mahway: Erlbaum, 172-221

Arjoon, S. (2006). Striking a Balance Between Rules and Principles-based Approaches for Effective Governance: A Risks-based Approach. *Journal of Business Ethics* 68, 53-82

Arnold, J.R. (2012). The electoral consequences of voter ignorance. *Electoral Studies* 31, 796–815

Arnold, J.R. (forthcoming) *American Government Secrecy in the Sunshine Era*

Bac, M. (2001). Corruption, connections and transparency: Does a better screen imply a better scene? *Public Choice*, 1107, 87-96

Balkin, J.M. (1999). How Mass Media Stimulate Political Transparency. *Cultural Values* 3,4, 393-431

Ball, C. (2009). What is Transparency? Public Integrity. vol 11 no 4 pp 293-307

Baetens, T (2012). De ingenieur en de buurman. Communicatie rondom de aanleg van de Noord/Zuid lijn. Raad voor Maatschappelijke Ontwikkeling. Den Haag

Bell, S., Hindmoor, A., & Mols, F. (2010). Persuasion as governance: A state-centric relational perspective. *Public Administration, 88*(3), 851-870.

Bertot, J.C., Jaeger, P.T. and Grimes, J.M. (2010). Using ICT's to create a culture of transparency: E-government and social media as openness and anti-corruption tools for society. *Government Information Quarterly* 27,3, 264-271

Birchall, C. (2011). Introduction to Secrecy and Transparency: The Politics of Opacity and Openness. *Theory, Culture and Society*, 28, 11, 7-25

Birchall, C. (2011b). "There's been too much secrecy in this city:" The False Choice between Secrecy and Transparency in US Politics. *Cultural Politics*, 7, 1, 133-156

Birkenshaw, P. (2006). Transparency as a human right. In: Hood, C. and Heald, D. Transparency. The Key to Better Governance? Oxford University Press

Birkenshaw, P.J. (2006a). Freedom of Information and Openness: Fundamental Human Rights. Administrative Law Review 58, 1, 177-218

Birkland, T.A. (2005). *An Introduction to the Policy Process. Theories, Concepts and Models of Public Policy Making*. Second Edition ME Sharpe, New York

Black, J. (2008). Constructing and contesting legitimacy and accountability in polycentric regulatory regimes. *Regulation and Governance*, 2, 137-164

Black, J. (2008b). Forms and paradoxes of principles-based regulation. Capital Markets Law Journal, 3, 4, 425-457

Blumler, J. and Katz, E. (1974). *The uses of mass communication*. Thousand Oaks, CA: Sage

Bok, S. (1982). *Secrets: Concealment and Revelation*. Oxford: Oxford University Press.

Bovens, M, and 't Hart, P. (1996). *Understanding Policy Fiascoes*, New Brunswick: Transaction Publishers

Bovens, M. (2007). Analysing and Assessing Accountability: A Conceptual Framework. *European*

Law Journal 13, 4, 447-468

Brandsma, G.J. (2012) The effect on oversight: the European Parliament's response to increasing information on comitology decision-making. *International Review of Administrative Sciences* 78, 1, 74-91

Brodkin, E.Z. (2006). Bureaucracy Redux: Management Reformism and the Welfare State. *Journal of Public Administration Research and Theory*, 17, 1-17

Brooks, H. (2005) *Your Right to Know. How to use the Freedom of Information Act and other access laws*. Pluto Press, London

Brown, E. and Cloke, J. (2004). Neoliberal reform, governance and corruption in the South: Assessing the international anti-corruption crusade. *Antipode*, 26, 2, 272-294

Brown, B., Chui, M. and Manyika, J. (2011) *Are you ready for the era of big data?* McKinsey Quarterly, oct, 2011

Brüggmann (2010). Information Policy and the Public Sphere. EU communications and the promises of dialogue and transparency. *Javnost-The Public* 17, 1, pp 5-22

Bryman, A. (2006). *Mixed Methods: a four volume set*. London: Sage

Burgemeestre, B., Hulstijn, J. and Tan, Y.H. (2009).Rules-based versus Princples-based Regulatory Compliance. *Frontiers in Artificial Intelligence and Applications* 205, 37-46

Burke, W. M. and Teller, M.(2011). *A Guide to Owning Transparency. How Federal Agencies Can Implement and Benefit from Transparency*. Open Forum Foundation, Washington

Burkart, R. (2009). On Habermas: Understanding and Public Relations. In: Ihlen, O., van Ruler, B. and Fredriksson, M. *Public Relations and Social Theory. Key Figures and Concepts*. New York: Routledge

Castells, M. (2008). The New Public Sphere: Global Civil Society. Communication Networks, and Global Governance. *Annals of the American Academy of Political and Social Sciences*. Vol. 616 Public Diplomacy in a Changing World, pp 78-93

Carlson, C, Cuillier, D., and Tulkoff, L. (2012) *Mediated Access: Journalists' Perceptions of Federal Public Information Officer Media Control.* Society of Professional Journalists.

Chen, S. and Chaiken, S. (1999). The Heuristic-Systematic Model in its broader context. In Chaiken, S. and Trope, Y. (1999). *Dual Process Theories in Social Psychology*. London: The Guilford press

Christensen, L.T. and Langer, R (2009). Public relations and the strategic use of transparency: consistency, hypocrisy and corporate change. In Heath, R.L., Toth, E.L. and Waymer, D. (Eds.), *Rhetorical and Critical Approaches to Public Relations* (2 ed) pp 129-153. New York: Routledge

Coglianese, C., Kearing, E.K., Michael, M.L. (2004). *The Role of Government in Corporate Governance.* Regulatory Policy Program Report RPP -08 Cambridge MA: Center for Business and Government, John F: Kennedy School of Government, Harvard University.

Coglianese, C. (2009). The Transparent President? The Obama Administration and Open Government. *Governance: An International Journal of Policy, Administration and Institutions*, 22, 4, 529-544

Coronel, S (2012). Measuring Openness: A survey of transparency ratings and prospects for a global index. www.freedominfo.org

Corruption Perceptions Index www.transparency.org April 4, 2010

Cotterrell, R. (1999). Transparency, Mass media, ideology and community. *Cultural Values*, 3, 4 414-426

Coombs, W.T. and Holladay, S. J. (2007). *It's not jst PR: Public Relations in Society*. Blackwell Publishing, Malden, MA

Couper, M.P. (2008). *Designing Effective Web Surveys.* New York: Cambridge University Press

Creswell, J.W. (2009). *Research Design. Qualitative, Quantitative and Mixed Methods Approaches.* Third Edition. Thousand Oaks, CA: Sage Publication, Inc

Cuillier, D. And Piotrowski, S.J. (2009) Internet information-seeking and its relation to support For access to government records. *Government Information Quarterly* 26,3, 441-449

Curtin, D. and Meijer, A.J. (2006). Does Transparency strengthen legitimacy? A critical analysis of Europen Union policy documents. *Information Polity* 11, 109-122

Cutlip, S. M., Center, A.H. and Brom. G.M. (2000). *Effective Public Relations*. Eight Edition. New Jersey: Prentice Hall

Daalder, E.J. (2005). Toegang tot overheidsinformatie. Dissertation Universiteit Leiden. Retrieved from https://www.openaccess.leidenuniv.nl/bitstream/1887/645/5/Thesis.pdf April 24, 2010

Dahlgren, P. (2009) *Media and Political Engagement. Citizens, Communication and Democracy.* NY: Cambridge University Press

Darbishire, H. (2010). Proactive Transparency: the future of the right to Information. Working paper. The World Bank. http://siteresources.worldbank.org/WBI/Resources/213798-1259011531325/6598384-1268250334206/Darbishire_Proactive_Transparency.pdf

Dawes, S. S. (2010). Stewardship and usefulness: policy principles for information based transparency. Government Information Quarterly 27, 377-383

Dekker, E. (1969). Overheidsvoorlichting n de verzorgingsmaatschappij [Government Information in The Welfare State], disseration, Utrecht University

Dekker, P. (2001). Vertrouwen in de overheid. Een verkenning van actuele literatuur en enquete gegevens. Retrieved from http://www.tilburguniversity.nl/globus/publications/01.03.pdf April 10, 2010

De Nieuwe Reporter (2011). 18 persvoorlichters bij het ministerie van Defensie retrieved from (http://gevaarlijkspel.denieuwereporter.nl/achttien-persvoorlichters-bij-ministerie-van-defensie/)

Department of Justice, Department of Justice Guide to the Freedom of Information Act (2009), proactive disclosures. retrieved from http://www.justice.gov/oip/foia_guide09/proactive-disclosures.pdf April 4,2011

Deutskens, E. De Ruyter, K., Wetzels, M. oosterveld, P. (2004) Response Rate and Response Quality of Internet-Based Surveys: An Experimental Study. *Marketing Letters* 15:1, 21–36

Dewey, J. (1927). *The public and its problems.* Chicago: The Swallow Press Inc

Drew, C.H. and Nyerges, T. L. (2004). Transparency of environmental decision making: a case study of soil cleanup inside the Hanford 100 area. Journal of Risk Research 7, 1, 33-71

Dillman, D.A. (2007). *Mail and Internet Surveys. The Tailored Design Method.* Second Edition. Hoboken: John Wiley and Sons, inc

Dillman, D.A. (2000), *Mail and Internet Surveys. The Tailored Design Method.* New York: John

Wiley and Sons, inc

Drucker, S.J. and Gumpert, G. (2007). Through the looking glass: illusions of transparency and the cult of information. *Journal of Management Development*, 26, 5, 493-498

Ēdes, B.W. (200). The role of government information officers. *Journal of Government Information*, 23, 455-469

Eechoud, M. and B. van der Wal (2008) Creative commons licensing for public sector information Opportunities and pitfalls. Institute for Information Policy, University of Amsterdam

E-Government Factsheet . Netherlands Legal Framework (2010). www.epractice.eu Retrieved from http://www.epractice.eu/en/document/288325 April 8, 2010

Eschenfelder, K.R. (2004). Behind the Web site: An inside look at the production of Web-based textual government information. *Government Information Quarterly*, 21, 337-358

Etzioni, A. (2010). Is Transparency the Best Disinfectant? *The Journal of Political Philosophy* 18 (4) p 389-404

Evaluatieverslag Wet Openbaarheid Bestuur (1997). Ministerie van Binnenlandse Zaken. Retrieved from http://docs.google.com/viewer?a=v&q=cache:DhSRd7ieGwcJ:www.minbzk.nl/aspx/download.aspx%3Ffile%3D/contents/pages/1314/br_tk_evaluatie_Wob_4-97.pdf+evaluatie+wet+openbaarheid+bestuur+tilburg&hl=nl&gl=be&pid=bl&srcid=ADGEESg9FZCZexdq-nysW0zIs87cv4GprwsNpWLY2riwhcl8EUgX1272bEoA4Edpgyh3OKHuHtd1MErGNfxb2437Voxtx45jQ5nYLTpZoEjef96fdQHY13fz_nj6PpUWR3_LNGgFOcRI&sig=AHIEtbRdGkvNfDI-cgMMAqBDojRs33imEw April 20, 2010

Farmer, D.J. (2010). Public Administration in Perspective. Theory and Practice. Through Multiple Lenses. ME Sharpe

Fairbanks, J., Plowman, K.D. and Rawlins, B.L. (2007). Transparency in government Communication. *Journal of Public Affairs*. 7, 1, 23-57

Fairbanks, J. (2005). *Transparency in the government communication process: the perspective of government communicators.* Thesis. Brigham Young University

Fenster, M. (2012). Disclosure's effects: Wikileaks and Transparency. *Iowa Law Review* 97, 753-807

Fine, G.A. 2006, The changing of social problems: solutions and unintended consequences in the age of betrayal. *Social Problem,* 53, 1, 3-17.

Florini, A.M. (1998). The end of secrecy. *Foreign Policy*, 112, 50-63

Florini, A.M. (1999) *Does the Invisible Hand Need a Transparent Glove? The Politics of Transparency.* Paper Annual worldbank Conference on Development Economics, Washington DC

Florini, A. (2004). Behind Closed Doors: governmental transparency gives way to secrecy. *Harvard International Review*, 26, 1, 18-21

Florini, A.M. (2007). Introduction the battle over transparency. In: A. Florini (ed). *The Right to Know. Transparency for an open World* (pp1-16). New York: Colombia University Press

Flyverbom, M., Christensen, L.T. and Hansen, H.K. (2011). *Disentanling the Power-Transparency Nexus*. Paper presented at the 1st Global Conference on Transparency Research, Rutgers University, Newark May 19-20, 2011

Frankfurt-Nachmias, C. and Nachmias, D. (2008). *Research Methods in the Social Sciences. Seventh Edition.* New York: Worth Publishers

Freedom of Information, United States (2011) www.freedominfo.org. Retrieved from http://www.freedominfo.org/regions/north-america/united-states/

Frey, L.R., Botan, C.H. and Kreps, G.L. (2000). *Investigating Communication. An introduction to Research Methods. Second Edition.* Needham Heights: Allyn and Bacon

Frost. A. (2003). Restoring Faith in Government: Transparency Reform in the United States and the European Union. European Public Law. 9, 1, 87-104

Fung, A. & O'Rourke, D. (2000). Reinventing environmental regulation from the grassroots up: explaining and expanding the success of the toxics release inventory, *Environmental Management*, 25, 2, 115–127

Fung, A. and Weil, D. (2010). Open Government and Open Society. In: Lathrop, D. and Ruma, L. *Open Government. Collaboration, Transparency and Participation in Practice*.Sebastopol CA: O'Reilly Media Inc 105-113

Gaber, I. (2007). Too much of a good thing: the "problem" of political communications in a mass media democracy. *Journal of Public Affairs*, 7, 219-234

Galjaard, C. (2002) *Overheidscommunicatie. De binnenkant van het vak*. Lemma Utrecht.

Garnett, J.L. and Kouzmin, A., Eds., Handbook of Administrative Communication, Marcel Dekker, New York, 1997

George, A. L. and Bennett, A. (2005). *Case Studies and Theory Development in the Social Sciences.* Cambridge: MIT Press

George, D. and Mallery, P. (2009). *SPSS for Windows Step by Step. A Simple Guide and Reference 16.0 Update 9th edition.* Allyn and Bacon, Boston

Gisteren, van, R. and Volmer (2004). Engaging Citizens. www.tappan.nl Retrieved From www.tappan.nl Oct 2010

GOA (2008) Freedom of Information Act. Agencies are making progress in reducing backlog, but additional guidance is needed. Retrieved from http://www.gao.gov/new.items/d08344.pdf April 28, 2010

GOA (US Government Accountability Office) (2008). Ongoing Problems in the Implementation of the Freedom of Information Act. In Lee, M. (2008). Government public relations. A reader. Taylor and Frances Group LLC. Boca Raton FL

Goodman, M.B., (2002). Guest Editorial. *Corporate Communications*. 7, 4, 204-205

Goodsell, C.T. (2004). *The Case for Bureaucracy. A Public Administration Polemic.* Fourth edition. Washington: CQ Press

Gower, K. K. (2006). Truth and transparency. In K. Fitzpatrick & C. Bronstein (Eds.), *Ethics in public relations* (pp. 89–105). Thousand Oaks, CA: Sage.

Graber, D.A. (1992). *Public Sector Communication. How Organizations Manage Information.* CQ Press, Washington DC

Graber, D.A. (2003). *The Power of Communication. Managing Information in Public Organizations.* CQ Press, Washington, DC

Graber, D.A. (2006). *Mass Media & American Politics.* CQ Press, Washington DC

Graham, F. S. (2011). Examining Open Government at the Education Department. *The Public Manager*, 40 (4) 50-53

Grimmelikhuijsen, S. (2009). Do transparent government agencies strengthen trust? *Information Polity* 14 , 173-186

Grimmelikhuijsen, S (2010). Being Transparent or spinning the message? An experiment into the effects of varying message content on trust in government. Information Polity, 15, 1-16

Grimmelikhuijsen, S. and Meijer, A. (2011) Toward a Specific understanding of the Effect of Transparency and Trust. Paper presented at the First Global conference on Transparency Research, Newark

Grimmelikhuijsen, S. (2012). *Transparency and Trust. An experimental study of online disclosure and trust in government.* Dissertation, Utrecht University

Grimmelikhuijsen, S. (2012b). A good man but a bad wizard. About the limits and future of transparency of democratic governments. *Information Polity.* 17, 293-302

Gross S.J. and Nieman, C.M. (2001). Attitude-behavior consistency: a review. *Public Opinion Quarterly*, Vol 39, no 3. pp 358-368

Grunig, J. E and Hunt, T. (1984) *Managing Public Relations*. New York: Holt, Rinehart and Winston

Grunig, J. and Grunig, L. (1992). Models of public relations and communications. In J.

Grunig, E. Dozier, M., Ehling, W. P., Grunig, L., Repper, F. C., White, J. (Eds.) *Excellence in public relations and communication management* (285-325). Hillsdale: Lawrence Erlbaum Associates.

Grunig, J. (2008). Conceptualizing quantitative research in public relations. In B. van Ruler, A.T. Vercic, & D. Vercic (Eds.) *Public relations metrics: research and evaluation* (pp. 88-119) New York and London: Routledge

Hajema, L.H. (2001) *Glazenwasser van het bestuur: lokale overheid, massamedia, burgers en communicatie. Groningen in landelijk perspectief 1945-2001*. Dissertation Rijksuniversiteit Groningen.

Habermas, J. (1974). The Public Sphere: An encyclopedia article. *New German Critique.* 3, 49-55

Habermas, J. (1986). *The Theory of Communicative Action. Reason and the Rationalization of Society*. Cambridge: Polity Press

Habermas, J. (1989). *The Structural Transformation of the Public Sphere*. Cambridge: Polity Press

Hall, P.A. and R.C.R. Taylor (1996). *Political Science and the Three New Institutionalisms.* Paper presented at the MPIFG Scientific Board's meeting, May 9, 1996

Hawes, J.O. (2010). *Transparency and City Government Communications.* Thesis. Brigham Young University

Heady, F. (2001). Public administration: a comparative perspective. New York, Marcel Dekker.

Heald, D. (2006) Varieties of Transparency. In: C. Hood and D. Heald, *Transparency the Key to Better Governance?* Oxford, Oxford University Press

Heald, D. (2012). Why is transparency about public expenditure so elusive? International Review of Administrative Sciences 78(1) 30-49

Heath, R. L. (2005). Mutually beneficial relations. In R.:. Heath ed, *Handbook of Public Relations* pp 31-50. Thousand Oaks, CA: Sage

Heise, J.A. (1985). Toward closing the confidence gap: An alternative approach to

communication between public and government. *Public Administration Quarterly*. 9, 2, 196-217

Herold, D. (1981). Historical Perspectives on Government Communication. In: Heim, L.M., Hiebert, R.E., Naver, M.R. and Rabin, K., *A Public Affairs Handbook. Informing the People.* New York: Longman Inc

Hiebert, R.E. (2005). Commentary: new technologies, public relations and democracy. Public Relations Review 31, 1-9

Hillebrandt, M. (2011). *Opening Up. The Council's changing discourse on transparency of the European Union.* Thesis. Utrecht University

Hillebrandt, M (forthcoming), dissertation, Utrecht University

Hoch, K. (2009). *Judicial Transparency: Communication, Democracy and the Federal Judiciary*. Dissertation. University of California San Diego

Hogwood, B.W. and Peters, G.B. 1985. *The Pathology of Public Policy* (Oxford: Clarendon Press).

Holzner, B. and Holzner, L. (2006). *Transparency in Global Change. The Vanguard of the Open Society.* University of Pittsburg Press

Hood, C. and Heald, D. (2006). Preface. In: C. Hood and D. Heald, *Transparency the Key to Better Governance?* Oxford, Oxford University Press

Hood, C. (2006). Transparency in Historical Perspective. In: Hood, C. and Heald, D. Transparency. The Key to Better Governance? Oxford, Oxford University Press

Horsley, J.S., Liu, B.F. and Levenshus, A.B. (2010). Comparisons of US Government Communication Practices: Expanding the Government Decision Wheel. *Communication Theory* 20, 3, 269-295

Houston, B. (2010). Freedom of Information Acts: Promises and Realities. In Lathrop, D. and Ruma, l. (2010). *Open Government. Collaboration, Transparency and Participation in Practice.* New York: O'Reilly, 327-336

Howlett, M. (2011). *Designing Public Policies. Principles and Instruments.* London: Routledge

Huff, R. F. (2011) Building a Foundation for Transparency in Government. In: Burke, W. M. and Teller, M. *A Guide to Owning Transparency. How Federal Agencies Can Implement and Benefit from Transparency*. Open Forum Foundation, Washington

Ingram, H., Schneider, A.L. and deLeon, P. (2007). In Sabatier, P.A. (2007) *Theories of the Policy Process.* Second Edition. Westview Press, Cambridge.

Islam, R. (2006). Does More Transparency Go Along With Better Governance? *Economics and Politics* 18, 2 p 121-166

Jaeger, P.T. (2005). Deliberative democracy and the conceptual foundations of electronic government. *Government Information Quarterly*. 22, 702-719

Jaeger, P.T., Paquette, S. and Simmons, S.N. (2010). Information policy in national political campaigns: a comparison of the 2008 campaigns for President of the United States and Prime Minister of Canada. *Journal of Information Technology and Politics*. 7, 1-16

Jaeger, P. T. and Bertot, J. (2010) Transparency and technological change: Ensuring Equal and sustained public access to government information. *Government Information Quarterly* 27 371-376

Kadaster (2011). Retrieved from http://www.kadaster.nl/english/

Kaiser, H.F. and Rice, J. (1974). Little Jiffy, Mark IV. *Educational and Psychological*

Measurement, 34, 11-117

Kang, N. and Kwak, N. (2003). *A Multilevel approach to civic participation: Individual length of residence, Neighborhood residential stability, and their interactive effects with media use.* Communication Research, 2003 30, 80.

Kennedy, J. (2000). The Moral State: How Much Do the Americans and Dutch differ? In: Krabbendam, H. and Ten Napel, HM. *Regulating Morality. A comparison of the Role of the State in Mastering the Mores in the Netherlands and the United States.* E.M. Meijers Institute and Maklu-Uitgevers nv, Antwerpen

Kickert, W.J.M. The study of public management in the Netherlands. Managing complex networks and public governance. In: Kickert, W. (2008). The Study of Public Management in Europe and the US. A comparative analysis of national distinctiveness. Routledge, London

Kim, S.,Park, J., and Wertz, E. K. (2010). Expectation gaps between stakeholders and web-based corporate public relations efforts: Focusing on fortune 500 corporate web sites. *Public Relations Review*, 36(3), 215-221.

Kimball, M.B. (2011). Shining the light from the inside: Access professionals' perception of government transparency. Paper presented at the 1st Global Conference on Transparency Research, Rutgers University, Newark May 19-20, 2011

King, C.S. and Nank, R. (2011). Citizens, Administrators and Their Discontents. In: King, C.S. *Government Is Us 2.0* New York: M.E. Sharpe, Inc.

Klaidman, S. and Beachamp, T. L. (1987) *The virtuous journalist* New York: Oxford University Press

Kosar, K.R. (2008). Public Information or Propaganda? Congressional Restrictions on Federal Public Relations. In: Lee, M. *Government Public Relations. A Reader*. Boca Raton, Taylor & Francis Group

Lasswell, H.D. (1948) The Structure and Function of Communication in Society. In: Schramm, W. (1960) *Mass Communications.* Second Edition. Board of Trustees University of Illinois

Larsson, T. (1998). How Open Can a government be? The Swedish experience. In V. Deckmyn and I Thomson (eds). Openness and Transparency in the European Union. Maastricht: European Institute of Public Administration, pp 3-51

Lathrop, D. and Ruma, l. (2010). *Open Government. Collaboration, Transparency and Participation in Practice.* New York: O'Reilly

Lee, M. (1999). Reporters and bureaucrats: public relations counter-strategies by public administrators in an era of media disinterest in government. *Public Relations Review* 25, 4, 451-463

Lee, M. (2008). *Government Public Relations. A Reader*. Boca Raton, Taylor & Francis Group

Lindberg, J. (2009). The International Freedom of Information Index. A Watchdog of Transparency in Practice. Nordicom Review 30, 1, 167-182

Lindstedt, C. and Naurin, D. (2010). Transparency is not enough: Making Transparency Effective in Reducing Corruption. *International Political Science Review,* 31, 310-321

Liu B.F., Horsley, S. and Levenshus, A, B. (2010). Government and Corporate Communication Practices: Do the differences Matter? *Journal of Applied Communication Research*. 38, 2, 189 - 213

Liu, B.F. Horsley, S. and Levenshus, A.B. (2010). Comparisons of US Government Communication Practices: Expanding the Government Decision Wheel. *Communication Theory* 20, 3, 269-295

Lord, K.M. (2006). *The Perils and promise of global transparency. Why the information revolution may not lead to security, democracy or peace*. Albany: State University of New York Press

Martin, B. (2007). *Justice Ignited. The Dynamics of Backfire.*Lanham: Rowman & Littlefield Publishers, Inc

Martinson, D.L. (1996). Truthfulness in communication is both a reasonable and achievable goal for public relations practitioners. *Public Relations Quarterly* 41 (4) 42-45

Mahler, J. and Regan, P.M. (2007). Crafting the Message: controlling content on agency web sites. *Government Information Quarterly*, 24, 3, 505-521

Marsh, D. and McConnell, A. (2010) Towards a Framework for Establishing Policy Success. *Public Administration* 88, 2, 564-583.

McCombs M.E., and Shaw, D. (1972). The Agenda Setting Function of the Mass Media. *Public Opinion Quarterly* 36: 176-187

McConnell, A. (2010). *Understanding Policy Success*. Basingstoke: Palgrave MacMillian

McDermott, P. (2007). *Who needs to know? The State of Public Access to Federal Government Information.* Bernan Press, Maryland

McDermott, P. (2010) Building Open Government. *Government Information Quarterly* 27 , 401-413

McKinney, R.J. (2010). A Research Guide to the Federal Register and the Code of Federal Regulations. Law Librarian's Society Washington DC. www.llsdc.org/fed-reg-cfr/ Accessed July, 2011

Meijer, A.J. (2003). Transparent government: Parliamentary and legal accountability in an information age. *Information Polity*, 8, 67-78

Meijer, A.J. (2005). Risk maps on the internet: transparency and the management of risks. *Information Polity*, 10, 105-113

Meijer, A.J. (2007). Digitization and political accountability in the USA and the Netherlands: Convergence or Reproduction of differences. *The Electronic Journal of E-government*, 5,2, 213-224

Meijer, A.J. (2009) Understanding modern transparency. *International Review of Administrative Sciences,* 75, 255-269

Meijer, A.J. (2012). Introduction to the special issue on government transparency. *International Review of Administrative Sciences*, 78, 1, 3-9

Meijer, A.J. , Curtin, D. and Hillebrandt, M. (2012). Open government: connecting vision and voice. *International Review of Administrative Sciences*, 78, 1, 10-29

Meijer, A.J. (2013). Transparency. In: M. Bovens, R.E. Goodin & T. Schillemans (eds.)(2013). *Oxford Handbook Of Public Accountability*. Oxford: Oxford University Press

Meijer, A.J. (2013b). Understanding the complex dynamics of Transparency. *Public Administration Review* May/June 2013, p 1-8

Meijer, A.J. (2013c). Local Meanings of Targeted Transparency. Understanding the Fuzzy Effects of Disclosure systems. *Administrative Theory and Praxis*. 35, 3, pp 398-423

Merton, Robert K., 1936, The Unanticipated Consequences of Purposive Social Action.

American Sociological Review, 1, 6, 894-904.

Merton, R. K. 1967, *On Theoretical Sociology; five essays old and new* (New York: The Free Press).

Metcalfe, D. J. (2009) Sunshine No So Bright: FOIA Implementation Lags behind. *Administrative and Regulatory Law News*. Summer 2009

Metcalfe. D.J. (2009b). The nature of government secrecy. *Government Information Quarterly* 26 305-310

Memorie van Antwoord, *Tweede Kamer*, zitting 1976-1977

Memorie van Toelichting bij Voorontwerp Algemene Wet Overheidsinformatie versie Symposium 19 mei 2006

Mitchell, R.B. (1998). Sources of Transparency: Information Systems in International Regimes. *International Studies Quarterly,* 42, 1, 109-130

Moritz, T. (2011). Constraints on Transparency. In: Burke, W. M. and Teller, M. *A Guide to Owning Transparency. How Federal Agencies Can Implement and Benefit from Transparency*. Open Forum Foundation, Washington

National Audit Office UK (2012), *Cross- government review. Implementing Transparency*. Ordered by the House of Commons, April 16, 2012

NARA (2012). Open Government plan. Retrieved from www.nara.gov on September 2013

NASA (2010). Open Government plan. Retrieved from www.nasa.gov on March 14, 2013

Naurin, D. (2007). Transparency, publicity, accountability- The missing links. *Swiss Political Science Review*. 12, 3, 90-98

Nelson, M. A. (1982) A Short Ironic History of American National Bureaucracy. *Journal of Politics* 44, 3 749-78

Nelson, T.E., Clawson, R.A. and Oxley, Z.M. (1997) Media Framing of Civil Liberties Conflict and its Effect on Tolerance. *American Political Science Review*, 91, 567-583

Nessman, K. (1995). Public relations in Europe: A comparison with the united states. *Public Relations Review, 21*(2), 151-160

OECD(2011). Government at a Glance 2011. Retrieved from http://www.oecd-ilibrary.org/governance/government-at-a-glance-2011_gov_glance-2011-en

O'Keefe, D.J.O. (1990) *Persuasion. Theory and Research*. Newbury Park, CA: Sage Publications

O'Neill, O. (2006). Transparency and the Ethics of Communication. In: Hood, C. and Heald, D. Transparency. The Key to Better Governance? Oxford, Oxford University Press

O'Neill, O. (2009). Ethics for Communication? *European Journal of Philosophy.* 17 (2) 167-180

Ormel, J. and van Shagen, J. (2001). De WOB. Veel wordt openbaar, maar hoeveel is toegankelijk? In: Dewez, B., van Monfort, P., van Rooij, M. And Voogt, E. *Overheidscommunicatie. De nieuwe wereld achter Postbus 51*. Boom uitgeverij

Pasquier, M. and Villeneuve, J.P. (2007). Organizational barriers to transparency: a typology and analysis of organizational behavior tending to prevent or restrict access to information. *International Review of Administrative Sciences.* 73, 1, 147-161

Perloff, R.M. (2008). *The Dynamics of Persuasion. Communication and Attitudes in the 21st Century.* Third Edition. New York: Taylor & Francis Group.

Peters, B. G. (2010). *American Public Policy. Promise and Performance.* Eighth edition.

Washington DC: CQ Press

Petty, R., Cacioppo, J.T., Strathman, A.J. and Preister, J.R. (2005). To think or not to think. In: Brock T.C., and Green, M.C. Persuasion. *Psychological insights and Perspectives.* Thousand Oaks: Sage Publications

Pew Research Center (2010) *Home Broadband 2010*. Retrieved from www.pewresearch.org August 2013

Pew Research Center (2013) *Home Broadband 2013*. Retrieved from www.pewresearch.org August 2013

Piotrowski, S.J. and Rosenbloom, D.H. (2002). Nonmission-Based Values in Results-Oriented Public Management: The Case of Freedom of Information. *Public Administration Review*. 62; 6, 643-657

Piotrowski, S.J. and Van Ryzin, G. G. (2007). Citizens Attitudes Toward Transparency in Local Government. The American Review of Public Administration. 37, 3, 306-323

Piotrowski, S.J. (2008). Freedom of Information: A Duty of Public Agencies. In Lee, M. (2008). Government public relations. A reader. Taylor and Frances Group LLC. Boca Raton FL

Piotrowski, S.J., Zhang, Y., Lin, W., and Yu, W. (2009). Key issues for implementation of Chinese Open Government Information Regulations. *Public Administration Review*. December 2009 p 129-135

Political Institutions of the Netherlands (2010). Retrieved, March 12 2010 www.dutchgovernment.com

Popova-Nowak, I.V. (2011). What is Transparency? In: Burke, W. M. and Teller, M. *A Guide to Owning Transparency. How Federal Agencies Can Implement and Benefit from Transparency*. Open Forum Foundation, Washington

Prat, A. (2006). The More Closely We Are Watched, The Better We Behave? In: Hood, C. and Heald, D. *Transparency. The Key to Better Governance?* Oxford, Oxford University Press

Prenger, M. , Van der Valk, L., Van Vree, F. and Van der Wal, L. (2011) *Gevaarlijk Spel. De verhouding tussen pr & voorlichting en journalistiek.* [Dangerous Games]. Diemen: Uitgeverij AMB

Preston, F.W. ad Roots, R.I., 2004, Introduction. Law and its Unintended Consequences, American Behavioral Scientist, 47,11, 1371-1375.

Prijskaartje Wob July 1, 2009 *De Journalist*. Retrieved from http://www.dejournalist.nl/achtergronden/bericht/prijskaartje-aan-Wob/

Putnam, R. D. (1995). *Tuning in, tuning out: The strange disappearance of social capital in America*. PS: Political Science and Politics, 28(4), 664-683

Quinn, A.C. (2003). Keeping the citizenry informed: Early congressional printing and 21st century information policy. *Government Information Quarterly*, 20, 281-293

Rappert, B. (2011). Evidencing similarity. The language of judgment, spin, and accountability. *Journal of Language and Politics* 10 (2), 182–203

Rawlins, B. (2009). Give the Emperor a Mirror: Toward Developing a Stakeholder Measurement of Organizational Transparency. *Journal of Public Relations Research* 21, 1, 71-99

Relyea, H.C. (2008). Federal freedom of information policy: Highlights of recent developments. *Government Information Quarterly* 26 31-320

Relyea, H.C. (2009). Congress and freedom of information: A retrospective and look at a current issue. *Government Information Quarterly.* 26 437-440

ROB (2010). Vertrouwen op Democratie. Den Haag

RVD; Rijksvoorlichtingsdienst (2005). Wet Openbaarheid Bestuur. RVD-Communicatiereeks: Afspraken. SDU Uitgevers

Rijksoverheid (2013), *Bonnetjes van ministers en staatssecretarissen en topambtenaren op internet*. Press release February 27, 2013 www.rijksoverheid.nl

Rijksvoorlichtingsdienst (2000). De overheidscommunicatie in vogelvlucht. Ontwikkelingen sinds de commissie Biesheuvel. Retrieved from http://www.rijksoverheid.nl/bestanden/documenten-en-publicaties/rapporten/2007/09/20/in-dienst-van-de-democratie-het-rapport-van-de-commissie-toekomst-overheidscommunicatie/bijlage08.pdf April 12, 2010

Roberts, A. (2001). Questions about policy transparency. *Public Administration Review, 61*(4), 507

Roberts, A. S. (2005). Spin control and freedom of information: Lessons for the United Kingdom from Canada. *Public Administration, 83*(1), 1-23

Roberts, A. (2006). *Blacked Out. Government Secrecy in the Information Age.* Cambridge: Cambridge University Press

Roberts, A. (2010). A great and revolutionary law? the first four years of India's right to information act. *Public Administration Review, 70*(6), 925-933

Roberts, A. (2012). Wikileaks: the illusion of transparency. *International Review of Administrative Sciences.* 78(1) 116-133

Ruijer, E. (2012). Social Equity, Policy Intentions and Unanticipated Outcomes: A Comparative Analysis of Work-Life Balance Policies. *Journal of Comparative Policy Analysis*, 14, 4, 311-329

Ruler, van, B. (2004). The communication grid: an introduction of model of four communication strategies. *Public Relations Review* 30 123-143

Ruler, van, B. Communicatie, Basisbegrippen. In: Ruler, B. (2012). *Met het oog op Communicatie. Reflecties op het communicatievak*. Den Haag, Boom Lemma Uitgevers

Ruler, van, B. and Verčič, D .Reflective Communication Management Future Ways for Public Relations Research. In: Ruler, B. (2012). *Met het oog op Communicatie. Reflecties op het communicatievak*. Den Haag, Boom Lemma Uitgevers

Rutger, M.R. (2000). Public Administration and the Seperation of Powers in a Cross-Atlantic Perspective. *Administrative Theory and Praxis* 22, 2, 287-308

Rutgers, M.R. (2001). Traditional Flavors? The different Sentiments in European and American Administrative Thought. *Administration and Society*. 33, 2, 220 - 244

Russell, P.A. and Preston, F.W., 2004, Airline Security After The Event. Unintended consequences and illusions. *American Behavioral Scientist.* 47, 11, 1419-1427.

Sama, L. and Shoaf B., (2005). Reconciling Rules and Principles: an Ethics-Based approach to Corporate Governance. *Journal of Business Ethics* 58, 1-3, 177-185

Sandukhchyanc, D. (2007) Netherlands Access to Information and Data protection. www.legislationonline.org. Retrieved from http://www.legislationline.org/topics/country/12/topic/3 April 10, 2010

Schartum D W, 'Access to Government-Held Information: Challenges and

Possibilities', 1998 (1) *The Journal of Information, Law and Technology (JILT)*. http://www2.warwick.ac.uk/fac/soc/law/elj/jilt/1998_1/schartum/

Sassen, S. 2006. *Territory, Authority, Rights: From Medieval to Global Assemblages.* Princeton NJ: Princeton University Press.

Schelhaas, H. (1979). *De informatieplicht van de overheid*. Dissertatie. Universiteit Utrecht

Schneider, A.L and Ingram, H. (1997). *Policy Design For Democracy* (Lawrence, KA*: University Press of Kansas).

Scholtes, E. (2012). Transparantie, icoon van een dolende overheid. Boom/Lemma, Den Haag

Scott, J., 2007, *Fifty key sociologists: the contemporary theorist* (New York: Routledge).

Searson, E.M. and Johnson, M.A. (2010). Transparency laws and interactive public relations: An analysis of Latin American government websites. *Public Relations Review*, 36, 120-126

Shih, T.H. and Fan, X. (2008) Comparing Response Rates from Web and Mail Surveys: A Meta-Analysis, *Field Methods*, Vol. 20, No. 3, 249–271

Shkabatur, J. (2012), Transparency With(out) Accountability: Open Government in the United States. *Yale Law and Policy Review* 31, 1,79-140

Siebert, F.S. (1948). Communications and Government. In: Schramm, W. (1960) *Mass Communications.* Second Edition. Board of Trustees University of Illinois

Sifry, M. L. (2011) *Wikileaks and the Age of Transparency*. Berkely: Counterpoint

Sigler, J.A. (1997). Legal Issues Surrounding Adminstrative Communications. In Garnett, J.L. and Kouzmin, A., Eds., Handbook of Administrative Communication, Marcel Dekker, New York, 1997

Skowronek, S. (1982) *Building a New American State. The expansion of National Administrative Capacities 1877-1920*. Cambridge: Cambridge University Press

Smith, K.B. and Larimer, C.W. (2009) *The Public Policy Theory Primer*. Boulder: Westview Press

Stirton, L. and Lodge, M. (2001). Transparency Mechanisms: Building publicness into public services. *Journal of Law and Society*, 28,4, 471-489

Stone, D. (2002). *Policy Paradox. The Art of Political Decision Making*. Revised Edition. New York: W.W. Norton & Company Inc.

Swanson, D. 2000. *The homologous evolution of Political Communication and Citizen Engagement. Good news Bad news and No news.* Political Communication, 17,409-414

Sykes, S. (2002). Talent, diversity and growing expectations. *Journal of Communication Management,* 7, 1, 79-86

Sykes, P.L. and Piotrowski, S. (2004) *Executive Authority, Government Transparency, and Democratic Accountability: Freedom of Information in Anglo-American Systems.* Conference Paper. Annual Meeting of the American Political Science Association, September 2-5, 2004

Tabachnick, B.G. and Fidell, L.S. (2007). *Using Multivariate Statistics*. Fifth Edition. Boston: Pearson Education Inc.

Tavares,S. (2007). Do freedom of information laws decrease corruption. Working paper, Rochester Institute of Technology.

Taylor, J., & Burt, E. (2010). How do public bodies respond to freedom of information legislation? administration, modernisation and democratisation. *Policy & Politics, 38*(1), 119-134

Tilly, C., 1996. Invisible Elbow. *Sociological Forum* 1,4, 589–601.

Tiwari, S.K. (2010) Right to information: an important tool of social development, good governance and strong democracy. *Global Media Journal- Indian Edition.* December 2010; 1-8

United Nations (2006)*. Kingdom of the Netherlands Public Administration Country Profile. Retrieved from unpan1.un.org/intradoc/groups/**public**/.../UN/UNPAN023318.pdf*

U.S. Department of Commerce (2013). *Exploring the Digital Nation. America's Emerging Online Experience*

Van den Burg, S. (2004). Informing or Empowering? Disclosure in the United States and the Netherlands. *Local Environment,* 9, 4, 367-381

Van den Broek, T., Huijboom, N., Van der Plas, A., Kotterink B, and Hofman, W. (2011). Open Overheid. Internationale beleidsanalyse en aanbevelingen voor Nederlands beleid, TNO

Verheij, B., Hage, J.C. and Herik, van den, H.J. (1998). An Integrated View on Rules and Principles. *Artifical Intelligence and Law* 6, 3-26

Wagenaar, M. (1997). De Rijksvoorlichtingsdienst. Geheimhouden, toedekken en openbaren.Proefschrift Rijksuniversiteit Leiden

Welch, E.W., Hinnant, C.C. and Moon, M. J. (2005). Linking Citizen Satisaction with E-Government and Trust in Government.*Journal of Public Administration Research and Theory*, 15, 3, 371-391

Welch, E.W. (2012). The relationship between transparent and participative government: A study of local governments in the United States. *International Review of Administrative Sciences*, 78,1, 93-115

Weil, D., Fung, A., Graham, M. And Fagotto, E. (2006). The Effectiveness of Regulatory Disclosure Policies. *Journal of Policy Analysis and Management*, 25, 1, 155-181

Weiss, J.A. (2002). Public Information. In: Salamon, L.M. (2002). The tools of Government. A Guide to the New Governance. Oxford University Press, Oxford

White house, December 8, 2009 Open Government Directive

White house (2011). *The Obama Administration's Commitment to Open Government: A Status Report.* Retrieved from www.whitehouse.gov

Wooldridge, B. and Gooden, S., 2009, The Epic of Social Equity. Evolution, Essence and Emergence, *Administrative Theory and Praxis*, 31, 2, 222-234.

Wopereis, L. W. M. (1996). *De grondslagen en grenzen van overheidsvoorlichting*. Proefschrift. Universiteit van Amsterdam

Xiao, W. (2010), China's limited push model of FOI legislation. Government Information Quarterly 27, 346-351

Yvengar, S. (1991) *Is Anyone Responsible? How Television Frames Political Issues.*Chicago: The University of Chicago Press

Yin, R.K. (2003). *Case Study Research. Design and Methods*. Third Edition. Thousand Oaks: Sage Publications

Zerfass, A., Verhoeven, P., Tench, R., Moreno, A., & Verčič, D. (2011): *European Communication Monitor 2011. Empirical Insights into Strategic Communication in Europe. Results of an Empirical Survey in 43 Countries (Chart Version).*Brussels: EACD, EUPRERA (available at: www.communicationmonitor.eu)

Appendix A: Definitions used in this study

Accountability: a relationship between an actor and a forum, in which the actor has an obligation to explain and to justify his or her conduct, the forum can pose questions and pass judgment and the actor may face consequences.

Communication: is a dynamic process that develops over time and takes place between at least two actors; one actor distributes a message, the other actor responds with its own message. This is how they exchange thoughts and ideas and how they generate new ones.

Disclosure: a moment of transparency: the release of information that is held by an insider, to outsiders.

Institutional embedding: the legal framework and policies that are in place regarding transparency in a country, such as the Freedom of Information Act.

Organizational embedding: organizational factors that impact the degree to which federal agencies in a country, support proactive transparent, such as leadership or resources

Passive disclosure: citizens and journalists specifically request information (e.g. a FOI request) from agencies not proactively provided

Proactive disclosure: information that is made public at the initiative of a government body, without a request being filed

Spin: the act involving the purposeful manipulation of information flows and information interpretation that is intended to foster a desired impression in particular audiences.

Transparency: making available legally releasable information about a government organization in a manner that is accurate, timely, complete and clear, allowing external actors to monitor the internal workings or performance of the organization.

Appendix B: Survey

Survey Government Transparency and Communications

Please complete the survey below.

Thank you!

Government Transparency

1 One aspect of government transparency is making information available to the public about what the government is doing. Information can be provided to the public after a Freedom of Information Act (FOIA) request or without waiting for a specific request (proactive). Please indicate for each statement below to what extent this is unimportant or important.

	Very Unimportant	Unimportant	Important	Very Important	Neither Unimportant nor Important	Do not Know
Making government information and documents available to the public after a specific request from stakeholders (e.g. media or public).	☐	☐	☐	☐	☐	☐
Making government information and documents available to the public without waiting for a specific request (proactive).	☐	☐	☐	☐	☐	☐

2 Which type is more important for enhancing government transparency?

☐ Making information available after a specific request from stakeholders
☐ Making information available without waiting for a specific request (proactive)
☐ They are equally important

3 To which of the following can government transparency contribute most according to you?

☐ Enhancing government accountability
☐ Enhancing trust in government
☐ Enhancing democracy
☐ Reducing corruption
☐ Improving the relationship between citizens and government
☐ Enhancing the government's efficiency and effectiveness

4 Please indicate whether the statements below about legislation are true or false according to you.

	False	True	Do not know
Open Government and transparency initiatives require that information is made available to the public without waiting for a specific request (proactive).	☐	☐	☐

www.project-redcap.org **REDCap**

302

There is regulation that requires government documents be written for the public in an understandable way.

☐　　　　　☐　　　　　☐

The Freedom of Information Act (FOIA) also mandates that certain information is made available to the public without waiting for a specific request (proactive).

☐　　　　　☐　　　　　☐

Making information available proactively

5   Please indicate to what extent you disagree or agree with the statements below.

	Strongly Disagree	Disagree	Agree	Strongly Agree	Neither Disagree nor Agree	Do not Know
Making information available proactively ensures that stakeholders are informed about laws and decisions that afffect them.	☐	☐	☐	☐	☐	☐
Making information available proactively leads to an information overload among stakeholders.	☐	☐	☐	☐	☐	☐
Making information available proactively facilitates more accountable spending of public funds.	☐	☐	☐	☐	☐	☐
Making information available proactively ensures that stakeholders have the information needed to participate in policy and decison-making.	☐	☐	☐	☐	☐	☐
Information that is made available proactively can be used by stakeholders to make the agency look bad.	☐	☐	☐	☐	☐	☐

6   The following questions are about the types of information that can be made available proactively to the public (without waiting for a specific request from stakeholders).   Please indicate how important you think it is to make information available proactively concerning:

	Very unimportant	Unimportant	Important	Very Important	Neither Unimportant nor Important	Not applicable
The decision making process.	☐	☐	☐	☐	☐	☐
Implementation of the agency's policies.	☐	☐	☐	☐	☐	☐
Outcomes or results of the agency's policies.	☐	☐	☐	☐	☐	☐
Budgets and subsidies.	☐	☐	☐	☐	☐	☐

7   Please indicate how often you contribute to making information available proactively about:

	Never	Rarely	Sometimes	Often	Very Often	Not Applicable
The decision making process.	☐	☐	☐	☐	☐	☐
Implementation of the agency's policies.	☐	☐	☐	☐	☐	☐
Outcomes or results of the agency's policies.	☐	☐	☐	☐	☐	☐
Budgets and subsidies.	☐	☐	☐	☐	☐	☐

My Agency

8   The following statements concern the agency where you work. Please indicate to what extent you disagree or agree with each statement.

	Strongly Disagree	Disagree	Agree	Strongly Agree	Neither Disagree nor Agree	Not Applicabl
My agency only discloses information when it its required.	☐	☐	☐	☐	☐	☐
My agency's management values making information available proactively.	☐	☐	☐	☐	☐	☐
My agency's political leaders value making information available proactively.	☐	☐	☐	☐	☐	☐
There are formal and informal rules within my agency which stimulate making information available proactively.	☐	☐	☐	☐	☐	☐
My agency's management invites my work unit to join in initiatives regarding making information available proactively to the public.	☐	☐	☐	☐	☐	☐
My agency needs to put greater focus on better communications practices when making information available proactively to the public.	☐	☐	☐	☐	☐	☐
There is sufficient communication staff allocated to ensure initiatives regarding making information available proactively.	☐	☐	☐	☐	☐	☐
There is sufficient funding allocated in my agency's budget to communications and transparency.	☐	☐	☐	☐	☐	☐

Daily Practice

9   The statements below refer to your daily practice. Please indicate for each statement to what extent you disagree or agree.

	Strongly Disagree	Disagree	Agree	Strongly Agree	Neither Disagree nor Agree	Do not Know
Contributing to making information available proactively to the public is part of my daily practice.	☐	☐	☐	☐	☐	☐
I try and help others within the organization understand the importance of making information available proactively to the public.	☐	☐	☐	☐	☐	☐
I am regularly involved in disclosures in response to FOIA-requests.	☐	☐	☐	☐	☐	☐

10   Please indicate how involved you are in the following activities within your agency.

	Not at all involved	Not involved	Somewhat involved	Involved	Very involved	Not Applicable
Making information and documents available proactively to the press.	☐	☐	☐	☐	☐	☐
The proactive release of high value datasets (Open Data).	☐	☐	☐	☐	☐	☐
Proactively placing information and documents on the agency's website	☐	☐	☐	☐	☐	☐
Making information available proactively through public information campaigns.	☐	☐	☐	☐	☐	☐
Making information available proactively through social media e.g. Facebook, Twitter and blogs.	☐	☐	☐	☐	☐	☐
Making information available proactively through traditional media e.g. brochures, radio, televison.	☐	☐	☐	☐	☐	☐
Making information available proactively through open meetings.	☐	☐	☐	☐	☐	☐
Writing a communication strategy or plan that also concerns making information available proactively.	☐	☐	☐	☐	☐	☐

Communication

11   The following statements are about the way the unit or office where you work disseminates information to stakeholders. Please indicate for each statement to what extent you disagree or agree. My unit provides information

	Strongly Disagree	Disagree	Agree	Strongly Agree	Neither Disagree nor Agree	Not Applica
that is easy to find for stakeholders.	☐	☐	☐	☐	☐	☐
that is relevant for the daily life of stakeholders.	☐	☐	☐	☐	☐	☐
that is easy for stakeholders to understand.	☐	☐	☐	☐	☐	☐
that is accurate.	☐	☐	☐	☐	☐	☐
that is complete.	☐	☐	☐	☐	☐	☐
using diverse communication channels.	☐	☐	☐	☐	☐	☐

12   The unit or office where I work:

	Strongly Disagree	Disagree	Agree	Strongly Agree	Neither Disagree nor Agree	Not Applicabl
takes into account the different needs of its stakeholders when providing information.	☐	☐	☐	☐	☐	☐
sometimes specifically highlights the positive elements in the information provided.	☐	☐	☐	☐	☐	☐
sometimes leaves out important details in the information provided.	☐	☐	☐	☐	☐	☐
is slow in providing information to stakeholders.	☐	☐	☐	☐	☐	☐
sometimes would like to provide information to stakeholders but is held back by government processes and rules.	☐	☐	☐	☐	☐	☐
is open to criticism by stakeholders.	☐	☐	☐	☐	☐	☐

sometimes provides information, which is intentionally written in a way to make it difficult to understand.	☐	☐	☐	☐	☐	☐
sometimes only gives part of the story to stakeholders in the provided information.	☐	☐	☐	☐	☐	☐
sometimes provides a lot of information in one package, in order to conceal controversial issues.	☐	☐	☐	☐	☐	☐
is forthcoming with providing information, even if it is damaging to the organization.	☐	☐	☐	☐	☐	☐
asks feedback from stakeholders about the quality of the information provided.	☐	☐	☐	☐	☐	☐
stimulates that suggestions from stakeholders are incorporated into policy and action.	☐	☐	☐	☐	☐	☐
stimulates that opinions of stakeholders are asked before decisions are made by the agency.	☐	☐	☐	☐	☐	☐
freely admits when the agency has made a mistake.	☐	☐	☐	☐	☐	☐
highlights certain elements more than others (framing) when providing information.	☐	☐	☐	☐	☐	☐

Participation

13 There are several ways to stimulate public participation. How often do you stimulate or advice others in your agency to use the following opportunities:

	Never	Rarely	Sometimes	Often	Very often	Not applicable
Social media (e.g. Facebook, Twitter, blogs)	☐	☐	☐	☐	☐	☐
Website (e.g. opportunity to share comments/suggestions)	☐	☐	☐	☐	☐	☐
Research such as customer satisfaction surveys, testing websites or other means of communication	☐	☐	☐	☐	☐	☐
Personal conversations with stakeholders	☐	☐	☐	☐	☐	☐
Open meetings	☐	☐	☐	☐	☐	☐
Focus groups/round table conferences/websemiars	☐	☐	☐	☐	☐	☐

Other ways that you stimulate public participation.   _____

14 With which stakeholders do you interact most in your daily practice when providing government information?

☐ General public
☐ Media
☐ Not-For-Profit Organizations
☐ Private Sector Organizations
☐ Academia
☐ Other
(Mark no more than 2 boxes)

15 What are potential unintended consequences of making information available proactively?   _____

The following questions are for statistical purposes only.

16 What is your official job title?

☐ Director
☐ Press officer/spokesperson
☐ Public information/Public affairs officer
☐ Social media specialist
☐ Web communications specialist
☐ Audio visual specialist
☐ Speech writer
☐ Editor/writer
☐ Graphic designer
☐ Other

Please specify

_____

17 Are you a political appointee?

☐ Yes
☐ No

18 How long have you been with your current agency?

_____
(Years)

19 Where do you work?

☐ Department headquarters
☐ Departement agency or office
☐ Independent Agency
☐ Other

Please specify type of organization

_____

20 What is your age group?

☐ 25 and under
☐ 26-29
☐ 30-39
☐ 40-49
☐ 50-59
☐ 60 or older

21 Are you

☐ Female
☐ Male

22 Do you have any comments you would like to share pertaining to your role as communicator and government transparency? Please feel free to share anything your feel appropriate or necessary.

_____

Appendix C: Questions In-depth Interviews

> *Introduction*
> ➢ Goal of research and explain that information is confidential.
> ➢ Job title

> *Government transparency*
> ➢ What is government transparency mainly about?
> ➢ What is the main goal of transparency and the proactive disclosure of information in particular for your organization?
> ➢ What role do transparency laws and regulations play in your daily works such as FOIA? Open Government: does it facilitate? Is it new? Incremental?
> ➢ Do you also have a role in reactive disclosure? For what type of FOIA request do you get consulted?

> *Organization*
> ➢ Which units/offices in your organization have an important role regarding the proactive disclosure of information? Who is responsible? Which office has the leading role?
> ➢ What do you perceive to be as your (Communication) main task (contribution) regarding government transparency and proactive disclosure?
> ➢ What does the organization perceives to be your main task regarding transparency and proactive disclosure?
> ➢ Is it important to involve Communications? Why?
> ➢ What are the most important challenges for your unit/office regarding transparency and proactive disclosure?
> > o Survey respondents half think should be more attention to communication practice when it comes down to proactive disclosure, why do you think that is?
> ➢ When do you usually get involved regarding government transparency and the proactive disclosure of information? (early at the table or at the end of the process)
> > o Survey shows communication mainly implementation and results also more involved when it comes down to decision making and budget information?
> ➢ Is Organization supportive in proactive disclosure? How?
> ➢ What are the main reasons not to disclose information, to disclose information proactively?

> *Daily practice*
> ➢ What type of information is proactively released?
> ➢ Is mainly raw information provided with eg open data or other forms of proactive disclosure or also analysis or interpretation offered?
> > o Survey: one third involved in open data projects, do you recognize that? Possible role?

- o Survey indicates that half would like to proactively make information available but is held back by government rules and processes, which rules?
- ➢ Emphasizing or highlighting certain aspects of information more than others (spin/ framing). What if information is e.g. not in line with expectations? Techniques?
- ➢ Do politicians decide not to release information to the media despite advice of communication officers?
- ➢ How does the organization ensures that proactively disclosed information reaches members of the public; (how to put information where it will be found; that is relevant to users and understandable, timely) Communication strategy? Difficult to reach target groups?
- ➢ How if any feedback do you receive from stakeholders? What role does communications have in stimulating participation?
- ➢ Role of new media?

Unintended consequences
- ➢ What do you think are unintended consequences of proactive disclosure of information? Examples?

Appendix D: IRB Approval Letter

LETTER FOR PARTICIPATION TELEPHONE INTERVIEW

Dear Communication Professional:

My name is Erna Ruijer. I am a PhD Candidate in Public Policy and Administration at the Virginia Commonwealth University. I am writing to ask your help in my dissertation study on government transparency in the USA and the Netherlands.

In light of open government and transparency laws and initiatives more and more data has recently been proactively disclosed electronically or otherwise in the USA and the Netherlands. My research project focuses on the attitudes of communication professionals towards transparency and the proactive disclosure of government information, thereby taking into account the unique context in each country. This study aims to enhance our understanding on how to effectively and efficiently implement transparency policies at the federal government.

If you decide to participate you will be asked to schedule an appointment for a telephone interview. The interview will approximately take one hour. The interview will be audio taped so that I can accurately reflect on what is discussed. The tapes will only be reviewed by myself; I will transcribe and analyze them. The tapes will then be destroyed.

In each country I am contacting communication professionals or public information officers, randomly. All your responses will be kept strictly confidential. The results of the study may be published or presented at professional meetings, but your identity will not be revealed. Your participation in this study is voluntary. No penalties will result from non-participation or withdrawal from this study.

If you have any questions about the study, you may contact me at <u>ruijerh@vcu.edu</u>, or my Dissertation Chair Dr. Jason Arnold, 804 827 1706, jrarnold@vcu.edu.

Thank you very much for helping with my study.

With kind regards,
Erna Ruijer
PhD Candidate Public Policy and Administration
923 W. Franklin St.| Scherer Hall | Suite 301
Wilder School of Government & Public Affairs
Virginia Commonwealth University
Richmond, VA 23284-3061
T. 011 31 624367215 |ruijerh@vcu.edu

APPROVED

9/28/12 SA/DC

DETAILED COVER LETTER ONLINE SURVEY

Dear Communication Professional,

I am writing to ask your help in my dissertation study on government transparency and the role of communications in the USA and the Netherlands. I am a PhD Candidate in Public Policy and Administration at the Virginia Commonwealth University. This study aims to learn how to effectively and efficiently implement transparency policies at the federal government.

In light of open government and transparency laws and initiatives more and more data has recently been proactively disclosed electronically or otherwise in the USA and the Netherlands. This study focuses on the attitudes of government communicators towards transparency and the proactive disclosure of government information, taking into account the unique context in each country. Results from this survey will help governments implementing transparency policies. The knowledge gained from this study will be shared with governments and the public administration and communications field.

In each country I am contacting a random sample of communication professionals or public information officers. All your responses will be kept strictly confidential. The published research will contain no specific names. This study is quantitative in nature and will include data from dozens of respondents in both the USA and the Netherlands. Your participation in this study is voluntary. No penalties will result from non-participation or withdrawal from this survey.

If you have any questions about the study, you may contact me at ruijerh@vcu.edu, or my Dissertation Chair Dr. Jason Arnold, jrarnold@vcu.edu.

If you would like to participate, please click on the link below and begin completing the survey. The expected duration of the survey is about 15-20 minutes.

Thank you very much for helping with my study.

With kind regards,
Erna Ruijer
PhD Candidate Public Policy and Administration
923 W. Franklin St.| Scherer Hall | Suite 301
Wilder School of Government & Public Affairs
Virginia Commonwealth University
Richmond, VA 23284-3061
T. 011 31 624367215 |ruijerh@vcu.edu

APPROVED

Appendix E: Comments Survey

Organizational Embedding.

Americans:
"I believe transparency cannot occur or be fully realized without complete buy-in at the top of the organization. Pockets of success can happen at lower levels but for the 'sea change' cultural shift, the agency leadership must set the example through his or her behavior".

"In my office I feel that our communications efforts need more resources. Other offices have more resources, so while overall our agency's communications may be adequately resourced there can be a mis-allocation of resources".

"Transparency is part of the culture at our agency, it should be universal across government".

"Right out of university, as a (…) spokesperson, I attended the Department of (…) Information School where they trained us 'how the government does public affairs.' Their standard was 'all the information out as quickly as possible.' We were surprised at the call for transparency 40 years ago. I have found over the years that transparency is the best advice. I am glad that over the years, more and more management has accepted this best practice".

"While my Agency attempts to be responsive and proactive, the Department level communications office hinders those efforts, appearing closed and defensive".

"I think transparency is very much a cultural thing. Younger generations are more inclined to share information whereas older generations are more inclined not to share. Older generations also tend to lean towards over classification of information in order to ensure it isn't shared even though the information doesn't meet the criteria for classified information. People also think transparency is only about big data. This is a misconception. There are lots of little things you can do to make government more transparent".

"I am one of the few employees at my agency's HQ who is under the age of 40. The culture in my agency is very white, male, and old-school. (..) The culture, the staffing, the process, and the organization of the agency have NOTHING to do with transparency, accountability, and proactive open communication with the public -- the agency is set up to administer programs, period. Communications have always been an afterthought and geared toward very specific stakeholders. But together with a couple of other young, dedicated employees, I am working diligently to change this as much as possible. It is definitely an uphill battle!"

A Dutch respondent :
"The national government, determined by the political leaders, is reticent regarding transparency and disclosure. Transition is necessary in line with the advice as written down in the ROB report "Gij zult openbaar maken" [thou shall make public]".

Value Transparency

American respondents:

"While I believe that transparency is very important, there is some information that would simply be of no use to the majority of the public. In these instances, I think that the information should be released only if asked for through FOIA or some other inquiry".

"Transparency can sometimes be misleading in terms of public interpretation or understanding. Sometimes stakeholders want access to pre-decisional information under the guise of transparency. This can be time consuming, particularly if they pursue a FOI request. I think transparency needs to be more clearly defined".

"As we move towards a more information accessible society, I think transparency is an increasingly important factor in the confidence people have in their government agencies".

Dutch respondents:

"I think it is very important, especially also for internal use, to show which choices have been made (Decisional accountability)."

"I think transparency is a lot more than disclosing information. Making internal processes visible or engaging a dialogue are not necessarily the same as making information available."

"The assumption that transparency will lead to more trust in the government is not proven: there is no causal relationship. A lot of citizens do not want transparency but prefer a decisive government (e.g. financial crisis). It is more important that the government will learn to vary policy and governance styles(…)"

Involvement

One American respondent in the comments section at the end of the survey reported:

"My role is one of helping bring change to the agency -- one of more transparency and being proactive. Change can be difficult after nearly 100 years of doing it the same way -- but managing the change in a thoughtful and involved way will result in better government for all".

Dutch respondents commented:

"When it comes down to making information available one needs to look for a win- win situation. Companies and other target groups should have the opportunity to market the data".

"The national government only has www.rijksoverheid.nl [government portal website] as a website possibility. Ministries jointly determine transparency policy. Thus a single department has little scope therein".

Quality of Information

"My organization tries to be accurate, honest and forthcoming and understands the critical importance in doing so to engender trust. We teach these concepts widely within the agency. Sometimes new leaders think otherwise, but the culture is truly one of openness".

"The approach of my office can best be stated as, 'information must go out, because the public is sovereign under our Constitution; if the sovereign is denied information to make its decisions regarding the governing of the Republic, we need to find out who is withholding information from the sovereign, and why.'"

"My agency is quite aggressive about seeing that its processes are conducted in public and that all but the most sensitive of information is made available, whether it casts the agency in good light or in bad".

"The issue of classified information, i.e. the general increase in the amount of information that is classified is a challenge to information sharing".

"My main function is to expand communications with various constituents. Building a following, sharing our story, etc., are all key elements to my function and dept work. I'd like to think I've taken this to a new higher level than was previously in place - new website, robust social media, sharing of client stories, etc. etc".

A Dutch respondent:

"The degree of transparency can vary e.g. per file. Sometimes you have to operate carefully. I indicated that we sometimes do not provide all information. Not that we are intentionally hiding information, but if you want your message to come across you have to make choices in the amount of information you provide".

Participation

Respondents also had the opportunity to fill out other ways that government communicators stimulate feedback. In the USA government communicators gave examples such as using e-mail, call centers, notice and comment rulemaking and education. Other ways that were mentioned are crowd sourcing, exhibits and collaboration portals such as Ideascale. One respondent remarked:

 "My organization has a culture of sharing as little as possible and certainly not engaging or stimulating thoughts or ideas of our stakeholders before we release information. This culture is very damaging to the success of our messaging".

In the Netherlands remarks were made regarding the use of social media thereby specifying that e.g. Facebook or Linkedin were used in terms of feedback. Others focused on research such as explaining that they are measuring the effects of public information campaigns and use citizens' panels as a way of soliciting feedback and participation. Finally, one respondent remarked: *"We don't use direct citizens participation very often but we do use direct participation by [other stakeholders]."*

Furthermore in the comments section at the end of the survey a Dutch correspondent mentioned:

"I see a clear tendency towards co-creation in a variety of ways. Not only concerning policy but also in shaping implementation processes. Besides we are working on a social media pilot were intermediaries are asked to provide input".[112]

---

[112] As pointed out earlier at the end of the survey the respondents were given the opportunity to provide comments. Most comments related to the concepts as discussed in the survey are incorporated in the paragraphs above. However, worth mentioning is that a few respondents also commented on the survey itself. An American respondent: "*How can you rely on people in the spin business to accurately answer your survey? Just curious".*
And Dutch respondents: "*The first questions I answered with "neither agree nor disagree" because it is too simplistic to answer agree or disagree. Often there are situations in which both agree would be the most suitable answer as would be disagree".*
"I think it is difficult to understand the questions due to the distinction I make between public information about policy, deliberative policy and dissemination of information regarding WOB-requests. I think it makes a difference. When it concerns public information I would like to explain something as clear and simple as possible, when it concerns public disclosure it is about accountability. Both are necessary but not equal".

Vitae

Erna Ruijer was born on March 28, 1972 in Baarn, the Netherlands. She graduated from Baarnsch Lyceum, Baarn, the Netherlands in 1990. She received her Master's degrees in Communication Science, and Child Development and Education from the University of Amsterdam in 1996 and subsequently worked as a policy maker on traffic safety education at the City of Amsterdam for two and a half years. In 1999 she moved to San Diego, California where she conducted a best practices research project for Safe Communities, San Diego County. She returned to the Netherlands and worked for six years as a communications consultant at a Dutch consultancy firm, specialized in government communication. In 2007 she moved back to the United States, first to Colorado where she conducted a visitor survey for Hotel de Paris Museum, Georgetown, and then to Richmond, Virginia where she started her Ph.D. in Public Policy and Administration at the Virginia Commonwealth University in 2008. Erna has presented at several (international) conferences and has published in the Journal of Comparative Policy Analysis. She is a member of Phi Kappa Phi, Pi Alpha Alpha and the Golden Key International honor society. She won the VCU dissertation assistantship award in the Spring of 2013. Her research interests are transparency, government communication and social equity. Erna is currently living in the Netherlands. She is working as a freelance consultant and is affiliated with Utrecht University.

H.J.M. (Erna) Ruijer

Education

PhD. Public Policy and Administration
Virginia Commonwealth University, Richmond, Virginia, USA   *2008 - 2013*

Master degree Communication Science
Faculty of Social Sciences, University of Amsterdam, The Netherlands   *1990 - 1996*

Master degree Child Development and Education
Faculty of Educational Sciences, University of Amsterdam, The Netherlands   *1990 - 1996*

Publications and conference presentations

- **ICA-JCPA Celebratory Comparative Policy Analysis Conference,** Leuven, Belgium November 26-27, 2013 Presentation: "*Breaking through barriers: The impact of organizational culture on Open Government"* R. Huff and E. Ruijer
- **The Third Global Conference on Transparency Research**, Paris, France Oct 24-26, 2013 Presentation: "*Proactive Transparency in the USA and the Netherlands: the role of federal government communicators"* Erna Ruijer
- Ruijer, E. (2012) Social Equity, Policy Intentions and Unanticipated Outcomes: a Comparative Analysis of Work Life Balance Policies, **Journal of Comparative Policy Analysis: Research and Practice**, 14, 4, pp 311-329
- **Transnational Conference on Transparency, Utrecht, the Netherlands**, *June 7-9, 2012* Presentation: "*The Origins and Evolution of (proactive) Transparency: a comparison between the USA and the Netherlands*" Erna Ruijer
- **Social Equity and Leadership Conference, Baltimore**, **USA,** *June 16-18, 2010* Presentation: "*Unintended consequences of Work Life Balance policies in the Netherlands"*
- **Virginia Social Sciences Conference, Petersburg**, **USA,** *March 28, 2010* Presentation: *"Merton's unanticipated consequences of work life balance policies"*
- **American Association of Public Opinion Research Conference**, **Hollywood, FL** *May 14-17, 2009* Presentation: "*The U.S. Opinion Divide over Working Women and Working Moms*" Carolyn Funk and Erna Ruijer
- Suzanne Van Gils en Erna Ruijer (2005). "Een tijdschrift juist in deze tijd. De kracht van Customer magazines". [Customer Magazines]. Platform 3: *New media, new channels!*?, RVD-Communicatiereeks, 72-79
- Roelf Middel en Erna Ruijer (2002). "Slecht nieuws werkt niet?" [*Public information campaigns: bad news doesn't work?*] Comma, 14 November 2002, 14-15

Honors and Awards
- VCU Dissertation Assistantship Award, Spring 2013
- Member of Phi Kappa Phi, Pi Alpha Alpha and the Golden Key International honor society

Professional Experience
Freelance Intercultural trainer/Country expert USA
KIT Royal Tropical Institute; centre for international and intercultural cooperation, Amsterdam, The Netherlands, 2012 - present

Communication Consultant
Tappan Communications, The Hague, The Netherlands, 2001 - 2007

Policy maker Traffic Safety Education.
City of Amsterdam, Amsterdam, The Netherlands, 1997-1999

Service and professional activities
- **Junior Board Member,** *Children's Museum of Richmond, Richmond, Virginia, USA 2009-2010*
- **Research Volunteer,** *Hotel de Paris Museum, Georgetown, Colorado, USA, 2007*
- **Member of The Third Chamber**; *citizens parliament concerning international cooperation and sustainable development, (NCDO), Amsterdam, The Netherlands, 2005*
- **Project Assistant,** *Safe Communities, San Diego County, San Diego, USA, 2000*

Continuing Education Certificates
- *University of Colorado, Boulder*, Colorado, USA Course American Political Thought, *2007*
- *Certificate of International Development Studies, Institute for Interdisciplinary Studies, University of Amsterdam, The Netherlands, 2005*
- *University of California, San Diego,* California, USA, Courses: Webmarketing Strategies, Organizational Dynamics, Effective Management Principles and Leadership Practices, Business Writing in English, *2000*
- *School for Journalism*, Amsterdam, The Netherlands, Editing and Journalism course, *1997*