When a Civil Society Initiative Becomes a Tool to Justify the Government: Openness Versus Utility Achieved by OpenTED

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ABSTRACT

The question of utility of open data and related civil society initiatives depends on whom we consider a beneficiary in each particular case. The article provides a recent example of a civil society initiative that addressed the openness of procurement practices across the nations of European Union and its neighboring partners. Analyzing the project against Open Government Working Group’s principles of open data, the article demonstrates that it indeed improved some levels of procurement data openness. Meanwhile, despite some utility of the project for the European Commission, the analysis suggests rather low utility for the public at large. The article suggests that, (1) utility has multiple levels, and some data in an open source is better than none; (2) data has to be understandable to have any utility for final consumers; and otherwise, the only utility achieved is the legitimization of the current governmental practices instead of their improvement.

KEYWORDS

Procurement, Tenders Electronic Daily, Open Government Data, Jobert’s Theory

1. INTRODUCTION

Governments across the globe are attempting to make public data more readily available. A quick perusal of most government websites shows that the list of the datasets available to the general public has been growing with the goal that this availability will make governments more accountable to its citizenry and more transparent by providing better access to public policy initiatives (Rodríguez et al., 2019). Correspondingly, the number of frameworks to access the quality of the shared open data is increasing (see Vetrò et al., 2016, for the detailed overview). For example, Gartner Group (n.d.) offers a three-dimensional framework to assess the data, (1) the sheer increase in data that is accessible through technology (volume), (2) the speed at which data can be captured (velocity), (3) and the scope of data that is available through electronic means (variety). The 5-star schema of Berners-Lee (n.d.) outlines the elements to ensure reusability maximization like availability, structure and linkage to the context. Wyns et al. (2013) propose a model that combines size and the dynamics of the target audience with the number of systems that use the shared product, etc. The open government data from the perspective of these frameworks is often described as “a subset … that is produced or commissioned by government or government-controlled entities” (Rodríguez et al., 2019).

Yet, data sharing is only one side of the information revolution that is relevant for governance. What the models above do not specify is that data has no intrinsic value if the purpose of making it available is not articulated in the first place. In other words, data should be shared along with clear explanations of how citizens can make use of data to hold governments accountable. This also became

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one of the major contentions of the Open Government movement. If someone attempts to make informed decisions about government actions (accountability) resulting from data, but the data is defective or open to interpretation, then data can do more harm than good. This has been historically referred to as GIGO: garbage in, garbage out.

To demonstrate the importance of data understanding in addition to data sharing, this article presents a case study of the Open Tenders Electronic Daily (OpenTED) initiative, the aim of which was to comprehensively address the issues of public procurement in Europe. Procurement to secure goods and services is required for public organizations by governments and the public (Hughes, 2005). There is some evidence that improved accessibility and interoperability of procurement data should enable greater business access, competition, transactional efficiencies, better planning, transparency and accountability (Leipold, 2007). According to its official website, the goals of OpenTED were to achieve higher levels of openness in public purchasing systems across Europe (Open TED, n.d.) through gathering and sharing procurement data as well as showing interested constituencies how to find misconduct and other issues of concern in the created databases. As stated by the OpenTED founders, their goal was to “(1) collect and clean procurement data; (2) publish procurement data as downloads, linked data and APIs [application programming interfaces]; and (3) provide journalists and NGOs with training on how to investigate stories hidden in public procurement data” (OpenTED, n.d.). The declared aims of OpenTED correspond to functions that have been often attributed to civil society initiatives, which are “the struggle for transparency and against corruption, the controlled management of services, and the promotion of quasi markets in the public sector” (Jobert, 2008). Meanwhile, as the domain of global civil society remains complex and multifaceted (Taylor, 2002), we can see two separate lines of purpose. On the one hand, the first two aims to make procurement information more accessible are technical and not relevant to politics. On the other hand, the training component has a normative connotation. It adds a political angle to the initiative by suggesting that there are stories in the database worthy of journalists’ coverage and, therefore, worthy of the attention of the general public.

Both data accessibility (Aims 1-2) and data utility (Aim 3) are OpenTED’s stated goals. The present article analyzes whether the OpenTED project has been able to achieve these goals since it was launched and till its management was transferred to the European Commission in 2016. The article concludes that while OpenTED was successful in data compilation and sharing, the utility of the shared data remained in question. It demonstrates that the extensive forms that procurement stakeholders have been filling out and which were compiled and shared through the OpenTED website are not themselves the sources of information. These documents are sources of data in the form of raw facts that are meaningless without a tool to aid in their comprehension. For data to become useful information, constituents should be able to place the facts within an understandable context (Florini, 2003). The literature of different social sciences has emphasized the importance of this link, for example, the semantics’ coding-decoding process, noise-and-signal theory of information, and public administrations’ propositions that while data itself is neutral, actors assign value to it (March and Olsen, 1989).

The openness of OpenTED is analyzed along the lines of the Eight Principles of Open Government Data. By developing availability and understandability propositions further, the analysis assesses the utility achieved by OpenTED looking at what of each of these principles mean for the population at large and for the European Commission as one of the stakeholders. Acknowledging the limitations of usability for the expected end-users of the data, the proceeding discussion speculates about the utility of OpenTED from the perspective of the European Commission. The discussion is grounded in the conflicting perspectives of two schools of thought about civil society. The first argues that civil society can make real changes in how the world and the governments function (e.g. Anheier, 2004), expecting the utility of any civil society enterprise for the end-user (citizens, corporations, etc.). The second school suggests that civil society is only a rhetorical device used by actors other than general population (e.g. political stakeholders) to achieve their individual goals. From this perspective, the
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