1 The Need for a Layered Understanding of Government Transparency

1.1 Election Transparency Leads to Questions about Transparency

In response to allegations of fraud and corruption during the 2020 presidential election, election administrators across the United States decided to livestream the administrative act of ballot counting on platforms such as YouTube. While this effort to make election administration more transparent was lauded as innovative, the idea itself of casting a brighter light on administrative tasks is not new – administrative transparency has been used for centuries to fight corruption, legitimize decision-making processes, and build trust. Despite these efforts to increase transparency of ballot counting, a staggering 70 percent of Republicans said that they believed the 2020 presidential election was not “free and fair” (Kim 2020). It appears that the efforts to push back on claims of corruption through greater transparency fell short of winning hearts and minds.

So why did election administrators’ efforts to use transparency to build confidence in the electoral system not succeed? One explanation assumes a psychological perspective on individual behavior and promotes the idea that people frequently do not believe what they see, but rather see what they believe (Epley and Gilovich 2016). For those who believe the process is corrupt, this information was never going to change their minds. A second explanation looks at organizations and focuses on the way this transparency initiative was implemented – perhaps election administrators chose to broadcast the wrong information or broadcasted the right information using the wrong technology. A third possibility pertains to the institutional level of transparency. After four years of alleging the United States’ electoral system is corrupt, President Trump established a context where democratic processes were delegitimized. While the election administrators may have done their best to build trust, their efforts were doomed to fail because of persistent efforts to belittle the democratic institutions the information pertains to.

Generally, as the research discussed in this Element will show, despite transparency’s strong normative appeal, its implications and antecedents are complex, layered, and context-dependent. Some have concluded that transparency has not provided better governance after all (Fenster 2015), and even when implemented meticulously and with good intentions, “transparency is not in and of itself a sufficient tool for advancing a more equitable political life” (Wood and Aronczyk 2020: 1537). In this Element, we argue that such provocative conclusions are premature and that to understand transparency’s antecedents and implications, we need a layered understanding of government transparency.

In this Element, we define transparency as the availability of information about an organization or actor allowing external actors to monitor the internal workings or performance of that organization (Grimmelikhuijsen 2012: 55). We will discuss this definition further in Section 3.
implications, we need a contextual and layered approach to studying government transparency that combines the behavioral, organizational, and institutional perspectives discussed in the example of “failed” election transparency.

1.2 Why Should We Care about Transparency?

The intuition that underlines many of the purported benefits of transparency is hard to refute; individuals behave better when they know they are being watched (Holmstrom 1982); and the information transparency affords the public is critical to promoting their well-being by empowering them to make better decisions (Birkinshaw 2006). Moreover, transparency is construed as an important signal of a progressive orientation that emphasizes openness and eschews secrecy (Fenster 2017). Given the centrality of transparency to contemporary definitions of good governance, understood both in terms of values and practice, the concept has achieved “quasi-religious significance” (Hood 2006: 3). As a testament to the quasi-religious devotion to transparency, we have seen the number of Freedom of Information (FOI) Acts grow rapidly in the past two decades (Michener 2011; Kosack and Fung 2014; Figure 1 in this Element) and the establishment of international movements such as the Open Government Partnership (Piotrowski 2017), which promotes open government initiatives among national and subnational governments around the world.

There are also high-profile transparency critics who argue that the value of transparency is oversold (Etzioni 2010), or that while transparency is “an element...
of democracy,” it comes with severe limitations and shortcomings (Schudson 2020). For example, Francis Fukuyama (2014) argues that while transparency and participation are often proposed as solutions to dysfunction, these reforms frequently make the dysfunction they sought to ameliorate worse by stifling deliberation for fear of someone saying the wrong thing. Others have argued that the instrumental and normative values of transparency are not universal (Zakaria and Yew 1994). Singaporean Prime Minister Lee Kuan Yew, who presided over Singapore during a period of tremendous economic growth in that nation and throughout much of East Asia, notes that some of the most effective anti-poverty initiatives were pursued “behind closed doors” by governments that were illiberal regimes by Western standards. Thus, while transparency may be an important path to better governance, it may not be the only path.

Even transparency optimists admit that the outcomes are not as clear and convincing as the promise of transparency suggests. Some attribute these difficulties to the impacts of transparency being “gradual, indirect, and diffuse” (Michener 2019). Another difficulty is that expectations of transparency are high, which means governments constantly seem to fail to become “fully transparent” (e.g. Fenster 2015). Thus, as Kosack and Fung (2014: 66) note, there “is a growing sense of the ambiguities in the relationship between increases in transparency and other desirable outcomes, such as greater accountability, less corruption, and improvements in basic services.”

Scholars have responded in different ways to the challenges of assessing the effects of transparency. Some focus on understanding the impact of FOI laws and whether they meaningfully impact public access to government records (Cuillier 2016). Others have advocated for new evaluation frameworks (e.g. Kosack and Fung 2014; Michener and Worthy 2018; Pozen 2019). These calls argue the importance of accounting for mechanisms responsible for lending information its impact (Michener and Bersch 2013). Instead of simply equating transparency with information availability, assessments need to view transparency reforms and the information they produce as fitting within a broader complicated social structure (Meijer et al. 2018). These efforts are important but fall short in taking the layered nature of transparency – what we referred to as the behavioral, organizational, and institutional perspectives – into account. For this reason, we believe that we need to build a comprehensive approach on the basis of the expanding literature on transparency.

1.3 A Layered Approach to Transparency

This Element addresses calls to develop better frameworks to understand the effects of transparency. We argue that dispelling such uncertainty requires
a more coherent understanding of what transparency is. To this end, the framework we propose starts from the observation that transparency research benefits from a rich multimethod and multidisciplinary approach. This diversity has resulted in important insights into how transparency works from a behavioral (e.g. De Fine Licht et al. 2014), organizational (e.g. Flyverbom 2015), and institutional perspective (e.g. Roberts 2006; Erkkilä 2012). In this Element, we will refer to these three perspectives as the micro, meso, and macro perspectives to stress that we need to zoom in on specific interactions but also zoom out to the broader organizational and institutional settings to provide a full understanding of transparency.

While the literature on transparency is rich, it is also fragmented: certain papers focus on individual interactions at the micro level, while others highlight the organizational or institutional dimensions at the meso and macro levels. As a result, the way we think about transparency is not integrated in ways that convey a coherent big picture. At the same time, despite being disjointed, these perspectives are relevant to one another since individual interactions are shaped by organizations’ and institutional settings’ outcomes (Roberts 2020). For example, transparency about school performance can influence individual school choice, but to understand what information is provided, we need to understand the functioning of schools and the legal and social contexts within which the information is being disclosed.

Each perspective – the micro, meso, and macro – represents a different unit of analysis. The micro perspective focuses on individuals and their responses to transparency (Grimmelikhuijsen et al. 2017). For example, citizen decisions on how much to trust their government or which schools to send their children to. The meso perspective focuses on transparency practices of public sector organizations (Jilke et al. 2019). For example, how public organizations communicate performance information to the public. The macro perspective, which is least studied by public management and administration scholars, focuses on rules and priorities inherent to a governing context (Roberts 2020). From this point of view, the macro perspective focuses on institutions because it addresses formal and informal rules that structure the administrative work done by governments (North 1991: 97). These institutions embedded in a governing context influence the types of information organizations prioritize for disclosure and their general orientation toward openness. Given the dynamic relationship between the three perspectives, boundaries can overlap – individuals are nested in organizations, and organizations are nested in institutions. This overlap notwithstanding, understanding how these perspectives speak to one another allows us to craft a better integrated and conceptually consistent picture of government transparency (cf. Moynihan 2018).
Based on the reasons stated here, we argue that to truly understand government transparency, we need a “layered approach” that accounts for relationships between macro-level (institutional), meso-level (organizational), and micro-level (behavioral) perspectives. We further argue that connecting the institutional, organizational, and behavioral perspectives is essential to understanding the effects of transparency. As we will discuss at greater length later in the Element, by government transparency, we refer to one specific aspect of government – public sector administrative processes and outcomes.

To make our arguments, we expand upon an existing database of English language articles that deal with transparency and public administration (Cucciniello et al. 2017). While the original database consisted of 177 articles published between 1990 and 2015, we update this database to now include 232 research articles published from 2016 to 2019, which are analyzed in terms of their contributions to micro, meso, and macro perspectives on government transparency. Details on the database, as well as the database itself, can be found in the supplementary materials. The aim of our layered approach to evaluating transparency is to further academic understanding of how government transparency functions by developing a framework that connects research on transparency from the individual (micro), organizational (meso), and institutional (macro) levels.

1.4 Outline

The balance of this Element proceeds as follows. Section 2 offers a brief overview of the philosophical foundation of transparency and how it relates to the way we understand transparency today. Section 3 offers a definition of government transparency by bringing together insights from different conceptual angles. Sections 4–6 draw on our database of published transparency research to discuss the state of the art and illustrate how research over the past few decades has investigated transparency at the micro level (Section 4), meso level (Section 5), or macro level (Section 6). Section 7 concludes the Element by outlining our layered approach, showing how insights between macro, meso,
and micro levels are interrelated, and presents recommendations for research and practice based on this layered approach.

2 From Idea to Legislation and Organizational Practices

While government transparency may seem like an idea only a few decades old, its intellectual roots go back much longer. To understand contemporary debates about transparency, we distinguish between three historical lines: transparency as an idea, transparency as legislation, and transparency as a political and administrative practice. The relation between these three lines is not unidirectional (from idea to legislation and then to political and administrative practices): changes in practices due to the introduction of new technologies have also influenced legislation and ideas about transparency. This section offers a brief historical perspective on how efforts to translate transparency as an idea and transparency in practice have interacted to shape the complex way we view transparency today.

2.1 Transparency as an Idea: From Debate to Performance Management

Transparency is both an old and a new concept. It is new in the sense that it is primarily used to refer to publishing government information on websites but old in the sense that the basic idea that watching others influences their behavior has been around for a long time (Hood 2006). Meijer (2009b) highlights that being able to see how things happen in person has historically played a role in societies to build trust. For instance, in traditional smaller societies, such as small towns and villages, the visibility of everyone’s behavior is high and breeds interpersonal trust. Meijer (2009b: 261) stresses that transparency in traditional smaller societies was bidirectional, contextualized, and frequently informal.

The political philosopher Rousseau equated opaqueness with evil and considered transparency as the way back to the lost state of nature. Rousseau’s ideas about transparency were applied to organizational settings by Jeremy Bentham. The idea that people behave better when they are being watched is central to Bentham’s idea of the (1797/2001) panopticon. A panopticon is a distinct type of organization – a prison – in which all inmates are visible to the guards located in a tower in the center of the prison to ensure greater compliance with organizational rules and norms. Bentham regarded transparency as a cornerstone of government since it would prevent “conspiracy” by those who operate in the public’s interest.

The ideas of Rousseau and Bentham about transparency as a governing norm guided much of the debate about transparency in the nineteenth century.
Popper (1945) renewed attention to the value of transparency with his argument that openness was needed to allow for reasonable criticism and skepticism, protect individuals, and curb power abuse of elites. Popper’s ideas were widely embraced after the fall of the Nazi Empire, and openness was reaffirmed as a key value of modern democratic states.

The ideological emphasis of transparency has shifted since the 1980s. Initially, transparency was associated with progressive politics promoting trust, social justice, and bureaucratic rationality, but a different discourse has taken hold more recently: transparency to promote free choice, reduce regulation, and promote “small government” (Pozen 2018). This ideological shift aligns with many aspects of the New Public Management paradigm (Piotrowski 2007): by communicating performance and promoting choice, transparency was argued to strengthen trust in government (Hood and Heald 2006).

This brief overview shows how the way we think of transparency has evolved over time, from a feature of interpersonal relationships to a governing value to an organizational practice meant to improve individual performance and enhance public trust in government. We will now see how these ideas were translated into legislation.

2.2 Transparency Legislation: Mandating a Right to Access

Modern efforts to translate transparency as a value into laws that guide the actions of government organizations and individuals began in Sweden and at a time when a contemporary understanding of transparency as a hallmark of good governance was taking shape. Sweden adopted access to information legislation in 1766 during its transition from absolutist to liberal bourgeois rule (Erkkilä 2012: 6). Despite gradual steps toward transparency during the nineteenth century, Sweden remained the only country with FOI legislation until 1951, when Finland became the second country to enact such legislation. FOI legislation gained popularity after being adopted by the Johnson Administration in the United States in 1966, and this was followed by a promulgation from the 1970s onward. Roberts (2006: 15) indicates that the “transparency explosion” in the 1990s should be understood as a reaction to the fall of the Berlin Wall and the desire to repudiate the secrecy of collapsed authoritarian states. This resulted in near-exponential growth of FOI legislation across the globe in the following two decades (see Figure 1).

The rapid expansion of FOI laws seems like good news for government transparency, but there are good reasons to be more nuanced in the way we evaluate this development. Studies indicate the strength of transparency laws
varies strongly (Michener 2011). Even when laws are strong on paper, there are widespread problems with strategic response behavior by governments, creating delays between information requests and responses and slow appeals systems (e.g. Hazell and Worthy 2010). In addition, governments contract out to private companies to avoid transparency regulations (Roberts 2000). Authoritarian states such as China have also adopted FOI legislation; however, Xiao (2010) found that China has adopted an FOI model in which proactive disclosure is emphasized over disclosure on demand. Moreover, the strength of this transparency law is undermined by broad exemptions and limited access.

In addition to the rise of FOI laws, the New Public Management reform agenda resulted in new forms of legislation. For example, the United States enacted the Government Performance and Results Act in 1993 (Piotrowski and Rosenbloom 2002) and the Clinger-Cohen Act in 1996 (Westerback 2000). Both acts aimed to enhance the transparency of public organizations by requiring them to provide performance information. The New Public Management reform movement influenced terms that were being used. “Publicity” and “access to information” used to be dominant terms; however, the more technical term “transparency” quickly entered political debates from the 1980s onward (Scholtes 2012).

While FOI legislation predominantly enabled access to information upon request, a new generation of legislation has been introduced that focuses on the proactive disclosure of government information (Berliner et al. 2018). President Obama issued the Open Government Directive in 2009, and this directive requires agencies to take several steps to publish timely information in accessible formats and with adequate use of new technologies (McDermott 2010). Technological advances are leading the way in this final wave of transparency legislation.

2.3 Transparency in Practice: From Legislation to Administration

At the core of transparency in practice is the management of government information, which traditionally means state archival work. Governments have developed archives for centuries if not millennia for internal purposes. One of the most impressive illustrations of record-keeping and archiving is The Annals of the Joseon Dynasty (1413 AD–1865 AD), which documents the reigns of twenty-five kings under the Joseon Dynasty, located within the Korean Peninsula. The practice of maintaining records for the internal use of autocratic governments continued from the ancient times of the Egyptians to the European monarchies of the eighteenth and nineteenth centuries until change was brought by the French revolution.
Archival practices of the monarchies in Europe were developed for internal use and had to be modified with the adoption of FOI legislation in the nineteenth and twentieth centuries to enable access by a broader and more diverse range of external users. Efforts to marry existing archival practices to FOI legislation required organizations to (1) pay careful attention to how government organizations would vet requests for information; (2) produce information from state archives in the event the public asked for it; and (3) allocate organizational resources to receive, vet, and respond to information requests. The resulting puzzle for practice was how to reconcile FOI legislation compliance with organizational performance goals. This puzzle continued throughout the eighteenth and nineteenth centuries and resulted in government organizations slowly opening up their archives and record more and more to the public (Meijer 2015).

The information revolution of the 1990s resulted in a new practice of government transparency. Today, most government agencies in democratic societies have complex structures and technologies for making their information available to citizens (Welch and Wong 2001). Indeed, through resources such as the Internet, public access to government meetings all around the world can be watched live, and even fact-checked in real time. At the same time, others have noted that these developments have made it much easier for governments to spin information disguised as transparency (Ruijer 2013). At the same time, hacking and leaking of government information have led to the direct access to government archives by external actors (Cuillier and Piotrowski 2009). Hood (2011) even highlights that this may fundamentally change the nature of transparency and gave his paper the provocative title “From FOI World to WikiLeaks World.”

This historical overview in this section has identified three trends: from democratic debate to performance management; from mandating public access to government information; and from transparency legislation to transparency administration. A general pattern that can be observed across these three trends is a struggle with the value of transparency for society. Different mechanisms have been developed and relations are assumed. Our goal is to show how empirical research can help to understand these mechanisms and test assumed relations. To do so, we must first review commonly accepted definitions of transparency.

3 What Is Transparency?

Whereas the term “transparency” was hardly used until a few decades ago, it has become highly popular aspect of good governance (Fenster 2015). The concept