T19P06 / Design, Implementation, and Challenges of Transparency Policies

Topic : T19 / SECTORIAL POLICY

Chair : Giovanni Esposito (Université Libre de Bruxelles)

Second Chair : Vincent Mabillard (Université Libre de Bruxelles)

GENERAL OBJECTIVES, RESEARCH QUESTIONS AND SCIENTIFIC RELEVANCE

The proposed panel critically examines the functioning of transparency policies, focusing on the design and implementation of instruments such as Freedom of Information (FOI) laws and Open Government Partnership (OGP) initiatives. The primary objective is to explore how these tools are structured and operationalized to promote transparency, foster citizen engagement, and strengthen democratic governance through open and accountable government practices (Howlett, 2009; Hood, 2006). By analyzing both the design and practical implementation of FOI and OGP, the panel aims to understand how these initiatives enhance government efficiency and accountability.

A particular focus will be placed on FOI laws, which, despite their widespread global adoption (Michener, 2011), often fall short of achieving their intended transparency outcomes (Michener et al., 2021). A significant gap persists between formal compliance (de jure) and practical implementation (de facto), as many jurisdictions struggle to meet the transparency goals established by FOI legislation (Michener & Nitcher, 2022). The panel will assess how FOI and OGP initiatives operate in different institutional contexts and identify the factors influencing their success or failure.

Research Questions:

1. How are FOI laws and OGP initiatives designed to promote transparency and strengthen democratic governance?
2. What are the key barriers to the effective implementation of FOI laws, and how do bureaucratic behaviors affect transparency outcomes?
3. Why is there often a gap between the formal adoption and practical implementation of FOI laws, and what factors contribute to this discrepancy?
4. How do political motivations and institutional pressures shape the adoption and operationalization of transparency reforms?

Scientific Relevance:

This panel addresses a critical gap in the study of transparency policies by focusing on the persistent challenge of bridging the divide between the formal adoption and actual implementation of FOI laws and OGP initiatives (Mabillard et al., 2024). Although these tools are designed to enhance democratic governance, they frequently fall short due to various institutional, political, and bureaucratic obstacles (Tejedo-Romero & Ferraz Esteves Araujo, 2023; Cicatiello et al., 2024; Esposito et al., 2024).

By exploring the design and operational aspects of FOI and OGP across diverse political and institutional contexts, the panel will provide valuable insights into why these instruments succeed or fail in practice. Additionally, the panel will investigate the influence of political ideologies and bureaucratic behaviors on transparency outcomes, offering an interdisciplinary perspective that draws on public administration, political science, and governance studies. This inquiry is crucial for understanding how transparency reforms are not only adopted but also effectively implemented. Another relevant aspect relates to the fact that FOI and open government policies make certain government information public, sometimes conflicting with privacy laws that protect personal data. Therefore, balancing privacy and transparency is essential in these policies. FOI laws, for example, allow public access to information but often include exceptions to protect privacy. Bennett and Raab (2017) note that countries set boundaries to define what can be shared without compromising privacy, especially in sensitive areas like health or fiscality. Both transparency and privacy build public trust: privacy safeguards personal data, while FOI fosters accountability. Bennett (1992) argues that effective governance requires a careful balance to maintain confidence in both.

Bennett, C. J. (1992). *Regulating Privacy: Data Protection and Public Policy in Europe and the United States* (Vol. 132). Cornell University Press.

Bennett, C. J., & Raab, C. D. (2017). The governance of privacy: Policy instruments in global perspective. Routledge.

Cicatiello, L., De Simone, E., Di Mascio, F., Gaeta, G. L., Natalini, A., & Worthy, B. (2024). Response, awareness, and requester identity in FOI law: Evidence from a field experiment. Journal of Economic Behavior & Organization, 220, 12–30.

Esposito, G., Cicatiello, L., Mabillard, V., & Gaeta, G. L. (2024). Toward a citizen science framework for public policy evaluation: Lessons from a field experiment on Freedom of Information laws in Belgium. *Evaluation, 0* (0). https://doi.org/10.1177/13563890241270195

Hood, C. (2006). Transparency in historical perspective. In C. Hood & D. Heald (Eds.), Transparency: The key to better governance? (pp. 3–23). Oxford University Press.

Howlett, M. (2009). Government communication as a policy tool: A framework for analysis. Canadian Political Science Review, 3(2), 23–37.

Mabillard, V., Esposito, G., Cicatiello, L., Gaeta, G. L., & Pasquier, M. (2024). Barriers to freedom of information: Insights from an experiment in Belgium. International Journal of Public Administration, 1–13.

Michener, G. (2011). FOI laws around the world. Journal of Democracy, 22(2), 145–159.

Michener, G., Coelho, J., & Moreira, D. (2021). Are governments complying with transparency? Findings from 15 years of evaluation. Government Information Quarterly, 38(2), 101565.

Michener, G., & Nichter, S. (2022). Local compliance with national transparency legislation. Government Information Quarterly, 39(1), 101659.

Tejedo-Romero, F., & Ferraz Esteves Araujo, J. F. (2023). Critical factors influencing information disclosure in public organisations. Humanities and Social Sciences Communications, 10, 315.

CALL FOR PAPERS

This panel invites original contributions that explore the design, implementation, and impact of transparency policies, with a focus FOI and OGP instruments . We seek submissions that examine the gap between formal adoption and practical implementation of these policies, how FOI and OGP instruments are designed to contribute to democratic governance. Submissions may engage with issues such as policy design, bureaucratic behavior, political incentives, stakeholder engagement, and participatory research methods.

We welcome theoretical, empirical, and methodological approaches from disciplines such as political science, public administration, sociology, economics, and management. Submissions using policy process frameworks (e.g., Advocacy Coalition Framework, Punctuated Equilibrium Theory, Narrative Policy Framework, or Multiple Streams Framework) or exploring the role of political ideologies, institutional pressures, and digitalization in transparency reforms are particularly encouraged.

Submissions may address, but are not limited to, the following themes:

- **Policy Design and Implementation**: How are FOI and OGP policies designed and operationalized to achieve transparency and democratic governance?
- **Bureaucratic Behavior** : What are the barriers to effective FOI implementation, and how do bureaucrats respond to requests?
- **Policy Failures** : Why do FOI laws fall short in practice, and what political or institutional pressures influence their adoption without full implementation?
- **Political Incentives** : How do electoral incentives and political ideologies shape the promotion and success of transparency reforms?
- **Participatory Research Methods** : How can citizen science and action research improve the evaluation of transparency policies and foster collaboration?
- **Digitalization and Technology** : What role do digital tools and open data play in enhancing transparency outcomes?
- **Comparative Studies**: How do transparency policies differ across political systems, and what can be learned from cross-national comparisons?
- **Balancing Transparency with Individual Privacy** : How can policymakers balance the demands for transparency with the need to protect individual privacy in Freedom of Information and open government policies?

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Session 1

Friday, July 4th 10:15 to 12:15

Recordkeeping legislation in Thailand and Challenges for establishing transparency policies in Digital Age

Pimphot Seelakate (Chulalongkorn University)

Freedom of information and environmental conflict: an empirical study on the Italian case

Lorenzo Cicatiello (University of Naples l'Orientale)

Cristina Trey (Politecnico di Torino)

(Virtual) OGP and the Challenges of Transformation: Between Ambition and Bureaucratization

Cristina Mariani (University of Brasilia (UnB), Brazil)

Missing Data: Patterns Left Visible. Uncovering Corruption Through Beneficial Ownership Opacity and Transparency Regulations

Irene Tello Arista (Central European University)