



4th International Conference on
Public Policy (ICPP4)
June 26-28, 2019 – Montréal

Panel T06P03 Session _____

Open Government: Participation, Inclusion and Impact
Policy Implementation

Title of the paper

Accessible or tyrannical participation?
Exploring the Open Government Data of the Philippines and Indonesia

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Date of presentation

June 27, 2019



Abstract

Since its launch in 2011, the Open Government Partnership (OGP) has transformed into a global movement “working to make government more effective and responsive to its citizens” (OGP Commitments, 2013) even as membership has grown from the original eight to the current 79 governments.

Jetzek, et al. (2012) argued that the social value of a transparency policy, and consequently Open Government Data, is proportional to a government’s ability to contribute to participation, i.e. the more useful the information to the public, the higher the value. As two of the eight founding members of the Open Government Partnership (OGP), the Philippines and Indonesia are committed to developing a National Action Plan towards making government data publicly available, which in turn should transform into concrete actions demonstrating their openness towards greater public participation.

Using the lens of the tyranny of participation (Cooke and Kothari, 2001) and the framework developed by Fung, Graham and Weil, the aim of this study is two-fold. First, it seeks to compare the level of commitment and progress in their respective National Action Plans towards increasing publicly available government data. Secondly, it seeks to explore whether the data has led to greater public participation. Rooted in new public management thought, Fung, Graham and Weil (2007) laid out what they deemed were important dynamics for a successful transparency policy in what they dubbed as the Transparency Action Cycle. The study examines the open government data of these two nations and compares this with the claims of their National Action Plans.

Keywords

Transparency; Open Government Data; Freedom of Information; Philippines; Indonesia; Open Government Partnership; participation



Introduction

Public Administration scholars trace the beginning of transparency and openness as a government policy to the policy directions toward globalization, democratization, the information revolution; and, in many countries, public dissatisfaction with public administration (Ciulla-Kamarck 2000; Bulgaric 2002; Ball 2009). They believe that openness with regard to government data will lead to greater public participation.

As Ciulla-Kamarck (2000) noted in her study, "Globalization and Public Administration Reform", public dissatisfaction was not only a response to the lack of efficiency of public administration, but rather a growing expectation that public administration should function "honestly, competently, and effectively", as a result of the information revolution, among others. This, she believed, was the impetus for a growing number of countries that are increasing openness by reforming public administration (Ciulla-Kamarck 2000 p.234).

The United Nations Convention against Corruption's (UNCAC) Article 13, which states that participatory development can be enhanced through a push towards 'transparency'. The UNCAC promotes initiatives that:

Enhances transparency and promotes the contribution of and public decision making process;

Ensures that the public has effective access to information;

Undertakes public information activities that contribute to non-tolerance of corruption, as well as public education programs, including school and university curricula;

Respects, promotes and protects freedom to seek, receive, publish and disseminate information concerning corruption.



One such worldwide initiative is the so-called Open Government Data (OGD) movement. The goal of this movement is to increase government transparency by allowing members of society to make social and economic use of information held by government. Specifically, OGD refers to public information that government makes available to citizens through online portals and other digital means (Ubaldi, 2013).

Participatory development implies a shift from a top-down approach to a community-based approach, wherein stakeholders have a say in projects that affect them (Guijt, 1998; Ondrik, 1999). In terms of information access, the author argues that participation is only possible if stakeholders have a say on what kind of information is available to them or what information is useful. Otherwise, the tyranny of decision-making and control remain in the hands of the powers-that-be rather than reinforce participation (Cooke and Kothari, 2001, p.9).

The question then is: Can participatory development arise from data that is provided by the Open Data Portals of the Philippines and Indonesia governments? Can these be measured against the stated level of commitment in their respective National Action Plans, which includes participation as a key outcome?

Prerequisites of Open Government

Open Government Data refers to public information that government makes available to citizens through online portals and other digital means. Open Government Data takes off from two concepts: government data and open government. Prior to 2008, government data was better known as public sector information, i.e. any "information, including information on products and services, generated, created, collected, processed, preserved, maintained, disseminated or funded by any government institution" (OECD 2008).



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Open Government Data (OGD) is not to be confused with E-Government, which is the “government use of information communication technologies to offer for citizens and businesses the opportunity to interact and conduct business with government by using different electronic media such as the internet, mobile phones, fax, smart cards, self-service kiosks and electronic data interchanges. It is also about how government carries out its service delivery and to co-ordinate, communicate and integrate processes within itself” (Tamara 2010).

On the other hand, Open Government is the concept which holds that citizens have the right to access the documents and proceedings of the government to allow for effective public oversight (Lathrop and Ruma 2014).

To give a big push to the Open Government Data, the United States government initiated an international platform dubbed as the Open Government Partnership (OGP) in September 2011 to gain commitments from governments around the world to be more open, accountable, and responsive to their citizens.

To become a member of the OGP, the government of a country must endorse the group’s declaration of principles¹, which includes the following commitments to: increase the availability of information about governmental activities; support civic participation; and, increase access to new technologies for openness and accountability.

The Philippines and Indonesia have the distinction of being counted among the eight founding member states, along with Brazil, Mexico, Norway, South Africa, the United

¹ <<http://www.opengovpartnership.org/about/open-government-declaration>>



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Kingdom and the United States. Within the first two years of its launch, the OGP members acquired another 57 participating nations.

Today, the OGP defines itself as “a multilateral initiative that aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. In the spirit of multi-stakeholder collaboration, OGP is overseen by a steering committee including representatives of governments and civil society organizations.”²

While transparency is the targeted immediate outcome, Open Government Data advocates realized that this is not automatic (Jetzek et al 2012). The context, rationale and quality of data should also be considered in analyzing the effectiveness of the system (Jetzek et al 2012, p. 5). During a December 2007 Open Government Working Group Meeting in Sebastopol, California, eight (8) OGD principles were defined and proposed by advocates led by the Sunlight Foundation, Google and Yahoo corporations (Ubaldi 2013). These are:

Completeness – Government datasets should consist of the entirety of information and not partial or arbitrary to allow users to understand the scope of data as well as be able to see the details;

Primacy – Government datasets should be original and generated by the agency even as scope and methodology for data gathering should also be made available;

Timeliness - Data should be as up-to-date as possible and time sensitive data should be released within a short time frame from its collection so as to be useful to the public.

² <<http://www.opengovpartnership.org/about>>



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Accessibility - Data should be accessible to the public whether via physical means or preferably, via electronic access. Under this OGD principle, barriers to accessibility include the need to submit formal requests or court orders to obtain information.

Machine readability – Under this OGD principle, data should be stored in publicly accessible formats and portable document formats should have optical character recognition (OCR) to allow for easy re-formatting for the end-user.

Non-discriminatory - This principle refers to those who can access data and how they must do so. In the US, UK and Canada, data is available to any citizen and permanent resident.

Non-proprietary - Under this OGD principle, this means that data is made available in more than one format so as to avoid exclusive control or access by a software company; and,

License-free – Government data should not be subject to copyright, patent, trademark or secret trade regulations.

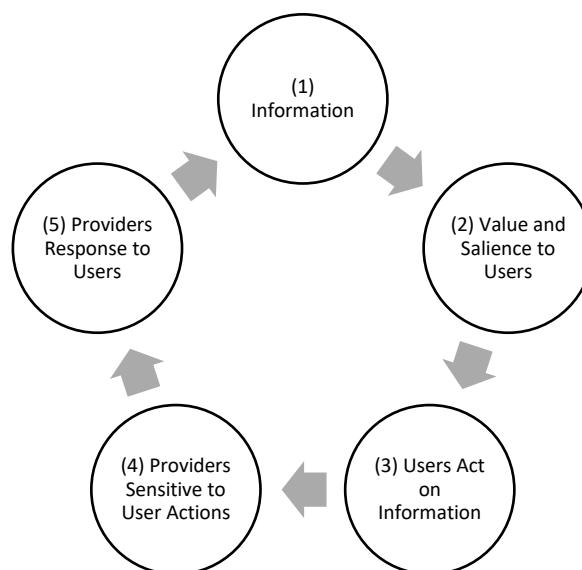
Despite being one of the goals of the OGP, participation –like transparency—is not automatic. However, these two terms are often juxtaposed akin to what Laclau (1996) would dub as “chains of equivalence”, i.e. words that when put together evoke its own reality and/or meaning. While participation is the idealized outcome of a more transparent government through increased availability of government data, it does not necessarily translate to greater participation.

Theoretical Framework

According to Jetzek, *et al.* (2012), transparency is a social value because “it provides citizens and other stakeholders with a window into what government is doing” (Jetzek, *et al.* 2012, p.5) and upon which government makes choices and decisions. However, they also concede that transparency does not automatically translate to value even as OGD does not automatically translate to transparency. Jetzek, *et al.* (2012) argued that the social value of transparency, and consequently Open Government Data, is proportional to its ability to contribute to participation, i.e. the more the useful the information to the public, the higher the value.

This corroborates with the framework developed by Fung, Graham and Weil to demonstrate to public authorities the necessary steps towards successful transparency policies. Rooted in new public management thought, Fung, Graham and Weil (2007) laid out what they deemed were important dynamics for a successful transparency policy in what they dubbed as the Transparency Action Cycle (see Figure 2) in their book, *Full Disclosure: The Perils and Promise of Transparency* (2007).

Figure 1: Transparency Action Cycle (TAC)



The TAC (Figure 1) assumes that the data provided (1) are useful or has value to its users/clients (2), namely the public, who will act on the information provided (3). At the same time, the information provider, namely government, keeps tabs on whether their information is useful or lacking (4), so that they can address problems or issues, if any (5). This should then trigger a new round of information to make up for the shortfall of the first set of data provided (1).

For Fung, Graham and Weil (2007), it is not simply the act of providing information that is important. For them the importance lies in the value and salience of the information to at least one group of information users or the targeted audience; and the ability of the users to act on the information provided, i.e. the information is useful to decision-making even if the decision is contrary to what the provider intended.

As noted above, the ability of OGD to contribute to participation is determined by the value and salience of the information to the stakeholders, in this case, the public. Cooke and Kothari (2001) points out that one form of tyranny of participation is the maintenance of existing power relationships, wherein the theoretical ideal of participation is often not functioning as the tool for empowerment. If the end-user of the data has no voice in what data should be made available, then perhaps there remains that top down decision-making.

Using a qualitative approach, the researcher compared the claims of government evaluation National Action Plan of government vis-à-vis publicly available data on said accomplishments. The study also compares and analyses the open data of both countries based on findings of the Open Data Barometer (Barometer). The ODB is produced by the Worldwide Web Foundation and aims to “uncover the true prevalence and impact of open data initiatives around the world.”³ Moreover, the ODB uses the principles of Open

³ <opendatabarometer.org/barometer/>



Government Data to measure the readiness of a nation for open government as described earlier. Using a combination of a peer-reviewed expert survey and a detailed dataset assessment, the Barometer rates each nation on a scale of 0 to 10 (10 being the highest). Also, technical specialists were assigned to investigate the availability of 15 kinds of data within each country⁴.

To supplement the findings of the ODB, this study also analysed the content of the open data portals of the two nations vis-à-vis their respective national OGP plans since these are supposedly the one-stop sites for government data.

OGD Pioneers

In the Association of Southeast Asian Nations (ASEAN), only the Philippines and Indonesia are the only members of the Open Government Partnership (OGP) and therefore, are the only ones with international commitments to open data. Having been part of the movement since its inception in 2011, the two countries are considered pioneers in Open Government Data in Asia.

Despite being a member of OGP since its inception, it was only in 2015 that the Indonesian government established a national secretariat to oversee the open government implementation. The Secretariat involves three government agencies, namely, the Ministry of Foreign Affairs, the Ministry of National Development Planning and the Executive Office of the President. While policies towards open government were slowly put in place, the Satu Data Indonesia (data.go.id) initiative was created in 2017 as an effort to provide credible, accountable, and up-to-date data to support the realisation of qualified government administration.

⁴ < <https://opendatabarometer.org/leadersedition/methodology/> >



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Satu Data attempts to encourage better government data management by establishing data and metadata standards among government agencies, institutions, and local governments as well as fostering data interoperability among them. According to the website, “the use of government data is not limited to policy making, but also as a form of fulfilling the needs of public data for the community.”

For its part, the Philippines launched its Open Data Philippines (data.gov.ph) in January 2014. During the Aquino Administration (2010-2016), the Open Data Philippines was managed by an interagency Task Force comprised of the Office of the Presidential Spokesperson (OPS), Presidential Communications Development and Strategic Planning Office (PCDSPO), and Department of Budget and Management (DBM). However, this mandate was transferred to the Department of Information and Communications Technology (DICT), which was created in June 2016 (POG-NAP 2017-2019, p.9), a month prior to the start of the Duterte Administration.

While the Open Data Philippines (ODP) contains datasets from the various Executive Departments and Agencies, the Philippine Statistics Authority runs its own portal containing socio-economic statistics called OpenStat (openstat.psa.gov.ph) in March 2017, with a link also found in ODP. According to the POG-National Action Plan, this initiative “aims to improve public administration and promote good governance by proactive disclosure of government data and by encouraging the citizens--government employees, researchers, students, advocates, among others--to help analyze and use the country’s statistical data.”

The ODP consists in 97 government institutions, inclusive of executive departments, state universities, government bureaus and some local governments that are not categorized but listed in alphabetical order in the website. The 2016 Progress Report of the National Action



Plan of the Philippine claimed that the government had “over 3,000 datasets covering all points from public expenditure, agriculture, transportation, to education, among others”, have been uploaded to the ODP website.

External Audits

In an earlier study funded by Knowledge Dialogues (a Hong Kong-based independent research company), Ritter (2014) noted that within the region, the emphasis of open data in several countries is on the creation of the conditions for greater accountability and transparency of government. However, Ritter (2014) also pointed out that while Indonesia and the Philippines are clearly advocating better governance through open data, “they score relatively low on transparency, so there is a certain discrepancy between official ambitions and reality” (Ritter 2014, p.14).

As noted by Kosack and Fung (2014), Open Government Data only leads to increased accountability and public participation in governance if the data provide information that has value and salience to citizens, i.e. that data provided can be used by citizens for their own development studies, analysis and civil society action plans. The scholars also noted that “a transparency program may fail to improve services if users of the service simply do not care about the new information to which transparency gave them access” (Kosack and Fung 2014, p.8). This seems to be the case for OGD in both the Philippines and Indonesia.

A recent study by Stagers (2016), who attempted to grade the level of OGD development in a scale of zero to 100, noted that the member-nations could be grouped into three: Set A composed of Indonesia, Malaysia, the Philippines and Singapore had the highest scores (though low compared to Western standards); Set B consisted of Thailand, Vietnam and Brunei had slightly lower grades; while, Set C composed of Cambodia, Laos, Myanmar had radically low scores. Within each set of countries, scores further varied based on the

dimensions being grade. In Table 1, we can see that Indonesia, under the administration of President Joko Widodo has the top grade within the ASEAN. This is followed by Singapore, albeit getting a low grade for “professional independence”. Ironically, however, we share the same grade with Singapore for the dimension “impartiality and integrity.” As can be seen in Table 1, Stagers (2016, p.169) recorded the following for Set A nations:

Table 1: Quality of Open Government Data in the ASEAN

<i>Dimensions</i>	<i>Indonesia</i>	<i>Malaysia</i>	<i>Philippines</i>	<i>Singapore</i>
Professional independence of statistical authority	6.7	2.7	6.7	2.3
Adequacy of resources	4.5	5.0	5.5	6.0
Impartiality and integrity	7.3	7.3	6.3	6.3
Sound methodology and procedures	7.0	6.0	6.2	7.8
Relevance of data	6.7	7.0	6.3	7.0
Accuracy	6.0	6.0	6.0	5.5
Timeliness	7.0	7.0	7.0	7.0
Consistency, coherence and comparability	6.7	6.0	6.0	6.3
Level of detail	6.3	6.3	6.3	6.0
Accessibility and clarity	6.0	6.3	4.5	7.0
Total score	64.2	59.6	60.8	61.2

Source: Stagers 2016

Stagers’ study slightly differs from the findings of the Leaders’ Open Government Barometer (Web Foundation 2018), which shows the Philippines with a total score of 42.0, higher than Indonesia’s overall score of 37.0. The Barometer report studied only the 30 leading countries in terms of OGP development, in Southeast Asia, only the Philippines and Indonesia were included. However, neither the Philippines nor Indonesia has adopted the “open by default” policy, which Canada and the United Kingdom, among others, are espousing.

In measuring the open government readiness of the country, the Barometer (Web Foundation 2018) looked at the availability of political, socio-economic and environmental

data, the laws that foster open government data and the accessibility of data. Figure 1 shows that the Philippines took the overall lead:

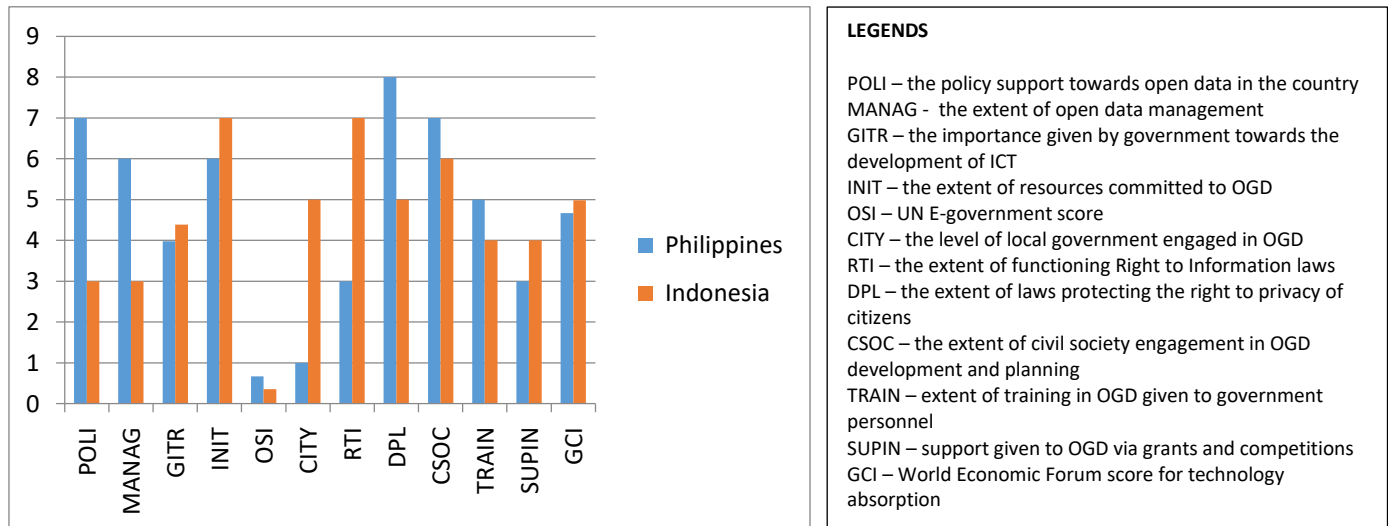
Figure 1: Open Data Barometer 2017



The study further tried to rate the OGD development and commitment through a peer-reviewed expert survey that rated in a scale of 0-10 (with 10 being the highest) various aspects of OGD in each country. Figure 2 shows the Barometer survey results (Web Foundation 2018), which found that Indonesia scored higher only in four categories, i.e. INIT, the resources committed to developing the OGD; GITR, the importance given by government of ICT development; CITY, the local government participation in OGD; and RTI, the extent of functioning Right to Information laws.

The Philippines, on the other hand, was found to have better policy support towards open data, better management of open data and better laws protecting the right to privacy as well as training on OGD given to government personnel.

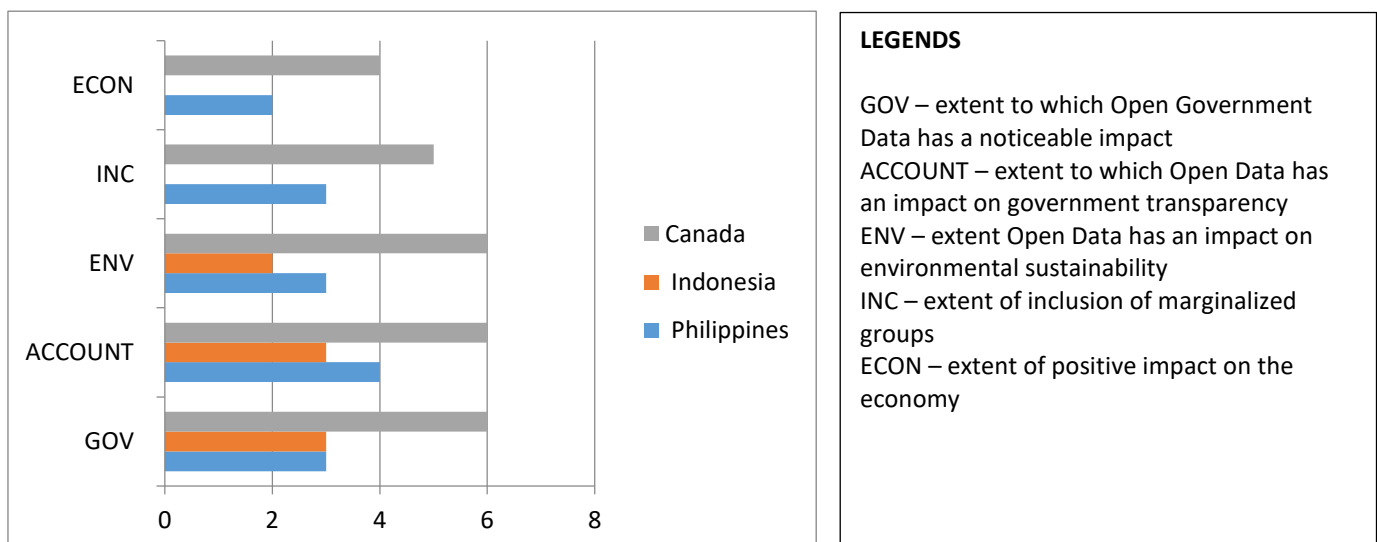
Figure 2: Open Data Barometer – Leaders Edition, 2018 Comparison of the Philippines and Indonesia



Source: Web Foundation, 2018

Overall impact of Open Government Data for both countries, however, were relatively low with the Philippines at 30/100 and Indonesia at 17/100. This is especially noticeable when compared to developed nations like Canada, which scored a 76/100. Broken down, the impact rating of the Open Data Barometer (Web Foundation 2018) showed the following scores as exhibited in Figure 3.

Figure 3: IMPACT of OPEN GOVERNMENT DATA



Source: Web Foundation, 2018



Falling Short of Claims

However, due to the lag time between the data gathering and the release of the report. Both the National Action Plans and the independent Open Barometer Data study, which was drafted in 2016 and 2018, respectively but used data gathered in 2014 and 2016, may not reflect the real-time scenario of open data governance in these two nations.

In fact, the situation between Indonesia and the Philippines may now be in reverse. According to Indonesian Presidential chief of Staff Yanuar Nugroho (“We Urgently Need..”, 17 December 2017), the Indonesian head of state is committed to building the ICT infrastructure for Satu Data or One Data Indonesia. The Presidential decree creating Satu Data mandates that each and every data set produced by government agencies should comply with an official standard for data production; requiring that the data produced come attached with metadata explaining the rationale and methodology behind the data; and requiring commons standards of interoperability on all data produced by government agencies. In fact, in May 2017, President Joko “Jokowi” Widodo convened over 100 representatives from civil society, the private sector, and government agencies to launch Jakarta Creative Hub, to allow them to provide feedback to the Office of the President regarding open data (Maesy and Diastika, 2017). The goal of Satu Data is for Indonesia to adopt the policy of “open by default.”

At present, the Satu Data, which currently boasts some 79,000 datasets, most of which are in machine readable API formats of population and agricultural data. To find Indonesian government data on the current national budget or government expenditures, however, the researcher must dive deep in the ministry webpages since only financial data of some provinces or cities are found in the Satu Data Portal.



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On the other hand, the One Data Philippines has itself taken a dive. From over 3000 datasets in the Portal in 2016, only 256 can be found. Moreover, data on government expenditures that have a uploading time-stamp of 2018 are datasets of 2013 or earlier. For example, data on Official Development Assistance Loans show datasets of 2008-2011; General Appropriations Act are data from 2009 to 2013; and, government revenue datasets date back to 1995-2012.

While Indonesia is moving forward in its government policies, the Philippines is moving backwards. For instance, the 2017-2019 National Action Plan reported that the Philippine government enacted Executive Order No. 9, issued on December 1, 2016, which created the Office of Participatory Governance which is mandated to promote active citizenship, inclusiveness, transparency, and accountability in governance by engaging different stakeholders to participate in nation-building efforts. What it failed to report is that said Office was scrapped by the President, who created it in October 2018 (Lopez 2018). Outside the One Data Philippines, government data can be sourced from agency websites as required under the General Appropriations Act of 2012, which enumerated expenditure data that should be open by default. However, these datasets found under the “Transparency Seal” logo in each agencies website are not current and not in machine readable formats. Many are in Portable Document Format, but not as text but as the image of the dataset and therefore, impossible to manipulate. Consultations are also not diverse and limited to a select number of civil society organization. In 2016, the coalition Right to Know Right Now (R2NRN) formally quit their membership to the Open Data Steering committee. R2NRN members⁵ said they decided to quit the committee after four years, primarily because they did not think that the OGP efforts were transformative in terms of access to information. Atty. Malaluan added that the R2KRN coalition decided to leave the committee because after four years they still did not see active participation or a “buy-in” among government agencies. “They did not strive to develop a constituency among government agencies,” he

⁵ Attorney Nepomuceno Malaluan, interviewed by author, 19 August 2016



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noted, adding that the OGP effort remained with the DBM and OPS alone. Meanwhile, OGD advocates (especially within the Office of the Presidential Communications Development and Strategic Planning Office) have not seriously attempted to build a constituency among government agencies and instead set up Open Data Philippines, which only contains uploaded second-hand data culled from agencies, instead of directing the public to the original sources of data.

Both the Philippines and Indonesia have a long way to go before they can claim to be “open by default.” Indonesia shows promise with recent actions towards a commitment to Open Government by President Widodo. Thus, his recent re-election should result in a continued stance towards transparency and participation. In the Philippines, however, the current administration seems to be moving backward from the previous Administration’s commitment towards open government. For one thing, the data previously uploaded by the former Administration was removed from the website, the newly uploaded data are datasets from two Administrations ago and are generally no longer relevant.

This study also found that the current scores of the two countries in external audits such as the Open Data Barometer may not reflect the real time scenario, even as there is a lagtime between data collection and the release of the report. Thus, instead of increased data accessibility, the old tyrannies and lack of transparency are actual very much alive despite what is reflected on paper.

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