

Open Government: The Mandate of Reform That is Still Neglected

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Abstract

Open government, also known as government transparency, is a reform mandate that needs to be handled as soon as possible. The purpose of open government in public policy is to foster transparency, involvement, and accountability. The idea of open government has been the topic of scholarly discussion for only recently, yet it has already gained significant traction. This normative and analytical paradigm can be articulated through conversations centered on the reform of governance. A new normative, strategic, and operative paradigm has emerged from the mandate of reform, which is based on the principles of openness, participation, and collaboration, it is argued in this paper that around the idea of open government and, more precisely, at least in Indonesia, the idea of an open state, a new paradigm has emerged. This paradigm is centered on the idea of open government. This research makes use of a qualitative methodology alongside a method of literature evaluation. This study will inquire into the rebirth of open government as well as the idea of an open state achieved through open government as a mandate for the ongoing fight for reform.

Keywords: *Open Government, Reform, Transparency, Open Country.*

Introduction

So-called open government has emerged as the latest proposal for transforming the governance of public affairs. Its rapid rise has benefited from a marked "adaptation" to the needs and opportunities of the current context, characterized by three crises of legitimacy, trust, and the effectiveness of the politico-administration system. However, partly because of its novelty and partly because of its overlap with other concepts and ideas, the open government remains a scattered category with controversial content, blurred boundaries, and imprecise implications (Febriananingsih, 2012).

In Indonesia, the demand for an open government has been called for a long time. However, calls regarding this matter only became louder when the reform era began in 1998. These calls were finally answered when in 2008, the Indonesian government enacted Law Number 14 of 2008 concerning Public Information Disclosure, abbreviated KIP Law. This legal product obliges every institution that belongs to a public body to proactively provide, provide or publish all public information, especially those within the scope of its territory or domain of authority, to the general public or public information applicants (Nurdin, 2018).

The practice of open government has been an agenda rolled out by the Indonesian government since 2011. In the spirit of transparency, government performance efficiency, eradicating corruption, and improving bureaucracy, the government has established the Open Government Indonesia (OGI) secretariat. Law No. 14 of 2008 concerning Public Information Disclosure and Law No. 25/2009 concerning Public Services is the legal basis for the existence of OGI, which all government hierarchies in Indonesia should implement. Based on records compiled by the OGI National Secretariat (Izahari, 2021).

Open Government Partnership (OGP) is a global movement for more transparent, effective and accountable government, with state institutions that empower citizens and are responsive to their aspirations. OGI is part of the global OGP movement, which aims to encourage a more

transparent government and a more proactive society to achieve good governance. The three main pillars of OGI are transparency, participation and innovation (Isaura, 2020).

Based on the three pillars of OGI, the concept of open government in Indonesia aims to support openness, participation and accountability in public policy-making. To build a public policy paradigm oriented towards the aspirations and needs of the people, it is necessary to develop a view that no longer determines public policy in the realm of the superstructure or rulers but as a process of balanced interaction between the superstructure and the political infrastructure. This balanced interaction process requires open public spaces for community participation in policy-making (Thohari et al., 2017).

Public participation in the formulation of regional policies has begun. However, some parties consider that it is only a formality and takes place in one direction only; limited funds and time and inadequate regional legislation products that can support the implementation of community participation in every policy creation process are often the reasons that not optimal community involvement efforts. Ideally, public participation is involved in processing, implementing, and evaluating policies or better, better "from the people, by the people and for the people".

Methods

This research makes use of a qualitative methodology, specifically research in libraries. This research consists of a series of activities to acquire diverse library data such as books, journals, magazines, and other information that is pertinent to research needs. These activities include collecting the data, recording it, using it, and processing it (Zed, 2008). In order to achieve reliable research results from this study, it is necessary to choose and analyze data taken from previously published literature. The data that were gathered were put through a qualitative analysis, which is an analysis that takes into account the value, quality, and condition of the data that was gained. To put it another way, the reliability, significance, and completeness of the evidence at hand serve as the yardsticks by which this investigation's pursuit of the truth is evaluated.

Results And Discussion

A. Re-inventing Open Government

Michener (2011) explains that open government is a controversial and debated concept. Differences regarding content and boundaries stem from many factors. First, its use has proliferated recently without sufficient time to consolidate its scope and meaning. Second, there has been widespread debate around the notion, which has aroused interest in academic disciplines and institutional establishments guided by a different logic. Third, this debate not only brings together disparate interests but is also traversed by a combination of normative-prescriptive and analytical-descriptive perspectives that often need clarification. Finally, and as a consequence of all of the above, these concepts have been superimposed, overlapped and come into tension, with other ideas better defined in action and research on political regimes, the State, governance and public management.

Open government has become a concern in various disciplines, such as political science, public administration, sociology, and information and communication technology (ICT) studies. Ruijer et al. (2020) identify three main currents that converge around the concept. From the politics-administration current, open government is approached as a matter of institutions, bureaucratic reform and strengthening public management. In the sociological stream, the

discussion is focused on challenges of social organization, demands recognition of rights - especially access to information- and conditions for mobilizing citizen participation. Finally, technology flows associate open government with digital innovation processes, free software projects, and open data applications.

From a perspective limited to political science, Janssen et al. (2012) identify the convergence of four projects claiming open government. This framework articulates different beliefs about the role of the state and society and is organized around different ideals of governance:

- a. The government regulates and promotes welfare;
- b. A transparent government that provides clarity;
- c. Participatory government and promoter of civility; and
- d. Efficient government, collaborators, and knowledge generators.

However, recent research on open government has been more than just academic. This convergence of academic and political interests has split the discussion into two main positions. From a sceptical position, it is assumed that open government is nothing more than a fad label that will have a mortal life and produce no relevant effect on political life or government conduct. Instead, from an enthusiastic position, it is defended as a new principle capable of penetrating real practice to improve policy quality, increase service efficiency, and expand participation and accountability. The open tension between the different characterizations - as labels, principles or practices - will be revealed in the formulation and implementation of the policy itself (Faraon, 2015).

As a result of these inaccuracies, the first task undertaken by most research on open government, both official and academic documents, is to define the term, the different definitions of which can be grouped into two sets. The first group of definitions, substantive in nature, highlight the principles and foundations of open government, generally articulated around the idea of a new relational paradigm or alternative model of government. The second group unifies the instrumental definition, in which open government appears as a means, strategy, or mode of government action.

While the first approach points to open government as the (end) paradigm of state organization, the second assumes it as an administrative (means) model of organization. While the former is articulated around a set of democratic principles that include transparency, accountability, participation, democratic control, empowerment and cooperation, the latter is confined to a limited concept of transparency as the availability of information. Public, ideally presented in an open, accessible, understandable and reusable format (Geiger & Von Lucke (2012).

While this second conception dominated the meaning of "openness", such as transparency, which was dominant in official norms and discourse until the early 21st century, the first emerged from the resulting revitalization of discussions about open government in recent years. This debate is guided by the need to respond to the dual challenges implied by the legitimacy of the political-administrative system and the crisis of political science and administration paradigms. Instead of just plain open government, these conceptions are transferable to open state and public administration, the latter being a necessary condition of the first (Harrison et al., 2011).

Cruz-Rubio (2015) tries to take a middle path from these two perspectives by offering a definition of open government that brings together important and instrumental dimensions. For the author, this is a political-administrative philosophy, a new paradigm or model of socio-political interaction based on the values and principles of transparency, participatory democracy

and citizen empowerment, accountability, data openness and technological advances. In government conformity as a platform that promotes collaboration and interaction – these are established as modes and strategies for the design, implementation, control and evaluation of public policies and administrative modernization processes, and which place citizens in the centre of attention and priority, thus offering alternatives to public management. As a political administration philosophy, it can be distinguished from other existing strategies or political administration philosophies.

B. Open Government as a State Reform Mandate

The modern state, as a structure of domination, is conceptually a closed and opaque entity. It is characterized by the centralization of material and administrative means and the secrecy of its activities: the first frees it from dependence on external agents, and the second protects it from external control. The bureaucracy appeals to increase the superiority of its knowledge through secrecy. Bureaucratic government, with its tendencies, excludes openness. The bureaucracy hides as far as possible its knowledge and activities in the face of criticism. Openness, transparency, and democratic control are, thus, logically, post-bureaucratic principles (Thoha, 2003).

In the same way, modern democratic regimes are based on the separation between the rulers and the ruled, between the state and society. The link between the two domains is limited to the election mechanism. Citizens only intervene in the political process as voters, excluded from transforming collective will into legal norms and administrative programs, the exclusive domain of political representatives and professional bureaucrats. Participation and collaboration, in this sense, are only understood under a post-representational logic (Thoha, 2003).

As its values reveal, the open government aims to transform the state and rethink its relationship with society. His ideal was the democratic "reinvention" of the state. In this regard, it can be understood as a proposal for state reform, which emerged from the "packaging" of principles, programs and instruments of openness (transparency and accountability), participation and collaboration. These three axes, which emerge at different times, are regulated at different levels and driven by different movements, acquire their meaning as vectors for state reform under the conceptual umbrella of open government (Andhika, 2017).

In political terms, it is emphasized that open government is transversal from democracy to regulate access, implementation and control of power. It is a "fundamental element of any government where there is access to power in a democratic key, the exercise of power with democratic qualities, citizen involvement, and control of power from citizens". The open government only makes sense in democratic systems, which operate as a catalyst to deepen that logic. Accordingly, open government is manifested in: A set of mechanisms and strategies that contribute to public governance and good governance, based on the pillars of transparency, citizen participation, accountability, collaboration and innovation, focusing and involving citizens in the decision-making process, as well as in formulation and implementation of public policies, to strengthen democracy, the legitimacy of public action, and collective welfare. (Wirtz & Birkmeyer, 2015).

Open government will imply a new paradigm of state reform and modernization of public administration based on new ways of articulating transparency initiatives, citizen participation, and multi-actor collaboration for the co-production of public value. This substantive expression clarifies the scope and depth of the concepts given in the area (De Blasio & Selva, 2016). Using similar criteria, Gil Garcia et al. (2020), define open government as a true philosophy of governing and what role governments and citizens play in public management and its outcomes.

This author's conception of open government starts from three very ambitious implicit assumptions. First, it is assumed that technology can generate government-citizen two-way communication and interaction. Second, those in charge of government are perceived as willing to open channels of dialogue to use social contributions in decision-making, production and control of public management. Third, it is assumed that citizens have the ability and interest to take advantage of this openness to engage as co-decision makers, co-producers, and controllers of public affairs.

McDermott's (2010) position is the most ambitious of those explored in the literature and the most coherent with the notion of open government as governance reform. In this respect, he removes the link between open government and other, often assimilated, similar ideas, such as electronic government or open data. While e-government is limited to the instrumental-technological dimension, i.e. administrative reforms aimed at increasing the effectiveness and efficiency of public services, open data is only the beginning, related to the principle of transparency. On the other hand, open government is infused with power dynamics and social order values to bring about cultural change (not just technology), sparking initiatives that go beyond – including – open data and embracing accountability, participation and collaboration.

The condition of open government as a state reform project is revealed at the discursive level and has begun to be expressed in the policies and programs implemented. Open Government in Indonesia combines ambitious perspectives in the Open Government declaration, which is oriented towards "prosperity, well-being and human dignity in our own country and an increasingly interconnected world (Retnowati et al., 2018). This ambition is expressed in five major challenges that must be accompanied by various commitments set by the state, which include:

- a. Improvement of public services;
- b. Increasing public integrity;
- c. Management of public resources with greater effectiveness and efficiency;
- d. Building safer communities; and
- e. Increased accountability by companies.

This broad statement covers actions and measures located at various levels (cultural, regulatory, institutional, organizational, administrative and technical), policy sectors (internal administration, social, etc.) and levels (ministries, agencies, autonomous agencies, administrative dependencies). Paradoxically, the highest proportion of commitments is related to the creation and development of internal institutional capacity, reflecting awareness of the need for reforming and strengthening the state apparatus based on openness, participation and collaboration.

This aggregate study hides variations between national realities. The problematic aspects of formulating and implementing open government policies revolve around the boundaries of very conceptual and empirical ideas. Especially in Indonesia, the need, both politically and academically, to replace the limited category of open government with the broader and structural category of open state has been underlined. The success of the open government strategy depends on its tools being projected across all state bodies" and uncovered in the executive branch, a diffusion dynamic that has already occurred in several countries. Five characteristics will characterize an open country:

- a. Embedding the philosophy of open government in all state structures;
- b. Strengthening checks, balances and controls between state powers;
- c. Citizen involvement in the design, production, monitoring, control and evaluation of public institutions, policies, programs and services;
- d. Application of technological innovations; and
- e. Strengthening intra, inter and extra-institutional cooperation.

Indeed, an open state implies, beyond the extension of this philosophy to all public institutions, the adoption of an articulated approach at the regulatory, strategic and operational levels; the extension of progress in this regard is the proliferation of open institutional categories, three of which are worth highlighting: open parliaments open justice and open local government. Open parliaments imply "a greater commitment to transparency and citizen participation in parliamentary work" to establish new representation patterns. This progress has been driven to some extent by the success of open government and, as such, has been articulated around the principles of transparency, participation, collaboration and open data (Faria & Rehbein, 2016).

Open justice implies "an expansion of the philosophy and principles of Open Government (especially Transparency, Participation and Collaboration) as applied to areas of justice where innovation and, currently, ICT are the main tools for these initiatives". The emphasis here is on access to judicial information, developing alternative conflict resolution methods, and expanding the justice system's collaboration with civil society. Despite these advances, the level the three classic public forces have proceeded at unequal times and rhythms. While, until recently, openness in the Executive implied the spread of three distinct forms of transparency (active, passive and collaborative), in the Legislature, improvements have been registered in both active and passive modalities, and in the Judiciary, only limited. In the active form (Cano et al., 2017).

Finally, open local government is aimed at taking advantage of the comparative advantage of proximity to citizens to deepen interaction and improve local administrative management. This orientation is part of the tendency to consolidate local government as a social interaction scenario. In practice, in Indonesia, innovative approaches to local management have proliferated, based on "new mechanisms for social integration and new platforms for cross-sectoral collaboration", including open data projects, participatory budgets, applications for e-interaction, and innovation hubs. And joint policy-making (Febrianingsih, 2012).

Conclusion

This study concludes that open government is a government reform paradigm as part of the 1998 reform mandate, which should have been addressed. This reform in the form of open government was formed around the principles of openness, participation, and collaboration. In its ambitious sense, this implies changes in at least three levels of social-state collective action. Open government demands a cultural change, referring to dispelling the cuof secrecy and mastery of information and knowledge as a resource by an open, participatory, collaborative, reticular and innovative logic. Open governance implies deep regulatory and institutional reforms, guided by the game's rules that encourage participatory and collaborative behaviour and the necessary transformation of organizational structures and redesign of processes according to "open" and innovative methods, techniques and instruments linked to technological advances. In its practical implementation, as in the previous two generations of state reforms, the process naturally had to go through two major stages. First, the "easy" stage, where efforts focus on the pillars of transparency, refers to information disclosure and, to some extent, accountability. On the other hand, the second, "difficult" stage, implies progress on participatory and collaborative opening up of decision-making processes, examples and mechanisms based on joint decisions, joint implementation and joint evaluation of policies, programs and projects. While the first phase is limited to forcing States to expose public action, its results and reasons, the second requires the termination of the state's monopoly on such public action.

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