

Transparency and Re-use – False friends?

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A few weeks ago, I delivered a presentation entitled From Transparency to Re-Use at the annual meeting of the PSI-Alliance. I, along with many others, have always assumed that transparency and re-use of PSI facilitate each others. In a discussion with one of the conference participants, I came to realise that our tradition of transparency may in fact be an obstacle to re-use, rather than an enabler.

A few weeks ago, I delivered a presentation entitled From Transparency to Re-Use at the annual meeting of the PSI-Alliance. I, along with many others, have always assumed that transparency and re-use of PSI facilitate each others. In a discussion with one of the conference participants, I came to realise that our tradition of transparency may in fact be an obstacle to re-use, rather than an enabler. I have come to realise that, although you cannot really have re-use without transparency, a tradition of transparency does not necessarily promote re-use of information. In the case Sweden, it could even be argued that a 200 year tradition of transparency constitute a major challenge to the improvement of conditions for commercial re-use.

The primary purpose of the PSI-Directive is to promote and facilitate commercial re-use of public sector information (PSI). For that purpose, public sector bodies are expected, and possibly obligated by law, to make information available to those wishing to access it. The primary purpose of transparency and freedom of information (FOI) is to ensure that citizens can hold officials and elected politicians accountable. For that purpose, public sector bodies are expected, and obligated by law, to make information available to those wishing to access it. The connection between the two seems obvious.

Sweden has a long tradition of transparency. Since 1766 public documents have been available to the public. Public sector information is accessible by law. The importance of transparency is universally accepted among Swedish officials, and there is a culture of openness. Officials, in most cases, do not feel that they “own” information, and they do not feel uncomfortable about information being distributed to others. Since 1766 citizens have been granted the right to reproduce public documents. The government does (with few exceptions) not claim copyright, and in most cases public sector information can be re-used without limitations. In that sense the tradition of transparency does indeed pave the way for commercial re-use.

However, the tradition of transparency may also prove a pedagogical challenge to re-use in the sense of the PSI-directive. The arguments for transparency are easy to sell. No-one is against democracy, or against tracking down corruption. The importance of re-use, let alone commercial re-use, is not as easy to sell to public servants. It is easier to convince public sector bodies to make information available to serve democracy, than to convince them to make information available to companies that want to make money.

Freedom of information does work in Sweden. Information is accessible even in practice and is being used by journalists and others. We cannot play the transparency/democracy card to convince agencies to make more information available, and to make it available in new forms. Public sector bodies have to be convinced of the importance of improving conditions for re-users, which is a lot more difficult.

In fact, facilitating re-use may even be perceived as a threat to transparency, even though there is no such conflict. The regulation concerning transparency is so well established in Sweden, that any changes may be perceived as threatening the very foundations of freedom of information. Such

scepticism is understandable. It does, after all, stem from a genuine concern for democracy and the rule of law. On the less positive side, such scepticism may be a major pedagogical obstacle that has to be overcome by those promoting re-use.

To summarise, transparency and re-use do indeed facilitate each other, and re-use without transparency is unthinkable. Nevertheless, a country with a weaker tradition of transparency may actually have an advantage over those with a long established transparency system, at least from a pedagogical point of view.