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Understanding the Complex Dynamics of Transparency

This article contributes to the growing body of literature on government transparency by developing a model for studying the construction of transparency in interactions between governments and stakeholders. Building on theories about complex decision making, a heuristic model is developed that consists of a strategic, a cognitive, and an institutional perspective. To test the model's value, it is applied to two empirical cases: Dutch schools and the Council of the European Union. Applying the model to the school case provides insights into the connection between the introduction of transparency and the transformation in arrangements for safeguarding school quality. The case of the Council of the European Union highlights the role of transparency in the transformation of the council from a supranational to an intergovernmental body. The article concludes that the heuristic model, together with in-depth, longitudinal case studies, helps us understand government transparency in relation to broader transformations in the public sector.

Normative debates are helpful in understanding the advantages and disadvantages of government transparency (for overviews, see Bannister and Connolly 2011; Etzioni 2010; Grimmelikhuijsen and Welch 2012; Meijer 2009), but they do not elucidate the dynamics of this phenomenon. These dynamics are complex because they entail interactions between a variety of actors, uncertain values, and rapidly changing technologies. Although government transparency has been on the rise over the last two decades as a result of new freedom of information legislation in many countries (Roberts 2010), as well as various transparency initiatives (e.g., Data.gov), there has been no uniform, standardized pattern to this. Rather, we see a huge diversity in the quality of transparency initiatives and the degree to which transparency is actually adopted. Transparency is being hotly debated around the world in a multitude of policy domains, but the specific form that government transparency does or does not take varies enormously (Hood and Heald 2006). How can we understand the unique form that government transparency takes in a specific situation?

A variety of actors are involved in the construction of transparency. Government organizations take decisions on and implement government transparency, but they are influenced in this process by various stakeholders in their environments concerning whether and how to enhance or decrease transparency (Roberts 2006). The interactions between governments and stakeholders take place within a variety of legal frameworks, in different cultural settings, and within complex national and international policy contexts. Furthermore, debates, decisions, and implementations are influenced by the perceived characteristics of new technologies such as the Internet, as modern transparency is "mediated transparency" (Meijer 2009; see also Bannister and Connolly 2011; Jaeger and Bertot 2010). As a consequence, government transparency is constructed through complex interactions between a variety of political and social actors, within sets of formal and informal rules, and with the availability of a variety of new and constantly evolving technologies. Push and pull factors, organizational routines, technological options, relational patterns, and legal frameworks influence the emergence of transparency practices. New transparency frameworks such as President Barack Obama's Open Government Initiative result from these complex interactions and set the stage for subsequent transparency practices.

One could argue that these complex dynamics apply to any domain of government activity. There is, however, one feature that transparency shares with some other democratic values such as accountability and participation that makes it radically different from other policy issues: these values not only result from democratic governance but also facilitate democratic governance (Hood and Heald 2006; Roberts 2006). Government transparency is constructed in interactions between actors with different perspectives within a certain (institutional) playing field, and, at the same time, these interactions change the nature of the playing field. Studying the social-political construction of government transparency contributes to our

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understanding of the changes in preconditions for democratic interactions (Hood and Heald 2006).

This article develops and illustrates a heuristic model for studying the situational construction of government transparency. The field of transparency research is expanding, and important quantitative work is being done to enhance our understanding of a variety of issues related to transparency such as Web site transparency (Welch and Wong 2001), local government transparency (Grimmelikhuijsen and Welch 2012; Pina, Torres, and Royo 2007), the relation between transparency and trust (Grimmelikhuijsen 2010; Tolbert and Mossberger 2006), and citizen attitudes toward transparency (Piotrowski and Van Ryzin 2008). However, our qualitative understanding of the construction of government transparency in multiactor interactions over a longer period of time is limited; more in-depth, longitudinal case studies are needed to enhance our understanding of the specific dynamics of government transparency. This article contributes to the literature by highlighting the value of a contextual approach that investigates the construction of transparency over time (cf. Flyvbjerg 2001). This type of approach can form the basis for "managing" the complexities of government transparency through joint learning.

Concepts of Government Transparency

Transparency can be defined as "lifting the veil of secrecy" (Davis 1998, 121) or "the ability to look clearly through the windows of an institution" (Den Boer 1998, 105). Political scientists generally define government transparency as an institutional *relation* between an actor and a forum (cf. Bovens 2010, 946). Moser, for example, defines being transparent as "to open up the working procedures not immediately visible to those not directly involved in order to demonstrate the good working of an institution" (2001, 3). Oliver (2004, 2) indicates that transparency can be described as having three elements: an observer, something available to be observed, and a means or method for observation. This type of definition builds on the principal–agent theory: a principal requires information about the agent to check whether the agent adheres to the "contract" (Prat 2006, 92).[1]

Building on Oliver's and Bovens's work, and in line with Grimmelikhuijsen (2012), I would like to define transparency as the availability of information about an actor that allows other actors to monitor the workings or performance of the first actor. This definition consists of an institutional relation in which an information exchange takes place that relates to the workings or performance of an actor (see Grimmelikhuijsen 2012, 55 ff. for a specific description of all of these components). These three aspects need to be explained further.

- *Transparency as an institutional relation.* One actor is the *object* of transparency, meaning that he or she can be monitored, while the other actor is the *subject* of transparency and monitors the first actor. Their relation can be analyzed in terms of rules, interactions, power, and so on. This article will focus on govern-

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ment as an object of transparency, sometimes referred to as "inward transparency" (Heald 2006). Government is monitored by citizens but also by organized and professional stakeholders such as interest groups and journalists.
- *Transparency as information exchange.* Information is made available to the monitoring actor, thus making visible another actor's internal workings or performance. Transparency is about a *representation* of reality: decisions, actions, and relevant circumstances are documented in a certain manner, and these documents form the basis for a subsequent reconstruction of these decisions, actions, and relevant circumstances. The representation can be analyzed in terms of accuracy and completeness but should also be regarded as a sociopolitical *construction* of reality, as the documents were created with specific goals in mind (cf. Stone 1997).
- *Transparency of workings and performance.* Transparency refers to aspects of a government organization such as actions, decisions, relevant circumstances, responsibilities, and so on. Heald (2006, 30) makes a distinction between event and process transparency to emphasize that transparency refers both to *what* government organizations achieve in terms of inputs, outputs, and outcomes (i.e., performance) and *how* they achieve those results in terms of transformation processes (i.e., the workings of government).

Changes in transparency can be analyzed in terms of these three elements. First, the institutional relation between government organizations and the public may be reconstructed in terms of what is considered to be appropriate behavior and which external actors should have access to government information. Second, the information exchange may be redefined in terms of speed, accessibility, ease of use, and so on. Third, transparency can change in terms of the domains of government activity that are rendered transparent.

How can changes and variation in government transparency be studied? Many studies take reductionist approaches to these questions, focusing only on short-term changes in the domain of information exchange (e.g., Pina, Torres, and Royo 2007; Welch and Wong 2001). These studies ignore the fact that transparency is constructed and continuously reconstructed through social and political processes along these lines of institutional relations, information exchanges, and domains of transparency. These social-political constructions result in legislative frameworks (e.g., Freedom of Information Act), transparency policies (e.g., Open Data Initiative), and (technology-supported) practices (e.g., Data.gov). Therefore, this article argues that we need a heuristic model to study the complex and contextual construction of government transparency.

Developing a Model for Understanding Government Transparency

The heuristic model takes a "holistic" rather than a "reductionist" approach to the study of government transparency (Verschuren 2001) in order to study the various aspects, drivers, and effects of transparency in their interrelation. This model is rather different

from conventional models that aim to identify specific factors that explain the degree of transparency (Grimmelikhuijsen and Welch 2012; Pina, Torres, and Royo 2007; Welch and Wong 2001) in that it highlights the *interrelations* between various aspects. The model is built on notions about complex decision making in the public sector (Koppenjan and Klijn 2004; Teisman and Klijn 2008) and about the social construction of new technologies from science and technology studies (Bijker, Hughes, and Pinch 1987; Williams and Edge 1996). The model is based on the assumption that the social construction of transparency emerges from strategic, cognitive, and institutional complexities.

Strategic Complexities

A first set of issues that renders the construction of government transparency complex has to do with strategic uncertainty. What do other actors exactly want? How will they react to new forms of government transparency? What is the nature of the power game? Strategic uncertainty can be defined as uncertainty concerning the purposeful behavior of players in an interactive decision situation (Brandenburger 1996; Heinemann, Nagle, and Ockenfels 2009). The resulting increase in transparency (or lack thereof) is the outcome of a complex political game that is influenced and shaped by a variety of internal and external actors. Koppenjan and Klijn highlight that actors respond to and anticipate each other's strategic moves: "Unexpected strategic turns are an intrinsic characteristic of interaction processes surrounding wicked problems" (2004, 7).

Why is there often such fierce resistance against government transparency? The rearrangement of access to information means that power is transferred to certain groups in the arrangements. Powerful actors will generally be able to define government transparency in specific ways and to steer developments in a certain direction (Grimmelikhuijsen and Welch 2012). Roberts (2006) highlights how the U.S. government has been limiting the access to government information in the name of national security. It should be noted that power is not only used to resist or limit transparency; power also can be used to create more transparency—for example, parliaments all around the world have been using their power to obtain more and better information from government.

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Strategic complexities not only relate to the construction of transparency; changes in transparency also have consequences for subsequent strategic interactions in all kinds of policy domains. Privileged access to information can no longer be used as a power resource. The role of information positions in multiactor decision-making processes is well established, and transparency strengthens the positions of "outsiders" while weakening the positions of "insiders" (Meijer 2007). Therefore, those who think that they will benefit from more transparency will try to develop more transparency, and those who think that they will suffer from it will resist an increase in transparency. These interactions are intense because they concern the redistribution of resources (Koppenjan and Klijn 2004). Transparency is a power resource for interactions in the public domain, and efforts to change the distribution of this resource often trigger intense strategic interactions.

Cognitive Complexities

The construction of government transparency entails more than "powering"; a second set of issues that makes the construction of government transparency complex is the variety of (technological and informational) options. What government information should be disseminated, and how should it be made accessible to citizens? How do these choices affect what citizens and stakeholders do with the information? How should transparency be framed? Organizations make different choices: some create registries, others put all documents online, while still others may decide to publish the most requested documents on a Web site. Creating access is becoming even more complicated because there is a growing need to combine information from various sources. Therefore, information should be released in standardized formats. In a thorough analysis of technical issues related to realizing transparency, Dawes (2010) argues that this is highly complicated in practice. In their study of organizational barriers to transparency, Pasquier and Villeneuve (2007, 157) highlight that although public organizations are willing to create more transparency, they sometimes may be poorly equipped to do so.

Cognitive uncertainty can be defined as a subjectively perceived state of low prior confidence concerning the accuracy or relevance of an actor's knowledge about a new situation (Michel 2007, 507; Trope and Liberman 1996, 256). Koppenjan and Klijn (2004, 6) highlight that this uncertainty is substantive in nature: actors lack information about the consequences of various choices. Governments generally do not know what the effects of new forms of transparency will be. Furthermore, Koppenjan and Klijn (2004, 6) emphasize that this uncertainty cannot be resolved by collecting information, as actors differ in their frames of reference. Proponents and opponents of more government transparency have different perspectives, for example, on the level of privacy that government officials should have or the definition of efficiency, and thus they will interpret evaluations of the effects of certain transparency measures on privacy and efficiency differently. Perspectives are sometimes developed by existing stakeholder groups, but in other cases, groups of proponents or opponents are formed in reaction to the way transparency is framed in specific policy domains, such as health or the environment.

Changes in government transparency also have cognitive implications: actors' cognitive frames of reference may be influenced by access to government information. The availability of government information on certain types of performance or certain issues may focus the attention of actors on these issues, or at least it may force them to relate to this information, as the information sets the agenda. The "information space" defines the debate (Stone 1997); it is difficult to discuss issues that are not documented, and debates will move on to focus on issues that are documented. The availability of information frames and reframes debates. This impact of information on public debates is nicely illustrated by the Pentagon

Papers, which reframed the debate about the war in Vietnam by shedding new light on reasons that the U.S. government had for conducting the war in Vietnam and on the lawfulness of decision making about this war (Sheehan 1971).

At a meta level, transparency about the existence or lack of government transparency frames public debates about this issue. An important issue in the WikiLeaks affair was the fact that governments tend not to be transparent and that, according to some, there is a need for "radical transparency" (Roberts 2012). In that sense, the debate about government transparency was reframed by the transparency that was created through WikiLeaks. Again, the result has not been a conclusive framing of transparency, but rather the cropping up of new forms of uncertainty about the need for and effects of government transparency.

Institutional Complexities

A third set of issues that complicates the construction of government transparency relates to institutional uncertainty. Institutional uncertainty can be defined as uncertainty about the fundamental rules of the political and administrative game (Schedler 2001, 2; see also Koppenjan and Klijn 2004, 7). What is the role of government transparency in a democratic society? To what extent do governments need room for reflection? Institutional complexity can be illustrated by the example of WikiLeaks (Hood 2011; Roberts 2012). The sudden impact of new practices of leaking information triggered confusion about the meaning of these practices and resulted in a worldwide debate on institutional rules for government transparency.

This institutional uncertainty is attributable to the existence of different value patterns (see Piotrowski 2010, 17–34). Values such as democracy, privacy, and efficiency play key roles in the construction of government transparency, and these values are weighed and conceptualized differently by the various actors. There are also interesting differences between nations: information about individual civil servants, such as their incomes or, in the case of medical professionals, their performance, are allowed to be made available in the United States but not in the Netherlands. Values underlying transparency (and secrecy) are grounded in history but, at the same time, are challenged by a range of new developments.

Pasquier and Villeneuve (2007, 157) highlight that cultures of transparency and secrecy are rooted in historical traditions and traditional state–society relations. Institutional rules result from historical trajectories. Generally, those in power have tended to consider public information their own property and not that of the citizen; therefore, they have been hesitant to make such documents accessible to the public. Furthermore, bureaucratic organizations are by nature hierarchical, introverted, and risk adverse, and "public service organizations are little inclined to disclose the information at their disposal"

(Pasquier and Villeneuve 2007, 157). At the same time, because transparency is regarded as a core value of the new information and communication technologies that are now growing exponentially in use (Beniger 1986; Meijer 2009; Nora and Minc 1980; Welch and Wong 2001), these new technologies are challenging historical traditions and bureaucratic cultures (Dunlop and Kling 1991) and raising new institutional uncertainties. The clash between these value orientations results in contextual and specific technological orientations that differ considerably between organizations (Welch 2012). Specific conditions and stakeholder constellations are influencing the outcome of the confrontation between old and new value orientations.

Vice versa, changes in transparency carry consequences for institutional rules. Increasingly, transparency is regarded as an element of good governance (Addink 2005): well-functioning government bodies should be not only effective, democratic, and legitimate but also transparent. Transparency is even argued to be a substitute for accountability as a check on government abuse: public control is to be implemented directly through transparency and not indirectly through representatives or autonomous bodies. In that sense, transparency does not result from (democratic) values but becomes a value of its own (see Heald 2006 for a critical review of this idea).

Developing a Model

The foregoing discussion has highlighted that the social and political construction of government transparency should be understood from different but interrelated perspectives. Different types of uncertainties and the reactions of various actors to these uncertainties can be analyzed through a threefold analysis. The model can be presented as a list of questions (see table 1).

The strategic analysis will focus on the power of a variety of government actors, such as ministries, agencies, and inspectorates, and of external stakeholders, such as citizen groups, journalists, corporate lobbyists, and advocacy groups. The relative power of these actors in the sociopolitical construction of transparency is analyzed (including legal mandate, organizational capacity, public support, political backing, etc.), as is the way in which changes in transparency influence their power (the importance of transparency in influencing decision- and policy-making processes).

The cognitive analysis focuses on identifying the meaning that transparency has according to the various actors. Is transparency framed as a basis for political participation, as a human right, as a threat to careful decision making, or even as a threat to indirect democracy? Furthermore, the impact of changes to transparency to the cognitive framing of issues of policy making and democracy are analyzed. Does more transparency result in a redefinition of citizens as active contributors to policies and more engaged political actors? How are the roles of government actors redefined?

Table 1 Heuristic Model for the Social-Political Construction of Government Transparency

Strategic analysis	• How do power games influence the construction of government transparency?
	• How do new forms of transparency influence power games?
Cognitive analysis	• How do various cognitive frames influence the construction of government transparency?
	• How do new forms of transparency influence cognitive frames?
Institutional analysis	• How do institutional rules influence the construction of government transparency?
	• How do new forms of transparency influence institutional rules?

The institutional analysis focuses on the role of institutional rules such as legal frameworks that stipulate which types of interactions are open to democratic scrutiny and rules relating to, for example, the role of various government actors in the provision of information to external stakeholders. This framework analyzes the effects of changes in transparency in terms of the changing formal roles of external actors in decision-making processes and the new rules of democratic interaction between governments and citizens.

Does this model help analyze empirical cases? The proof of the pudding is in the eating. The model will be used to conduct a secondary analysis of the complex dynamics of two cases of government transparency. The research question mentioned in table 1 formed the framework for the analysis. The cases were selected as being most different in terms of policy domains, level of government, and external actors and highly relevant in terms of significant changes in government transparency over the past two decades. The two cases do not aim to be representative, but they lend themselves to analysis of (idiosyncratic) historical processes that result in government transparency. Both cases have been studied over an extensive period of time—more than 15 years for school transparency and more than 20 years for transparency in the Council of the European Union. Hence, they can be used to show how different uncertainties have played a role and how they have been handled over time. A brief discussion of the research methods of these case studies is presented in the notes, and more extensive information about these cases can be found in Meijer (2004, 2007), De Kool (2011), Hillebrandt et al. (2013), and Meijer, Curtin, and Hillebrandt (2012).

Illustrating the Analytical Model: Two Case Studies
Case 1: School Transparency in the Netherlands[2]
Before 1997, public information about the performance of Dutch schools was virtually nonexistent. Schools presented promotional materials to parents and prospective students, but there was no independent or validated source of information. Such information, however, did become available after a newspaper journalist successfully used freedom of information legislation to push for access to information about school performance gathered by the national School Inspection Service (SIS). The information was published in the newspaper, and subsequently, the SIS started publishing the information on a Web site. Later, the inspection service even started to use the Web site for naming and shaming by listing the 10 worst-performing schools. In sum, the transparency position of the SIS changed radically over a period of 15 years in terms of the institutional relation between the SIS and citizens, information exchange, and the domain of transparency. How can we understand this construction of transparency?

The *political game* started with strategic interactions between, on the one hand, a newspaper journalist and, on the other, a coalition of schools and the SIS. The newspaper journalist requested access to information about school performance because she felt that citizens had the right to obtain information that was important for school choices. Many schools were opposed to transparency because they thought it could harm their reputations, and the minister of education declined the request because it was thought to potentially harm the relation of trust between schools and the SIS. The journalist appealed the minister's decision in court and pushed for information about school performance on the basis of freedom of information legislation. The judge concluded that the general interest of access to this information was more important than the interest of maintaining a relation of trust and ordered the minister to make the information available.

Interestingly, the political game was redefined after this decision: changes in transparency influenced multiactor interactions. The SIS switched sides and became an active proponent of transparency. Parliament gave the SIS the task of presenting citizens with information about school performance, and the SIS developed a Web site to provide accessible information. The SIS even came to regard transparency as an instrument for enhancing the compliance of schools with standards for performance. The SIS cannot oppose formal sanctions, but through the instrument of transparency, it now had a "stick" to stimulate better school performance. The SIS broke away from the coalition with schools and joined the pro-transparency coalition.

The availability of information resulted in a redefinition of the political game between parents/students and schools. Information asymmetry was reduced. Parents and students now had access to information and could use this information to push for better school performance and for school choice. Interestingly, few parents and students actually use the information; nonetheless, many school managers act as if the information might be used. They feel that transparency facilitates "public eyes," and consequently they make a better effort to conform to standards for school performance. Transparency has redefined the political game into a game between schools and invisible outsiders.

In parallel, *cognitive framing* played an important role in the construction of transparency. Two dominant perspectives on the expected consequences of school transparency played an important role. The first frame of reference, that of economists, focused on citizens as the primary target group of information. The quality of the educational market was expected to be strengthened by providing better information to consumers, and this, in turn, would create an incentive for schools to improve their processes. The second frame of reference, an administrative one, focused on the survival of schools and highlighted that shaming schools (sometimes even unfairly) could threaten their existence.

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Cognitive framing continued to be an issue of debate after school transparency was created. A key issue was whether transparency was to be regarded as nuanced and neutral information to facilitate school choice or whether it was an instrument for naming and shaming. The issue resulted in debates about the form that school transparency should take. The main debate was whether the SIS should present the full and nuanced reports or whether it should present a "dashboard" that provided a quick overview of school performance. This debate intensified when the SIS started publishing lists of the 10 worst schools.

The availability of information about schools also fueled increasing attention to school performance, as defined in a rather narrow manner. There was a strong emphasis on output transparency (i.e., how does the school perform?) and little on process transparency (i.e., how have the educational processes been organized?). The nuanced reports could not be compared and benchmarked, while the scores on standardized tests provided parents and stakeholders with a clear measurement of school performance. Debates about school performance became impoverished by the availability of performance information, and this information played an important role in reframing debates about school performance.

Before 1997, both formal and informal *institutional rules* emphasized that inspecting schools was an issue for the SIS and that schools, citizens, and other stakeholders were excluded from these interactions. Transparency was thought to interfere with a relation of trust and therefore was not considered to be in the public interest. The public interest was to be defended by the minister, and he or she was to be held accountable by Parliament. The journalist mentioned earlier in this section successfully used formal court rules to obtain access to this information. General access to information regulation was used to interfere in a policy field that was dominated by rules which emphasized confidentiality. The court case changed the institutional rules and resulted in a different playing field. The institutional role of the SIS was redefined, and its formal position was adjusted after debates in Parliament. Its direct interactions with schools are an important mechanism for strengthening school performance, and transparency was seen as a way to facilitate their performance of this role. The public interest was to be protected not only by the minister but also by an informed public.

The change in access affected the rules for the relation between citizens and schools. The SIS even sent leaflets to all parents who were about to choose a school for their children to inform them about the information that was available and how this information could be used to select a school. The relation between schools and parents slowly started to have the character of a normal "market" in which consumers could select services on the basis of objective information. Rules for the adequate functioning of markets started to become more dominant, whereas previously, parents would select a school primarily on the basis of denomination and vicinity.

This analysis shows how political games, cognitive frames, and institutional rules played a role in the social-political construction of school transparency and how they continue to do so. The construction of school transparency has not found closure but is still being debated. The issue of naming and shaming and the nature of transparency are still topics of debate between the SIS, schools, and stakeholders. The interactions have changed over time: the SIS has changed

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coalitions, the cognitive frame of consumer choice has become dominant, and access rules have been formalized. These changes have affected the interactions between schools and their environments and redefined the relations between school and citizens in terms of power resources, information positions, and rules. These complex dynamics help us understand the changing relations surrounding Dutch school transparency and how opponents of transparency have become its proponents.

The most salient findings of this case and the insights that it provides into the dynamics of transparency are summarized in table 2.

The strategic analysis shows that coalitions of opponents and proponents of government transparency do not have to be stable: most significantly, the SIS changed from being an opponent to a proponent of transparency. The strategic analysis also highlights a more common finding in transparency research: the position of external actors is strengthened. In the case of school transparency, parents have a stronger information base for interacting with school management. The case highlights strategic coalitions around transparency change.

The cognitive analysis shows how a market frame becomes dominant. Before school transparency was the created, the market frame—better choice through better information—was still challenged by an institutionalist frame—the survival and protection of valuable institutions. After 1997, the market frame became dominant, and discussion took place only within the market frame. Is the provision of specific information about the various qualities needed, or does the market benefit from naming and shaming? The cognitive analysis also shows a pattern that has been observed more often in studies of government transparency: the debate about quality is narrowed down to a set of performance indicators. School performance is increasingly evaluated on the basis of a narrow set of specific performance indicators and not on broad standards such as student well-being and progress.

The institutionalist frame lets us see how the rules of interaction were first based on the principle of intimacy but later shifted toward publicity being the guiding principle. Before government transparency was created, rules for exchanging information about school information were interactions between the SIS and schools. Later, more emphasis was placed on the relation between the SIS and citizens. These changes in rules resulted in different roles for stakeholders. Parents changed from being passive citizens to active consumers, and schools from being public authorities to competitive service providers.

Overall, the analysis shows how the construction of government transparency is closely connected to changing approaches to

Table 2 Complex Dynamics of School Transparency: Salient Findings

	Multiactor interactions result in transparency	Transparency influences multiactor interactions
Strategic analysis	Proponents and opponents change over time	Position of external actors is strengthened
Cognitive analysis	Market logic becomes the dominant frame for debating transparency	Transparency narrows the debate about quality and performance
Institutional analysis	From rules based on intimacy to rules based on publicity	Roles change from hierarchical to market roles

safeguarding quality in public education. The traditional, hierarchical perspective on quality control has changed to a more horizontal, market perspective, with a stronger position for parents and a more external orientation of schools. The governance arrangement stresses that parental (and student) school choice is to be based on output information about school performance. The SIS has changed from a traditional inspection agency to a provider of independent information about school quality that supports the "educational market."

Case 2: European Transparency[3]

The Council of the European Union, composed of the national ministers of the member states, is one of two legislative bodies of the European Union (the other is the European Parliament). The transparency of the council has traditionally been limited, as it is regarded as a diplomatic body, and secrecy is often regarded as a hallmark of diplomatic interactions. Things began to change after the Maastricht Treaty: this traditionally closed body of government started to open up. Access to documents was formally created through Regulation 2001/1049. With this, the council released most of its documents through an easily accessible Web site. Again, transparency changed radically in terms of the type and quality of the information exchange, and this had a profound effect on the relation between citizens and the council and the domain of transparency. How can we understand how this body opened up and the effects of this new form of transparency?

The construction of council transparency can be described as a *power game* between countries that are proponents of transparency (such as the Netherlands and the Scandinavian countries) and countries that oppose it. The Netherlands managed to get transparency included in the Maastricht Treaty, but the pro-transparency coalition only started to gain real momentum after Sweden and Finland joined the European Union in 1995. Sweden has a strong pro-transparency tradition and stimulated the council to strengthen its transparency policy. There was little opposition, mainly because opponents were inexperienced with and uninterested in transparency. They viewed transparency as a harmless instrument to create more goodwill for the council. The pro-transparency coalition managed to obtain sufficient support to enact formal transparency legislation (Regulation 2001/1049).

Strategic interactions concerning government transparency in the council currently involve mainly government actors, but related interactions also take place between institutional actors (e.g., the European Parliament and the European Ombudsman) and between nongovernmental groups such as Statewatch and Access Info Europe. Pressure seems to be coming primarily from pro-transparency groups, but we do not know whether opponents of transparency, including some large European companies, have been trying to influence council decision making through informal lobbying. Interestingly, the European Parliament managed to strengthen its role and become an important proponent of transparency. This, in turn, has strengthened its interinstitutional position.

Opponents of transparency started to make a stronger effort to curb transparency after Regulation 2001/1049 was enacted. The realization hit that transparency had a stronger impact than opponents—France, the United Kingdom, and others—had previously thought, and they argued that transparency could hamper negotiation processes within the council. At the moment, there is a deadlock between proponents and opponents of transparency, and this means that an ongoing review of the transparency regulation is in a deadlock, despite its incompatibility with provisions in the 2009 Lisbon Treaty.

The development of transparency has had important consequences for power games in all kinds of policy fields, as societal groups have gained better access to information. Although all kinds of strategies to limit access are still in place, societal groups can acquire much better information, and traditionally closed lobby circuits have been opened up to them to some extent.

In parallel, different *cognitive frames* of council transparency have played a role in the interactions between member states, institutional actors, and stakeholders. Cognitive framing has been influenced strongly by the growing importance of the Internet. In the 1990s, transparency was still complicated, and transparency was seen as a rather marginal phenomenon. Transparency was accessible on a limited scale to journalists, scientists, and certain societal groups. This changed with the introduction of the Internet: transparency became something for all citizens. The changing frame was used to push for better overviews (e.g., a register) and later full documents and voting records on the Internet (i.e., active transparency).

Transparency has had some influence on the cognitive framing of policy processes. Although transparency has certainly not been the only driver, it has helped reconceptualize the role of European citizens as stakeholders in policy processes. The direct interest of citizens in council issues now plays a more important role, and the idea that the council should deliver value not only to member states but also directly to European citizens has gained some momentum. The dynamics that might result from public information are being anticipated and play a role in approaches to policy processes. The interactions surrounding council transparency can be positioned within different sets of *institutional rules.* The dominant debate is whether the council should be regarded as a fully fledged (supranational) government body, in which case transparency should be imposed on this body, or whether the council is to be regarded as a body for intergovernmental negotiations between member states. Secrecy is generally accepted for international negotiations, and hence different transparency rules apply than for national governmental bodies.

Transparency has had important consequences for the interinstitutional position of the council. Accountability of the council has been emphasized, as has the need to disclose positions and present arguments for decision making. Transparency of the council has helped strengthen the position of the European Parliament by allowing it to obtain more complete information about the council. Secrecy helped retain autonomy, and this autonomy is being curtailed through increased transparency.

Overall, we see that the debate about the transparency of the council is closely connected to general debates about the nature

> Secrecy helped retain autonomy, and this autonomy is being curtailed through increased transparency.

and the position of this European body. Is the council a diplomatic or a supranational body? Should outsiders have access to information about interactions in the council? Power games between member states and other stakeholders, cognitive frames of government transparency, and institutional rules affect the social and political construction of council transparency, and, in turn, transparency influences multiactor interactions related to the further development of this body. The connection with this grand debate and the relation with rapid technological developments help us understand why transparency is hotly debated and why it has been slow to develop.

The most salient findings of this case and the insights that it provides into the dynamics of transparency are summarized in table 3.

The strategic analysis indicates that government transparency may be considered to be rather "harmless" at the start and that opposition may only develop over time. In the period from 1992 to 2001, the Netherlands and Sweden met with little resistance to their proposals to strengthen council transparency. Only when other countries started to realize the ramifications of these proposals did growing resistance from opponents such as the United Kingdom and France develop. Opponents resist the fact that the traditionally closed interactions between the council and lobbyists are increasingly being opened up to external stakeholders. The case highlights that both opponents and proponents of government transparency have instable preferences.

The cognitive analysis frame lets us see how transparency is changing the meaning of information: information was originally a scarce good for a selective group of insiders but has become a public good for all citizens and stakeholders. This shift has also influenced the focus of the council: there is significantly more interest in European citizens as political actors than before transparency was created.

The institutionalist frame shows us something that is quite specific to the European Union: a conflict between rules that emphasize the supranational character of the council (no need for transparency) and rules that highlight its intergovernmental character (a need for transparency as democratic legitimation). As a consequence of the growing transparency, there have also been changes in interinstitutional relations: the autonomous position of the council has been curtailed. This shows how transparency is closely connected to the process of reducing the autonomy of an institutional body.

In sum, this case study highlights how the sociopolitical construction of council transparency is closely related to the development of the council from a supranational to an intergovernmental body. The traditional focus on decision making as a result of diplomatic

> This case study highlights how the sociopolitical construction of council transparency is closely related to the development of the council from a supranational to an intergovernmental body.

negotiations has changed toward a situation in which citizens are increasingly recognized as political actors who require access to information in order to be able to exercise their democratic rights.

Conclusions: From Complex Dynamics to Joint Learning

This article set out to enhance our understanding of the unique form that government transparency takes in a specific situation. The objective was to develop a model and test the value of this model for analyzing specific practices. On the basis of the literature on public management and science and technology studies, a model has been presented to understand the complex dynamics resulting in and from government transparency. The model is built on the assumption that these dynamics can be understood through three complementary lenses: a strategic lens, a cognitive lens, and an institutional lens.

The analysis of two cases—the transparency of Dutch schools and of the Council of the European Union—has shown the value of this perspective. The specific complex and interrelated dynamics can be described and analyzed on the basis of this framework, which highlights the interrelations between power distributions, cognition, and public values. An application of the model to Dutch school transparency provides insights into the connection between the sociopolitical construction of government transparency and approaches to safeguarding quality in public education, while an application of this model to the transparency of the Council of the European Union shows how transparency is closely connected to the process of reducing the autonomy of an institutional body. These two analyses highlight that the model can indeed help analyze the sociopolitical construction of transparency and identify how this construction is embedded in broader processes of democratic, institutional, and policy change.

The rich, specific understanding that this model offers comes at a price, however: the model helps us understand specific contexts but does not form a basis for general conclusions about transparency. Both the case of Dutch school transparency and of the Council of the European Union present unique situations, and the findings of these case studies cannot be generalized. This approach to studying transparency fits within a scientific tradition that highlights the importance of a contextual understanding and that knowledge is embedded in local practices (Flyvbjerg 2001). A limitation of the resulting model is that it focuses on the complexities and, as a consequence, plays down general patterns. In line with much work in science and technology studies and some work in public administration, there is a focus on emergent patterns. The model helps identify underlying dynamics of these emergent patterns without pretending that this will predict how they will manifest in other contexts. Each situation

Table 3 Complex Dynamics of Council Transparency: Salient Findings

	Multiactor interactions result in transparency	Transparency influences multiactor interactions
Strategic analysis	Resistance against transparency develops over time	Closed interactions open up to external stakeholders
Cognitive analysis	Information: from "scarce good" to "public good"	Citizens are identified as relevant political actors
Institutional analysis	From supranational to intergovernmental rules	Autonomous position of the council is curtailed

is unique in its outcome but similar to others in its underlying dynamics.

The two cases illustrate the value of our model for understanding the complexities of government transparency. The school transparency case shows how transparency resulted in a redefinition of school inspections from hierarchical oversight to providing (concise) information for consumer choice; the case of the Council of the European Union provides insight into the transformation of the council from a supranational to an intergovernmental body. These insights are valuable to academics, but what is the value of this model for governance? Can it help not only scientists but also practitioners, both within and outside government? The model does not result in easy how-to's: the complexities of the construction of government transparency is emphasized, as is the need for contextual learning. Managing government transparency is to be regarded as a "wicked problem" (Rittel and Webber 1973). It is a problem because, first, the problem definition depends on the solution: new technologies lead to new ways of phrasing the problems of restrictions to public oversight. Second, stakeholders—both proponents and opponents—have radically different frames for understanding the problem. Third, the (technological) constraints for the problem and the resources needed to solve it change over time. Fourth, the problem is never solved definitively: government transparency will remain an issue of debate. Our model may help managers in tackling this "wicked problem": we argue that recognizing these complexities means that the construction of government transparency is seen as a matter of managing multiactor interactions. The model helps managers realize that joint learning takes place in three domains—a strategic, a cognitive and an institutional domain—and that joint learning results not only *in* but also *from* transparency.

Will an emphasis on learning help solve societal conflicts over government transparency? Is it an illusion to think that conflicts between proponents and opponents can be solved? Transparency is and will continue to be an issue of political struggle, and this article does not propose that we should be naive and find win–win situations. Still, the literature on public management (e.g., Koppenjan and Klijn 2004) shows that holding differing positions does not have to form an insurmountable barrier to joint learning if various stakeholders acknowledge some kind of interdependence. Various strategies to joint learning have been identified, such as cross-frame learning, decoupling issues, and enhancing trust. Actors need to be willing to explore each others' positions, recognize legitimate interests, and develop rules that facilitate their interactions. Joint learning will only occur if the various parties recognize that they are better off when they manage to develop some form of cooperation.

Is joint learning likely when it comes to government transparency? Governments may resist transparency, but in time, this position may undermine government legitimacy. External stakeholders may push for more transparency but may need to realize that they cannot have "full transparency." Bargaining, mutual adjustment, and cooperation could benefit both sides. Proponents and opponents can find ways to construct new forms of government transparency with safeguards for the concerns of opponents (such as privacy, national safety, and policy intimacy). In practice, the Dutch School Inspection Service

recognized the positions of the different parties and made some attempts to involve stakeholders in the development of new forms of transparency. More specifically, it contacted the schools to discuss how the information could be presented to prevent unfair evaluations of schools. Managing this process at the level of the Council of the European Union is more complicated, and the intergovernmental and politicized nature of decision making around transparency would seem to result in a stalemate and few opportunities for joint learning. Attempts were made by the Danish presidency of the council in 2012, but these were not successful.

Further research is needed to expand the model and to embed transparency research in broader work on complex decision making (Teisman and Klijn 2008). The connection between the dynamics resulting *in* and *from* government transparency seems to be of specific interest. What role do expected changes play in the multiactor interactions resulting in transparency? The role of expected outcomes of changes in transparency needs to be investigated further in order to understand the positions of various actors. Our understanding of the interrelations between the perspectives could also be deepened through further research. How are power games, cognitive frames of reference, and institutional rules for government transparency related? What actors are capable of imposing a new frame of government transparency? How can institutional rules be used strategically to strengthen—or limit—government transparency? Important quantitative work is being done to enhance our understanding of the causes and effects of government transparency, but this article has argued that the heuristic model and in-depth, longitudinal case studies help position government transparency among broader transformations in the public sector.

Notes

1. While most definitions focus on what transparency is, a more complete understanding can be obtained by exploring what it is not. Some authors contrast transparency with secrecy (Curtin 2011; Piotrowski 2010; Pozen 2010). In this line of argument, a lack of transparency is the result of intentional actions to limit transparency. Roberts (2010) indicates that the U.S. government intentionally limits transparency under the auspices national security. Pozen (2010) adds that this secrecy sometimes takes a shallow form (i.e., known unknowns) but at other times a deep form (i.e., unknown unknowns). The latter form of secrecy refers, for example, to documents that have not been registered. But a lack of transparency does not only result from intentional actions; it may also result from a lack of capacity or simply the fact that a need for transparency has not been recognized. Pasquier and Villeneuve (2007, 152) present a strong overview of the various types of secrecy, including averted transparency, obstructed transparency, and strained transparency.

2. The case study of school transparency is based on extensive interviewing, document study, and focus groups at three moments in time. The first investigation took place in 2003 and consisted of interviews with two school principals and two representatives of the School Inspection Service. A secondary analysis of research among parents was also carried out. The second investigation took place in 2006 and consisted of research in primary and secondary education: a focus group with primary level schools, as well as three interviews with primary school principals, three interviews with members of primary school boards, three interviews with secondary school principals, three interviews with teachers, and three interviews with members of secondary school boards. The third investigation in 2010 consisted of a focus group with parents and discussions with the School Inspection Service about the effects of government transparency. In addition to these three investigations, several other studies and publications on this subject

were analyzed to obtain information about the construction and effects of school transparency.

3. The case study of council transparency was carried out in 2011 and 2012 by Maarten Hillebrandt within the context of his master thesis under supervision of Albert Meijer and Deirdre Curtin. It consisted primarily of an extensive analysis of council, and other, documents. In addition, nine interviews were carried out with employees of the Transparency Directorate of the council, the European Ombudsman, the European Commission, the European Data Protection Agency, the European Parliament, a member state delegation, and an independent nongovernmental organization. In addition, previous studies on council transparency were analyzed to reconstruct the development of transparency over time and to relate this development to stakeholder interactions and external events.

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