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GENERAL

# Devolution of sovereignty to the people: open government? – Ismael Peña-López

🕒 22 d'octubre de 2016   👤 XARXES   💬 DEIXA UN COMENTARI



Allow me to make a somewhat aberrant simplification of the history of collective affairs.

In Greece, decisions were directly made by the people (or better said, the free people), who executed those decisions themselves. That was possible, among other things, because those people had wives and slaves who were in charge of domestic affairs and because the world was relatively simple and events happened relatively gradually. We call this era and its institutions 'Greek democracy', or sometimes 'direct democracy', to separate the personal exercise of public participation from the geographic or historic environment of the time.

The next reincarnation of democracy, centuries later, coincided with a time of having to make decisions in a much more complex world and with many more 'free' people who, moreover, had to make decisions about much larger territories and therefore had to reach agreements with a high number of individuals. Given the inefficacy and inefficiency of doing so directly, we turned to 'representative democracy': certain people and certain institutions made decisions and executed them in the name of the rest. Among many other names, we generally call this model 'liberal democracy'.

One of the great debates that we have today –and which is surely set to become even more intense– is whether we need to rethink the institutions of representative politics. If the internet has made our world smaller and practically turned time into an instant, if the cost of deliberating and coordinating our affairs is now several orders of magnitude lower than it was a few years ago, if we can now decide and assess practically without the need to leave our homes ... can we also start to 'disintermediate' politics?

All of these questions are relevant, but silence often speaks better than words. Why, when we talk of rethinking politics, do we always think of legislative power, but only incidentally of executive power? Why, when we think of executive power, do transparency and accountability spring to mind, but not decision-making? Why, when we are at last talking about decision-making do we speak of giving back sovereignty and only of having a direct effect on the management of public affairs in extraordinary cases?

It is clearly symptomatic of how we are incapable, in the here and now, of questioning almost everything apart from Administration, which we view somewhere between a real-life monster and a castle with unassailable walls.

While groups of healthcare patients, carers and professionals gather in communities of practice to share knowledge and recommendations, or simply to accompany each other, it is (generally) not the same case with Administration. Not with Administration itself and not, as goes without saying, between it and the people.

While we are witnessing a major revival of cooperativism (of different natures and kinds) to make good use of new tools for collective labour, knowledge management and networking, that which is absolutely common by definition, public affairs are not managed either collaboratively, or by exploiting the access to talent that we have around us, or by breaking down walls to enable the creation of networks of different types and configurations. Flexible. Liquid. Overlapping. In other words, everything that is not a hierarchy.

The concept of Open Government gives us many clues as to where things could evolve in terms of collective and collegiate management, and the relationship between Administration and the people. Open Government could be to Administration what liquid democracy could be to politics.

First of all, it is the prime material with which we should work. We speak of Open Government being transparent, but the concept is actually much more ambitious than what the word transparency suggests. Because we are really talking about open data, access to the primary information that Administration has in its hands –and very especially that which it generates itself. We are also talking about the legislative footprint: what path has an idea for a law or regulation taken before being

published in an official gazette? Who decided and who did they speak to? What documents were read and which were written? Open budgets, open agendas and documentary archives form part of this 'open data' without which it is impossible not just to design but even to rethink Administration. And even less so 'from outside'.

Second, there is participation. Participation in diagnosis, deliberation and negotiation. Participation, above all, in decision-making. Indeed, because when we say participation what we really mean influencing when not deciding directly –or at least co-deciding. This part, forgive the frivolity, is the least important. At the end of the day, if institutions are properly designed, who makes decisions and how they do so end up being a direct consequence of how well the institution is deigned or not. And the design both of institutions and of public policy, we should remember, pertains above all to the area of transparency and openness.

Finally, Open Government speaks of collaboration. But not collaboration in the sense of participation or of co-decision, which was the second point, but rather collaboration in the sense of co-management. Administration –and here we could include all of the other institutions of representative democracy, starting with parties– have historically been resistant to such co-management. There are many reasons. The legitimate ones include how the cost of co-management is much higher, in terms of time and often in terms of resources, than a more hierarchical, centralised and top-down form of management. And it requires knowledge.

However, that it is no longer the case. Or, better said, it is the case: there is a need for time, resources and knowledge, but the cost of bringing all those factors together is not as high as it was before the digital revolution. It is not zero, to be sure, but we are starting to have so much information that we could say that, in the long term, and in knowledge-intensive environments, network architectures are better than highly centralised hierarchies. Better in the sense that they are more efficacious and more effective.

The sequence is therefore as follows: open up data, information and protocols so that whoever might have an interest can find out about the needs, demands, alternatives and preferences that they have in reach. Make it possible for this knowledge to be used to redesign institutions and processes, but with the participation of as many eyes, ears and hands as possible. And finally, these new designs should take into consideration the concurrence of new actors, who should be able to take part of the responsibility of managing that which ultimately belongs to us all.

It is not easy. Not easy at all. But many of the barriers that spring to mind have very little to do with the technical nature of decision-making, or making those decisions operative and managing them. We would do well to expose them in order to be able to focus efforts on that which truly is an obstacle to the construction of a more efficacious and more efficient Administration. One that would be more ours. More everybody's.

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