

“Transparency: The Key to Better Governance”, edited by Christopher Hood and David Heald, *Oxford University Press, Oxford*, 2006, Pp. xiii, 231, Bibliographic reference, Index

There is a sense of time warp reading this collection of essays on transparency in government. The context is important: this book focuses on the experience in the United Kingdom which has only really just got started with freedom of information legislation. The time warp is that it takes us back more than twenty-five years in the Canadian context. It reminds us that we have been down this road and that we have, for all the bumps and grinds, moved into an era where transparency or, at least, the public’s expectations that freedom of information legislation is just the way things are done around here are firmly entrenched. Reading this set of articles enables one to look back and forward. From a Canadian perspective, it invites it.

Another uniquely Canadian context makes this book relevant to Canadian readers. We often tend, quite erroneously, to focus only on the federal government with its huge array of information banks as the main preoccupation when discussing freedom of information, something that Alisdair Roberts does in his contribution to this book. However, all provinces have now enacted types of legislation that permits greater access to their data bases and files. They have also legislated municipalities and their many institutions to both protect and provide information based on the rights of individual citizens for both. They have also rolled this into public institutions such as hospitals, university and police services, thereby opening up access, but also enforcing a major cultural change in the approach to information, one that is really at the heart of this book. Therefore, reading it reminds one that this process, even in its more nascent state in the United Kingdom is an evolving process. For that reason alone, those involved in those public institutions in Canada will find this of interest.

There is considerable food for thought and words of caution in this collection of essays about the relationship of transparency to good governance and, in particular, trust in government. A collection of essays, anchored by two thoughtful essay by Hood, arising out of a symposium by the British Academy, this short book offers some useful insights as issues of transparency play themselves out on the new playing field of so-called wars on terrorism (could the George Orwell 1984 have done a better job of defining a permanent state of war than this one?) and, as demands increase for more corporate transparency with little evident result in any better corporate governance.

The greatest constraint of this book is that it centers on the United Kingdom late arrival on the scene of countries with freedom of information of legislation and the pursuit of the ‘culture of openness’ that this is supposed to deliver. Are the insights of interest elsewhere and are experience elsewhere drawn into the debate? Yes, they are and quite effectively.

Perhaps one of the greatest contribution this collection makes is to openly and skeptically question the often unspoken assumption that more transparency is a good thing in itself. It joins this debate in several ways. The first is to openly question whether more transparency can be proven to establish greater trust in government. In fact, most of the authors are doubtful that this has happened in countries with long-standing patterns of laws that offer access to government information. In fact, some such as Baroness Orona O'Neill argue that the increased access to information in the absence of context or understanding of sub-text, have the perverse effect. Increased transparency can potentially have the effect of clearing the air about certain facts, if the receiver of that information can sort those facts out. In terms of public trust, however, it is also clear that increased transparency can reduce the confidence in decision-makers demonstrating their doubts and the scope of internal debate that is a natural part of arriving at solutions to problems. That is why the perversity of releasing information in draft form will ultimately reduce internal debate on policies within government

Equally, a theme of the book is the capacity of bureaucratic system to adapt to transparency with many techniques that actually decrease transparency. Alisdair Roberts of the Maxwell School of Public Affairs at Syracuse University rightly points out that: "In practice, the probability that the adoption of an FOI law will lead to cultural change or improve trust is small. Experience has shown that the governing institution in Westminster systems are particularly resilient and capable of rejecting alien transplanted such as FOI laws, or of developing new routines designed to minimize the disruptive effect of these new laws." (108). This hits upon the underlying pessimisms that suggest that greater transparency in the form of simply making files, data and information available will have the perverse effect of reducing actual transparency. The flood of information now available both through FOI laws and even on public institution websites does not, as is argued several times in this book, in and of itself increase an understanding of either a specific set of events or a general policy application. As Baroness O'Neill says, "It is possible to be transparent, yet cavalier and neglectful about the constitutive norms of successful communication." (82) Certainly, the experience in countries with mature access laws would confirm her observation that "Huge quantities of information are now made public in order to meet transparency requirements, but a great deal of it is not actually communicated to anyone." This can take the form of what is now called pro-active disclosure, the posting of information on websites or the release of massive amounts of information with any explanation of its context.

The articles, or some of them, provide a useful platform for a debate about the nature of transparency as an inherent value of democratic government or as an instrument to achieve other goods such as accountability, understanding of performance and tracing blame and liability. As Christopher Hood notes in his final essay: "Accordingly, if these admittedly tentative analyses have any force, it would seem that the optimistic view about the effects of transparency provision is

far from proven and the most important element of that view (citizen Knowledge) is probably not provable. As for the less optimistic views, it is logically problematic to argue that transparency measure – or any other policy measure – could simultaneously produce futility, jeopardy and perversity.” (220) This is a useful debate and one that one sees addressed with the greatest reluctance. Who could possibly be against transparency in the public sector? Well, a lot of people should be and are – for reasons of personal identity, security and the need to limit scrutiny and protect it through judicial and administrative processes designed to protect rights. However, having such a debate always ends up in the media, which is hungry for a continuous feed of information and spin that will create news, whatever that has become. This is what Hood calls the ‘rise and rise of transparency’ in his concluding chapter. When will it end?

This is a very good contribution to a useful debate. The articles vary in quality and direct relevance. However, in total, they are helpful and very thought provoking. It reminds us that transparency in the public sector is not simply access to information in itself. Context is important. However, spin is its evil twin. Effective communications and trust are not built on quantity alone. Those governments with a longer experience in this area than the United Kingdom need to be reminded that passive compliance alone is not enough. As Hood notes, in this quotation of Rousseau: “Books and auditing of accounts, instead of exposing frauds, only conceal them; for prudence is never so ready to conceive new precautions as knavery is to elude them.”¹

¹ Rousseau, J.J., *The Social Contract and Discourses* (ed. G.H. Cole), 1993, London, Dent, p. 154