

Does transparency contribute to trust in science?

Alberto Alemanno

HEC Paris

NYU School of Law

today

Improving transparency is the recipe
for restoring trust in...

The
State





and also



nobody questions



**“Sunlight is the
best disinfectant.”**

-LOUIS BRANDEIS

How could anybody be against
transparency?

Use over time for: transparency



What's transparency?

trans·par·en·cy

/tran'sparənsē/ 

noun

noun: **transparency**; plural noun: **transparencies**

1. the condition of being transparent.
"the transparency of ice"
synonyms: translucency, limpidity, clearness, [clarity](#) [More](#)
2. an image, text, or positive transparent photograph printed on transparent plastic or glass, able to be viewed using a projector.
synonyms: [slide](#), [acetate](#) [More](#)



its aim

to liberate

DATA

to empower individuals



not only access to

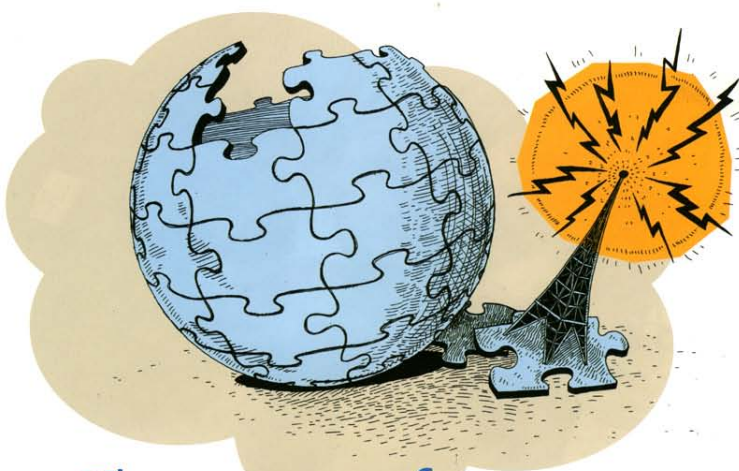


but



permissive and unrestricted use of resources

Wiki



The power of peer production

Around the world, corporations are taking a new approach to information sharing that starts from the bottom up. Wikis are not only making corporate networking more efficient today, but they will change the entrepreneurial activity of tomorrow. **BY Esko Kilpi PHOTO BY Petri Artturi Asikainen ILLUSTRATION BY Topi Lehto**

PLANNING WHAT IS TO BE DONE by whom and by when has always been one of the main tasks of management. In integrated systems with homogenous resources, resource allocation can easily be done from the top down and in advance. The planning is separated from the action.

When human capital resources are the decisive factors of value creation and when work takes place in global, decentralized environments, however, this top-down process is increasingly inefficient. A manager cannot know who knows best or where the needed contributions should come from.

No existing solution has quite fulfilled expectations. Knowledge databases have not met the situational needs of the people who use them. Accordingly, people have not been

able to explain "what they know" to others in a meaningful way. To understand this problem, try to map your knowledge on a spreadsheet. You might stop after the first eight hours. It is very hard to know what you know.

Affiliation through personal choice

Because of these daily organizational needs, a new, different approach called peer production has been adopted in many leading organizations. You could even claim that a new mode of knowledge production is emerging in digitally networked environments. Peer production refers to a new social and economic phenomenon in which people from all around the world contribute small amounts of time and expertise to common projects based on their interest and experience in a transparent envi-

ronment. This method has systemic advantages over traditional production hierarchies with immaterial products and distributable invested capital investment.

The most important tool for peer production is a wiki. Collaboratively crafted content bases like the world's largest encyclopedia, Wikipedia, are examples of peer production. We will see many more organizational applications emerge as technological innovations in social software spread.

For most information products, peer production is the most efficient method of creating value from a resource-allocation point of view. The system is developed bottom-up instead of top-down. Instead of forcing people into predetermined groups like groupware does, social software facilitates the natural

"The thinking is based on the belief that everything can and should develop via interaction inside the company."

formation of groups based on spontaneous, contextual needs for interaction. In other words, people affiliate through personal choice and actions. Understanding this difference in community formation is crucial for building self-sustaining communities that span the organization or organizations and may act as a breeding ground for innovations.

A platform for creative learning

The name wiki is based on the Hawaiian term wiki, meaning quick, fast, and informal. Ward Cunningham, the creator of the first wiki-based website, states that a wiki is a type of website that allows its readers to add and edit HTML-based content. The resulting database is an associative network of content that also includes discussions about the content. The associative links and context-sensitive nature is what makes a wiki simple and useful.

A wiki provides the most efficient way for a group of people to contribute and interact with information that is meant to be shared, as a way to create and iterate collective meaning, thus developing shared dynamic learning. It's about sharing what we have learned and what we would like to know next. It's a medium for continuous, creative learning, a platform for any content to be in "perpetual beta."

The thinking is based on the belief that everything can and should develop via interaction inside the company. In practice this means voicing questions and concerns for others to answer – especially the small questions that we don't normally pay much attention to nor have time to explore when we work with information.

In leading enterprises, wikis are more and more proposed as a replacement for the use of Word documents for shared editing, a process for which Microsoft Word has not been designed. Problems related to the editing of shared documents can be solved in a cheaper way and in a more global environment by using a wiki than with content management software. The final document, if it's meant for distribution among people who have no access to the wiki, may still be transformed into a Word or PDF document.

Wikis also provide a good way for a company to outsource part of their customer support to their customers, who often know the products better than the companies themselves.

Every company is a wiki

All organizations essentially operate like wikis. Every organization has its own language, concepts and terms, and sense-making of actions and results. Information is continuously evolving. In the "encyclopedia" of an organization, the articles are things like projects, strategies, customer databases, product information, etc.

In these contexts, information artefacts that don't connect with ongoing conversations are often of less value and most likely out of date. A wiki helps the organization collectively manage information and communication related to its operations.

One of the very concrete benefits of wikis is increased efficiency through the reduction of email communication related to iterative work. In some organizations I have worked with, this has meant a decrease in the total amount of email of over 40 percent.

Every knowledge worker is a publisher

Access to documents for editing is also a proven timesaver. In a meeting, someone writes the minutes and posts the first draft in a Wiki. Now everyone who attended has the ability to iterate the outcome. The changes are

"Peer production refers to a phenomenon in which people from all around the world contribute to common projects in a transparent environment."

clearly visible in the editing history. This also applies to meeting preparation.

A wiki doesn't force any kind of editorial practice or process. The way a wiki is used in meetings could vary from organization to organization, as the users create their own navigation and a culture of how the tool is used.



About the author

Esko Kilpi is the founder of Esko Kilpi Oy, a Helsinki-based research and consultancy firm working with the challenges of knowledge work and digital work environments. Kilpi takes part in academic research and lectures on organizational learning in Europe, the Middle East, Asia-Pacific, and the US. He has published various articles and is the co-author of a book on teams and process management and books on management challenges of the information age. More info: www.kilpi.fi

Wikis are about collaborative editing as a result of creative learning in interaction, which will become the fundamental entrepreneurial activity of tomorrow. This learning is not in today's sense of acquiring pre-set information, earning credentials, or passing tests, but takes

the perspective that learning is the foundation for creative action.

Learning to better meet the situational needs of value creation cannot take place outside that value creation. Learning cannot be a separate domain outside of the practice of work. Nor can it be something with a defined beginning or end. ■





interoperability

allow hyperlink and aggregation

visualisation of

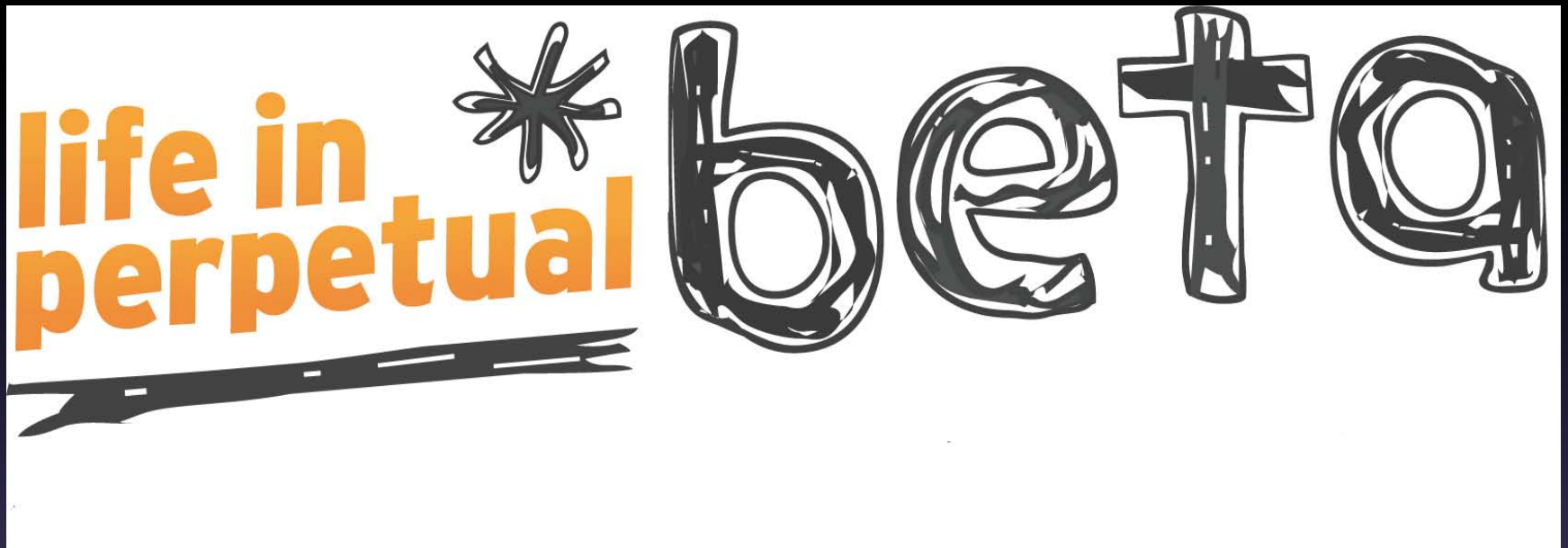
DATA, which lead to...



CROWDSOURCING

**New system of information
based on:**

- **Collaboration**
- **Collective sharing**
- **Data expertise and resources**



continuous upgrading

**"GIVEN ENOUGH EYEBALLS,
ALL BUGS ARE SHALLOW"**

LINUS LAW

by Eric S. Raymond in "The Cathedral and the Bazaar"

To what extent these digital innovations
may affect the
role and functions of the public
administration?
(including the agencies)



the WHITE HOUSE PRESIDENT BARACK OBAMA

★ ★ ★ ★

THE WHITE HOUSE WASHINGTON

the ADM

[BLOG](#) [PHOTOS & VIDEO](#) [BRIEFING ROOM](#) [ISSUES](#)

[Home](#) • [Transparency and Open Government](#)

Transparency and Open Government

Memorandum for the Heads of Executive Departments and Agencies
SUBJECT: Transparency and Open Government

My Administration is committed to creating an unprecedented level of openness in Government. We will work together to ensure the public trust and establish a system of transparency, public participation, and collaboration. Openness will strengthen our democracy and promote efficiency and effectiveness in Government.

Government should be transparent. Transparency promotes accountability and provides information for citizens about what their Government is doing. Information maintained by the Federal Government is a national asset. My Administration will take appropriate action, consistent with law and policy, to disclose information rapidly in forms that the public can readily find and use. Executive departments and agencies should harness new technologies to put information about their operations and decisions online and readily available to the public. Executive departments and agencies should also solicit public feedback to identify information of greatest use to the public.

Government should be participatory. Public engagement enhances the Government's effectiveness and improves the quality of its decisions. Knowledge is widely dispersed in society, and public officials benefit from having access to that dispersed knowledge. Executive departments and agencies should offer Americans increased opportunities to participate in policymaking and to provide their Government with the benefits of their collective expertise and information. Executive departments and agencies should also solicit public input on how we can increase and improve opportunities for public participation in Government.

Government should be collaborative. Collaboration actively engages Americans in the work of their Government. Executive departments and agencies

→ Invitation to US Agencies to incorporate digital data-rich platforms to interact with US citizens into their processes



OPEN GOV

[Home](#) • [The Administration](#) • [Open Government Initiative](#)

Search

Open Government Initiative

TRANSPARENCY ♦ PARTICIPATION ♦ COLLABORATION

OPEN GOV

[About Open Government](#) | [Open Gov Blog](#) | [Open Government Dashboard](#) | [Innovator Toolkit](#) | [Open Conversation](#)

My Administration is committed to creating an unprecedented level of openness in Government. We will work together to ensure the public trust and establish a system of transparency, public participation, and collaboration. Openness will strengthen our democracy and promote efficiency and effectiveness in Government.

– PRESIDENT OBAMA, 01/21/09



→ A set of mechanisms aimed not only at maximising access to increase accountability, but also inspired by the idea that « knowledge is dispersed » and that « agencies may benefit from it »



What about the



?



drivers

« EU's institutions – including its agencies – shall
conduct their work as openly as possible »

Article 1 TEU and 15 TFEU

openness

- Right of access to documents

« Any citizens...right of access to docs of EU.. » Art. 15

- Right to participate

« the institutions shall...give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action » Art. 11

rationale

to enhance the legitimacy of EU action, by
promoting active participation

(“to promote good governance and ensure the participation of civil society »)

Art. 15 TFEU

How the transp debate apply to
EU agencies?

e.g.



To be reconciled with

- Founding regulations
- Commercial sensitivity
- Existing procedures

2 stories

EU openness

- Right of access to documents

What documents ?

- Right to participate

Who may participate?

< 1 >

What documents ?

access to docs



Pharma companies

often ask EMA

to grant access to docs contained in dossier

historically







new policy on access to docs



EUROPEAN MEDICINES AGENCY
SCIENCE MEDICINES HEALTH

New policy

confidential

- Detailed info
quality/manufacturing
- Info on dev't
- Formulation, test,
validation
- Description manufacturing

non confidential

- Clinical dev't → trials
indented to discover effects
- Non-clinical dev't →
pharma properties and
toxico profile



EUROPEAN MEDICINES AGENCY
SCIENCE MEDICINES HEALTH

PENDING

rea

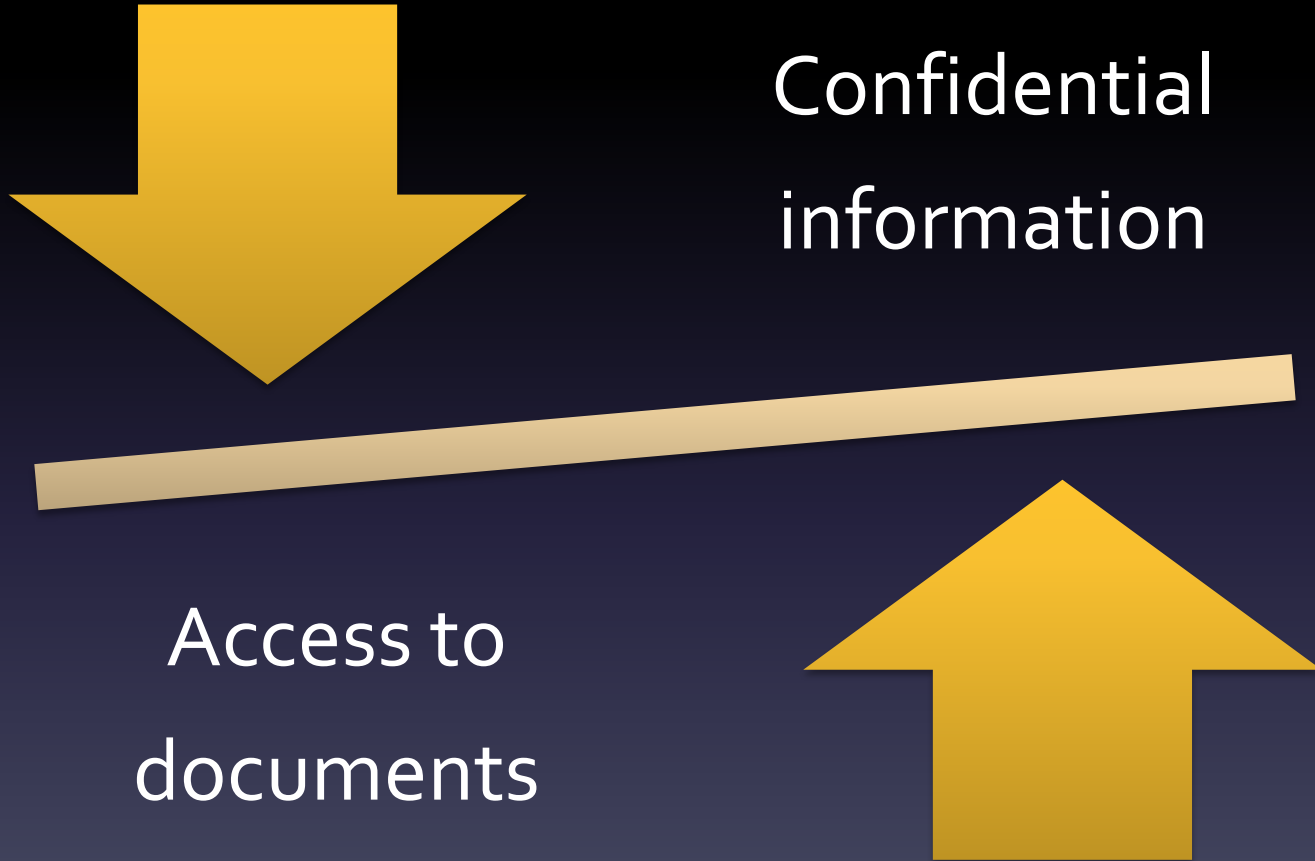
bu

or

e

Lesson learned

to be balanced



The job of

Policymakers

&

Courts

under the pressure of the parties

< 2 >

Who may participate?

Transparency as right to participate

Release of data increasingly perceived as a
means to an end:

participation

To what extent agencies may / should
ensure this right of participation?

To what extent agencies may take
advantage of dispersed collective
intelligence?



- Leading expert from Canada on thalassemia
- Run clinical trials but breach of confidentiality agreement (due to low efficacy)
- Challenge EMA (revised) authorisation

but



« the applicant has **not** established an **interest in bringing proceedings** in order to protect public health or in order to defend her professional reputation... declared inadmissible ».

Lesson learned

Information management is agencies' *raison d'être*:

collect

filter

gatekeep

frame expertise

Yet

EU agencies source expertise based on
a self-contained and insulated model through
pre-selected expert elite

To what extent agencies should take
advantage of dispersed collective
intelligence?

opportunities

- Democratising cognitive model of scientific expertise
- More efficient use of resources
- Modernisation

constraints

- Founding regulations
- Commercial sensitivity
- Existing procedures
- Not subject to reuse of PA data
- No incentive to benefit-sharing mechanisms

Beyond transparency

If get it right, potential to:

- solve allegations of conflict of interest
- new avenues of accountability
- Contribute to 'open, efficient and independent PA' (Art. 298)

conclusion

In the Internet era, no agency can disregard the
call for (more) transparency

an opportunity to reconsider its model of
sourcing of expertise

demand for access

carries the potential to turn EFSA as well as
other EU agencies from mere providers of
technical information to managers of
information platforms

The question today is not if but



Thank you !

bibliography

- Alemanno, Alberto, Unpacking the Principle of Openness in EU Law: Transparency, Participation and Democracy, European Law Review (2014, Forthcoming)
- Spina, Alessandro, Scientific Expertise and Open Government in the Digital Era, in Alemanno – Gabbi, Foundations of EU Food Law & Policy (2013, forthcoming)