

Financial Crisis and The Promised Land of Open Data

Keywords: eGovernment, Open Data, Commons Based Peer Production, Commonwealth, Financial Crisis, Digital Agenda, Greece

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Big data of all sorts seem to be playing a dominant role in the public discourse with regards to the unfolding of the financial crisis in Greece. Moreover, a series of legislative initiatives, mainly the Transparency Law (3861/2010), the PSI legislation (3448/2010) as well as the Geodata (3882/2010), eGov (3979/2011) and Regulatory Reform (4048/2012) Laws, have set an important legal framework for opening up data and hence making the promise of big data available to all at marginal cost a real prospect. Especially in terms of regulatory data (laws, ministerial and presidential decrees, administrative decisions), the amounts of data that have been amassed over the past two years is growing at a geometrical rate. Finally, the largest digital technology funding agency is explicitly conditioning funding of new projects on the principles of open data, standards, formats and interoperability. A substantial part of these efforts are also the result of relevant EU policies such as the PSI and INSPIRE Directives, the 2020 Digital Agenda as well as EC's open data and interoperability policies. This paper comes to explore the reasons both behind the almost unanimous consensus that big data openly available to everyone constitute a key component for economic development in Greece but also the biggest barriers in materialising such policies.

Greece has concluded recently the largest debt restructuring deal in modern financial history. The aid package was accompanied by a series of measures aiming at effecting substantial structural changes and at introducing greater transparency in the management of fiscal policies.

We argue that different political positions still do not possess the technical expertise or self-realisation to differentiate in the regulatory proposals they make with regards to the regulation of open data and hence a seeming consensus is formed. At the same time the implementation of open data policies finds substantial barriers that may be attributed to different factors ranging from organisational and structural inefficiencies, monopolistic tendencies, complacency, conflicting or legacy legislation, lack of instruments of implementation and technical expertise or sheer lack of understanding of the utility of big open data by the decision makers, particularly at the ministerial level.

In terms of research design, we use a series of theoretical and methodological tools:

(a) the question of information production is explored through an application of Benkler's CBPP. We illustrate Benkler's CBPP model and highlight the removal of barrier to the access and re-use of information as the key element behind any

regulatory intervention that aims at supporting the CBPP model of information production.

(b) the issue of the commons is also briefly explored by the perspective of the Italian post-marxist school, particularly Negri And Hardt, Virno and Pasquinelli, that provide a view of the Commons as a means for emancipating the multitude and as an alternative to the dominant capitalist form of production.

(c) the reason behind the proliferation of CBPP or Commons-supporting regulatory instruments is explained mainly through an application of techno-regulatory theory based on Lessig's four modalities of regulation work as advanced by Murray and complemented by Black as well as Kallinikos's work on the regulatory capacities of information. This theoretical work argues that (I) regulation is effected not only through law but also through other modalities of regulation, technology being one of them (II) that modalities of regulation interact with each other and regulate each other (III) that technology and information have very strong regulatory properties that make their program of action dominate even over other regulatory forms such as law because of their proximity to the object of regulation.

In terms of data collection we use:

(d) the policies and EU regulations regarding the need to open up data and create big data infrastructures are explored from two main perspectives: (I) the provisions in the Troika (IMF, ECB, EC), loan contract (II) the various EU policies, such as the Digital Agenda 2020 as well as the various Public Sector Information related directives and regulations mainly the PSI and INSPIRE Directives but also the work by ISA on interoperability and the various communications of the EC regarding open government data and open scientific data.

(e) the national legislation: the laws on transparency, GeoData, eGov, Better Regulation and PSI.

(f) 20 interviews are conducted with policy makers, civil servants, activists, corporations and NGOs.

In terms of data analysis we use:

(g) the data are transcribed and analysed employing grounded theory in order to trace themes related to the necessity and utility of releasing big open data sets. The axial analysis is particularly relevant with regards to making links between big open data sets and development as well as emancipation. These themes are juxtaposed to the theoretical work described in sections (a), (b) and (c) to provide some insights as to why there is consensus between different social and political groups with regards to the open big data necessity but also as to why the deployment of the relevant policies and infrastructures is not as straightforward as it would seem

This paper concludes by indicating that the political, regulatory and infrastructural elements of big open data follow different life cycles that face different problems in their implementation and development. The seeming consensus with regards to the deployment of big data in a situation of socio-economic crisis is mainly the result of the early stages of development of such policies. As the big data policy and regulatory development matures we will gradually see substantial differences between different political groups: big data will constitute essential part of the political arena for the 21st century.

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