Using open data: is it really empowering?

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Open data has been embraced by many governments in the world. . Public bodies are increasingly making their data available in machine-readable formats and under open licensing conditions that allow any further – commercial or non-commercial – use of the data. Open data is said to increase transparency and accountability, to stimulate public participation, and to foster economic growth and social inclusion. It enables the creation of new information products and services, visualisations and mash-ups that provide citizens with insight in the activities of their government, but that also give them tools to make their daily life easier, or to interact with their local or national authorities. In this way, open data can be an important instrument for the citizen to exercise his freedom of expression and his freedom of information.

However, there have also been some criticisms and concerns. While the availability of broadband internet, APIs and visualisation tools and software have enabled a broad range of developers and companies to benefit from the availability of open data, the question can be asked in how far open data has actually reached the average internet user and citizen. Does it really improve public participation and empower the citizen, or does it rather add a new dimension to the division between information-haves and have-nots? The vast majority of citizens does not know about the concept of open data, and would not be able to use the machine-readable data provided by the government. Hence, it can be questioned in how far open data is truly empowering.

While the importance of open data cannot be overestimated, the open data community should take care to not only focus on obtaining open data, but also on the effect this may have on the right to information of the average citizen. The growing attention for open data may threaten the provision of actual information to the citizens, because the government considers its duty fulfilled by publishing datasets on a portal or by making available digitised records, rather than putting these data in a context adapted to the possible target groups of the information. There are worrying signs of this shift in attitude from a number of countries.

Another challenge is that, the vast majority of citizens will not have the background knowledge and skills to interpret the open data, and will need this context to be able to use the data for their benefit. Maybe the government's focus on providing open data to developers to a certain extent relies on the assumption that these developers will create services that provide information to the broader public, and act as intermediaries between government and the public.[3] To what extent is the open data community taking up this role, and should it start thinking about its responsibilities towards the broader public?

If open data activists or companies are using open data, they hold an important power – they are the only ones who know how to process, manipulate and interpret the data. While of course we can assume that this will be done with objectivity and integrity, it also creates a dependency of the end-user. While journalists have a long tradition in interpreting and double-checking their sources, these risks have not been recognised in the open data community.

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[3] See also V. Mayer-Schönberger and Z. Zappia (2011). "Participation and power: Intermediaries of open data", http://berlinsymposium.org/session/participation-and-power-intermediaries-open-data.

This also raises the question of the extent to which the obligation remains on government to ensure that when it publishes key information this is made as accessible and understandable as possible to the citizenry. Linked to this is the relevance of the data for members of the public: much information published on open data portals is of potential value for re-users, including business re-users, but there in many countries the data releases can seem rather ad hoc and even irrelevant from the perspective of democratic development where, for example, key data on health and education are required, particularly to evaluate the impact of cuts being imposed by crisis-driven austerity measures on the daily lives of members of the public. Without access to such key datasets, will open data really deliver citizen empowerment and democratic progress?

A further question is to what extent the "right to data" is actually part of the now-recognised fundamental right of access to information rather than a stand-alone right. There are possible advantages to including the right to data in the right of access to information, such as the fact that international human rights courts have recognised that it is an inherent part of freedom of expression: does this imply that we could also derive a right of access to data in open, reusable formats, for free and licence free?

In short, we would like to bring three main points of attention to the table. First, how can we keep the open data community from indulging in navel-gazing and assuming that the availability of data sets automatically empowers the citizens? Second, should we start thinking not only about our right to open data, but also about the possible responsibilities this right brings along? Third, how to we ensure that governments publish relevant information in re-usable formats as part of their obligations under the right of access to information?