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Transparency Portals



A COMPARATIVE ANALYSIS BETWEEN
BRAZIL AND THE USA

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“Administrative transparency is a principle closely linked to the very concept of Democratic State. Beyond the classic choice of leaders, democracy is more effective when the use of power has visibility (Martins Júnior, 2010)”.

Abstract

This paper presents the argument that Brazil and United States' stage of Open Government on internet is different. They are in different levels despite the fact that both countries have been part of a global movement that influences them. USA is in a Transformational Government level while Brazil is still in the early stages of Open Government. By realizing that, changes could be made in Brazil to place it in a Transformational Government era regardless of the fact that it already disclosed a great amount of information online. So, this paper analyses the United States and the Brazil's Open Government maturity through a comparison between the two countries' transparency portals since the 1990's until present times. By examining both countries, I clarify the different stages that they are in with regards to Open and Transformational Government which transform the relation between government and its stakeholders - in particular the citizens - towards a more collaborative and participative role that enables a change in the culture by involving people in the policies discussion. By propelling change in an array of government institutions, the transformational government initiatives left an enduring legacy in democracy. The time period studied reveals an evolution of the citizen role on government policies. To compare the recent stages that the countries are in, I use an analysis of USA and Brazil Government Portals as a research strategy. Data have been collected from websites, state government portals in Brazil, White House government portal in the USA, books, papers, and published reports.

Introduction

The governments' duty to inform nowadays has become increasingly important, following the international trend of online communication. In this sense, transparency portals have been playing an essential role in the modern public management which Open E-government is mandatory.

Open E-government itself enables citizens to monitor government's actions and its performance (in order to judge if the policies meet the goals of society) but mostly after the policy is already done. The main concern is to disclosure as much information online as possible about what government has done or is doing. Public leaders make decisions as if they know society's needs and demands - since the citizens are not part of the decision making process. Citizens play a passive role by just accepting the leader's actions. This process detachment prevents society from participating and collaborating in public policy-making – and this can drive people to discontent.

So, it became indispensable for the government to reach a further step on Open E-Government – the Transformational Government. Transformational Government implies society empowerment to effectively reach the society demands and government goals. It changes the old government bureaucratic culture. Consequently, it transforms society by enabling citizen empowerment.

So, in the exercise of democracy, broader data dissemination has been claimed by the most diverse social groups. In this sense, class representatives, advisors, unions, managers, non-governmental organizations and citizens - provided with all relevant information - should be able to delineate, through the exposition of ideas and arguments - and on equal terms - policies that are, in the understanding of most, prioritized for the improvement of the community's quality of life.

The demand for information has influenced an emerging global open government movement that has redefined government transparency around extensive data publication through Internet. It has embraced Web 2.0 interactivity to improve citizen participation and collaboration, and to promote government planning and management strategies for open government. As a result, the use of information technologies promoted transparency, participatory and collaborative interchange between government and citizens. This is a powerful example of the use of modern technology to disseminate useful information among the society.

The Internet is an excellent channel since permits the disclosure of a great amount of government information online in a simple and understandable way as well as the creation of open forums and blogs to allow stakeholders to participate and collaborate.

So, first it is necessary to make a distinction between the Open E-government levels and analyze at what level a government is in while considering its evolutionary steps. The United States is already in a digital Transformational stage - a great example to inspire the Brazilian government that is still in the early stages of Open E-government.

Transparency and Open E-Government

E-government can be broadly viewed as the adoption of information and communication technologies (ICT's) in government institutions to improve public services including the duty to inform.

At this point, it is pertinent to bear in mind Chahin, Cunha, Knight and Pinto's points of view. According to the authors "the perspective of generalizing the transparency guidelines with the creation of integrated channels for the citizen and civil society's access to information and

administrative procedures is placed on the decision making process and on the government databank. On the other hand, the provision of information with quality, its updating and scope, presupposes the continuous production of its content, format and modulation to reach a vast and diversified audience, which requires the revision of the conventional mechanisms of public administration communication.”

That is the reason why the development of Information Communication Technologies (ICT's) is crucial to E-governments. It enabled many people to work together and redesign the institutions around collaborative problem-solving and delivering a new kind of democratic legitimacy. Hacker and van Dijk in the book *Digital Democracy* define this new channel of interaction as “a collection of attempts to practice democracy without the limits of time, space and other physical conditions, using ICT or Computer Mediated-Communication (CMC) instead, as an addition, not a replacement for traditional ‘analogue’ political practices.” Therefore the ICT's facilitate the democratic process once it is citizen-centric and enables citizens to express themselves and be heard by building their collaboration and participation.

In addition, the ITC's save public sector money, making it more productive as well as providing more trustful, engaging and useful services for citizens (Linder, Wilson & Bertot, 2013).

So, the integrated use of technologies also delivers services and information that can be personalized to a specific need following the international trend of Internet use. In this sense, Internet is a space that fosters the relationship between government and the several social structures, considering their differences.

With all those considerations, the Transparency and Open Government Portals must be seen as a tool centered on the citizens' information needs, bringing together different information technologies trends in the provision of public information, raising the level of state

government accountability. Thus, it is necessary to insert e-Government into a broader scope, taking the technological advances to all the areas of government interaction with citizens.

As a result, the intensive use of Internet enabled government to offer better, faster, less expensive and more transparent information and services. Thanks to its characteristics of efficiency, speed, and globalized extent of action, the Internet is undoubtedly the most suitable channel for disseminating government activities and complying with society's demands for quick and quality information and services.

Summing up, the use of information and communication technology by governments has become a reality, which presents an ongoing growth trend. The reason is not only because it simplifies the public's access to services and public administration information, but also because it has become an effective tool for encouraging citizenship, democracy and transparency in the public assets management.

With all of the mentioned, an effective E-government - provided with citizen-centric ICT's - can reach the most common aims of open government - accountability and trust - through a transparency increase. Both objectives are narrowly linked.

Accountability provides all citizens, regardless of their social or educational status, the possibility of checking and controlling the government activities, thus reinforcing democracy. It means that, the great dissemination of government information online, the citizen awareness, the transparency in the rendering of its information and its scope of action are effective public administration tools for the social agents to control several government activities. Through this premise, citizens can monitor the use of public resources and evaluate the performance of public administration managers and leaders by measuring the quality of managers' actions and supervise the proper use of public resources. This guarantees that they meet the social demand by making the citizen an authentic holder in the exercise of power by treating the community will as a support for the creation of public

policies and achievement of social goals. As soon as citizens realize their importance and embrace their social duties, public resources will be applied with more correspondence to the population demands and the bureaus and public administrators will cover their actions with more legitimacy as they have popular aspirations. In this virtuous cycle, increase of public resources supervision would contribute to a better allocation function of the government influencing new models of investment that are more efficient and have less need for taxes (Saldanha, 2011).

In this line of thought, the social and economic problems also can be better combated by expanding citizen participation in the supervision of use of the public resources. Social control reduces the space of inefficiency, lack of planning, increasing the degrees of efficiency, and effectiveness of administrative acts.

This means that citizens can track how government uses the money with which the people have entrusted it, empowering the public to influence the political decisions, reducing the influence of special interests by writing new ethics rules that prevent deviations.

“With a higher quality of information produced for the taxpayer, it increases reliability in the work of public managers. Moreover, it encourages popular participation as an effective means of control of budget applications (Martins Júnior, 2010).”

The accountability leads to an increase in people’s trust in government activities and strengthens the public debate. Trusting in what the government presents, fewer citizens will question the administration if governments (at all levels) provide the maximum amount of information on public, easily accessible sites. In this sense, the information will be already available to all people without the need of application. So the idea is to promote active transparency. The government provides the information in public places (easily accessed by

the population) without the need of citizen manifestation. In addition, the active transparency helps save time and resources. As more information becomes available, fewer servants will be required in order to meet and route public demands. Additionally, the administration will require less material for printing and dispatch documents. Transparent governments become more capable, honest and effective. Closed governments are more inefficient, have an increase in corruption and have little capacity to meet the populations' real needs. Through transparency, social control can flow properly restraining the bad management practices by the greater exposure of the government official's actions (Saldanha, 2011).

Reinforcing this line of thought, e-Government goes beyond its limited mission of speeding up and expanding the citizen's access to information and services, to play an important role as a mechanism for the population to control and supervise government actions. External control of governmental activities by the citizens is a foundation of modern politics and a basis in a new concept of democracy.

Thus, open government is not so much an end in itself as a means to fundamentally evolve the relationship between government and their citizens toward a collaborative partnership. Reorganizing this, politicians have begun to reshape their citizens in exchange for added public responsibility. With ICT's enabling many people to work together it is possible that we can redesign our institutions around collaborative problem-solving and thereby deliver a new kind of democratic legitimacy. In this new arrangement, government becomes a platform for the creation of public value and social innovation (Noveck, 2009).

So, open government initiatives, when well designed and implemented can become vehicles for realizing genuine government transformation.

Transformational Government

E-Government's initial objectives were restricted to delivered better public information to the people in general. However it should not be merely constrained to disseminating a great amount of public and institutional information, but should also identify and comply with the population's understanding of the information enable to them to participate in government decisions bearing in mind the citizens' real needs. Therefore, Transformational Government is often viewed as E-government's next evolutionary step.

The effective citizen participation creates a transformation of the social contract by reinterpreting the roles and responsibilities of citizens and governments. It all pointed to the goal of transforming the role of citizens from customer to collaborator. However, a transformation requires an environment of mutually assumed trust and transparency that gives the agency and stakeholders the confidence to accept the new norm (Banister, Connolly, 2011).

Fostering citizen participation enables the public to do things government employees might not think to, to achieve objectives far beyond those of government organizations (Lakhani, Austin & Yi, 2010). It is a transitioning from a focus on entitlements and a citizen-as-customer transactional relationship towards shared responsibilities via government-citizen collaborations (Linders, 2011).

Linders, Wilson and Bertot, in the book *Public Sector Transformation through E-government* (2013), teach that when implemented open government promotes greater innovation, efficiency and accountability in public services by opening the government functions to greater public oversight and participation. It is important to note that this recognition of the importance of the Web is a means to allow the society to participate on a democratic basis, in discussions of Government affairs.

For Banister and Conolly (2011), transparency and open access to information, participation and collaboration are characteristics of government infrastructures that are transformational:

-*Transparency and open access to information:* tools and data that facilitate public engagement in decision making, expand situational awareness, challenge the validity of information and practices, and encourage innovative reuse.

- *Participation and collaboration:* Open government offers new forms of citizen participation and collaboration. It means citizen partnership with government entities, using government resources and information to identify specific problems, and co-design/co-produce resolutions sharing the lessons, aspirations, and guidance among the actors. It also consents the evaluation of current initiatives, the identification of partners for success, lessons learned and mistakes to avoid (Lee & Kwak, 2011).

In addition, the Government should be *collaborative* in a sense that by using these innovative tools, methods, and systems to cooperate among themselves, across all levels of Government, with nonprofit organizations, businesses, and individuals in the private sector (Orzag, 2009). Therefore, comprehend the cooperative spirit shared between the various actors that are interested in a certain subject in order to search for solutions in favor of common interest. Various stakeholders gather in order to discuss solutions to improve the conditions of the exchange of ideas, concepts and opinions. Thus, government can invite them in order to discuss a topic of general relevance where everybody can propose or improve ideas to solve improprieties. The agreement of these actors will generate proposals that fit most of the sectors concerned. In the order hand, the decision makers receive much information about the impact and effectiveness of their actions through report of citizens directly impacted. Therefore, this technique focuses on the improvement of practices and specific actions that best suit to different realities (Saldanha, 2011).

The edification of public policies which proposals should be built through dialogue between different actors involved in the process is vital to the improvement of participatory democracy. In this sense, it promotes a collective debate about a subject that is a focus in the construction of effective models of public policy. This procedure makes the executive and legislative acts in line with the expectations of society and, for this reason, more susceptible to greater popular acceptance (Saldanha, 2011).

With this purpose it is important to search channels to exchange experiences within the several administrations and among the other levels of government. It is also important to do a benchmarking of the successful experiences of other countries. In this way, it is possible to disseminate the good practices found by each administration, thus avoiding the repetition of a mistake that had already been experienced by others collaboratively developing solutions with citizens, fostering a culture of presumed, proactive transparency.

The public *participation* enhances the Government's effectiveness and improves the quality of its decisions. These opportunities should be increased for citizens to participate in policymaking and to provide their Government with the benefits of their collective expertise and information. Consequently, the government benefits from innovation and crowd sourcing¹ by gathering knowledge dispersed among society.

A useful practice is to ask for user's feedback throughout the government sites when they navigate, have doubts or when they want to make suggestions, compliments or denouncements. Government institutions should solicit public feedback to assess and improve their level of collaboration and to identify new opportunities for cooperation (Orzag, 2009).

Thereby will be established for citizens a co-management and co-responsibility shared with the institutional powers of the state to lead the control process that are part of the community.

¹ *Crowd sourcing is the practice of obtaining needed services, ideas, or content by soliciting contributions from a large group of people, and especially from an online community, rather than from traditional employees or suppliers.*

This process aims to the improvement of political practices in line with the demands of society. In short, the result is a shared management, in which the users' opinion is an essential tool when it comes to making the decisions.

The strengthened relationship reduces the tension between the citizen and the established power discarding a model where the society doesn't have opinion by broadening the dialogue between these two forces. The model "top down" is replaced by the "bottom up" by changing the old concept to a new one of co-management of public resources and balance of power. Empowering the citizens, the government shares power and responsibility with society and encourages citizens to take part in the government decision making process. After all, by paying taxes, the community has the right to be part of the roll of actors who decide where these taxes should be applied. In this sense, citizenship is increased when the general public assumes actively their rights and duties in government's decisions, inspects the public administration with the aim of monitoring the proper and regular use of public resources, and the results of government actions as well as identifying problems and proposing solutions for social issues with more efficiency.

To do so, citizens should be equipped with tools that allow the equalization of - such as the government portal - once the government has the citizen as a great ally in the improvement of their actions. In the other hand, incentive participation of citizen enables a larger monitoring of public resources without the direct involvement of the government.

So, the government internet portal facilitates and encourages citizen's participation and helps in the formation of a civic conscience. So, it is fundamental to make sites that expose the information in an understandable way free of technical jargon. Thus, it is necessary - for the information be directed to all people without exception - that the language used is understandable to part of population not adapted to the technical nature of certain public information. It can be noted that, for example, the public budget publication sometimes does

not reach the ordinary citizen. The use of images to contextualize the issues is also important since they are more user-friendly and understandable than texts full of technical language. The portals must also instruct citizens about all the tools at their disposal and the importance of their participation in government decisions. These actions help to attract the interest of the citizens. Thus, the information is presented in a way that reaches as many people as possible.

Chapter Two - The United States' Experience

In the United States, the diffusion of government information through the Internet in terms of Open Government was the result of a series of initiatives that started in the mid-1990's along with the adoption of the E-government (Evans & Campos, 2013).

An important landmark was the E-Government Act of 2002². At this stage, the application of E-government was basically focused on disseminating information and delivering services through the Internet. Since then, the role of the government towards openness became wider and public policy mandates the transparency of all levels of government information and transactions largely available online. At the beginning, it was focused on the use of information technology, including accessibility issues, with still insignificant attention placed on how citizen engagement and public policy could advance the goals of E-Government. As technology has become more advanced, the model of E-Government has become unsatisfactory, opening space a new one, which focused on enhancing proactive citizen participation and collaboration, as well as openness and transparency. The applicability of

² *The E-Government Act aims to improving the management and the promotion of electronic government services and processes by establishing a framework of measures that requires using Internet-based information technology to improve citizen access to government information.*

technology in more up to date initiatives is pointed to collaboration between government and citizens (Evans & Campos, 2013).

As a result of this new favorable development, on January 21st, 2009 - President Obama's first day in office – the *Memorandum on Transparency and Open Government* was signed - an important step towards open and accountable government.

The aspiration was to fight a culture of secrecy in Washington, battle the disappearance of taxpayer dollars and the lobbyists influence through diminishing the gap between the American people and their government³ by:

- Reducing the influence of special interests by writing new ethics rules that prevent lobbyists from coming to work in government or sitting on its advisory boards.
- Tracking how government uses the money with which the people have entrusted it with easy-to-understand websites.
- Empowering the public – through greater openness and new technologies – to influence the decisions that affect their lives.

It was a milestone in terms of transparency in the United States and it was materialized by the establishment of the Open Government Initiative (OGI). Although the *Memorandum* did not intend to create any right or benefit, it reflects the willing of the Administration. It shows the belief that openness will strengthen the democracy and promote efficiency and effectiveness in Government (Linders, Wilson & Bertot, 2013). The *Memorandum* led Executive Branch agencies to “publish government information, improve the quality of government information, create and institutionalize a culture of open government, [and] create an enabling policy framework for Open Government” (Orszag, 2009).

³ <http://www.whitehouse.gov/open/about>

As a result of this ground-breaking document, the President instructed the Director of the Office of Management and Budget (OMB) to issue an Open Government Directive (OGD). It created an unprecedented level of openness in USA’s government by establishing a system of transparency of information, public participation in decision-making, and collaboration in problem-solving entitled the OGI principles (Orszag, 2009). These three principles formed the foundation of beyond Open, a Transformational Government in the USA.

The table below⁴ sums up the OGI principles and its benefits:

PRINCIPLES	BENEFITS
TRANSPARENCY	<p>Transparency promotes accountability by providing the public with high-value information about what the Government is doing.</p> <p>High-value information is the one that can be used to increase government accountability and responsiveness, to improve public knowledge of the government and its operations, to further the core mission of the government, to create economic opportunity, or to respond to need and demand as identified through public consultation.</p> <p>Government must be focused in the quality and the objectivity of information.</p> <p>Quality is the encompassing term, of which utility, objectivity, and integrity are the constituents. Objectivity focuses on whether the disseminated information is being presented in an accurate, clear, complete, and unbiased manner, and as a matter of substance, is accurate, reliable, and unbiased.</p> <p>In particular, information available online should clearly demarcate the public’s right to use, modify, and distribute the information which configures open data.</p>
PARTICIPATION	<p>Participation allows members of the public to contribute ideas and expertise so that the government can make policies with the benefit of information that is widely dispersed in society.</p> <p>Therefore, participation enables the creation of more informed and effective policies.</p>

⁴ Information extracted from the Open Government Directive.

	That's the reason why Government should promote opportunities for the public to participate throughout the decision-making process.
COLLABORATION	Collaboration improves the effectiveness of Government by encouraging partnerships and cooperation within the Federal Government, across levels of government, and between the Government and private institutions as well as non-governmental agencies, the public, and non-profit entities.

According to the above-mentioned system, the information must be in forms that the public can readily find and use. For that purpose, new technologies should be applied to place information about government departments and agencies' operations and decisions online. It is also important to ask for public feedback to identify information of their greatest use and make the citizen central to the initiatives by linking openness and accountability to citizen empowerment.

Product of this Open Government Initiative, the Open Government Directive issued on December 8th, 2009 brought the strategies⁵ and deadlines linked to the development of the Open Government Plan⁶ to achieve an Open and Transformational Government.

The Directive focuses upon the publication of data, the management of information technology, and instructing agencies to create policies to support new cultures to hold up Open Government principles. OGD have served as further catalysts by attempting to better define the expected outcomes of open government and establishing specific protocols for

⁵ Some of these strategies involve the identification of agencies' stakeholders, the availability of high value datasets, design flagship initiatives, and explore new ways of engaging and collaborating with public (Linders, Wilson & Bertot).

⁶ Open Government Plan is a concrete and specific roadmap for making operations and data more transparent, and expanding opportunities for citizen participation, collaboration and oversight that every Executive Federal department should have published until April 7th, 2010. It details how an agency will incorporate the principles of the Memorandum on Transparency and Open Government and must be updated every two years. The Open Government Dashboard will make publicly available each agency's Open Government Plan, together with aggregate statistics and visualizations designed to provide an assessment of the state of open government in the Executive Branch and progress over time (OGD, 2009).

involving executive agencies. The Directive charged every federal agency to implement several steps to meet these goals (Orszag, 2009).

In short, the OGD required executive departments and agencies to take immediate, specific measures to achieve key milestones in transparency, participation, and collaboration by publishing government information online and making it available timely and in open formats⁷.

The progress report on the Directive, which was issued nine months after its publication, added additional nuances to the original charges (Evans & Campos, 2013). It placed the citizen as the focal point of the Open Government Initiative: for transparency, “government should provide citizens with information about what their government is doing so that government can be held accountable”; for participation, “government should actively solicit expertise from outside Washington so that it makes policies with the benefit of the best information”; and for collaboration, “government officials should work together with one another and with citizens as part of doing their job of solving national problems” (Executive Office of the President, 2009).

This generated extensive discussions and partnership between agency, open government representatives and advocates, academia and commercial vendors via open forums, workshops, seminars, and emerging community of practice. The result was a great number of initiatives that have helped to reshape the government’s interactions with the public while making massive stores of federal data available for public reuse and validation (Vein, 2011).

⁷ *An open format is one that is platform independent, machine readable, and made available to the public without restrictions that would impede the reuse of that information. So agencies should publish information online in an open format that can be retrieved, downloaded, indexed, and searched by commonly used web search applications. It enables the public to download, analyze, and visualize any information and data (OGD, 2009).*

For that reason the OGI and its consequential actions became a standard, a pattern of guidance and metrics for other countries fulfilling the lack of best practice models and evaluate current initiatives (Linders, Wilson & Bertot, 2013).

Chapter Three – The Brazilian Experience

Reflecting on the global movement, the United States and Brazil started initiatives towards transparency and open government in the 1990's. The Brazilian E-Government Transparency, in particular the fiscal transparency, received influences from developed countries and the International Monetary Fund (IMF). At first, the actions were concentrated in institutional information and a few services (Saldanha, 2011). However, the new trends in information technologies gave citizens greater access to government information through the use of Internet and fostered a more democratic relationship between government and society by:

- Increasing the accountability to the people, using easily understood language in an accessible environment;
- Establishing a culture of accountability;
- Allowing the civil society organizations and citizens to help the government monitor the use of public money;
- Inhibiting illicit behavior by the Public Management and/or creditors of the State, by advertising all acts performed by them.

From a legal perspective, the level of the Brazilian E-Government maturity, as it is today, is an evolution of the democratic system established by the Brazilian Federal Constitution in

1988, in particular, the Administrative Reform introduced by the Constitutional Amendment 19 in 1998. This commitment was strengthened by further legislation that protects the right to understand the government's business, influences, and decisions.

An important landmark was the Brazilian Fiscal Responsibility Act (Law N° 101, 2000) which established public finance accountability standards fiscal management.

Its importance is due to the fact that before the mentioned act there was no legislation requiring the practice of transparency and accountability in public resource management in Brazil. There was a lack of transparency requirements, risk forecasting, and deviation correction in public fiscal management. The act introduced four pillars on Brazilian public management - planning, transparency, control and accountability – creating the obligation for the public administrator to disseminate reports throughout the Internet (Saldanha, 2011).

In short, the Fiscal Responsibility Act brought new concepts and principles to the public administration advocated by international organizations and adopted by other countries.

Moreover, the Law N°. 131 (2009) added important items related to the electronic obligation towards transparency to article 48 of the Fiscal Responsibility Act (Law N°. 101, 2000):

“Article 48. Instruments of fiscal management transparency, which shall be widely disclosed, even in electronic public media, include: plans, annual budgets, and budget framework laws; rendering of accounts and respective previous opinion); Summary Budget Execution Report and Fiscal Management Report; and the simplified versions of those documents.

Sole paragraph. Transparency shall also be ensured by:

I – encouragement of public participation and by holding public hearings during the preparation and discussion of plans, budget framework laws and annual budgets;

II – the release, to the full knowledge and monitoring of society, in real time, of detailed information on the budgetary and financial execution in electronic means of public access; (Included by Law N^o. 131, 2009).

III – the adoption of an integrated financial management and control system that gathers the minimum quality standard set by the Federal Executive Branch and the requirements of section 48A.” (Included by Law N^o. 131, 2009).

Article 48-A. For the purposes referred to in item II of the sole paragraph of art. 48, members of the Federation will make available to any person or entity access to information regarding: (Included by Law N^o. 131, 2009.).

I - as the expenditure: all acts performed by the management units during the execution of expenditure at the time of its completion, with a minimum availability of data regarding the number of these proceedings, the goods supplied or the service provided to individuals or entities who are beneficiaries of the payment and, where applicable, the bidding procedure performed; (Included by Law N^o. 131, 2009).

II - as the revenue: the register and receipt of the entire revenue by management units, including references to extraordinary resources. (Included by Supplementary Law N^o. 131, 2009).

Article 49. The accounts presented by the Chief of Executive Branch will be available throughout the year, at the Legislative Branch and at the technical bodies responsible for its elaboration, for consultation and examination by the citizens and institutions of society.

Thus, the Law N^o. 131 determined that all Federal, State, Federal District, and Municipal levels shall make available on the Internet, in real time, detailed information on the budgetary and financial execution in order to give full knowledge and foster the government monitoring by society. It also orders the adoption of an integrated financial management and control system.

In addition, the LC 131 was regulated on May 27, 2010 by the Decree No. 7,185. It has defined in art. 2, paragraph 2 “electronic public media” as the “the usage of Internet without requiring user registration or passwords for access” and "real time" as “maximum delay of 24 hours". Thus, to fulfill the law, the government needs to update portals with information daily. Moreover, in art.6, it references the simplicity of information:

Article 6. Sole paragraph. To make the information available in an electronic public media the government should:

I - implement technological solutions aimed at simplifying processes and procedures for citizen service and provide better conditions for the sharing of information, and

II - serve, preferably, the set of recommendations for accessibility of sites and portals of the Brazilian government, in a standardized way that is easy to implement (...).

This legal framework generated several government initiatives online. Among those are the Transparency Portals. In general terms, it is a government website that contains a great amount of detailed information basically related to budgetary and financial execution of a determined level of government. It has the intention to be the main source for interest groups to obtain government information online in a space that promotes the relationship between government and the several social structures. So, it increases the public management transparency, allowing citizens to participate and monitor the use of public funds by the government and promoting the social control of government finances.

The referred laws have generated an unprecedented disclosure of government information and encouraged the creation of a great number of government websites and portals such as Transparency Portals available through the World Wide Web. However, there were no criteria and ways of evaluating them. The civil society had to create evaluation criteria for the information provided by all levels of government.

In order to measure the transparency maturity of a certain level of government, a non-profit organization named Associação Contas Abertas (Open Accounts Association) established some standards. These standards evaluate what was already done in terms of information disclosure and identify the points that need to be improved through reachable standards. In this regard, to monitor the compliance of the requirements of the Law N^o. 131 and Decree N^o. 7,185, the Association created the Índice de Transparência Fiscal (Transparency Index).

Based on technical parameters, the Transparency Index aims at fostering active transparency in public administration at all levels of government by establishing a healthy competition among federal, state, and municipal managers. This stimulates them to exercise the publicity of public accounts in accordance with the legal framework (Associação Contas Abertas, 2010).

A group of experts in public accounts, convened by the Associação Contas Abertas, created the index. The board was responsible to deliberate and approve the criteria that resulted in a set of indicators that nowadays form the Transparency Index. The Index considers three main issues, Content, Usability and Update Frequency/Time Series and determines the grades after analyzing more than 100 parameters.

The Transparency Index intends to achieve its objectives through the regular publication of rankings, which list the portals according to their degree of transparency. On July 14, 2010 the Associação Contas Abertas published the first transparency rating at federal and state levels. The second edition was released on November 20, 2012. Comparing the 27 reviews of the two editions, one can notice a significant improvement in transparency across the portals. Eighteen portals increased their scores (and their transparency levels) between 2010 and 2012.

A new index is being created by a workgroup that includes the Treasury Management Committee (Comissão de Gestão Fazendária, COGEF), the body related to the National Council of Fiscal Policy (Conselho Nacional de Política Fazendária, CONFAZ), and the States. The new index will be called Fiscal Transparency and Citizenship Index.

As the name implies, this index will include tools that aim at fostering citizenship not included in the previous index. The innovations intend to increase citizen participation by publicizing public hearings, boards of popular participation and educational programs.

In conclusion, the trajectory of the Open Government in Brazil since the 1990's led to the disclosure of a great part of government information on their websites at all levels. Its evolution went along with the global movement which influenced changes in Brazilian legislation. On the other hand, the civil society initiatives outlined how the information

presented at the Transparency Portals nurtured the competition between the states by ranking them.

These changes gave the citizens the means to monitor the government actions by checking the data presented in the portals. Despite the few opportunities to citizens and other stakeholders to participate and collaborate to the decision-making process, at the present time, the new initiatives - such as the new index – move forwards to place Brazil in the Transformational era.

Conclusion

United States and Brazil evolved enormously in terms of internet transparency in the past decade, even though the two countries are at different phases.

The United States federal government is in an advanced level. There are specific sites and opportunities enabling the participation and collaboration of various interest groups. Brazil, differently, has a timid quantity of means of public involvement restricted to messages and e-mail.

Both countries have challenges to overcome. The most prominent is the technical jargon. In spite of the information being quickly available to the population there is still room to spread the understanding of the information by the citizens. The access and the language must be simplified. In this sense the use of media tools, audio, video clips, intellectual games for several age levels and Web 2.0 technologies are exceptional tools. Likewise, personalization and customization tools allow citizens and other users to tailor their web use specifically to their needs and interests since it makes information available to different groups.

As part of a dynamic channel that it is in, the government websites should be improved continuously bringing creative forms to the interest groups to participate and collaborate, thus increasing the level of satisfaction with government decisions.

References

- Associação Contas Abertas - <http://www.contasabertas.com.br/>
- Bannister, F., & Connolly, R. (2011). *Trust and Transformational Government: A proposed framework for research*. *Government Information Quarterly*, 28 (2), 137-147.
- Bertot, J. C., Jaeger, P. T., & Grimes, J. M. (2010). *Using ITCs to create a culture of transparency: E-government and social media as openness and anti-corruption tools for societies*.
- Chahin, A.; Cunha, M. A.; Knight, P. T.; Pinto, S. L (2004). *E-gov.br: A próxima revolução brasileira: eficiência, qualidade e democracia: o governo eletrônico no Brasil e no mundo*.
- Decree N° 7,185, 2010. http://www.planalto.gov.br/ccivil_03/_Ato2007-2010/2010/Decreto/D7185.htm
- Evans, A. M., & Campos, A., (2013). *Open Government Initiatives: Challenges of Citizen Participation*. *Journal of Policy Analysis and Management*, Vol. 32, No. 1, 172–203. <http://www.wileyonlinelibrary.com/journal/pam>.
- E-Government Act (2002) - <http://www.gpo.gov/fdsys/pkg/PLAW-107publ347/pdf/PLAW-107publ347.pdf>
- Fiscal Responsibility Act, Law N° 101, 2000. http://www.planalto.gov.br/ccivil_03/leis/LCP/Lcp101.htm
- Hacker, K. L., & Dijk, J. A. G. M. (2001). *Digital Democracy: Issues of Theory and Practice*.
- International Monetary Fund (2007): *Code of Good practices on Fiscal Transparency*. <http://www.imf.org/external/np/pp/2007/eng/051507c.pdf>
- Lakhani, K. R., Austin, R. D., & Yi, Y. (2010). *Data.gov*. Boston, MA: Harvard Business Publishing.

- *Lee, G., & Kwak, Y. H. (2011). An Open Government Implementation Model: Moving to increased public engagement. Washington, DC: IBM Center for the business of Government.*
- *Linders, D. X. (2011). We-Government: An anatomy of citizen co-production in de information age. Proceedings on the 12th annual international digital government research conference: Digital Government Innovation in Challenging Times (June 12-15) (pp. 167-176). College Park, MD: ACM.*
- *Linders, D. X., Wilson, S.C., & Bertot, J. C. (2013) - Public Sector Transformation through E-Government: Experiences from Europe and North America (chapter 2).*
- *Martins Júnior, W. P. (2010).Transparência Administrativa: Publicidade, Motivação e Participação Popular.*
- *Memorandum on Transparency and Open Government (2009) http://www.whitehouse.gov/the_press_office/TransparencyandOpenGovernment/*
- *Noveck, B. S. (2009). Wiki Government: How technology can make government better, democracy stronger, and citizens more powerful. Washington, Dc: Brookings Institution Press.*
- *Orszag, P (2009).Open Government Directive: Memorandum for the Heads of Executive Departments and Agencies. Washington, DC: Office of Management and Budget from <http://www.whitehouse.gov/open/documents/open-government-directive>.*
- *Transparency Index Portal - <http://indicedetransparencia.com>*
- *Saldanha, S. A. N.C (Fall, 2011). Open Government and Social Control. Minerva Program.*
- *Vein, C. (2011, April 7) Open Government Plan's Anniversary is a Testament to Hard Work at Agencies from White House Blog: <http://www.whitehouse.gov/blog/2011/04/07/open-government-plans-anniversary-testament-hard-work-agencies>.*