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V

Improving Policy
A prerequisite to effective citizen engagement in governance is making government behavior transparent and understandable, or “legible,” to its citizens. Picci shows how legibility can enable reputation-based governance and improve the accountability and incentives of governments and other large organizations.

Imagine a scenario in which citizens assess policies online, these assessments form the basis for reputational measures of public officials and other actors of governance, and these measures in turn influence governance decisions—for example, by determining bureaucrats’ promotions and the choice of policies. Such a scenario can lead to reputation-based governance, which hinges on the ability of citizens to assess the outcomes of public policies, so that the administrators...
who are responsible for them may build a reputation (Picci 2011). With effective reputation-based governance, policies would be better attuned to people’s needs and carried out more efficiently and effectively.

This chapter considers the issue of *legibility*, a term borrowed from James Scott (1998). Legibility has been used to refer to the ability of the state to “read” society—to understand the populace’s collective abilities, biases, constraints, and desires in order to enable better governance. Yet there exists a parallel problem of *legibility of the state to its people*—an issue that should be seen as central in governance, especially forms of governance in which reputational incentives play a key role.

Within reputation-based governance, measures of reputation affect incentives; a high score, for example, eases the ascent up the career ladder. For this to happen, citizens should be able to understand easily what it is that they are assessing. For reputational measures to be computed, the responsibilities of the actions that are assessed should be unambiguously attributed—to public administrations, to individual administrators, and possibly to politicians.

In market applications of reputational systems, the identification of the relevant object and the tracking of responsibilities happens almost naturally. When buying on eBay, or when going to a restaurant, it is usually clear what it is
that may be assessed (the product or service) and who the person or organization is whose reputational measure is being computed (the seller).

However, in the public sphere, the situation is quite different. Public governance today is complex and almost invariably multilevel: the overall action of the state is balkanized into countless policies and programs that almost invariably interact among themselves; boundaries are often blurred, and responsibilities for success or failure are not straightforward to attribute. This situation generally imposes a heavy cognitive load on citizens and opens the door for strategies of obfuscation of various types—unwarranted attribution of credit or blame, spin, bureaucratic delays, and downright propaganda. The necessary information may be available—indeed, thanks to the Internet, lots of information is available—but making sense of it is challenging.

What we face is a problem of legibility of the state—the task of gathering and decoding the vast array of information that communicates the state’s overall actions. Before tackling this problem, we first consider the concept of legibility as James Scott (1998) originally introduced it: not of the state by society, which is what is needed for reputation-based governance to work, but legibility of society by the state, which is what states have long striven for.
Legibility of Society and Control

The concepts of legibility and of control of society go hand in hand. There are plenty of examples of control of society by the state. Video cameras in public spaces, we may think, are spying on us. It is compulsory in many countries to carry proof of personal identity. Even in the United States, where there is a deep-rooted resistance to forms of individual identification, the attacks of September 11, 2001, brought about greater compulsory identification before boarding an airplane. In Europe, where people are more nonchalant in this respect, national identity cards and automatic voting registration are the norm.

The state exerts a degree of control over its citizens. If we look at the issue from today’s perspective, control arguably leads to more security—for example, vis-à-vis the terrorist menace. However, we are advised to take a broader historical view. Two necessities of the state go a long way in explaining its deep-seated tendency to control society. First, the requirement to levy taxes assumes the ability to identify persons and to eventually knock at their door should they not voluntarily pay their dues. Second, conscripting an army benefited historically from the capability of identifying persons.

There are societies in which this kind of control would be quite difficult. A nomadic tribe, for example, is difficult to tax or conscript. Persons who do not have a surname also constitute a problematic case. If John were “from the
mountain,” his identity might be perfectly clear within a small community. But if that John went to the plain, possibly to escape the occasional tax collector, then he would become one John among many and—from the point of view of the state—a needle in a haystack. For such reasons, states do not like nomadic populations, and they also much prefer their subjects to have stable surnames, especially if they are linked to a unique numeric code. In modern societies, the friendlier face of the state’s power also benefits from a legible society: infant vaccination programs and universal social services, for example, represent a positive achievement for humanity.

For society to be controllable, the state has to have means of “reading” it with ease. Society has to be legible, and the state has an interest in transforming society so as to make it such. In fact, Scott (1998) argues that many early initiatives of modern states may be interpreted as attempts to make society more legible. The introduction of surnames was a step in this direction, as was the imposition of a common national language, which allowed the immediate intelligibility of all written records produced without the need to interpret. Many agricultural reforms, by defining regular plots of land and easy ways of extracting any surplus in production, contributed to the goal of legibility. Overall, Scott summarizes, a “society that is relatively opaque to the state is . . . insulated from
some forms of finely-tuned state interventions, both welcome (universal vaccinations) and resented (personal income taxes)” (1998, 77–78).

**Legibility of the State and Accountability**

We now consider the parallel problem of legibility of the state to its people, which is important in governance and central within reputation-based governance. Legibility of the state is needed for it to be accessible to its citizens: participation in state affairs and in the democratic process is facilitated by the ease with which the state and its activities can be deciphered. The legibility of the state, moreover, goes hand in hand with the possibility of holding it accountable for its actions.

Just as the state desires its citizens to be easily identifiable, so the citizens—in order to be able to hold the executors of policies accountable—should wish that the overall actions of the state be legible. Imagine a situation in which by feeding into one’s mobile phone the unique identifier for a given policy, a wealth of information on that policy’s characteristics, costs, and expected outcomes could be accessed. Further, under reputation-based governance, one could rate the policy’s outcome, observe a summary of other people’s assessments, and read the reputation measures of the administrators involved. So, policies should be well-identified and responsibilities clearly attributed: legibility and accountability are two sides of the same coin.
The wealth of information on policies, their outcomes, and the assessments that they receive could be harnessed in different ways. Of particular interest would be the comparison of the data available on similar initiatives that are carried out by different administrations. For example, such an information system could allow comparison of the cost of a kilometer of a new road with the average of similar works carried out elsewhere. Certainly, observing that the cost per kilometer of a length of road was 50 percent above the national average would not constitute a conclusive proof that something went wrong in its construction. There could be reasons to explain such difference: a more expensive road could be of better quality, or the terrain it covers could be more rugged. These differences could be taken into consideration by computing comparisons that are conditional on a host of external factors that may be relevant in determining costs.

Such average or “standardized” costs, if they could be computed, would aid in monitoring the execution of policies. In particular, they would assist in controlling one of the great plagues of governance: corruption. The very high economic and social costs of corruption go beyond the immediate diversion of public funds, as it has been demonstrated that corruption is accompanied by a series of distortions in the behaviors of public administrators, politicians, and firms, all of which add to corruption’s damage (Lambsdorff 2006). Corruption affects some countries more than others, but it is a potentially serious problem
everywhere. In many places, and particularly in relatively poor countries, the economic and social costs of corruption constitute a real tragedy.

The wealth of information available on policies under reputation-based governance would be quite helpful in this respect. The government could direct its auditing activities toward cases that look more suspicious because, for example, their unit cost significantly exceeds a measured average. Citizens, individually or through civil society organizations, could take advantage of the availability of well-organized data to hold their administrators and politicians accountable. For this to happen, the raw data should be freely available to all, so that any social actor could decide how to represent them. In this respect, Robinson and colleagues invite the U.S. government “to require that federal websites . . . use the same open systems for accessing the underlying data as they make available to the public at large” (2008, 160). (Note that exclusive control of the raw data by a single actor, by permitting the selection of what is publicly represented and how, would result in agenda-setting prerogatives within public discourse.)

**Issues of Governance Design**

Researchers interested in Internet-enabled forms of political participation sometimes have an exceedingly optimistic view of what the people want, believing that citizens are naturally interested in participating in politics and that
—should the technological and organizational means be available—they would automatically turn into the engaged, net-enabled citizens of advanced forms of participatory democracies. Certainly, at times we observe dramatic examples of political participation. However, most of the time, people would arguably rather mind their own business and enjoy the company of their friends or lovers rather than participate in political activities. Researching the attitudes of American citizens to their government, Hibbing and Theiss-Morse summarize this reality with the disheartening conclusion that people “do not want to make political decisions themselves; they do not want to provide much input to those who are assigned to make these decisions; and they would rather not know all the details of the decision-making process.” They conclude that “the last thing that people want is to be more involved in political decision making” (2002, 1).

This view may err on the side of pessimism, but it has the merit of alerting us to the importance of adopting forms of governance that make participation as easy, inexpensive, and enjoyable as possible for citizens. Lowering the cognitive obstacles to (and in general the cost of) political participation should be a priority. Unfortunately, notwithstanding some meritorious attempts at simplifying regulations and reducing the complexity of the tax system, the issue has rarely figured high among the preoccupations of public administration reformers.
Consider the so-called New Public Management reforms, which were fashionable during the 1980s and part of the 1990s. Dunleavy and colleagues remind us of the case of New Zealand, whose “pioneering [New Public Management] structural changes have left a country of 3.5 million people with over three hundred separate central agencies and forty tiny ministries, in addition to local and health service authorities” (2006, 470). In such a balkanized governance landscape, one wonders how citizens are supposed to figure out responsibilities or simply to remember the names of all the relevant institutional actors. New Zealand is probably an extreme case, and New Public Management styled reforms had—at least in some cases—a degree of success, but the anecdote shows a general tendency. It is striking to note how little attention has been dedicated to the cognitive problems of making sense of complex structures of governance. Of particular interest is the implication such difficulty has for the accountability of rulers and for popular participation in politics.

Today’s Internet technologies can help in this respect. First, the Internet disseminates useful information cheaply. A citizen wishing to file a complaint, following a bad encounter with a government organization, in many cases may quickly learn from the administration’s website who is in charge and to whom the letter should be addressed. At a more sophisticated level, we are witnessing the spread of so-called mashup applications, whereby different services are used in
conjunction to represent policy-related data intelligently—and intelligibly. For example, information on public expenditures may be geocoded and then visualized in programs such as Google Earth.

The ability to visualize and make sense of large amounts of data opens up very interesting possibilities. However, technology alone does not solve the problem of legibility, because today’s technological tools can only be applied within an already legible context. I’ll make this point by considering a concrete example in the following section.

**The Case of International Aid**

In March 2010, the report of the United Nations Somalia Monitoring Group found that as much as half the food aid sent to Somalia was diverted from the intended beneficiaries to a web of corrupt contractors, militants, and local United Nations staff members (Aidinfo 2010). According to the same reference, “if the details of each contract and each transaction had been publicly available from the outset, it would not have been possible for these abuses to have taken place: transparency would pre-empt a good deal of this kind of abuse. The publication of broad summary totals for each project does not provide sufficient information to enable this kind of accountability or to prevent abuse” (7).
In the world of delivering international aid to developing countries, there is a consensus that transparency should be increased. Aid projects typically involve many organizations acting in different and remote locations, so exercising control over projects is intrinsically difficult. The institutional context also matters because the projects often benefit countries that are characterized by high levels of corruption. Although the people who illegally benefit from such a system may be quite happy with the way it works, both donors and recipient countries have an interest in increasing the effectiveness of whatever resources are dedicated to international aid. As an expression of this convergence of interests, in September 2008, high-level delegations from all over the world met in Accra, Ghana, to address this and other issues related to international aid. The Accra meeting launched the International Aid Transparency Initiative (IATI), whose goal is “to make information about aid spending easier to access, use and understand” (IATI 2010a). To meet this broad goal, several interlocking initiatives are currently being undertaken.

We should note that for the most part, the problem is not one of creating new information from scratch, as much of the desired information already exists in the archives and institutional knowledge of the many organizations involved. In principle, a dedicated fact finder could ask particular organizations to disclose financial and other desired information on the aid project they are involved with.
However, this would be no easy task. First of all, the names and addresses of such organizations would be needed. Those organizations would in turn find it costly to collect the desired information. The information coming from the different organizations would likely be provided in different formats and hence could be reconciled only with effort; verification would also be a concern. Again, we face a problem of legibility: the information may be available in principle, but finding, collecting, and making sense of it would require much work.

One obvious way to solve the problem would be to build a database into which all the interested parties could input the necessary information using a web interface. However, this possibility was discarded for several reasons, the foremost being that duplicating information that may already exist is costly and, as such, would hinder the adoption of the proposed solution and potentially cause its failure (Development Initiatives 2010). IATI chose an alternative route: brokering an agreement among the many stakeholders involved to adopt a common format to present the needed information, but leaving them otherwise free to publish it where they wish (IATI 2010b). Choosing a common format means agreeing on a series of standards and rules. First, there must be a system in place that can unambiguously identify each project and all of the organizations involved. Second, the information should be presented together with appropriate
accompanying data (or metadata), clarifying what it is about. Third, the veracity and quality of the data made available should be verified by a third party.

The desired information would reside in many different locations, such as the websites of the organizations involved; these sites would have to be recorded into a common registry. Overall, the information would be machine-readable, in the sense that appropriate software could be written to collect it and automatically process it in desired ways. It is true that data scraping techniques (i.e., parsing of unstructured data) can in many instances permit the transfer of data that are not appropriately structured or designed to be machine readable. Although the collaborative use of data-scraping tools opens up interesting possibilities of increasing legibility of public governance “from below,” such a solution can be only partial, due to its cost, partial applicability, and dependence on the availability of the desired data.

With structured and machine-readable data, anybody would be able to access the raw information that is made available, to process and visualize it as desired. Mashup applications, aimed for example at representing geocoded information on a map, would be straightforward to create. A similar setup would allow the introduction of reputational mechanisms in the management of aid projects. Once each project is clearly identified, the people who should in principle benefit from the project could evaluate its outcome. A clear knowledge
of the chain of responsibilities in the execution of each project would in turn allow for the use of the assessments to compute suitable measures of reputation, not unlike what is done in many current Internet-based reputational systems such as eBay. These measures would likely be considered by donors deciding how to invest their resources. Organizations involved in delivering aid projects, as a consequence, would have a clear incentive to develop a reputation for responsibility, skill, and effectiveness.

For such a concept to succeed, many important issues should be addressed. There should be a patient effort to work out bugs in reputation measures and parallel fieldwork with real aid recipients to understand how to get valid and useful recipient evaluations. Also, many—if not most—actors will have incentives to skew the system and metrics to their advantage. In Picci 2011, the presence of incentives in gaming the system is considered explicitly; here it suffices to recognize that in governance, any set of incentives brings about attempts at bending them to serve one’s needs, often in disaccord with the public good and that these worries should be explicitly and carefully addressed in practical implementations.
The Road to Legibility of the State

In the case of international aid, the requirement of transparency could have been achieved by obliging all concerned organizations to publish on the web a set of relevant information on the projects to which they contribute. This requirement would have been a valuable step forward, but not in itself enough to guarantee legibility, which has to do with the possibility of easily making sense of the information available. Transparency is a necessary condition for legibility, but not a sufficient one.

The example story in particular shows that technology alone is not enough to solve problems of legibility. If IATI is successful in making international aid more legible, it will not be simply because more information is available or because it will have hammered clever code into computers. It will also be because IATI will have built consensus among many stakeholders on a set of definitions, standards, and practices. Only when this intrinsically political goal is accomplished will the community of stakeholders of international aid be able to tap into the power of information technologies to increase both transparency and accountability.

In this respect, we observe an important difference from the private sphere. Legibility is easier to obtain in markets; an easily understandable description of what is traded is a prerequisite for market functions. The process of
international harmonization of accounting practices certainly contributed, for example, to a situation in which the activities of public enterprises display—at least in principle—a high degree of transparency and legibility, while not being sufficient to prevent serious forms of corporate dishonesty. On the other hand, within the public sphere, legibility is often a matter of contention between a state and its citizens, with each one resisting the desire that the other has of control or accountability. Over the last century, a “struggle toward openness” (Fung, Graham, and Weil 2007, 24-29) has brought about, in the United States and elsewhere, an increased degree of transparency from which the people have benefited. And a struggle it was, with the state often fighting back—witness, in the United States, the general retrenchment in public access to government information under President George W. Bush (Fung, Graham, and Weil 2007).

The advantages that the adoption of reputation-based governance would bring to public governance add extra motivation to make the state more legible. Inevitably, reforms would be needed. In Picci 2011, it is argued that a way to tackle the legibility problem is to structure the actions of public administrations as easily identifiable policies that citizens could monitor and assess. The result would be a policy space more modular in nature, that is, one that is formed by clearly distinguishable modular building blocks.
Such organizational changes could be obtained only with public administration reforms and would need a firm political will to carry out. This political will would be the result of the dialectic encounter between the state and the people. The former might try to defend in various ways its prerogatives and privileges and to make arguments against adopting unproven new systems too quickly. As for the people, the potential benefits of introducing reputation-based governance might constitute an argument in favor of positive change.

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References


