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RESEARCH ARTICLE

THE OPEN GOVERNMENT DATA POLICY AS A STRATEGIC USE OF INFORMATION TO ENTRENCH NEOLIBERALISM? The case of Italy

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ABSTRACT: The philosophy of Open Government provides a new paradigm of innovation in public administration built around three key words: transparency, participation and collaboration. Greater transparency of information about the PA and its way of working should help to regain public confidence in the institutions, motivating people to take a more active part in decision making processes. It should also encourage them to support the institutions by inputting their own knowledge and abilities, consequently engendering a widespread spirit of collaboration between different public authorities and between them and the public, businesses and non profit organisations, in order to relaunching the economic value of the Public Sector Information (Huijboom, Van den Broek, 2011). The hypothesis behind this contribution, starting from an approach based on an interpretation of significant elements in public action (Moini 2013) and of their conceptual framework (Fischer 2003), is that through which open government, open data, social media, collective intelligence, and connectivity are key words in a new rhetoric of administrative innovation - summed up in the label "government 2.0" - which refers to a form of public action easily seen to be drawn from the neoliberal paradigm (Jessop, 2002), even though subject to some variegated form at national level.

KEYWORDS: Administrative Innovation, Open Government Data, Neoliberalism, Public Action, Public Sector Information

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1. Introduction

The philosophy of Open Government provides a new paradigm of innovation in public administration built around three key words (indicated in Obama's Open Government Directive of 2009): transparency, participation and collaboration. Greater transparency of information about the PA and its way of working should help to regain public confidence in the institutions, motivating people to take a more active part in decision making processes. It should also encourage them to support the institutions by inputting their own knowledge and abilities, consequently engendering a widespread spirit of collaboration between different public authorities and between them and the public, businesses and non profit organisations, in order to relaunching the economic value of the Public Sector Information (Huijboom and Van den Broek, 2011).

What is needed is for the administration to make information tools available to the public and to businesses so that they can take decisions or, however, have effective widespread control over government activity and the management of public affairs. These tools consist of open data, or rather, the administrative practice of making various types of data dealt with by administrations freely available to everybody via the web. Such data should be available without any copyright restrictions, patents or other forms of control which might limit its reproduction or reuse. The declared purpose of this practice of publication and of liberalising the flow of data is not only that of promoting administrative transparency, but also that of allowing the conception of services which might help an understanding of and "simple" use of information, encouraging entrepreneurship to develop from such data (a non-material economy) (Linders, 2012; Saxby, 2011) and relaunching the economic value attached to it (which the PA is often unable to make use of on its own).

The hypothesis behind this contribution, starting from an approach based on an interpretation of significant elements in public action (Moini 2013) and of their conceptual framework (Fischer 2003), is that through which open government, open data, social media, collective intelligence, and connectivity are key words in a new rhetoric of administrative innovation - summed up in the label "government 2.0" – which refers to a form of public action easily seen to be drawn from the neoliberal paradigm (Jessop, 2002; Bates, 2014) even though subject to some variegated form at national level.

2. From the transparency of public action to Open Government: PA innovation policy put to the test by ICTs.

The term 'Open Government' includes the ideas of openness and transparency, two words that were the key to understanding the rhetoric of PA reform processes for decades (Longo 2011), processes that were both inspired by the New Public Management paradigm (Hood 1991, Osborne e Gaebler 1995) and sought to affirm the Network State paradigm, also called the governance paradigm (Rhodes, 1996; Mayntz, 1999)

Already in 1992, Osborne and Gaebler were thinking widely about the prospect of real change in a PA strongly characterised by low institutional performance, by loss of trust and consequent 'democratic pressure' from citizens (Mény e Wright, 1994, p. 24)¹. They affirmed that Governments should make efforts to provide services geared towards the needs of the citizens, be more interactive and more oriented towards participation from the bottom up, spending less and investing more in a better way, and finally seeking prevention rather than cure.

The aim of this policy change was to introduce new criteria into public action logic, in order to restore the legitimacy of the PA ensuring a transparent functioning and an efficient institutional performance (Lippi, 2003). The new standard of action shouldn't be mere compliance with the law but, rather, deploying public actions that are coherent and functional with respect to the specific decision. Furthermore, a growing need is emerging in public organisations to develop a culture of accountability that refers both to the quality of the services provided and to the resources used².

Also, the second paradigm of PA reform, that asserted itself in the Nineties, introduced intervention measures that focused on the organisational dimension of change. Starting from a greater awareness of the loss of relevance of an administrative public system that is strongly centralised and hierarchical, this paradigm affirms a new arrangement of public functions, allocated not only on different institutional levels (following a multilevel public action logic), but also among different actors, some of whom

¹ To these endogenous reasons of change, we could add other factors exogenous at the administrative systems, such as the Europeanisation of public policies and the Globalisation of economic processes (Campbell, 2004; Knill, 2001; Sassen, 2008)

² We have to underline that in Italy the regulation of public action has always favoured the use of legislative instruments to guarantee the proper functioning of the PA to citizens. Only in the Nineties were instruments of ethical self-regulation introduced aimed at improving the unsatisfactory results of a such a organisational model, more oriented towards compliance with the legislation than towards criteria of efficiency and effectiveness (Franceschetti 2012).

might even be non public ones (horizontal governance)³. The paradigm of Network Public Administration seemed capable of effectively describing and interpreting the new regulatory models of public policies more than the New Public Management paradigm. That is, the models that take action not only on a bottom-up approach, such as the market oriented regulatory model, but also are able to adopt trust as the integration resource of the network, instead of the economic interests of the single actors involved (Rhodes, 1997; d'Albergo, 2002).

However an analysis, carried out at the beginning of the 2000s (Gualmini, 2003), of the PA reform initiatives undertaken in the United States and in Europe, underlined a partial statement of this process of opening towards a more transparent State. In the US and UK it was possible to observe an actual implementation of the NPM paradigm, whereas instead in the other countries of continental Europe the organisational and functional features typical of the bureaucratic model still remained, even if hybridised by the principles of NPM and governance theory.

In the same years, Governments had tried to boost these reform processes by also formulating administrative innovative planning that would take advantage of ICT potentialities, in order to contribute not only to the establishment of network models of public action, but also are structuring of the relations between public institutions and citizens. The "networking logic" characteristic of the Internet infrastructure is proposed as a new organisational model of public administration: «even more often public institutions work together with other bodies and supranational authorities. All together form the new paradigm of the Network State» (Castells, 2004, 19).

In particular, it is in the official European documents of the beginning of the 2000s that the new technologies are described as a new opportunity to create a common informational space for the economic, social and political growth of the different national contexts. The ICTs have a «liberating potential [...] of the forms of spontaneous participation that are able to make citizens more interested and active» (Di Donato 2010, 12). They are also able to activate processes of "de-territorialisation" of politics, that remove past borders and bring out new actors and new forms of politics (Bentivegna, 2006)

However, as with previous paradigms, the paradigm of the Network State (or Virtual State) also contains an implementation process that is detailed and differentiated in different national contexts. In the late 1990s and the early 2000s, above all in those

³ Already R. Rhodes had used this term in 1996 in order to indicate a more complex organisational and operational status in which, as R. Maynts stated some years later (1999, 3), it is possible to note «a greater degree of cooperation and interaction between the State and non public actors, among public/private decisional networks».

countries with a strong bureaucratic tradition and with an organisational culture characterised by legal values, the digitalisation policies of the PA, otherwise known as e-government policies, only introduced an automatic electronic transfer of administrative activities, without changing the organisational processes. This was shown in a study of 1999 on the use of Internet within the parliaments of OECD countries, that described a substantial continuity with traditional political practices (Coleman, Taylor, Van den Donk, 1999), and also in some studies commissioned by the European Institutions aimed at evaluating the development of democratic practices through ICTs (Trechsel, Kies, and al. 2003). Similar scenarios were also apparent in subsequent studies, carried out in 2009, that showed not only how low the use of e-government services by the citizens of the EU was, but above all how much these services were out of alignment with the needs expressed by the users (Codagnone, Osimo 2009)

The imaginary that revolves around e-government as a State model that is transparent, efficient and oriented towards a greater democratisation of the decisional processes (because of the initial experiences of e-democracy of the early 2000s) has to come to terms with an implementation practice that is fragmented, differentiated and strongly conditioned not only by the digital divide of the various populations involved, but also by the widespread information asymmetry that characterises the relationship between public institutions and citizens.

It is again an OECD document (2010) that describes the exogenous factor that can force the national government to reconsider the priorities of e-government: the economic and financial crisis of 2008 requires the States to deploy specific measures to relaunch their economies and also to reduce public expenditure, improving the efficiency and quality of services. On that basis, with different timelines and pathways, Governments started developing strategies in order to capitalise on the investments made in the field of e-government, trying to reorganise existing services and infrastructures in a more effective way, with the aim of becoming «increasingly open and transparent in the policy implementation process».

As had happened for e-government strategies ten years earlier (Calise, De Rosa 2003), for the end of the first decade of the 2000s, it is also possible to notice a convergence of views between the two sides of the Atlantic for OGD policy: in the US as much as in the EU new documents were drafted in which the growth and development of these countries are vigorously promoted, placing an increased availability of Public Sector Information (PSI) at the centre of the public action (Braman, 2011).

US President Obama was the first to embrace this new vision of public action practice, reinforced even by his personal experience in managing his own election cam-

paigned through a large-scale use of the so-called 2.0 platforms⁴ (Vaccari, 2009). Very keen to strengthen confidence between citizens and public institutions, the newly elected US President, on taking up office in 2009, issued a Memorandum⁵ addressed to the directors of various Departments and Federal Agencies, in which he chose a government programme strongly characterised by participative management of decisional processes, through the use of social networking technologies for broadening citizen involvement⁶.

This symbolic commitment was then followed by the Open Government Directive⁷ and by the launching of the Open Government Initiative⁸, an online platform where publicity is given to the OG measures of the Obama Government, and where it is also possible to receive suggestions from members of the public⁹.

In Europe, more than in the US, there is a double push, (from above, with EU initiatives, and from below, with proposals from so-called grassroots movements, from citizens to citizens) that has created the conditions for the inclusion of OG in the political agenda of the member States (Sartori 2013). The *Ministerial Declaration on eGovernment* (Malmo, November 2009) fully met the spirit of the *Declaration on European Public Services*¹⁰, promoted by citizens and NGO organisations in the months before. This document not only promoted the principles of transparency, participation and cooperation as fundamental for an effective re-engineering process, but it was itself a result of these principles, because it had been drawn up online and subscribed to by two thou-

⁴ As Tim O'Reilly said in 2005, the Web 2.0 is a label aimed at including all those online applications that allow a great level of website-user interaction (blog, forum, chat, platforms as Wikipedia, Youtube, Facebook, Myspace, Twitter, Gmail, Wordpress, Tripadvisor ecc.). The term emphasises the differences from Web 1.0, composed of static websites, without any chance of interaction with the user, except the normal navigation of pages, the use of email or of search engines

(<http://www.oreilly.com/pub/a/web2/archive/what-is-web-20.html>)

⁵ B. Obama *Memorandum for the Heads of Executive Departments and Agencies on Transparency and Open Government*, 2009, available on-line at URL:

http://www.whitehouse.gov/the_press_office/Transparency_and_Open_Government/.

⁶ Along with the Memorandum mentioned, on the same day President Obama published another document which refers to the 1966 Freedom of Information Act. This document encourages pursuit of accountability through more transparent public information in order to begin a New Age of Open Government.

⁷ Orszag P.R. *Open Government Directive*, 8 December 2009, available on-line on:

<https://www.whitehouse.gov/open/documents/open-government-directive>

⁸ <https://www.whitehouse.gov/open>

⁹ An example is the Open Government Brainstorming of the US Government. See:

<http://opengov.ideascale.com/>.

¹⁰ *An Declaration on European Public Services*, November 2009, <http://eups20.wordpress.com/the-open-declaration/>.

sand people, using web 2.0. In response to this type of solicitation, the final document of the Malmo meeting of the European ministries for eGovernment identifies some objectives and priority actions for 2015, that are a translation into practice of the main cardinal principles of OG: the development of “user-centric” services, that facilitate PA-citizen interaction; the increasing availability of PSI in order to promote its re-use; the strengthening of the transparency of PA processes; and the promotion of active participation¹¹.

The grassroots movements that push the public institutions to adopt strategies for OG are two in particular. The first is a movement for the right to information, aimed at allowing public access to all PA documents, decisions, relationships and information related to the public services, as a basic condition for guaranteeing freedom of expression for citizens¹². The second movement, instead, includes advocates of the OG paradigm, whose claim is centred on a specific type of information: that data forming part of Public Sector Information, which should be available to the public, because it cannot be linked to any individual person. From this perspective the data should be “open”, made available by public authorities in accessible formats, re-usable and updated to devise and provide specific and more efficient private and public services.

To complete this description of the causes that determined the affirmation of OG practices in Western countries we must not forget the third principle of innovation mentioned by Tim Bernes-Lee in an interview¹³ and represented by OG pioneering experiences carried out by local administrations and large public bodies.

In 2010, when public opinion attention to open data had become widespread, many official open data portals had already been launched: in the US (data.gov), in the UK (data.gov.uk), and also in Canada, New Zealand, Australia, Sweden, Finland, Spain, and Northern Ireland. There had also been published many catalogues of open public datasets managed by regional administrations such as Catalonia, Asturias, the Region of

¹¹ *Ministerial Declaration on eGovernment*, Malmo, 18 November 2009, http://ec.europa.eu/information_society/activities/egovernment/conferences/malmo_2009/press/ministerial-declaration-on-egovernment.pdf.

¹² This movement invokes the Freedom of Information Act (FOIA) that is a law issued in the US July 4, 1966 during the tenure of President Lyndon B. Johnson, that provides a set of rules allowing anyone to know how the federal government works, including full or partial access to classified documents, e to the art. 19 of the Universal Declaration of Human Rights.

¹³ The words of the founder of WWW were: «It has to start at the top, it has to start in the middle, and it has to start at the bottom» and they indicate the three levels of the public action that generally contribute to the statement of the OG. At the top there is the government level, which produce legislative and also operational measures; in the middle there are the local institutions which carry out piloted runs of local open data portals; at the bottom there are citizens, individual or associated, and the experts and advocates of the OG model that promote initiatives for sharing the openness culture.

Piemonte and some city governments. Five years later, in the annual report on Global Open Data Index edited by the Open Knowledge Foundation, impressive gains from non-OECD countries became noticeable with Taiwan topping the Index and Colombia and Uruguay breaking into the top ten at fourth and seventh place respectively. Even though, it is underlined in the report that the Index evaluated 122 places and 1586 datasets and determined that only 9%, or 156 datasets, were both technically and legally open.

The contemporary development of new technologies (Linders, 2012) further facilitates an affirmation of this new paradigm of PA reform. While the spread of the so-called web 1.0, at the end of the last century, determined the creation of the e-government paradigm, the wider extent of use of social platforms that has begun since the turn of the millennium, has made it mandatory for public institutions to measure up to the needs of a new model for public action: Government 2.0 (Bertot, Jaeger, Grimes 2010; Parycek, Sachs 2009). The participatory and collaborative technologies of web 2.0, in fact, allow for functions of communication and sharing that are particularly functional to a more transparent State model, more open towards citizens (Ferro, Molinari 2010) and able to produce “public value” (OECD, 2008) because of the contribution of community and individuals.

Therefore Open Government and Government 2.0 became two recurrent buzzwords in the rhetoric of public administration reform and seem to be, respectively, the new ends and new means of e-government (Nam 2010).

2. Neoliberal echoes in Italian Open Government

The reconstruction carried out so far, related to the establishment of a frame of openness in public action practices both at the international and European level, is useful in developing an initial reflection on the possibility of seeing these reform processes through the eyes of neoliberal logic (Jessop, 2002). Focusing for now on the actors involved and on the relationships established among them, OG policy clearly embodies the neoliberal idea of a space of public action where the State is no more the prevalent actor. It is due to the fact that public bodies often need to acquire greater knowledge and skills (especially technological ones) that require the contribution of experts both in formulating and deciding policy and in implementing it. Sometimes this is required even in selecting those policy problems to be included in the political agenda.

However, the experience of other countries shows how this withdrawal of public actors from the political scene isn't carried out according to the principle of a rolling back

of the State¹⁴, as hoped for and set out in that "pure or radical" neoliberalism (Moini, 2011) of the seventies and eighties. At that time, such neoliberal ideas aimed at a de-structuring of the Keynesian interventionist State by affirming the principle of New Public Management. On the contrary, the current approach foresees a public action model in which the State plays an active role fundamental in affirming the rules of the market: formulating and guaranteeing a new regulation system for public action which, while basing itself on principles typical of the private sector, however, finds its guarantee in public authority (roll-out neo-liberalism¹⁵, or also "moderate" or "social" neoliberalism¹⁶). It's sufficient to refer to the US experience and to the interaction between the Government and the grassroots movement supporting the OG paradigm.

Those suggestions could be further confirmed focusing on a specific national case-study, the Italian one, that will allow us to highlight that there is a thin neoliberal fil rouge that ties all the initiatives of the PA reform in Italy (even if they are promoted by Governments of different political backgrounds) ¹⁷. This applies also to those that appear more technical and less political, such as those related to the unavoidable need to digitalise the PA. However and above all, by analysing a individual national case it is possible to show that the neoliberal paradigm could present variation (Peck, Tickell, 2002) at local level¹⁸. From this perspective, Neoliberalism can be varied in its external forms but maintain a substantial sharing of the basic values of this paradigm, sufficient at least to not weaken its hegemony. On the contrary, it is often just that element of variety in its character that guarantees Neoliberalism the chance of surviving and reproducing over time (Moini 2015).

In Italy the spread of the OG paradigm is achieved following the same dynamics so far described with reference to the European level: they are public action practices put into effect by a multiplicity of actors (institutional, private, civil society) that are inter-dependent along different action scales (local, national and supranational) and that generate regulation structures for collective activities (Commaille 2004).

The aforementioned statement by Tim Bernes-Lee referring to the dynamics influencing the establishment of Open Data is an expression of this cooperation between

¹⁴ Peck, Tickell 2002, pp. 40-45.

¹⁵ *ibidem*

¹⁶ Moini 2011, p. 79.

¹⁷ From the "managerial turn" of the nineties, promoted by Minister Frattini and Minister Bassanini, to the "corporate acceleration" of Minister Brunetta, up to the recent reforms of Minister Madia.

¹⁸ Given the specific policy sector here analysed, the choice of focusing on a single national case brought this contribution in line with Macartney's (2011) and Moini's (2015) studies, which prefer to talk about a national dimension to the neoliberal paradigm, rather than about a declination in spatial or geographical terms (Peck, Tickell, 2002).

public and private actors, operating at different action levels, and is also useful in identifying the main actors of OG policy in Italy. If we add to this a diachronic perspective, it will be clear that the role played by the different actors in the various phases of the OG process in Italy manifestly refer to the typical development of the neoliberal policies already described by J. Peck, N. Theodore and N. Brenner (2009): from the local to the global level and conversely.

The first actors interested in OG in 2009 were associations of experts or individual supporters, who believed that the experiences had in other countries could be an important opportunity to promote the culture of transparency and, above all, of civic engagement to create public value. In Italy, meaningful experiences were those of *data.gov.it*, the Association for Open Government aimed at spreading the culture of open data and supporting concrete actions for publishing public data, States General for Innovation, and also Spaghetti Open Data, and the Openpolis group which was the designer of the first application for the re-use of the data of general interest. At the same time, also public administrations at local level, institutions or large public bodies carried out really effective pilot projects (such as the Regions of Piemonte, Emilia Romagna and then Udine municipality, but also ISTAT - the National Statistical Institute, and ENEL, the main energy company)¹⁹. Only later did the central institutions put in place specific measures that, on one hand implemented the guidelines of the supranational bodies, and on the other were an expression of a stronger attention to the request for openness from citizens. These central institutions took actions both at a legislative level, adopting measures for transparency and for fighting corruption, and at a symbolic level, taking part in international networks that would affect public action at local level. For instance, membership of the Open Government Partnership²⁰, in 2011, required efforts directly from local Italian administrations because they were involved not only in implementing the annual Action Plan formulated by central Government, but also in

¹⁹ In the Action Plan for Open Government Partnership, the Italian Government itself underlined the specific nature of the process, that primarily starts from local bodies

(<http://www.funzionepubblica.gov.it/media/968937/piano%2011%20aprile%20%20opengovpartnership%20per%20consultazione.pdf>).

²⁰ The Open Government Partnership is a multilateral initiative that aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. In the spirit of multi-stakeholder collaboration, OGP is overseen by a Steering Committee including representatives of governments and civil society organizations (https://www.transparency.it/wp-content/uploads/2013/12/REPORT-EUPAN_DEFINITIVOcp.pdf)

activating the monitoring initiatives concerning the effectiveness of the Action Plan, attending focus group and online consultations also involving members of the public²¹.

It was in 2011 that the most significant initiatives related to the OG paradigm adopted by the Italian Government were reported, such that some expert commentator said «Open Data, Italy has awakened»²². First of all the “entry on the scene” of the Ministry of Civil Service and Innovation has to be reported. It presented (on October 18th) the Italian Strategy for Open Government, in which it referred to such keywords as Public Administration 2.0, Government Cloud and Open Data. Secondly, on the same occasion, a national portal for PA open data (dati.gov.it) was launched, subsequent to the publication of the “Open Data Handbook. How to open the PA dataset”, attached to another important document for transparency which was “Guidelines for quality in PA websites”. Finally, in the same year, the decision of the Ministry to support the contest App4Italy was significant. This was a public competition, open to all citizens, associations, communities of developers and ICT firms aimed at designing interesting and useful web solutions based on the use of public data, and able to show everyone the value of public sector information.

The two first initiatives highlight the self-representative concept that the central institutions (especially the Civil Service and Innovation Ministry) have of their own role in the process of opening up and diffusing public data. In fact they perceive themselves as actors defining the regulation system for this sector and guaranteeing the use of PSI, even though such data is open to the rules of the marketplace (and in this way they embody the roll-out neoliberal paradigm). The last initiative, is instead inspired by another principle typical of neoliberal policies and that characterises the OG process: competitiveness.

The need to finance technological innovation within the PA through resources found through competitive methods had already occurred with the launch of e-government policies at the beginning of the 2000s (Calise, De Rosa 2003; Franceschetti, 2011), when both European and national institutions issued calls to finance e-government projects (to which anyway PA candidates would have to add a portion of self-financing, in order to discourage ineffective use of the allocated resources).

²¹ The depiction of this process from the perspective of the institutional actors is set out in the introductory pages of the National Action Plan 2014-2016, where the different opportunities for dialogue with civil society (focus group, online meetings, public consultation on the portal Partecipa!) are mentioned. However, in Spring 2013, a group of Associations promoting the OG paradigm (opengovernmentforum.it), criticised via an online press release (<http://www.opengovernmentforum.it/?p=15>) that « Italian civil society has been involved less occasionally, and in a not very effective way, than expected in the Open Government Declaration»

²² <http://segnalazionit.org/2011/10/24/open-data-italia-se-desta/>

The OG experience adopts the same principle of action, typical of the marketplace: in the official documents the fact that access to open data could be a powerful force driving the competitiveness of the economies of the different countries²³ is reiterated several times, and could encourage competitive tendering between public bodies (Italian Action Plan 2011). Furthermore the same principle was also chosen to activate the more significant experiences of re-using PSI, promoted both by local administrations and, above all, by private actors. Moreover, emulating other national contexts, Italy could find similar experiences in other countries such as the United Kingdom, the United States, Norway, Australia, Spain, Denmark and Finland²⁴.

But, what drives private actors to participate in these competitive mechanisms for using public data? Not only a civic interest²⁵ in order to affirm the principles of transparency, access and public action integrity but, above all, a clear economic interest: the value of the data that makes up public sector information. Obviously, raw data does not have an intrinsic value, but its value lies in the possibility of its use and re-use. Therefore what develops from this data has a true value, also due to the fact that it is available (generally an online service). The added value of this service lies consequently in so-called business logic on the basis of which the data is aggregated, elaborated and provided to the end user, that is the set of decisions, goods, products and services that it can condition. There are several studies that, over time, have tried to quantify this value in order, on the one hand, to mobilise public opinion by creating a demand for the data and, on the other, to raise awareness among public administrations of the need for a more decisive and effective release of public data. We can mention the publication *Commercial Exploitation of Europe's Public Sector Information*²⁶ (2000) from the European Union, that specifies an economic value deriving from exploitation of PSI of €68 billion, against an investment of less than 10 billion euro for acquiring the same

²³ The concept of “public data” and “re-use of public sector information” are set out in the Directive 2003/98/CE (0) of the European Parliament and of the Council, p.3: «Public sector information is an important primary material for digital content products and services» and «Wider possibilities of re-using public sector information [is needed] to exploit its potential and contribute to economic growth and job creation.»

²⁴ Interesting examples are mentioned in <http://opendatahandbook.org/guide/it/following-up/> and refer to the following experiences: “Show us a better way” (UK 2008), “Apps for Democracy” (USA 2009), “The Abre Datos” (ES 2010), “Nettskap 2.0” (No 2010), “Mashup” Australia (Australia 2010).

²⁵ In Italy legislative decree n. 33/2013 has brought innovation the entire regulation of transparency. On one hand, it has imposed on PA bodies the obligation to publish a large number of documents, information or data on their own websites. On the other hand, it has planned, through so-called “civic access” the right for anyone to request documents, information or data, in the event that they have not been published.

²⁶ Available at ftp://ftp.cordis.europa.eu/pub/econtent/docs/2000_1558_en.pdf

information. The MEPSIR Report²⁷ (2006), again published by the European Commission, evaluates the potential value of the re-use of the PSI of member States as 27 billion euro. Most recently is the McKinsey Global Institute Report²⁸ (2013) according to which the release of data could generate a wealth creation of between 3 and 5 trillion dollars. Finally, a study carried out by the ASEDIE association in 2013 referring to the specific Spanish national context²⁹ says that the re-use of information already involved almost 400 firms in Spain, equal to about ten thousand people employed with a business value of about €900 billion.

Thus far, the “external value” generated by public data has been described, that is to say the impact in terms of innovation and development. However, a second type of value generated by open data also exists: the saving for public administrations themselves. This is called “internal value” and is seen as a saving for the public if the same services are designed and created by non-public actors, or even more so if the value of data is enhanced by sharing and re-using it both between PAs, and between them and private actors. According to data from the European Digital Agenda: «The full use of big data in Europe’s 23 largest governments can reduce administrative costs by 15% to 20%. Open and modular public services can be re-used by different administrations, but also by businesses and citizens, in order to create and deliver personalised, user-friendly and innovative services.»³⁰ Also in this case, therefore, the studies that underline this saving come from supranational organisations and their widespread publication could be seen as a further neoliberal characteristic of OG policy: the strong primacy of a supranational public action level in the formulation of policy. The EU vice-president and Digital Agenda Commissioner³¹ Neelie Kroes, moreover, summarised the reasons for “Why we should be open” as follows, in a conference held by the Open Knowledge Foundation: «First - transparency [...], Second – fairness. [...] And most of all – it's about innovation. The more you share ideas – the more others can build on them»³².

²⁷ Available at <http://www.epsiplatform.eu/content/mepsir-measuring-european-public-sector-resources-report>.

²⁸ Available at http://www.mckinsey.com/insights/business_technology/open_data_unlocking_innovation_and_performance_with_liquid_information.

²⁹ Available at <http://datos.gob.es/content/estudio-del-sector-infomediario-de-asedie>

³⁰ <http://ec.europa.eu/digital-agenda/en/open-government>

³¹ From 2010 to 2014.

³² Available at http://europa.eu/rapid/press-release_SPEECH-14-556_en.htm

This recommendation was to find a powerful echo in the international event Digital Venice 2014³³, and particularly in the speech of the economist Jeremy Rifkin. He, starting with reflections from his last book (2015), said that if the first industrial revolution was caused by the convergence of steam-power and letterpress printing, the second industrial revolution can be attributed to electricity, communication and the combustion engine; the third industrial revolution is being triggered by the co-appearance of the internet and renewable energies. The American academic affirmed that there are, in fact, many and varied job opportunities and chances of innovation linked to open data and to a "Collaborative Commons", sufficient to predict the future emergence of a new economic paradigm able to create millions of new jobs, to reduce income inequality, to democratise the global economy and to develop an ecologically sustainable society³⁴.

The week of meetings at Digital Venice is important in providing another element for a neoliberal interpretation of the Italian OG strategy, that will be better explained in the following paragraph. Organised on the occasion of the six-month term of the Italian Presidency of the European Council (July 1 – December 31, 2014), the event brought together more than 300 Heads of State, innovators, researchers and ICT firms with the aim of taking stock of the state of art of the European Digital Agenda and of making some suggestions to the European Commission about how to implement it. This was one of those public events where the political actors open themselves up to ideas, proposals and projects from the so-called field of expert knowledge and from economic actors. It had the aim of creating useful opportunities for coordinating grassroots experiences (see par. 1), which may often prove to offer interesting policy solutions, through the activation of relational skills and cognitive resources.

3. The public events on the Digital Government in Italy: an agenda of the depoliticisation of the OG policy

To support the basic hypothesis of this work, that is that public action practices linked to the establishment of an open and transparent PA can be read as a sectorial variation of the neoliberal paradigm, examination of public action variables, among which those proposed by Lascoumes and Le Gales (2012): institutions and representations, should be deepened further. The variation of these variables in this specific poli-

³³ <http://www.digitalvenice.eu/>

³⁴ <http://espresso.repubblica.it/plus/articoli/2014/08/28/news/terza-rivoluzione-industriale-cositorneremo-ricchi-la-ricetta-di-jeremy-rifkin-per-uscire-dalla-crisi-1.178098>

cy sector, in fact, represents the development of that depoliticisation process of public action itself, that G. Moini (2015) identifies as one of the relevant resources that guarantees that the hegemony of the neoliberal paradigm continues.

The first important element is the dual nature of the political actor leading the OG process, because a relevant neoliberal characteristic of open data policy can be found precisely in the relations between these two political entities. To investigate this relationship system, it could be useful to deepen consideration of the institutional documents that trace the Italian Government's commitment to OG, that is the OGP Action Plan 2012 and 2014 and the Open Data Action Plan (drafted in response to Italian membership of the Open Data Charter of the G8³⁵). These "policy artefacts", in fact, have as their editor the Civil Service Department, which has coordinated different actors, amongst whom Ministers, public bodies and research centres. Alongside this Department another public actor, but with a more technical role, immediately appears: the Agency for Digital Italy (AgID), which also has the delicate task of promoting dialogue between central and local administrations and of coordinating their work, in order to overcome overlap between the institutional levels involved and to avoid fragmented strategy implementation (Ielo 2015).

This collaboration was only mentioned in the Action Plan 2012, because the AgID still needed to be officially established³⁶, but it was operative in subsequent Action Plans³⁷, visible both by looking at the institutional logos on the covers³⁸, and by reading specific statements throughout the text. This is, above all due to the so-called "Decreto Cresci-

³⁵ In June 2013 the G8 member countries (Canada, France, Germany, Italy, Japan, Russia (which exited the group in 2014), the United Kingdom, and the United States) signed on to the G8 Open Data Charter, an agreement that both recognises the important role of open data in promoting innovation and government transparency and that commits each nation to five key principles concerning open data. These principles are: Release open data by default, Ensure high quality and quantity of data, Make data usable by all, Release data for improved governance, Release data for innovation (<http://www2.datainnovation.org/2015-open-data-g8.pdf>). This documents represents the first step of an agreement among the European countries who are members of the G8

³⁶ The AgID is hereby established by the so-called "Decreto Sviluppo" (June 22, 2012, no. 83). Its mission is to digitalise Italy, make it more transparent and competitive, provide citizens and firms with new e-government services in order to save public resources. To do this, the AgID has to merge DigitPa -the Agency for digital innovation, the Department for Digitalisation and Innovation of the Presidency of the Council and the Higher Institute for Communications (that will never be included).

³⁷ The nature of such collaboration is set out in the Convenzione triennale per gli esercizi 2014-2016 (available at http://www.agid.gov.it/sites/default/files/documentazione/convenzione2014_agid_ministropa.pdf)

³⁸ In the case of Action Plan 2014-2016 for OGP the logos on the cover are those of the Ministry for Simplification and Public Administration, that of the National Anticorruption Authority and that of the Agency for Italia Digitale.

ta 2.0” that, in art.9, defines a broad legislative framework for increasing PSI access and re-use, also through a clear definition of “open data” and a strong affirmation of the general principle of “openness by default”. Furthermore, this decree assigns the specific role of PSI enabler to the AgID, above all in relation to the numerous experiences already started spontaneously from below.

But why can this cooperation be read as another confirmation of the fact that the open data public action system is driven by the neoliberal frame? Primarily, because it embodies the first type of depoliticisation process proposed by Hay (2007), that tries to shift issues and topics from the governmental to the non-governmental sphere, in this case represented by quasi-public bodies such as agencies. Even though these institutions were established by political decision, they soon lose this political character in the public view. For instance, the description of the skills and functions assigned to the AgID³⁹, devised using technical and apolitical terms (Kettel 2008), is functional to the typical objective of a depoliticisation policy, that tends to «make less visible the political character of the policy making» (Moini 2015, 33).

Secondly, it is also possible to find this trend towards depoliticisation in the internal affairs of the AgID, particularly in the process for appointing the General Director, during which not only public actors⁴⁰ but also powerful private stakeholders⁴¹ had a relevant role. Moreover, in 2012-2014 there was another specific trend: the Agency was managed using market logic, as underlined by the various complaints and parliamentary questions referring to the fact that some specific functions assigned to the AgID were undertaken by external consultants (also the task of drawing up the strategy document for the AgID)⁴².

Strong relationships with private interests seem to be typical of this sector of reform (digitalisation of the PA) where the technical skills of the political actors are inadequate for an effective understanding of the policy problem and for identifying the relative so-

³⁹ Available at <http://www.agid.gov.it/agid/competenze-funzioni>.

⁴⁰ AgID is subject to the supervision of the President of the Council and it has to respond to four Ministries: Economic Development; Infrastructures and Transport; Economy and Finance; Education, University and Research (the Ministry of Health will be added later). All of them tried to influence the selection of candidate for the General Direction (http://www.repubblica.it/tecnologia/2014/07/09/news/storia_agenzia_digitale-90988278/).

⁴¹ Wired Italian magazine, in an article (June 26, 2014) describes as such the network of interests that presses on the appointment of the AgID General Director: «Other complicating factors are the pressures from various parts of the Parliament and from the industrial world that, through this specific role want to have control over huge public commissions» (<http://www.wired.it/economia/business/2014/06/26/agenda-digitale-24-mesi-bufala/>)

⁴² *Ibidem*.

lutions. So the involvement of market skills becomes unavoidable, due the fact that they not only provide solutions, with tools and techniques for leading public action, but they can also play a predominant role in the designing of policy, with imaginaries and narratives functional to their own interests. In this way they ensure continuity to the accumulation strategies specific to private actors (Jessop 1997). In this regard, the analysis carried out by E. d'Albergo (2015) is interesting. Referring to the Italian Urban Agenda and to its central component, the Smart City paradigm, he describes the pervasiveness of the narrative that attributes thaumaturgic force to ICT as «a tool able to solve whatever common issue» (Moini 2015, 46). Furthermore, he also underlines the hegemony exerted by firms in this public action field, that goes far beyond «involvement in the governance and partnership processes with the local political actors» (d'Albergo 2015, 162), because it influences the policy frame also at a national and transnational level.

However, unlike what happens in the Italian Urban Agenda, in the OG policy a predominant role in building the policy agenda is played not so much by the economic stakeholders (be they providers of ICT, software and apps developers or online public service customers)⁴³, but rather by the so-called “think tanks”, that are associations of experts⁴⁴, forum and specialised media⁴⁵, and also academics⁴⁶. The main interest of these group of actors does not seem to be an economic one, but instead, reputation and peer recognition⁴⁷. Anyway, similarly to what happens in the open source community (Himanen 2001), we cannot rule out that OG supporters are also interested in the use of PSI for economic goals, even if this is a purpose that is achieved at a later stage⁴⁸, while in the narratives promoting OG the priority is to release public data.

⁴³ In addition to individual firms (such as Cisco Italia, Oracle Italia, Adobe, Retelit, Veeam, RSA, etc.) the role played by Confindustria Digitale, the industrial federation aimed to promoting the development of the digital economy, is also important.

⁴⁴ Representative are associations such as: Agorà Digitale, Circolo dei Giuristi Telematici, Diritto di Sapere, FOIA.it, IWA Italy, OpenMediaCoalition, OpenPolis, Osservatorio per l'Open Government, Spaghetti Open Data, Stati Generali dell'Innovazione, and Transparency International, Wikitalia.

⁴⁵ Here we can mention, inter alia, the Open Government Forum, ForumPA-Cantieri della PA Digitale, Il Sole24Ore, Cor.Com – the online newspaper for the digital economy and innovation, Fondazione Astrid.

⁴⁶ Significant representatives of this group of policy actors are the following: Osservatori.net of the Polytechnic University of Milan, the University of Venice and the University of Turin.

⁴⁷ It is sufficient to say that sometimes, to allow downloading of publications edited by these associations, available online in e-book format, the only contribution asked for is a social payment through the formula of “pay with a tweet”, (see the experience of <http://www.statigeneralinnovazione.it/> with the referral marketing platform <https://www.paywithapost.de/>).

⁴⁸ Many associations promoting free access to PSI state they are self-financing through direct donations, through the payment for information services they provide using specific platforms implemented by

We can adequately deepen the nature and the characteristics of the relationships in this policy arena, shifting the focus of analysis towards representations, that is to say the cognitive frameworks and symbols used by actors to create meaning not only for public actions already in place, but also for issues that they want included in the political agenda (Lascombes, Le Gales 2012). In fact, the way in which issues and topics are argued determines not only the possibility of them being processed as problems of public relevance, but can also structure related forms of public action. Therefore, analysing these symbolic and cognitive dimensions we can highlight another element in the depoliticisation process that characterises OG policies: the discursive one (Flinders, Wood, 2014), in which the use of expert knowledge allows some issues to exit the political action sphere and to become purely technical.

If we take it that depoliticisation is not a result of the primacy of the Neoliberal paradigm, that tends to diminish trust in the political institutions in favour of market actors (Hay 2007) but, on the contrary, we assume that it is a phenomenon that is historically independent from Neoliberalism, then we can say that depoliticisation could be a specific institutional and discursive resource that neoliberal public action can use (Moini 2015) as a real «political strategy » (Jessop 2014). For instance, shifting decision-making responsibilities from the Government to non-political authorities. In this process of opacification of political decisions through the use of codes and purely technical topics (Bifulco, de Leonardis 2006), it is important to note which the argumentative formats, discursive practice, vocabularies and grammars are (Borghi, De Leonardis, Procacci 2013) that are used specifically in Open Data policy making. The aim is to highlight both the role of expert knowledge in defining public discourse on Open Data and the involvement of technicians in building those policies (Mozzana, Polizzi 2013).

The objects of analysis that are more functional to the specific aim of the last part of this contribution are public discourses on OG, represented by those public events where different policy actors (be they public or private) talk using argumentative practices. If we assume the Cultural Political Economy approach (Sum 2009) we can realise that these argumentative practices are not only useful in defining and interpreting policy problems, but also in building a wide consensus on the specific imaginary proposed, thus allowing certain interests to be predominant in the policy agenda definition process. Hereafter, further findings will be provided that can confirm the hypothesis of this paper (that is to say the neoliberal character of Italian OG Policy) through a quick anal-

them (such as data feed, read-out and analysing data systems, political analysis), or finally through specific consultancy services for the media and public institutions, provided using external companies (see the Openpolis association and the related Depp srl).

ysis of some public events organised recently on the issue of OG, specifying the promoters, the type of participants, the specific issues discussed and how they are argued.

As we have already seen in paragraph 2, there are a lot of initiatives aimed at spreading the Open Data framework. They could be specific events, informal, operational and technical ones, such as a non-conference, a Barcamp or a Hackthon⁴⁹, that encourage relationships among the community of developers and open data supporters. Alternatively, they could be official meetings and conferences, promoted both by institutional actors and by associations, aimed at developing public reflection on, and a wider spread of, the OG paradigm.

While the promotion of the first type of events is already an expression of the hegemony of the OG paradigm and of its neoliberal character, the same cannot be said referring to the second group of initiatives. With regard to these events we have to carry out a case-by-case analysis because in each of them the characteristics of those public and private actors participating, the arguments discussed, the interests at stake and the relationships put in place are not so foreseeable that one can say, *ex ante* that they are certainly evidence of a neoliberal public action paradigm.

Therefore, focusing on the Italian OG case, it is interesting to deepen the analysis⁵⁰ of a specific context of events: the ForumPA⁵¹. In fact, this is the most representative context of this type of event, the most recognisable, most reliable over time and most

⁴⁹ All three of these initiatives are developed in an unplanned way, without a structured and top-down management. Almost never are they promoted by public institutions, except the "Big Hack" (on September 2015) that was the first hackthon organised by the AgID (http://www.makerfairerome.eu/thebighack/?page_id=12&lang=it). The most important Italian hackthon is the Italian International Open Data Day (<http://opendataday.it>). It was promoted in 2013 by the Stati Generali dell'Innovazione and by Regesta.exe, and instead in 2015 it was organised by the newly established (on July 2014) Open Data Institute, a network of associations and individuals that supports the Open Data value as an opportunity for economic growth

⁵⁰ The survey was conducted online using internet site <http://www.forumpa.it>, and considered the conferences, seminars and workshops programmed in the ForumPA events from 2012 (when the open data issue was included in the policy agenda, through the adoption of the OGD Action Plan) through to 2015. We selected those specific meetings and events in each year which have the word 'open' and/or 'data' in their titles, for a total of 78 meetings. For each conference, the recursiveness of certain issues was evaluated as well as the meanings and the policy frames connected to them (in the conference title and abstract), and how frequently some types of public or private actors took part, as a promoters or simply keynote speakers, in the convention.

⁵¹ FORUM PA is the most important event for training, updating and discussion in the PA sector. From May 26-28 2015, the Palazzo dei Congressi in Rome hosted 64 conferences regarding the wide scenarios of reform, innovation and development, and more than 160 seminars, with 800 speakers and 14,579 participants (<http://www.forumpa.it/riforma-pa/number-fpa2015-oltre-14mila-partecipanti-per-tre-giorni-di-aggiornamento-e-formazione>)

participated in by all the policy actors. It is «the date that every year is proposed as a meeting and collaboration point among PA, firms, academics and civil society». ForumPA is now at the twenty-fifth meeting edition, and it has been always organised by a privately owned company (FPA s.r.l.) under the high level patronage of the President of the Italian Republic, and is always inaugurated by the Minister for the Public Administration in office. This is one of the first elements in the depoliticisation process for this policy: the institutional actor legitimates the event, is represented by the highest authorities in that sector, and participates in the different conferences, workshops and exhibition spaces. However, as in the case of events related to the Italian Urban Agenda, the public actor needs an external subject that «puts in contact the institutional, local and private actors and makes them able to cooperate» (d'Albergo 2015, 152), by proposing typical market contexts. These are «events that replicate the trade fair model, however by emphasising the elements aimed at presenting and at circulating not only goods but also ideas and concrete experiences» (*ib.*). What are the interests at stake in this cooperation? The Government has the possibility of choosing a non-political frame in which to present to the public its own best practices and to meet its potential suppliers. The private company that organises the event, instead, by showing an ability to create relationships, to identify solutions and to build a supra-partes thinking space about the state of the art of PA reform, increases its reputation. In this way, it can be perceived as a valid potential partner for organising training activities, networking and providing consultancy, in different solutions suitable for the different needs of the PA and for the various objectives of the firms.

A further reflection could be made referring to this event, related to the issues discussed in the various editions of ForumPA and to a possible correlation between those and the type of speaker participating. Only at the 2012 event it is possible to find a group of seminars and workshops specially dedicated to OG responding to the need to rapidly give a display window to the actors and experiences of this new trend in PA reform. The subject titles given to the panels make evident a descriptive representation of the principles of the process: they try to explain what OG is, on which previous lines of reform it is developing, what the main skills required and experiences already underway are. Moreover, the main speakers at this event were public actors, representatives of both the central institutions that were promoting the process, and the local administrations pioneering in this field.

In the following year the conferences dedicated to OG were divided into different thematic groups, but the analysis of their subject titles is also interesting: the categories of “new opportunities”, “sustainable growth” and “enhancement” are often used to encourage the spread of the OG paradigm. This new vocabulary is due to the fact

that it is possible to notice, among the speakers at this event, many representatives of think tanks and of private firms supplying ICT solutions. Obviously, they are carriers of an imaginary closer to the economic and competitive principles of market.

At the two last annual events, we can find again a specific group of seminars focused on the OG issue, and the argumentative formats used to speak about the openness of PSI could be attributed to the different cultures of the speakers predominant at each event. The public discourse left the categories more market oriented and, for instance, in 2014 it chose keywords such as “involvement”, “co-creation”, “State as a partner”, oriented towards pushing the debate to consider solutions that could encourage civic engagement. It aimed to free up resources of co-creation in order to activate new process for producing “public value”. It is not an accident that at this annual event there was the highest percentage of speakers representing associations and civil society, of all those annual events here considered.

The 2015 event, finally, is different from previous ones, because of the presence of many academics speakers. The OG discourse is enriched by reflections on issues less previously examined in-depth, such as new rights and digital citizenship, exploitation of PSI as a driver for policy decision-making, and the use of public datasets to encourage collaborative mapping.

4. Conclusion

The analysis of the elements characterising Italian OGD policy carried out here, allows us to easily attribute these PA reform practices to typical neoliberal values, even though some differences have been highlighted. These could be ascribed to «the abilities of the political and economic elites, and of the intellectual forces organic to them, to variegate the neoliberal action paradigm in different fields of action» (Moini 2015 13).

In support of our hypothesis, further variables for comparing the two paradigms can be drawn from a recent study (Davies 2014) which tries to identify some shared elements present in the different definitions of such an elusive and polysemous concept as neo-liberalism is (Hilgers 2012, Jessop 2013, Moini 2015). Starting from these considerations it is in fact possible to trace further elements of a common interpretive framework between neoliberalism (“moderate”) and Open Government policies: this too in fact presents itself as an inventive and modernising force thanks to the use of more recent technological innovations. The Open Government approach also aims at establishing a new political and social model which, using the logic of *civic engage-*

ment, might finally surpass the top-down, hierarchical, administrative model. Both then, as already outlined, introduce a mercantile logic into the functioning of public and social institutions, regarding the State as an active subject and not as a residual actor in these marketization processes and, in the end, adopting ethical and political visions dominated by the centrality of competition (Davies 2014).

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