

New Interpretation of Government Information Disclosure - A Perspective of Social Welfare

Li Ya

School of Public Management, Yunnan University of Finance and Economics, Kunming, P.R.China 650221
(llyy500@163.com)

Abstract

In an information society, government information is not only a major social information resource, but also an indispensable social welfare resource. Government information disclosure is of great significance in terms of social welfare. It is held by the author that observation and study on government information disclosure from the perspective of social welfare may promote the development of public administration while improving the level of social welfare.

Keywords: social welfare; government information disclosure.

1. Introduction

Government information disclosure refers to the timely and accurate disclosure of information formed or obtained and recorded and stored in certain form in performance of administrative organs to the society actively or passively for the access and use by social members. The history of government information disclosure may be dated back to Freedom of the Press Act of Switzerland enacted in 1766, but it was not popular worldwide as a system and idea until the latter half of the 20th century. The significance of government information disclosure lies in not only the field of economy, but also the fields of politics and society: government information disclosure is a necessary means of protecting the citizen's information right, a basic democratic right; it is one of the approaches to promoting social democracy and justice, a major measure to promote scientific, rapid and healthy development of the social economy as well as the key to constructing sunny and transparent government and prevent power-related corruption.

2. Connection between Government Information Disclosure and Social Welfare

2.1. Government Information is a Major Welfare Resource

Social welfare requires the support of various resources, one dispensable part of which is information resource. We may even say that the quality and extent of access to and ability to utilize information resource has been a critical factor determining from the success of personal business to the rise and fall of a nation. At the same time, the level of social informatization has been a basic indicator for the development level of a nation. As information and economy are closely related in the modern society, "information poverty" tends to cause or worsen economic poverty. Weak groups, as groups with the lowest ability of information access, the smallest number of information channels and the least information obtained, are difficult to get effective information support, so as to lose the opportunity to change their life or get help. Therefore, in social welfare work, it is a means worth emphasizing to change the "information poverty" state of the weak groups, help them develop

information channels and get various kinds of effective information in time.

Generated and formed in government administration activities, government information relates to each level of the society from the adjustment of urban bus route to the transformation of national macroeconomic development direction, related to the normal production, life, operation and business development of each individual citizen and social organization. The volume of information created and prepared by government for effective going of its administration is massive, with the depth and breadth incomparable by any other social information resource.

Government is the first principal for social welfare, the main constitutor of welfare systems, the main supplier of public products and the main administrator for the operation of social welfare system, generating and controlling the information related to social policy and welfare policy. Such information is important information resource for weak groups. Whether to be able to get such information effectively is directly related to their survival as well as their access to the opportunity to help and change their life. Hence government information disclosure will help them get opportunities and aid to get rid of poverty.

2.2. Government Information Disclosure is a Social Welfare Behavior

Social welfare is the happiness and benefit of the people's life, including all the social conditions relevant to life security and happiness. Some welfares are institutionalized as the conditions to ensure the basic life security of the social members, and some other welfares are provided as the life conditions for development. Government information is not only the necessary condition to protect the basic life security

of social members, but it is also the necessary condition to promote citizen development. The whole society is under administration of the government, each individual and organization acts under the direction of government information and government is always connected to use with certain form of information.

Modern social welfare has the following characteristics: firstly, pursuing social equity and justice; secondly, protecting and serving the entire people; thirdly, asymmetry of rights and obligations; and fourthly, non-utility and service orientation. The author holds that government information disclosure is in perfect conformity to such characteristics.

Firstly, the nature of government information disclosure is to pursue social equity and justice. The basis for government information disclosure is "information right", a basic political right of citizens. It is held by Robert Alan Dahl that "sufficient information is one of the five major standards of democracy." The "information right" is affirmed in such important international covenants of human rights as Universal Declaration of Human Right and International Covenant on Civil and Political Rights. China has joined in such international covenants of human rights and active promotion of government information disclosure is a specific reflection of performing the obligations under such covenants. It is expressly specified in Article V of the Regulations on Government Information Disclosure that "in disclosing government information, administrative organs shall follow the principle of justice, fairness and people facilitation." The establishment of government information disclosure system secures the exercise of the information right of Chinese citizens, thus ensuring the people's sufficient participation in politics and effective supervision over

government powers. We should say that in a modern country, democracy is the greatest social welfare. In China, a country named with “people”, sufficiently protecting the democratic rights of the people is the greatest foundation for legality of the government. The establishment of government information disclosure system is just the solidification of this foundation and the maintenance of democracy, the basis for social welfare.

Secondly, government information disclosure is all about the entire people without discrimination. One of the basic principles of government information disclosure is “people orientation”. According to the popular sovereignty theory, people’s authorization is the source of all the powers of a nation and government. For government information disclosure, the fundamental institutional focus of attention is to realize the people’s interests, the target is to meet the public demand for information and the basic requirement is to people facilitation and people benefiting. Each citizen shall have the right to get the government information relevant to their interests, such as legislation activities, policy making, legal terms, policy implementation, administrative budget, public expenditure and other relevant government information. The rights and obligations of government information disclosure are consistent for each citizen and each level of government without the difference of high and low. Any individuals and organizations shall not purposely set barriers for the citizens’ access to government information pursuant to law. At the same time, government shall be obliged to eliminate the barriers for information access and utilization on its own initiative to help the citizens exercise their right of information in a better way.

Thirdly, government information disclosure is characterized with asymmetry of rights and obligations. In the process of government information disclosure, the asymmetry of rights and obligations mainly lies in that government assumes the main obligations and the public exercise the principal rights, which is reflected in the title of the Regulations on Government Information Disclosure. From the situation of other countries, the acts on government information are usually entitled as “information freedom act” or “information access act”. In terms of literal meaning, “freedom” emphasizes the public rights and “access” emphasizes the result of behaviors, both placing the initiative on the public. But in China, it is known as “disclosure”, emphasizing the initiative obligations of the government. The Regulations on Government Information Disclosure specifies the government information that the government shall disclose on its own initiative in various manners convenient for the public to access; it is also specified that the government shall set such places and facilities for information disclosure as reading, inquiry and announcement on its own initiative. For the information not initiatively disclosed, the government shall also provide disclosure or reply according to legal regulations and citizens’ application.

Fourthly, government information disclosure is characterized with non-utility and service orientation. Not only in China, but the legislation on government information disclosure in other countries also include the principle of free charge or minimum charge. In the “legislation principle of information freedom” proposed by the UN Commission on Human Rights in 2000 expressly specified the principle of “costs”, pointing out that “the expenditure for information access shall not be too high, otherwise it will become

a barrier for the requirement of information disclosure.” It is obvious that the motive of utility must be avoided in government information disclosure.

Since born, government has taken service as its main task. Today, providing various public services has become the foundation for the existence of government. Government information service is a subsystem of information service system of the whole society and the key point of government information disclosure. The whole system of government information disclosure is centered on service. Government information service connects government and information users, and meeting the demand of the social public for government information through service is the immediate purpose and fundamental goal of government information disclosure. It is the unavoidable responsibility for governmental agencies of different levels to continuously provide and improve the way of information service and improve the service level.

2.3. Government Information Disclosure is a Public Product Supply Behavior

Public products consist of material products and nonmaterial products, government information and government information disclosure service falling into the latter category. Public products are the main part of social welfare and government information disclosure is a typical public product supply behavior.

2.3.1. Government information is publicly owned and shared

Government information is the information generated and obtained by government of different levels in performing its function of public administration or providing public services which is recorded and stored in certain form. According to theory and practice of different countries, disclosure and sharing

are the basic opinions about government information, public and sharing nature is the fundamental attribute of government information. In the whole life cycle of government information, from generation, collection, storage and utilization, all the resource input and fund expenditure required are borne by public finance, so it is owned by all the citizens. The public attribute of government information determines that government information shall be obtained and utilized by the public, the government shall disclose the government information to the information owners and the public shall have the right to obtain government information by various approaches to exercise their right of information or utilize government information to address various issues in production and life. Therefore, government information shall fall into the category of public products.

2.3.2. Government information is exclusive and non-competitive

Public products are characterized by exclusiveness and non-competitiveness. Theoretically, government information is oriented to all the citizens and the government shall actively communicate important government information to the society by various means and channels to realize popular awareness. The right for government information is impartial and the government shall unconditionally satisfy the citizens' legal requirement for access to information. Access to government information is free of charge. The same government information obtained by different users at the same or different time shall be consistent. The use of government information by one user shall not influence the other user's use of such information and there is usually no competition among information receivers. However, in reality, influenced by various factors, citizens may have certain exclusiveness and competition in the process

of obtaining government information. For instance, the main channel to obtain government information is the government website, so the citizens who don't know how to use or have no access to internet cannot obtain the government information required and are excluded from government information service. Or in certain time, a large number of users inquiring about government information collectively through internet may lead to network jam and some users cannot log in the government website. As government information may have such issues as "jam effect", "excessive use" and exclusiveness resulting from artificial factors, government information has some characteristics of quasi-public products by strict standard, but in general, government information shall still fall into the category of public products.

2.3.3. Providing government information public products for the society is the basic responsibility of government

The core of a democratic society is autonomy, including the autonomy of both individual citizens and the society. The proposal of the idea of "small government and big society" fully affirms the autonomous capacity and rights of individual citizens and social organizations, proposing that the society shall transfer power to the society and mobilize the social powers to manage the social affairs. The precondition for "small government and big society" is that the government controls and guides the society by providing laws and policies. The government shall ensure that the autonomous behaviors of individual citizens and social organizations run along the orbit defined by the government, while initiatively providing government information is the main approach of government to realize such control and guidance. In particular, it is necessary to make laws, systems and regulatory information known to citizens

and social organizations, thus to make them run in the system framework defined by the government and reach the purpose of "autonomy" reasonably and stably.

3. Promoting Social Welfare with Government Information Disclosure

3.1. Protecting Rights and Interests of Weak Groups with Government Information Disclosure

"Information poverty" is one of the causes to lead to and worsen the difficulty of weak groups, so the concept of "information weak group" is proposed in the academic circle. It refers to the group in disadvantage in terms of using information devices, utilizing information resources, enjoying information services as well the allocation and utilization of information resources. Limited by physical function, economic, social and cultural level, information weak groups can only exercise the right of information relying on the support of external forces. Taking care of weak groups is the basic responsibility of the government and effective security for weak groups' access to information is a means of improving the capacity of weak groups. Therefore, the government shall make full use of the resources it owns to establish scientific and effective information aid system, and government information disclosure may have the function of information aid to some extent. Hence strengthening government information disclosure and providing the channels of information access for weak groups will not only help the weak groups get rid of "information poverty", but it will help establish and improve the information access security system for weak groups based on government information disclosure.

The government shall be aware of the social security significance of government information disclosure

and raise the security of information access for weak groups to the agenda, strengthening theoretical research and the construction of information infrastructure. In addition, pilot points for information protection shall be established at local governments with relatively good conditions, attempting information capacity improvement and information support for weak groups, thus to accumulate experience and promote the practice. Besides, the government shall assume the responsibility for improving the citizens' information quality, eliminating the information barriers for weak groups resulting from poverty or knowledge insufficiency by providing public information devices and information skill education.

3.2. Promoting Fair Allocation of Social Welfare through Government Information Disclosure

The distributable social welfare resources of any country are in shortage and limited, so the way of distributing welfare resources becomes an issue relating to the social equity. Among all the factors determining welfare allocation, information is critical. There are two conditions for the information influencing social welfare allocation: one is that those in need of welfare shall be informed of the way of allocation, prerequisites and way of obtaining for welfare resources, and the other is that the governmental agencies with control over the welfare resources shall know who are in the worst need of resources, who need such resources and how to distribute resources to individuals. On the one hand, those in need of welfare may be informed of the resource information through government information disclosure; and on the other hand, government information disclosure is a part of the governmental information management system. After informed of the situation of those in need of welfare

through various channels and determining the resource allocation scheme in general, the government information management authority shall also inform the public and society through government information disclosure to ensure that resource allocation is carried out under supervision.

The social members' access to fair development opportunity is also an important social welfare. In a democratic society, the society shall provide each social member with an impartial platform for pursuing opportunity equity, enabling the social members to maximally get rid of the interference of natural and social impeding factors in pursuing a happy life. In the information society, information is a kind of opportunity as well as a kind of resource. The government controls a lot of information enough to influence personal destiny. Without the establishment of a fair information access platform, the few people with access to such information would achieve success and wealth easily, from which corruption and social unfairness will arise. To prevent the unfairness resulting from such "secret operation" from corrupting the social mechanism, each country of the world has adopted government information disclosure in succession with the attempt to expose all the government behaviors, eliminate corruption and provide the citizens with a relatively fair and equal environment for competition and development.

3.3. Ensuring Citizens' Participation in Policy Making on Social Welfare Based on Government Information Disclosure

Public policy must be the policy that the public may participate in the whole process from the proposal, development and implementation of the policy to the feedback of policy making. Only with the joint participation of the social public and government may public policy be in conformity to the interests of

both the social public and the government. Firstly, social welfare policy relates to the interests of each member of the society, so the formulation of such policy must be participated in by the public; secondly, the universal implementation social policy in the society must be based on the understanding and support of the public, and thirdly, disclosure of policy making information to the public may prevent corruption in policy making. Therefore, public involvement has significant function in the whole process of formulation of social welfare policy. The precondition for the public to participate in the formulation of social welfare policy is to obtain effective relevant government information such as the background, conception, basis and experience for formulation of the policy. The public have neither the obligation nor the capacity to search for such information. The government must assume the obligation of providing such information on its own initiative, and government information disclosure is the main channel. The more information is provided for social members through government information disclosure, the more the public will participate in with the greater supervision capacity and the more profound understanding about the policy. Public participation in policy making based on sufficient mastering of information will not only help improve the scientificness and practicability of social welfare policy, but it will also help diminish the resistance for promotion and implementation of the policy. Effective information communication is the precondition for social harmony and high-quality government information disclosure is the prerequisite for public participation in policy making.

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