

DO THE INFORMATION PLATFORMS OF THE BRANCHES OF GOVERNMENTS OF BRAZILIAN STATES CONTRIBUTE TO BUILD PASSIVE TRANSPARENCY?

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ABSTRACT

The objective of the article was to investigate the contributions of the information platforms of the branches of governments of Brazilian states to build passive transparency. A descriptive study was carried out, through documentary research, with a predominantly qualitative approach. The object of investigation comprises the executive, legislative and judicial branches of governments of Brazilian states. The data were collected in February 2017 using the structured observation technique, through a protocol for recording information. The data obtained were analyzed using the descriptive analysis technique. The indicators for evaluation of the platforms were 'communication', 'login and receipts' and 'barriers', and they presented different configurations in each of the branches. In terms of 'communication' and 'login and receipts', in general, the state executive branch received better scores compared to the judiciary and legislative branches. On the other hand, the indicator 'barriers', was better evaluated in the judiciary and legislative branches. From the results obtained, it is not yet possible to confirm whether the platforms of the executive, judicial and legislative branches of the Brazilian states contribute to build passive transparency.

Keywords: Information platforms. Branches of governments of Brazilian States. Passive transparency.

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RESUMO

O objetivo do artigo consistiu em investigar as contribuições das plataformas de informação dos poderes estaduais brasileiros para a construção da transparência passiva. Empreendeu-se um estudo descritivo, por meio de uma pesquisa documental, com abordagem predominantemente qualitativa. O objeto de investigação compreende os poderes executivo, legislativo e judiciário dos estados brasileiros. Os dados foram coletados em fevereiro de 2017 a partir da técnica da observação estruturada, com a utilização de um protocolo para registro de informações. Os dados obtidos foram analisados a partir da técnica da análise descritiva. A comunicação, login e recibos e as barreiras, indicadores considerados para avaliação das plataformas, tiveram configurações diferentes nos poderes dos diferentes estados brasileiros. Em termos de comunicação, login e recibos, de forma geral, o poder executivo estadual recebeu melhores pontuações comparado aos poderes judiciário e legislativo. Por outro lado, considerando o indicador barreiras, receberam melhores pontuações os poderes judiciário e legislativo. Ainda não é possível afirmar, a partir da avaliação realizada, que as plataformas dos poderes executivo, judiciário e legislativo dos estados brasileiros contribuem para a construção de condições da transparência passiva.

Palavras-chave: Plataforma de informação. Poderes estaduais. Transparência passiva.

1 INTRODUCTION

The notion of transparency in the public sector has been increasingly used by countries that defend the democratic process of freedom of information on the action of public managers (SILVA, 2008). The first law on freedom of information was enacted in the Kingdom of Sweden in 1766, a period in which the country experienced a significant increase in civil liberties. However, only in the last decade of the 20th century, with the end of dictatorships in Latin America and Eastern Europe and with the development of information and communication technology (ICT), has there been a significant increase in the number of countries that have adopted access laws. These laws detail how access to information occurs; which organs, governments, and spheres are subject to the scope of law; what information should be actively made available upon request or kept confidential; the deadline for the delivery of the requested information; and what sanctions should be applied if the requested information is not delivered appropriately (ANGÉLICO, 2015).

Brazil was the 89th country to adopt a law related to freedom of information, with Law 12,527 created on 18 November, 2011 (BRASIL, 2011), also known as the *Lei de Acesso à Informação* (LAI) (Access to Information Law). LAI regulates the constitutional right of citizens to access public information. Its provisions are applicable to the three spheres of government: Union, States, Federal District and Municipalities. It represents an important step in the history of public transparency in the country, since in addition to broadening the mechanisms for obtaining information, it establishes the principle that access is the rule, and secrecy is the exception (JORDÃO, 2011; ANGÉLICO, 2015).

The LAI establishes the compulsory use of electronic means, commonly operated through electronic portals, for the disclosure of information considered essential to society, with the purpose of institutionalizing a “culture of access” in public administration. This availability of information for broad access is called active transparency. In addition, LAI also determines the obligation of public bodies to practice passive transparency, disclosing the information they have when it is requested through a formal process. The requests for information can be made via the internet, in person or by telephone (JORDÃO, 2011; MARTINS et al., 2014). Passive transparency refers to “the obligation of the state to grant all citizens who so request timely access to official documents, except for those legally protected on grounds of national security, public inquiry, third party rights, etc.” (ZUCCOLOTTO; TEIXEIRA; RICCIO, 2015, p.148).

In view of the importance of passive transparency for social accountability and citizen engagement in public administration, and considering that the duty to provide the required infor-

mation extends to all public administration bodies within the spheres of government, the following research problem is presented. How do information platforms of the executive, legislative and judicial branches of governments of Brazilian states contribute to build passive transparency?

The objective of this study is to investigate the contributions of information platforms of the Brazilian state governments to build passive transparency. The general understanding here is that the greater the population represented by the government, the greater the need for an electronic communication and interaction instrument facilitating the relationship between government and society (RAUPP; PINHO, 2013). Taking into consideration the territorial extension of the Brazilian states and the large number of citizens represented, the contact through the state platforms must overcome the difficulty of face-to-face contact. Information that in many municipalities could be requested directly at the city hall or in one of the city's administrative bodies, are in many cases impossible to occur at the state level.

2 THEORETICAL FRAMEWORK

2.1 Transparency: theoretic and legal perspectives

The idea of transparency, according to Meijer (2015), is linked to the principles of democracy that emerged with the French revolution, and gained strength together with the modernization of the state. The concept of transparency has developed, gaining additional meanings over time. It was transformed from a formal right of access to data, to a practice incorporated in politics, to a detailed normative framework and, finally, to an incorporated transparency in the relations between government and society. Meijer (2015) identifies two phases in the history of transparency: transparency in a representative democracy and transparency in participatory democracy. In representative democracy the elected representatives should be transparent so that the citizens can monitor them. In the second phase, democracy is seen not only as the opportunity for the people to choose their representatives, but also to participate actively in public affairs. Citizens use information to engage, on an equal footing, with government in promoting public services. Participation is facilitated by freedom of information and, for this reason, laws have been created to guarantee this right (MEIJER, 2015).

Before conceptualizing transparency, Angelico (2015) makes it clear that government transparency is not the same as institutional communication, since in the notion of transparency there is no place for information that is worked and sometimes distorted. When it comes to transparency, current and reliable primary information must be available. Neither is transparency the same as accountability, although there is a relationship between the terms. Transparency mechanisms seek to enhance democratic accountability. The author conceptualizes transparency as:

[...] the set of mechanisms that allow access to public information (produced or held by the state) – either by means of proactive publication by the Public Administration or by means of formal procedures for requesting information – capable of clarifying the functioning of government institutions (ANGÉLICO, 2015, p.26).

Transparency is interpreted as a medium, used to find out more about what is happening inside the organizations. The goal is not transparency per se, but its contribution to a system that strengthens social and institutional accountability (ANGÉLICO, 2015). Initiatives to improve accountability and transparency in public administration, according to Kondo et al. (2002), are reinforced by intense public scrutiny, based on strong legal provisions, to ensure freedom of information, public participation, and awareness of citizens and public officials. Public transparency, therefore, must meet certain principles, such as:

Ethical Standards – Public office holders will act with honesty and maintain the highest ethical standards so that public trust in the integrity, objectivity, and impartiality of governments are preserved and improved;
Public Scrutiny – public office holders will perform their official duties and conduct their private affairs in a manner that will withstand the strictest public scrutiny, an obligation that goes beyond simply acting within the law;
Public Interest – Public office holders will conduct their private affairs in a way that prevents the emergence of real, potential or apparent conflicts (KONDO et al., 2002, p.60).

In order to guarantee impartiality in the execution of the civil service, the authors emphasize the need for an awareness of the basic concept of public service, that is, to serve the public interest and not for private gain. They say that engaging public officials and the general public in developing norms to ensure they reflect public expectations and mobilize public opinion to examine daily practice, will ensure accountability (KONDO et al., 2002). The daily examination of the practice of transparency is necessary for its institutionalization to take place. According to Jordão (2011), the institutionalization of transparency is related to the dissemination of a ‘culture of access’ so that citizens are aware that they have a right to public information and that it is up to the state to provide it in a timely and comprehensible way. In the culture of access, citizen demand is seen as legitimate, the request for information does not require justification, there are efficient communication channels between government and society and clear rules for information management (JORDÃO, 2011).

There are challenges to be faced for the dissemination of the culture of access and implementation of transparent public management. According to Gomes Filho (2005), Brazilian law ensures transparency when defining the right to information and imposing a certain ethical standard. However, the Brazilian public administration is still little if not at all transparent to society. Public managers and citizens are not well prepared to adopt and make the best use of transparency practices. Public organizations do not have a tradition of transparency, as there is no widespread culture, and institutionalizing transparency requires a cultural change. It is necessary to convince, stimulate, and urge people within public organizations to seek transparency in their organizational activity. Michener, Moncau and Velasco (2014, p.16) corroborate this assertion by arguing that the managers of Brazilian public agencies have a professional obligation to obey the LAI. They must ensure that “the benefits brought by the law – such as greater efficiency in public management and greater population control over public spending and policies – are radiated by all levels of government.”

The right to information “is a cornerstone of administrative transparency in favor of its plural purposes and a measure of expansion of the participatory activity of the citizen in controlling the Public Administration” (DI PIETRO, 2001, p. 211). According to Martins (2011), this is a fundamental human right in democratic societies, based on the principle that the public delegates and supports the public authority and therefore has the right to know how power and money are being used, and to influence and participate in decision-making processes.

One of the first organizations to recognize freedom of information as a fundamental right was the United Nations (UN). The issue was addressed in the first general session in 1964, and freedom of expression and information was consolidated as a right to be built and made effective by the adoption of the Universal Declaration of Human Rights (UDHR), by the UN’s member states. Article 19 in the UDHR, adopted in 1948, states: “Everyone has the right to freedom of opinion and expression; the right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers” (UN, 1948; MARTINS, 2011).

Although the consolidation of the right to information took place decades ago, the need to regulate access to public information has only recently become more relevant. Of the almost 100 legislations on freedom of information, more than two thirds have been adopted in the last decade. In the context of Latin America, Brazil was one of the last countries to adopt transparency. With Law 12.527, of 18 November 2011, Brazil became the 13th country in Latin America and the 89th country in the world to give its citizens the concrete mechanisms that ensure the right of access to public information MICHENER; MONCAU; VELASCO, 2014; ANGÉLICO, 2015).

According to Raupp and Pinho (2015), Law 12.527, known as LAI, reinforces transparency requirements contained in previous legislation. Among these laws, which contribute to the formal advancement of Brazilian public transparency, are Law 101 of 4 May 2000, known as the Fiscal Responsibility Law (FRL) and Law 131 of 27 May 2009, called the Transparency Law. The FRL establishes public finance rules focused on fiscal responsibility (BRASIL, 2000). According to Loureiro, Teixeira and Prado (2008), this law requires state governments to publish fiscal statements for wide public access. When this information is published online, in addition to the institutional control bodies, citizens can access the fiscal situation of the governments, increasing accountability over public accounts. The Transparency Law amended the wording of the FRL with respect to the transparency of fiscal management, determining that “in real time, detailed information is available on the budgetary and financial execution of the Union, the states, the Federal District and the municipalities” (BRASIL, 2009).

The freedom of information laws regulate how information is made available in a proactive manner and how government agencies must be structured to receive requests for information, deal with the solicitations and establish the punishment measures in cases of non-compliance (ANGÉLICO; TEIXEIRA, 2012). Article 7 of LAI lists the information to be made available in a proactive way, independent of the citizen’s request, constituting the so-called active transparency, or through specific citizen provocation, consisting of so-called passive transparency (BRASIL, 2011; BERNARDES; SANTOS, 2014).

According to Raupp and Pinho (2015, p.3), active transparency is “the disclosure of information occurring at the initiative of the government entity, independent of request, in accordance with the law”. In dealing with active transparency, LAI states that regardless of requests for information, public agencies and entities are required to publish information produced or guarded by them that is of collective or general interest, in an easily accessible place. In order to disseminate the information, the agencies must use available means and instruments, and the disclosure in official electronic sites is mandatory (BRASIL, 2011; RAUPP; PINHO, 2015). The disclosure shall include, as a minimum:

[...] II – records of any transfers of financial resources; III – records of expenditure; IV – information concerning bidding procedures, including the respective bidding documents and results, as well as all signed contracts; V – general data for the monitoring of programs, actions, projects and works of agencies and entities; and VI – answers to frequently asked questions (BRASIL, 2011).

Some of the requirements regarding active transparency had already been envisaged in previous legislation, such as the FRL and the Transparency Law. Passive transparency, in turn, becomes legally regulated with the creation of the LAI. Article 10 of the LAI establishes that “any interested party may submit a request for information to the organs and entities referred to in Art. 1 of this Law, by any legitimate means, and the request must contain the applicant’s identification and the specification of the information required” (BRASIL, 2011). The LAI regulates the main aspects regarding the availability of information to the citizen upon request, from the cre-

ation of citizen information services where citizens formally request access, until the restrictions of access to information and the means to appeal in case of information denial.

2.2 Information and communication technology for transparency

Technological innovations are changing the relationship between government and citizens (BALBE, 2010). Both the public administration and citizens have been adapting and changing behaviors because of internet and the tools offered by information technology. In addressing the political impacts resulting from the use of the Internet, Pinho (2011) understands that there are optimistic and the pessimistic analysts. The optimistic analyst observes that “we will experience a radical transformation from representative democracy to plebiscite democracy, supported by increased citizen participation in the decisions of governments made possible by electronic voting” (PINHO, 2011, p.99). The internet offers the opportunity to develop interaction networks, increases participation, decentralization and the freedom of the individual to organized their lives. The significant role of the internet is defended by breaking with the power of the media, which structures contemporary political life. The political activity that emerges with the internet is an activity apart from political parties, conventional means that were already losing space for social movements. Thus, the change in politics and in the way of doing politics “would come from other areas, fundamentally from the dissemination of information and knowledge, towards politics” (PINHO, 2011, p.99). Among the optimistic authors, Pinho (2011) cites Lemos (2009), for whom information can be disseminated by anyone, in any format, to anywhere on the planet, without the need for large financial resources or special authorization. To make people produce content collaboratively and in a distributive way, however, is a great challenge, since for many centuries the citizen was a passive spectator of the media (LEMOS, 2009).

People’s engagement, whether in the production of content collaboratively or in political actions, is a point addressed by pessimists. Although political participation is considered one of the promises of information technology, it is observed that the infinite possibilities of entertainment generated by the internet means politics has been shifted to the background. The excessive amount of information, much of which is difficult to understand, leaves the citizen confused and distanced from politics. The pessimists also point out that the relationships generated by the internet are weak, with impoverished contacts that end up replacing face-to-face relationships. The latter are the real relations, which generate solid, stable groups with historical memory and would be the only form of building the public space, with the development of constant political action. The result of this substitution of relations is an increasing control of the State and companies over the citizens (NOGUEIRA, 1998; SORJ, 2003; PINHO, 2011).

Regardless the adoption of an optimistic or pessimistic positioning when it comes to the political impacts generated by the use of the internet, the increase in its use is unquestionable. According to Peixoto and Wegenast (2011), in Brazil the number of internet users increased from 39 million in 2005 to 75 million in 2010. For the authors, this massification of communication and connectivity brings social and political reality closer to the principles of transparency, participation and open government. Bertot, Jaeger and Grimes (2010) show ICT as a way to promote transparency and reduce corruption. The potential of ICT as an anti-corruption tool lies, in particular, in enhancing the effectiveness of internal and managerial control over corruption actions by promoting accountability and transparency. However, the authors emphasize that ICT is not always successful in fighting corruption, and there have been cases where the internet has provided the means and opportunities for corrupt behavior. The success of its use, then, will be subject to factors such as implementation, education, culture and acceptance by citizens.

Regarding acceptance, Bertot, Jaeger and Grimes (2010) point out that citizens still prefer telephone or face to face services instead of the internet. In addition, ICT services face barriers such as usability issues, research capacity, languages, technological infrastructure, confidence that social institutions will provide access to the various segments of the population and availability of computers and internet access for the whole population. However, despite the barriers, there are a number of indications that ICT can promote transparency: by providing information on government rules and citizens' rights; providing information on government decisions and actions; promoting government accountability; disseminating information about government performance; opening up government processes such as land registries, licenses and tax payment status; identifying elected officials and public servants under investigation for corruption and fraudulent activities; (BERTOT and JAEGER; GRIMES, 2010).

Kakabadse et al. (2003) highlight the potential of ICT to enhance accountability and citizen participation in the democratic production of decision making through clearer and more accessible communication. Cunha, Frega and Lemos (2011) point out that although there is no consensus on this, ICT is seen as potential instruments for better governance policies, for the intensification of democracy and for the improvement of citizenship and of the relationship between public authorities and the general population.

One of the most direct and explicit forms of ICT performance, according to Cunha, Anenberg and Agune (2007), is government electronic portals. Governments use them to expose their intentions, their government programs, offer information and service facilities to citizens and, supposedly, increase accountability. Raupp (2011) considers that electronic portals can contribute to accountability, depending on the objectives and how they are implemented. A portal, according to Akutsu and Pinho (2002) is an internet page, from which all the entity's services and information can be accessed and ideas can be disseminated 24 hours a day, every day of the week. It is a channel of communication between governments and citizens, which enables the exercise of citizenship and improve democracy.

The migration of information and public services to a virtual environment, based on the internet, is operationalized and visualized by government portals. These, as places of interaction with the citizens, create a collective environment of dialogue and decision (JAMBEIRO et al., 2011). Pinho (2006) argues that portals represent a fundamental component of the advancement of ICT in contemporary society. However, they still reflect a centralized state, authoritarian and resistant to citizen participation. For the author, the portals still do not use ICT to promote interactivity with society.

For Agostineto and Raupp (2010), it is undeniable the contribution of electronic portals to governmental accountability and to stimulating the exercise of a more participatory democracy. However, the implementation and availability of services through portals requires government planning, and it is necessary to ascertain the degree of citizens' culture of access, receptivity and accessibility to such platforms. Despite the benefits generated by public transparency and the obligations established in legislation, and in view of the potential of using ICT to facilitate access to public information, there are obstacles that hamper this process. Raupp and Pinho (2015) point out that there is a gap between the demands of transparency imposed on government entities and the effective compliance by their leaders. This discrepancy must be analyzed considering the particularities of the Brazilian context.

3 METHODOLOGY

The types of research were considered regarding the objectives, the procedures and the approach to the problem. Thus, in relation to the objectives, this is a descriptive research. As for the procedures, it is a documentary research. In terms of the approach, it is predominantly qualitative. The object of investigation comprises the governments of the Brazilian states, in their executive, legislative and judicial branches. The political-administrative organization of the Brazilian states allows for studies that aim to evaluate aspects in the three branches. The territorial extension of the states and the large portion of the population represented make it difficult for society to meet face-to-face with representatives, making an electronic instrument for communication and interaction necessary.

Data were collected in February 2017 using the structured observation technique. According to Ferreira, Torrecilha and Machado (2012), structured observation occurs when the researcher goes to the field with a previously established script. When researching the use of the observation technique in management studies, the authors note that site search is a trend in research in this field. Creswell (2007) recommends the use of an observational protocol as instrument for recording information for studies with multiple observations. This protocol can be used to point out the descriptive notes, such as the description of a scenario, and to point out the reflective notes, such as the researcher’s personal considerations. Therefore, an observation protocol was used to evaluate the platforms the governments offer for citizens to send their request for information. The criteria adopted in the observational protocol are detailed in the analysis model. Visiting the official portals of state governments in the three branches (executive, legislative and judiciary) the research sought to find a platform or area dedicated to transparency or specifically to respond to the LAI. In this platform or area, the research observed the place for information request.

In cases where there was no specific section for the LAI or transparency, the place for information request was searched directly in the electronic portal of the branch. The obtained data were analyzed using the descriptive analysis technique, tabulated in electronic spreadsheets.

The evaluation of the information platforms considers the experience of the citizen when sending a request by checking the following indicators: communication on the platform; logins and receipts; and barriers to access. The research was based on the methodology developed by the Public Transparency Program of FGV (PTP-FGV) (MICHENER; MONCAU; VELASCO, 2014; MICHENER, 2016). Table 1 details the platform evaluation model.

Table 1– Platforms evaluation model

Indicators	Scores	Criteria
Communication on the platform	100	There is a platform that allows sending requests, receiving responses and making appeals
	50	There is a platform that allows sending requests and receiving responses, or a space to access information
	0	There is no platform or space to access information
Login and receipts	100	The platform that allows to send requests and to receive responses has a specific login
	50	The platform offers a receipt or protocol of the request sent
	0	There is no receipt or protocol of the request

Barriers to access	100	There is no limit in the number of characters to write requests, the platform does not require personal information in addition to the name, ID number and contact
	50	The platform does not require personal information in addition to the name, ID number and contact; but there is a limit in the number of characters to write requests
	0	The platform requires personal information in addition to the name, ID number and contact

Source: prepared on the basis of Michener, Moncau and Velasco (2014) and Michener (2016).

Evaluation of communication through the platform included verifying if the system puts into practice the processes relevant to passive transparency, that is, send requests, make appeals and receive responses. If it was possible to send a request, receive responses and make appeals, the platform was awarded 100 points; 50 points to the platform if a) it was possible to send requests and receive responses or b) there is a space for access to information. Finally, if there was no platform or space dedicated to access to information the score was 0 (MICHENER; MONCAU; VELASCO, 2014; MICHENER, 2016).

The evaluation for login and receipts included the guarantee it was possible to trace the progress of the process and prove, through the protocol, that the request was made. Thus, 100 points were assigned if the platform that allows sending requests and receiving responses has a specific login; 50 points, if it provided either a receipt or protocol of the request; and 0 if it does not provide either receipt or protocol of the request. Receipt is the proof that the request was made and received by the government, and the protocol is a number that allows monitoring the progress of the request (MICHENER; MONCAU; VELASCO, 2014; MICHENER, 2016).

Regarding barriers, the limits in the number of characters and the requirement to provide more personal information than what is determined by law were evaluated. Thus, 100 points were awarded if the form does not have a limit in the number of characters and does not require personal information in addition to name, ID number and contact; 50 points if no additional personal information was required (other than name, ID number and contact) but has a character limit; and 0, if personal information in addition to name, ID number and contact was required, regardless of character limit (MICHENER; MONCAU; VELASCO, 2014; MICHENER, 2016).

4 EMPIRICAL CONTEXT

The choice for the space provided to send information requests took the following order of priority: first, the electronic information system for citizens (e-SIC) was searched on the website; where no e-SIC was found, the request was sent through a form available on the website; as a third option, we searched for an e-mail address to send requests for information. In situations where no means of communication were identified, a general contact form was used, such as a “contact us” form. In no case was it necessary to use a general contact email.

The e-SIC has been characterized as a space in which it is possible to request information and monitor the solicitation’s progress. Some state governments have a specific login, which allows access to a user area, where the request is made and followed up. Other branches have a form on their website, which must be filled in to request information, and a protocol number is generated. Although it does not have a specific user area, certain branches have the option to enter the protocol number and check the status of the request, as well as to visualize the response. Those were then considered as equivalent to e-SIC. The state government branches with platforms classified as “form for requesting information” were those that provided a form

on their website, but did not provide the option to follow the progress of the request. In order to receive this classification, the website must state that the space is for sending requests for information, or had a field in the form to select this option. The general contact form, in turn, is a form that is often found on websites to be used as an alternative to a contact email, often named “contact us”. In these cases, there was no indication that this space could be used to request information, and was usually characterized as a space for sending complaints, suggestions, praise and opinions.

4.1 Evaluation of the platforms of the executive branch

In the executive branches of the Brazilian states it was possible to observe the availability of e-SIC. In some of the platforms there was a login area, others have a form to be completed that generates a protocol number. However, regardless of the interface used, all allow to follow the progress of the request. The result of the evaluation indicators of the platforms in the executive branches of Brazilian states is presented in Table 2.

Table 2: Evaluation of the platforms – executive branch

Executive	Communication	Login and receipts	Barriers
Acre	100	100	50
Alagoas	100	100	50
Amapá	100	100	0
Amazonas	100	100	50
Bahia	50	50	0
Ceará	50	50	50
Distrito Federal	100	100	50
Espírito Santo	50	50	0
Goiás	50	50	0
Maranhão	100	100	50
Mato Grosso	50	50	100
Mato Grosso do Sul	50	100	100
Minas Gerais	100	100	50
Pará	50	100	100
Paraíba	100	100	100
Paraná	50	50	100
Pernambuco	100	100	100
Piauí	50	100	0
Rio de Janeiro	100	100	50
Rio Grande do Norte	50	50	100
Rio Grande do Sul	50	100	50
Rondônia	100	100	0
Roraima	100	100	100
Santa Catarina	50	50	100
São Paulo	50	50	100
Sergipe	100	100	100
Tocantins	50	50	0

Source: Research data (2017).

Regarding communication on the platform, all executive branches of Brazilian states presented space dedicated to access to information. Those who received the maximum score provide a space to send the request, receive a response, follow the request and send an appeal on the platform. The states that offer these possibilities present e-SIC platforms with user login. Among them are those that have developed their own platform and those who use the platform provided by the federal government. Those who received a score of 50, have e-SIC with login or a form, the latter being the most frequent. The e-SIC with user login allows the request to be sent and accompanied on the platform, but does not present the possibility to send resources. The form, without login, generates a protocol to follow the progress, but does not provide space for appeals.

As for login and receipts, of the 27 platforms evaluated, 17 had login. Login allows citizens to access a specific area where they can submit requests, track them and, in most cases, make appeals. This system facilitates the tracking of requests, as it is not necessary to have a protocol number and also facilitates the sending of more than one request for information, since personal data are required only for registration. Some state governments did not have logins but provided protocol numbers for follow-up.

Regarding barriers, in seven states the governments received a score of zero for requesting additional information from the citizen. Of these, 5 required the applicant to provide their date of birth and level of schooling to proceed with the request. In the e-SIC of Tocantins, for example, it was mandatory to inform the city the user is from. However, when the user selects other state of origin, the system keeps listing the cities of Tocantins, which means that it is not friendly for users that are not from the state. The e-SIC of Amapá and Bahia received a zero score because it was not possible to finalize the request for information and to evaluate the barriers. In the case of Amapá one of the fields of the form was blocked, not allowing the information to be entered. This field was mandatory and therefore it was not possible to proceed with the request. In the case of Bahia, after completing the fields in the form, the system did not register the information and the next page informed the user had to return and fill in the fields again, preventing proceeding with the request. These are usability issues, included in the set of barriers presented by Bertot, Jaeger and Grimes (2010). In these last two cases, there are no efficient communication channels between government and society (JORDÃO, 2011).

Although they do not require personal information, in 9 states, e-SIC received a score of 50 because it has a limitation in the number of characters. Of these, most use the model of the federal government, which has a limitation of 2,000 characters. The maximum score was assigned to 11 platforms that had no character limit and did not require additional personal information. The governments of Paraíba, Pernambuco, Roraima and Sergipe stood out presenting the maximum score in the evaluation of all the indicators.

4.2 Evaluation of the platforms of the judiciary branch

In the judiciary, 9 states have an e-SIC platform and 16 offer a request form. Although the 25 states indicate a space for requesting information, less than half of them make it possible to follow up on the request. Two states do not mention access to information on their websites. The request must be made through a general contact form. The results of evaluations of indicators in the judiciary are presented in Table 3.

Table 3: Evaluation of the platforms – judiciary branch

Judiciary	Communication	Login and receipts	Barriers
Acre	50	50	50
Alagoas	50	0	100
Amapá	50	50	100
Amazonas	50	50	100
Bahia	50	0	50
Ceará	50	50	50
Distrito Federal	50	0	0
Espírito Santo	50	0	50
Goiás	50	50	100
Maranhão	50	50	100
Mato Grosso	50	50	0
Mato Grosso do Sul	50	0	100
Minas Gerais	50	0	100
Pará	0	0	100
Paraíba	50	0	100
Paraná	50	50	50
Pernambuco	50	0	0
Piauí	50	50	50
Rio de Janeiro	50	50	50
Rio Grande do Norte	50	0	100
Rio Grande do Sul	50	50	50
Rondônia	50	100	0
Roraima	50	0	0
Santa Catarina	50	50	100
São Paulo	50	50	50
Sergipe	50	50	100
Tocantins	50	50	50

Source: Research data (2017).

Of the 27 websites of the judiciary branch of the states, 26 had a platform that enabled requesting and receiving access to information. Of these, 9 presented e-SIC with the possibility to follow the progress of the request and 17 offered users a form to request information, without the possibility to follow up. The judiciary of Pará received a score of zero because it did not provide space for access to information. In this case, the request was made through a general form to contact the ombudsman. None of the portal provided e-SIC with the possibility of requesting information, follow up, and making appeals.

In the analysis of login and receipts, 15 platforms received a score of 50 as they do not have a login, but provide a receipt or protocol to follow up with the request. In addition, 11 platforms received a score of zero, as requests for information were made through a simple form (“contact us”), and some websites indicated that the space was intended for requests for information while others did not. In this situation it is not possible to track the progress of the request submitted. The judiciary of Rondônia was the only one to present e-SIC with a user area, requiring login.

Of the judiciary platforms, 12 received maximum scores for barriers. Most requests on these platforms were made on the request form. Therefore, although they do not present barriers, they also do not follow up. A score of 50 was given to 10 platforms for character limit, ranging from 800 to 5,000 characters. Out of the 05 platforms that scored zero, 03 of them requested

for additional information from the user: date of birth, profession and schooling. For the other 02 platforms it was not possible to assess the barriers, because the process was interrupted by technological problems, and it was not possible to complete all the steps (JAMBEIRO et al., 2011). This means that the platforms do not reach the objective of stimulating greater interaction and transparency between society and government and expanding the space for the exercise of citizenship and democratic practice. In the Federal District's judiciary, the page does not load fully, and the same problem occurred on 03 attempts made on different dates. In the judicial branch of Roraima it is not possible to proceed with the request, since one of the mandatory fields does not allow completion. According to Raupp and Pinho (2013), it is assumed that the contact with the branches of government in Brazilian states, when it occurs, is more digital than face-to-face. Thus, the expectation was that the platforms would be appropriate for passive transparency.

4.3 Evaluation of the platforms of the legislative branch

Of the 27 websites of the legislative branch of the states investigated, 08 did not have space to send requests for information. In these cases, the request was made through a general contact form. Of the 19 states that have space to send requests for information, 08 had e-SIC, 10 had information request forms and 01 had a contact email for information request. The results of the evaluation indicators of the platforms are presented in Table 4.

Table 4: Evaluation of the platforms – legislative branch

Legislative	Communication	Login and receipts	Barriers
Acre	50	0	100
Alagoas	0	0	100
Amapá	0	0	100
Amazonas	50	0	100
Bahia	0	0	0
Ceará	0	0	100
Distrito Federal	50	0	100
Espírito Santo	100	100	50
Goiás	50	50	100
Maranhão	50	50	100
Mato Grosso	50	100	0
Mato Grosso do Sul	50	0	0
Minas Gerais	50	50	50
Pará	50	0	100
Paraíba	50	50	0
Paraná	50	50	0
Pernambuco	50	0	100
Piauí	0	0	100
Rio de Janeiro	50	50	0
Rio Grande do Norte	0	0	100
Rio Grande do Sul	100	100	50
Rondônia	50	50	100
Roraima	50	0	100
Santa Catarina	50	0	100
São Paulo	50	50	50
Sergipe	0	0	0
Tocantins	50	100	0

Source: Research data (2017).

As far as communication on the platform is concerned, there are platforms in the legislative branch of the states that allow sending requests and receiving responses or spaces for access to information, but without the possibility of making appeals. Among the platforms that received a score of 50, there are those that allow to follow the progress of the request (e-SIC) and those that only allow sending the request, through a form or an e-mail. The governments of Espírito Santo and Rio Grande do Sul received maximum scores for e-SICs with the possibility of sending the request, receiving a response and making appeals. Both use the e-SIC model provided by the federal government. However, there was a considerable number of platforms that received a score of zero. The legislative branches in the states of Rio Grande do Norte, Piauí, Ceará, Bahia, Amapá and Alagoas do not offer space for access to information, and the request is made in a general contact form. The platform of the legislative branch in Bahia had an error message after filling in the data and sending the request, and the message was not sent. The situation in Sergipe was even more critical, as there was no electronic form of contact indicated in the website, not even a general contact email, which made it impossible to send a request.

Of the 27 platforms, 15 did not have login and do not provide receipt nor protocol when a request for information is sent. All requests made in a general contact form obtained a score of zero because they did not provide proof that the request was sent. The 08 platforms that received a score of 50 had e-SIC or forms for sending information requests. The governments of Espírito Santo, Rio Grande do Sul, Mato Grosso and Tocantins, stand out with maximum scores for having login, the first two using the e-SIC model of the federal government and the last 02 had their own system.

The legislative branch, among the three branches, is the one with the highest number of platforms with the highest scores for barriers. According to Kakabadse et al. (2003), this can promote a clearer and more accessible communication. This is due to the simplicity of the forms available for sending the request for information (or general contact), many of which are available on the menu of the ombudsman of the website of the legislative branch. The fields regarding identification usually are: name, ID number, contact (e-mail, address or telephone number), subject and message. The platforms that received scores of zero requested information such as date of birth, schooling and profession.

5 CONCLUSIONS, CONTRIBUTIONS, LIMITATIONS AND RECOMMENDATIONS

After investigating the contributions of information platforms of the branches of governments of Brazilian states to build passive transparency throughout this study, it is possible to provide some conclusions, contributions, limitations and recommendations. In response to the research question, the evaluation carried out is inconclusive and it is not yet possible to state that the platforms of the executive, judicial and legislative branches of government of the Brazilian states contribute to build passive transparency. It should be pointed out that adequate information platforms represent the first step towards passive transparency as it is the second stage where the citizen sends the request for information, monitors the progress of the request, has the response and can make appeals. The indicators 'communication', 'login and receipts', and 'barriers', had different configurations in branches of the government of the Brazilian states. In terms of 'communication' and 'login and receipts', in general, the executive branch obtained scores compared to the judiciary and legislative. On the other hand, the judiciary and legislative governments received higher scores considering the indicator 'barriers'.

This study brings theoretical and practical contributions to the field. In theoretical terms, it focuses on a still incipient subject, since there is a lack of works on passive transparency. In practical terms, the study contributes to a situational diagnosis of the reality of the information platforms of the branches in the Brazilian states. This diagnosis can be used by the branches themselves in order to adjust, advance and improve in the indicators that presented a low score. It can also be used by watchdog agencies to monitor compliance with legislation, and by citizens that have difficulties to successfully use the platforms of some of the Brazilian state governments investigated.

It is important to say that there are limitations in this study, due to the lack research on the subject and on the empirical object, which prevent comparisons with results and conclusions of other works. Another limitation is related to the universe of platforms found in the state sphere of government, which is not adequate to produce generalizations to the federal and the municipal portals. The third limitation refers to the progress and constant updates of the platforms, which means that the analysis is limited to the period of data collection. The limitations lead to recommendations for future research, such as replicating the proposed model after some time and identifying whether there were advances or setbacks in the results obtained. Future research, such as the application of the model in the municipal and federal spheres, will also allow a better understanding of this theme.

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Contribution	[Author 1]	[Author 2]
1. Definition of research problem	√	√
2. Development of hypotheses or research questions (empirical studies)	√	√
3. Development of theoretical propositions (theoretical work)	√	
4. Theoretical foundation / Literature review	√	√
5. Definition of methodological procedures	√	√
6. Data collection	√	
7. Statistical analysis	√	
8. Analysis and interpretation of data	√	
9. Critical revision of the manuscript	√	√
10. Manuscript writing	√	