RESEARCH ARTICLE

Can Social Pressure Foster Responsiveness? An Open Records Field Experiment with Mayoral Offices

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Abstract

This paper examines the extent to which social pressures can foster greater responsiveness among public officials. I conduct a non-deceptive field experiment on 1400 city executives across all 50 states and measure their level of responsiveness to open records requests. I use two messages to prime social pressure. The first treatment centers on the norm and duty to be responsive to the public's request for transparency. The second treatment is grounded in the peer effect literature, which suggests that individuals change their behavior in the face of potential social sanctioning and accountability. I find no evidence that mayors are affected by priming the officials' duty to the public. The mayors who received the peer effects prime were 6–8 percentage points less likely to respond, which suggests a "backfire effect." This paper contributes to the growing responsiveness literature on the local level and the potential detrimental impact of priming peer effects.

Keywords: social pressure; public officials; open records

President Woodrow Wilson idealized the concept of self-government and believed that individuals had an inherent right to direct public affairs. To make it possible for everyday citizens to hold government accountable, he highlighted the importance of the free flow of information on the one hand, and the corrupting influence of secrecy on the other: "Publicity is one of the purifying elements of politics... Nothing checks all the bad practices of politics like public exposure" (Wilson 1913, 115–116). Transparency is a social good for effective democratic governance. One way for the public to exercise their right-to-know is by petitioning the

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government to release specific public records through open records laws. These laws exist at all levels of government to enable citizens, interest groups, and members of the media to gain access to information which otherwise would not be in the public light.

Open records requests have played an essential role in citizens' ability to gain information with which to hold elected officials accountable. In recent years, local government officials have faced legal battles about their reluctance to release emails deemed in the public's interest. For example, the City of Chicago has fought to keep email communication between the mayor and others out of the public's eye. Only after a court order did the City release emails depicting a potentially problematic relationship between the mayor and requests for city services by big political donors (Felsenthal 2016). New York City's mayor has also been embroiled in an open records request controversy. Emails by Mayor Bill de Blasio gave the public an inside look into the debates on funding public projects and the management style of a leader who controls one of the largest local bureaucracies in the country (Goodman and Mays 2018).

Mayoral offices are a perfect setting to test the theories of social pressure and responsiveness. Mayors lead local bureaucracies that oversee a full range of public services from zoning restrictions to trash-pickup to authorizing business licenses. These offices are tasked with being responsive under budget and time constraints. Two sequential steps exist under open records laws: (1) respond to the request and (2) comply with the request. I study the first stage in this process. Mayors and their offices have a considerable amount of discretion (legal or extra-legal) in the extent to which they are responsive to requests.¹ Knowing this, I ask: can priming social pressures improve responsiveness?²

To explore this question, I conduct a large-scale non-deceptive correspondence experiment requesting 3 months of non-private government emails from more than 1400 mayors in 50 U.S. states. In the emails, I attempt to blend institutional motivations for mayoral responsiveness with messages traditionally developed by behavioralists. I examine two theories of social pressure: (1) the norm of transparency and the duty of elites to be responsive to the public, and (2) peer effects through accountability. The first prime builds on previous work which indicates that elected officials and their bureaucrats have built-in norms to respond to the public's wishes (Key 1961; Mayhew 1974; Saltzstein 1992). The message is crafted to acknowledge a norm of transparency and the fact that the public believes the local government has not met expectations. Thus, I hypothesize that priming the duty to respond to a request for transparency will increase responsiveness to such requests. The second

¹One example of this occurred in 2017 when two news agencies, the *Atlanta Journal-Constitution* and Channel 2 Action News, requested travel records for the mayor of Atlanta under Georgia's sunshine law. The media found text messages between employees that suggest the mayor directed officials not to respond to the sunshine request (J. Scott Trubey. "No action needed: Texts show possible Kasim Reed role in records request." *The Atlanta Journal-Constitution* https://www.ajc.com/news/local/action-needed-texts-show-kasim-reed-role-records-request/ayGINvRtGAjp1CgjlLwNoO/ accessed Oct. 25, 2019).

²Responsiveness and compliance to open records requests are different concepts. Responsiveness examines the extent to which the request received a written response. Compliance is the extent to which the city government fulfilled the request. In this study, I examine responsiveness. See Appendix D in the supplementary material for further discussion.

prime incorporates the idea of peer effects as a social norm that elected officials, like ordinary individuals, change their behavior in the presence of peer expectations (Gerber, Green, and Larimer 2008; March and Olsen 1989, 1995; Scott 2006). I expect that notifying mayors that their peers received the same request and that a report will be sent to them will induce responsiveness through the *potential* for "naming and shaming."

Analyzing the 729 replies, I find that mayors do not respond in differential ways to messages about their duty. Contrary to expectations, I find that peer effects decrease the likelihood of receiving a response, which suggests a "backfire effect." This paper contributes to the growing literature on local government responsiveness and improves our understandings of the potential disadvantages of peer effects.

Theories of responsiveness to open records requests

Sunshine laws were created to foster a mechanism through which citizens could hold public officials accountable. If these laws were effective, there should be no variation in responsiveness and compliance. Yet, there exists wide variation within and between states on their compliance with open records requests. Scholars have noted that government entities routinely fail to fulfill such requests (Geraghty and Velez 2011).³

Many researchers have used open records requests as an avenue to answer questions about responsiveness, compliance with laws, and the impact of controversial requests (Ben-Aaron et al. 2017; Cuillier and Davis 2010; Lowande 2018, 2019; Wood and Lewis 2017). While Ben-Aaron et al. (2017) found that local governments are more likely to fulfill open records requests when they know peer governments have also fulfilled similar requests, Cuillier and Davis (2010) found that non-threatening requests were more likely to be fulfilled.

I build on these previous works to examine the extent to which social pressures may induce responsiveness to transparency requests. I lay out two theories that could influence responsiveness. One approach is based on the duty of elected officials to respond to the public's requests. The other is derived from the idea that peer group monitoring influences behavior.

Responsiveness as a duty to the public

Dahl (1971) argues that transparency or the free flow of information is a fundamental aspect of democratic regimes. Without it, he suggests, representation can never truly exist. Open records laws establish the norm of transparency at the state and local government levels. Scholars and the general public widely believe that elected officials also have the duty to be responsive to the public's concerns. Key (1961) best articulates this duty: "Governments must concern themselves with the opinions of their citizens" (7). Enforcement among elites may occur in two ways: (1) the electoral incentive, and (2) the internal sense of duty to the public. A sizable literature from scholars of institutions has confirmed that elected officials and bureaucrats

³Their study, in particular, examined southern criminal justice institutions and their responses to requests for public records.

indeed follow public opinion (Arnold 1990; Bartels 1991; Guisinger 2009; Kousser, Lewis, and Masket 2007; Saltzstein 1992; Wlezien 1995).

Beyond electoral accountability, political elites may have an internal sense of duty to respond to the public. Scholarship on voter mobilization has found that informing citizens of their duty or obligation to vote is a potential positive form of social pressure (Gerber, Green, and Larimer 2008; Green and Gerber 2008). Reminding mayors that a norm of governmental transparency exists may heighten officials' awareness of and lead to an increase in responsiveness to open records requests. This scholarship leads to my first hypothesis.

H1. City government executives will be more responsive to requests for transparency when primed with their civic duty to uphold norms of sharing information.

Peer effects

Growing literature by social scientists suggests that political elites can be affected by their peers (Harmon, Fisman, and Kamenica 2019; Holden, Keane, and Lilley 2019; Masket 2008). According to Goodin (2003, 378), peer accountability is "based on mutual monitoring of one another's performance within a network of groups." Peer accountability occurs when political entities are accountable to their professional community. In many cases, this accountability lacks formal sanctions. March and Olsen (1989) suggest that the influence of conduct is driven by a *logic of appropriateness* or an internalized professional norm of appropriate actions. Under this theory, "actors seek to fulfill the obligations encapsulated in a role, an identity, *a membership in a political community or group*, and the ethos, practices and expectations of its institution" (March and Olsen 2011). These types of peer ejects are inherently social and "soft" in the sense that they do not rely on formal/legalistic rules that punish behavior. Scott (2006) argues that the fear of "naming and shaming" or the loss of reputation drives the accountability effect.

City executives belong to an ever-growing peer network and routinely interact with their fellow executives (Einstein and Glick 2017). These connections leave officials susceptible to reputational pressures. I expect the potential for "naming and shaming" will increase responsiveness to open records requests.

H2. City government executives will be more responsive to requests for transparency when primed with a message about peer accountability.

Design and methods

To determine whether social pressures drive the behavior of local officials, I contacted a sample of mayors with open records requests via email. According to the 2010 U.S. Census, 2,098 cities have a population over 20,000. To generate a subset of mayors to contact, I retrieved email addresses from individual municipal websites and the United States Conference of Mayors (USCM). Though the USCM primarily represents cities with a population over 30,000, they still serve some Hello,

We are hoping your office can help us fill a public records request, under the [public records act in state]. [Treatment]

We are requesting a copy of official mayoral emails from January 1, 2018 to March 31, 2018 (inclusive) and we would like to access as much data as is feasible for those months. Ideally, we would have access in electronic format to all of the non-private emails archived from the inboxes and sent boxes to the office of the mayor. We understand that in some instances there may be fees to cover search and electronic delivery; in such circumstances, we kindly request that an estimate be provided so that we can manage our project budget accordingly.

This is part of a research study, under the direction of Professor Sinclair to understand patterns in the ways local governments employ email to communicate both internally and with those outside of government. We are hoping your office will help us understand best practices in transparency and accessibility with regard to official electronic communications.

We are more than happy to correspond with any staff to assist in this public records request for emails.

Cordially,

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> Figure 1 Treatment Email.

mayors and city executives from cities with smaller populations.⁴ I made every effort to include individual addresses that go directly to the office of the mayor, instead of to the general or city council accounts. My sample contained 1,409 city government executives across all 50 U.S. states.⁵

Correspondence experiments are routinely used to test theories of responsiveness. Submitting open records requests through direct messages to individual record holders resembles how private citizen and news entities request public records in reality. As shown in Figure 1, I crafted an email that included both the necessary elements of the open records request and the primes.⁶ I asked for 3 months of nonprivate governmental emails archived from the inbox and outbox of the mayor. Mayoral emails fall under the definition of public records, and the level of political

⁴There are 54 cities with a population under 30,000 in my sample. See Appendix A in the supplementary material for a more detailed description of the sample.

 $^{^{5}}$ I conducted a power analysis under two scenarios before implementing the experiment. The results suggest that I would be able to recover an effect size of 8%. See Appendix C in the supplementary material for further discussion of power.

⁶According to the National Freedom of Information Coalition, open records requests have three parts: (1) an invocation of the state's law, (2) a description of the records or information sought, and (3) the purpose of the request.

Treatment	Message in email
Treatment	Message III ellian
Duty	As you may know, Americans believe governments have a civic duty to share information with their constituents. However, according to the Pew Research Center, only half of Americans believe local governments are effectively sharing data with the public.
Peer effects	We have sent this request to 1400 other city government executives and plan to publish a report about our results. We will send a copy of this report to all city executives we have contacted.
Control	[N/A]

Table 1 Treatment Conditions

risk involved in producing such records lead officials toward discretion (see Appendix D in the supplementary material for a further discussion about email records and ethics surrounding this study).

To effectively prime social pressure, I follow a two-step process: (1) establish the norm (or type of pressure) and (2) trigger its application.⁷ Table 1 shows the language used in each condition. For the duty prime, I establish the norm by explicitly stating there exists a duty to share information. Second, I triggered the application of the norm implicitly by paraphrasing a Pew Research Center poll published in 2015 that discussed Americans' views about open governmental data. I use the poll to raise awareness that the public is concerned with the lack of transparency.

To test the peer effects hypothesis, I lay out two⁸ necessary elements: (1) acknowledge a peer group; (2) establish a potential for surveillance and enforcement. Because mayors are the actors to be studied, I first identify that the request was sent to other city government executives that serve as their comparison group. Next, I establish the potential for surveillance and accountability by stating that I will create a report and send it to the peer group. Upon receiving this peer accountability prime, one mayor in the largest city of a midwestern state asked "[are you] ranking us to others?" This provides some evidence that the peer prime raises awareness that others will know if and how they responded to the request. I also undertook three post-experiment interviews where I sent mayors in the control condition the two

⁷This two-step process is similar to the three-step process outlined by Green and Gerber (2010): "[S]ocial pressure communications typically involve three ingredients: they admonish the receiver to adhere to a social norm, indicate that the receiver's compliance will be monitored, and suggest that the monitored behavior will be publicized" (pp 331–332). To prime civic duty, Gerber, Green, and Larimer (2008) include two messages: (1) "Do your Civic Duty-Vote" and (2) "Remember your rights and responsibilities as a citizen. Remember to vote."

⁸This prime is similar to the neighbors' prime in voter mobilization studies. For example, Gerber, Green, and Larimer (2008) deploy this type of social pressure in two components: (1) show the recipient whether their neighbors have voted in the past, and (2) inform them that the researchers intend to let their neighbor know whether they voted or not in the current election.

	Response rate	Ν
	Response rate	N
Control	53.5	251/469
Duty	55.0	258/469
Peer effect	46.7	220/471

Table 2 Response Rates by Treatment Condition

Note: This table reflects the raw number of responses and the response rates by experiment condition.

treatment primes and asked them to detail their thoughts about the wording. The mayors interviewed collectively saw the peer effects prime as a tool to *shame* them into complying with the request and the duty prime as a tool to spur thinking about the legal and public obligations to respond to the request.⁹

I define responsiveness (*Initial Response*) as an indicator of whether any public official responded. The majority of the initial responses acknowledged their receipt of the email or stated that they forwarded it to a staff member. I use two estimators: intent-to-treat (ITT) and complier average treatment effect (CACE). The ITT estimator corresponds to the average response rate by each treatment group. This approach, however, assumes all of the emails were received and opened. Using an instrumental variables approach, the CACE will overcome the potential bias in differing open rates among the treatment groups (Gerber and Green 2012; Sovey and Green 2011).¹⁰ I use an indicator of whether the email was opened as an instrument for receiving the intended treatment message.

Results

The total open rate for the experiment is 78%.¹¹ Out of 1409 emails sent, the overall response rate is 51%.¹² Conditional on being opened, the response rate is 66%. The control condition, which cites the open records law with no further treatment message, has a response rate of 53.5%. The descriptive evidence in Table 2 indicates that social pressure, as encapsulated by the *Duty* prime, increased responsiveness by 1.5 percentage points (55–53.5%). The *Peer Effect* prime decreased responsiveness by 6.8 percentage points (46.7–53.5%).

I next examine whether response rates differ by social pressure using a regression framework, which allows the construction of reliable estimates and standard errors.

⁹I fielded a survey of mayors after the experiment and found that respondents were sharply divided on whether the language would increase or decrease the likelihood of responding. I discuss the finding of the survey in Appendix H in the supplementary material.

¹⁰See Coppock (2019) and Montgomery, Nyhan, and Torres (2018) for a discussion of post-treatment bias in political science research.

¹¹All treatment group emails were opened at similar rates (see Appendix B in the supplementary material). I standardized the subject line for all emails.

 $^{^{12}\}text{Costa}$ (2017) found that political elites respond to constituent communication between 48% and 57% of the time.

	Dependen	Dependent variable Responsive	
	Respo		
	(ITT)	(CACE)	
Peer effect	-0.068**	-0.087**	
	(0.033)	(0.043)	
Duty	0.015	0.019	
	(0.032)	(0.040)	
Constant	0.535***	0.535***	
	(0.023)	(0.023)	
N	1409	1409	

Table 3 The Effect of Social Pressure on Responsiveness

Note: *p<0.1; **p<0.05; ***p<0.01. Robust standard errors are used across all models in the parentheses. I correct p values for multiple comparisons in Appendix G in the supplementary material.

The first model in Table 3 shows the ITT with robust standard errors. The *Duty* treatment increases responsiveness by approximately 1.5 percentage points; however, the estimate is not statistically significant. The *Peer Effects* treatment decreases responsiveness by 6.8 percentage points with a p value of less than 0.05.

The second model shows the estimated treatment effects under the instrumental variable approach. The *Duty* condition continues to show a non-distinguishable impact, while the *Peer Effects* condition shows a stronger effect by decreasing responsiveness by 8.7 percentage points. In short, I find no support for hypothesis 1 and find evidence counter to hypothesis 2. I explore heterogeneous effects in Appendix F in the supplementary material. I find no substantive results when examining institutional or personal characteristics of the city and the mayor.

Discussion

Having conducted an open records experiment on U.S. mayoral offices, I fail to find strong evidence that social pressures affect city executives in intended ways. A message crafted to remind mayors of their civic duty to respond to requests did not significantly increase the probability of responding to such requests. Contrary to expectations, I find evidence that priming peer accountability *decreased* the likelihood of responding to the request for transparency. This suggests a "backfire" effect.

One reason the duty prime failed was that the language might not have been strong enough. A survey conducted after the experiment revealed that only 43% of mayors were more likely to respond after knowing the public's belief about transparency (see Appendix H in the supplementary material). Another reason the duty prime could have failed to show a distinguishable increase is the professionalization

of local bureaucrats. Mladenka (1981) suggests that having a process routinizes certain services that leave little room for discretion. For example, once emails are received, the mayor (and their staff) filter emails based on importance and decide which ones require a response. Under this scenario, open records requests – since already required by law – should have an institutionalized process by which they respond. This process leaves little discretion in the extent to which requests will receive a response.

I expected the peer effects prime to yield an increase in responsiveness. Empirical research has traditionally found positive effects of monitoring or threat of surveillance (Gerber, Green, and Larimer 2008; Panagopoulos 2014*a*,*b*). This paper suggests the opposite. The results point to a "backfire" effect. Literature in social psychology finds that under strong pressures, individuals may devalue actions being promoted or blatantly refuse to submit to pressures. Others (Ringold 2002) call this theory of reactance the "boomerang[ing] effect."¹³ This negative pattern has also been observed, unintentionally, in other audit experiments that use negative social pressure (Terechshenko et al. 2019). Mayors seem to be divided on whether the peer language would increase or decrease their likelihood of responding (see Appendix H in the supplementary material for further discussion).

In the context of this experiment, the message about other mayors and accountability might be seen as a heavy-handed way to get compliance. Gerber, Green, and Larimer (2008) theorized that appeals to neighbors through implied accountability are a stronger social pressure than appealing to civic duties. Under the same framework, appeals to duty are a mild form of social pressure, while the appeal to peers and publication applies the maximal social pressure. The negative effect of peer pressure may have shown mayors' adverse reaction to overt pressure. Future experiments designed to distinguish positive versus negative theories of social pressure are needed to achieve greater certainty about the mechanism.

Conclusion

Open records laws enable individuals to peek into the black box of governmental deliberation and decision-making. Though many see open records request as purely part of the administrative process, city executives exercise discretion in both the responsiveness and compliance with the laws. This paper sought to explore the extent to which social pressures may influence how city government officials respond to request for transparency.

I induced social pressure in two ways: (1) norms and transparency and duty to respond, and (2) peer accountability. I find no evidence that priming duty impacts responsiveness. Contrary to expectations, the peer effects treatment causes a lower response rate. The psychological theory of reactance may explain this counterintuitive result. Mayors react negatively to strong social appeals that heighten awareness of their peers. My finding necessitates future research on how theories of negative social pressure, which we already know affects individuals, might also generalize to political elites.

¹³Negative effects of strong social pressure and messages have been found in studies of smoking (Wolburg 2006), healthy lifestyle promotion (Dillard and Shen 2005; Fitzsimons and Lehmann 2004; Hyland and Birrell 1979), and other pro-social behavior (Burgoon et al. 2002).

Finally, in their requests for greater governmental transparency, citizens, the media, and researchers must be cautious about how they request information because the language might cause unintended consequences.

Supplementary material. To view supplementary material for this article, please visit https://doi.org/10.1017/XPS.2020.22.

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