

From E-Government to Online Deliberative Democracy

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Abstract

While many have highlighted the transformative potential of e-government for democracy and citizenship, the scorecard has remained decidedly mixed, both in terms of government take-up and the initiatives pursued. Important questions remain about the scalability of such initiatives: can they work at national or even transnational levels, or are they best applied locally, where there is greater congruence between local communities and the relevant policy domain? There is also the question of whether agencies of government can ever be the most suitably equipped to gauge the views of citizens on key policy issues.

This paper explores three issues. First, it will consider the scope for new forms of participatory or deliberative democracy in an age of widespread (although far from universal) Internet access. Second, it will consider the potential for online media to act as conduits for new forms of citizen engagement with the policy process. Third, it will consider the role of non-government organizations (NGOs) as trusted third parties able to engage in what Steven Cliff terms the necessary 'public net-work' required to generate new forms of public conversation between governments and citizens.

The paper concludes with a discussion of the National Forum e-petitions initiative, as a case study in how the Online Opinion website was used as a basis for enabling more direct citizen engagement with the political process, around the issue of mandatory detention for asylum seekers, and the Private Members Bill presented to the Australian Parliament by Petro Georgiou, MP.

Keywords

Electronic democracy, citizenship, deliberative democracy, Internet, social software, media and creative industries

E-democracy so far — possibilities and problems

The possibilities for promoting an expanded conception of democratic political participation through information and communication technologies (ICTs) have been widely observed. Potential synergies between ICT developments and democratic renewal arise from the two-way, interactive nature of new digital media and their technical enhancement of citizen

capacities to access, produce, distribute, share and debate information made available through digital networks.

Morrisett (2003) has identified six requirements for using new ICTs to enhance the democratic process: (1) widespread and effective access to decision-makers; (2) provision of relevant and timely information; (3) interaction within and between institutionally, politically or geographically distinct networked communities; (4) access to various positions in relation to policy issues; (5) the capacity to register choices, and awareness of the implications of different choices; and (6) evidence that such deliberations have informed actions by governing institutions or elected representatives in relation to those issues.

What is sought, therefore, is a mix of the classical modernist notion of the public sphere discussed by philosophers such as Jurgen Habermas (Habermas 1995), the interactivity and potentially global reach of the Internet, the participatory and plebiscitary modes of mass public engagement developed by commercial creative industries such as reality TV, and real evidence that one's participation and engagement with a process actually makes a difference. Not a small ask.

Debates about electronic democracy and e-government, and the new possibilities for interactive and inclusive public communication through ICTs, have been framed by three factors:

1. The *crisis of political institutions of liberal democracies*. Around the world, there is a decline in participation in the established institutions of political culture, such as political parties, trade unions, industry associations and community advocacy groups. While this is counter-balanced to a limited extent by new forms of political mobilisation, such as the role played by evangelical churches, it nonetheless points to what has been commonly referred to as a 'crisis of democracy', particularly when it is accompanied by a decline in voter enrolments in those nations where electoral participation is voluntary. Coleman and Gøtze (2001) have argued that "As citizens have become less deferential or dependent, and more consumerist and volatile ... traditional structures and cultures of policy formation and decision-making are perceived as being remote from ordinary citizens" (Coleman and Gøtze 2001, p. 4), creating a potential crisis of legitimacy and public accountability.
2. The more positive proposition that online *citizen engagement with the policy process* can improve and enrich policy outcomes. According to organizations such as the OECD, it can do so by: providing new sources of policy ideas, information and resources; raising the quality of democratic engagement; enhancing government transparency and accountability; embedding trust relations for managing perceptions of risk; and strengthening civic capacities (c.f. Mulgan 2003).

3. There is also the opportunity to redress what American political scientist Robert Putnam bleakly referred to as the decline of social capital (Putnam 1995), by enabling opportunities to develop *networked forms of social capital*. Two forms of social capital identified as being particularly important here are: (1) *bridging social capital*, characterised by dense, cross-cutting networks of interaction and mutual engagement; and (2) *linking social capital*, characterised by the transformation of *vertical* forms of interaction to more *horizontal* forms of linkage and policy co-development (Aldridge et. al. 2002; Thompson 2003).

Actual experiments in e-government and participatory online decision-making have, however, often proved disappointing. Traditional forms of government policy making and political organisation, based upon centralised and hierarchical structures, one-to-many communications, and 'push' models of state-citizen interaction, have struggled to adapt to the decentralised, many-to-many forms of interaction of the Internet (Coleman 2003a, 2003b; Chadwick and May 2003). Uses of the Internet by governments and political organisations have too often taken the form of "an electronic billboard [used] to post information without much effort at real interaction" (Castells 2001, p. 155). Such approaches tend to treat the Internet as an optional tool for more efficient communications, rather than as a distinctive communicative space with the potential to reconstitute and reconfigure social relations among its multiple users (Bentivegna 2002; for Australia, see Chen 2004a).

While there are many instances where networked and decentralised forms of political, social and economic organisation have flourished (Miller 2004), it has also been the case that some cyber-democracy advocates saw ICTs as leading towards forms of direct democracy that could subvert or override existing political institutions through 'tele-democracy' initiatives. Such attempts to bypass conventional political institutions failed to adequately understand the co-evolutionary historical relationship between new media technologies and institutional change (Agre 2002; Flew 2004a).

New media technologies and new opportunities

The challenge is to develop collaborative spaces that explicitly recognise that "citizens are emerging as producers, rather than just consumers, of policy" (Macintosh 2003, p. 30). Such a proposition builds upon the observation that e-government is not simply about electronic service delivery or information provision, but active participation and "using ICT to transform the structures, operations and, most importantly, the culture of government" (OECD 2003, p. 17; c.f. Stewart-Weeks 2004). It thus advances e-government research and practice beyond the agenda of online service provision and limited consultation while demonstrating possibilities for e-democracy that go beyond e-voting, but instead demonstrating tangible channels for citizen input into policy.

Important insights are being generated by *social software*, open-source software development, collaborative publishing and peer-to-peer networking. Defined as online tools that “expand on the social capabilities of [the] Web ... but without making false promises about utopian online communities” (Davies 2003, p. 6), social software such as web logs (‘blogs’), peer-to-peer networking and collaborative publishing software are promoting *networked group communication*, in an adaptive environment of mutual adjustment and collaborative filtering among participants that enable new forms of interaction and dialogue (Bryant 2003; Davies 2003).

Blogs, wikis, open news sites, and community-based open source journalism are forms of social software that are challenging established news media. With new protocols for content selection, authorship, and diversity of sources, these sites are promoting a more open, participatory culture, blurring the lines between news providers and their audiences (Platon and Deuze 2003; Bruns 2004; Gillmor 2004).

Rushkoff (2003) has described the political manifestations of such open-ended, networked and collaborative online engagement as *open source democracy*. Its emergence parallels the rise of the *open source software* movement, which embraces the potential for decentralised forms of networked intelligence and a non-proprietary information commons to best promote creativity, innovation and new forms of wealth creation (Lessig 2004; Flew 2004a, 2004b; Weber 2004).

Online deliberative democracy

Deliberative democracy is defined as “a form of government in which free and equal citizens ... justify decisions in a process in which they give one another reasons that are mutually acceptable and generally accessible” (Gutmann and Thompson 2003, p. 7). Its significance to the online environment lies in the possibility to pioneer ICT applications that enable movement beyond managerial models of e-government, towards more participatory modes that “conceive of a more *complex, horizontal and multidirectional interactivity*” (Chadwick and May 2003, p. 280).

Whether this can be effectively initiated by governments seeking to reform and open up their own decision-making practices, or is best pursued by non-government organisations (NGOs) that utilise the networked environment to better make demands upon governments, remains an open question. The limitations of government-led approaches can include a tendency to tokenism, marginality to the ‘real business’ of government decision-making and everyday politics, vulnerability to changes of government or changes of priority by governments, and its reduction to e-voting or electronic service delivery. There is a sense that a more randomised process of online engagement with citizens runs counter to the ‘common sense’ of politics-as-usual, which will always have more of an intuitive appeal to successful politicians, as it has

constituted the basis of their ongoing success. At the same time, approaches that remain in a relationship of pure alteriority to decision-making institutions and existing forms of political organisation run the risk of running aground in a cul-de-sac of exclusivity and indifference. It is too easy for websites, particularly those of the avowedly left, to start with a promising democratic, open access charter, but to have degenerated over time into slanging matches between political factions whose status remains obscure to the bulk of the population. After a promising start, it could be suggested that this fate has befallen many of the world's *Indymedia* websites.

The democratic potential of the Internet may lie not simply in its geographical reach, networked connectivity or interactivity, but more generally in the ways that digital media technologies “break down the traditional barrier between producer and consumer, broadcaster and audience” (Coleman 2003, p. 154). In the political sphere, Coleman and Gøtze describe this as a model of “*citizens as shareholders in power* rather than consumers of policy” (Coleman and Gøtze 2001, p. 23). The question it raises is how to “create a *link between e-government and e-democracy* — to transcend the one-way model of service delivery and exploit for democratic purposes the feedback paths that are inherent to digital media” (Coleman and Gøtze 2001, p. 5).

Innovations in the media and creative industries in engaging audiences as participants provide sites where new capacities for communication arising from new media have been generated, which means that “relations between audiences and creative content have irrevocably changed” (Hartley 2004a, p. 12). In particular, the so-called ‘*plebiscitary industries*’, such as commercial popular media, have demonstrated an ongoing capacity to ‘scale-up’ individual choices to measurable consumer impact, and to utilise multiple convergent media platforms to generate new innovations in mass public participation. This has been particularly apparent in cross-platform and hybridised media genres such as *reality television* (e.g. Big Brother, Australian Idol), which attract substantial voting engagement, particularly among young people otherwise disengaged from formal political institutions (Coleman 2003b; Hartley 2004b).

There is scope for innovations in deliberative democracy which engage citizens in developing and applying practical solutions to current problems. Deliberative democracy constitutes “an open discovery process ... [which] assumes that the public sphere can generate opportunities for forming, refining, and revising preferences through discourse ... towards mutual understanding and common action” (Sirianni and Friedland 2003). Core *principles of deliberative democracy* include:

- a focus upon tangible problems
- involvement of both people and public officials who are close to the problem
- a collaborative approach to generating solutions (Fung and Wright 2001, pp. 17-19).

Experience has taught us that developments in deliberative democracy develop in an evolutionary manner that engages with the institutions and organisational cultures of government, politics and the media. Successful initiatives in deliberative democracy can generate superior solutions to social problems, through a principle akin to that identified by the open source software movement that open and collaborative processes can bring a wider range of knowledge capacities to bear upon issues (Flew 2004b). They also act as sites for real-world citizenship education, encouraging “the *development of political wisdom in ordinary citizens* by grounding competency upon everyday, situated experiences” (Fung and Wright 2001, p. 29).

Case study — National Forum ePetition Site

The National Forum ePetition site is a practical attempt to meet the theoretical considerations and provide a service that brokers a scaleable conversation between citizens and political representatives.

On 30 May 2005, The National Forum launched <<http://petitions.nationalforum.com.au/>>, which is a dedicated site for petitions to be presented to any Australian parliament. The first petition on the site was sponsored by National Forum member Rights Australia and supported two Private Members Bills on mandatory detention by Liberal member for Kooyong, Petro Georgiou, MP.

The site is unique compared to most existing petition sites. It has the following characteristics:

1. Petitions can be posted by any member of The National Forum as of right through their membership. Other persons and organisations can post a petition by paying a small fee.
2. Petitions are in the form of a poll and allow for votes to be cast for or against them.
3. They can also optionally be configured as a petition to be presented in one of the houses of federal parliament.
4. Respondents are asked to provide their name, email address and street address (all compulsory) as well as to optionally nominate the electorate in which they live.
5. Respondents can also opt in to receive follow-up information or join a general distribution list.
6. The validity of email addresses is checked by the system. This is also used to verify that there is a high likelihood that the respondent is who they say they are. It also makes it difficult to vote multiple times.
7. Part of the verification process includes establishing a profile with The National Forum. Once this profile is established it allows signatories to complete other petitions without having to verify their email address again.
8. Respondents are able to register a comment as well as voting on the proposition.

9. Immediately after a response has been received the respondent's name, suburb, comments (if any) and vote are added to a list published on the website.
10. After the close of the petition, names, street addresses, email addresses, comments and votes are printed so that a document can be presented in parliament by a member or senator. (Standing orders vary between the houses, so this may be done in several different ways.)
11. Reports on action taken on the petition are sent to those respondents who have opted-in to a feedback list.
12. The names and details of those who nominate their electorate are sent in a text file to their local member along with all other respondents who nominated that electorate. This allows the member to send a form acknowledgement using the data, rather than receiving separate emails which may well be dealt with them as spam.
13. Respondents who nominated an electorate are then resurveyed after two weeks to see whether they received a response from their member. Results of this are also posted to the website.

A report on the first petition, which was on Mandatory Detention and Petro Georgiou's Private Members Bills can be downloaded from:

<http://democracy.nationalforum.com.au/data/Petition_Report_final.doc>.

Press releases explaining other aspects can be downloaded from:

<http://democracy.nationalforum.com.au/data/Mandatory_Detention_Results.doc> and

<http://democracy.nationalforum.com.au/data/Petition_Release_1v1.1.doc>.

The online results of the petition are available from:

<<http://petitions.nationalforum.com.au/petitions.asp?id=1>>, and a report on politicians' responses to it is at <<http://petitions.nationalforum.com.au/responses.asp?petition=1>>.

This site 'closes the loop' for The National Forum's site. The concept of the site is that it should be a place where Australians can read about policy, discuss it with others, including policy makers and legislators, and also take action on it. The first element of the site was the e-journal *On Line Opinion* <<http://onlineopinion.com.au>> which, as at October 2005, attracts around 100,000 individual readers each month, generating 835,000 page views. The journal has discussion threads that are linked to the articles.

The petition site gives the civic discussion happening in the journal the possibility of effective political action. In the case of the mandatory detention poll readers undoubtedly had an effect on the decision of the government to compromise its policy position with Georgiou and a small band of dissident government back-benchers. This occurred in a number of ways.

First, while there was frequent discussion of the issue in the press, including the online press, it is essentially not transparent, which limits the power that the traditional fourth estate can wield. Decision-makers are presented with a conundrum. Is it the noisy minority who are

generating this discussion, or has the silent majority and found its voice? The poll answered this question because it allowed for voting both for and against. When it closed, the tally was 6050 for and 39 against.

A second issue is whether, even if the public debate echoes a general sentiment, it accurately mirrors its complexity. The petition partly solves this by providing an opportunity for freeform qualitative comments in addition to the quantitative summing of votes. It is possible for legislators to read the comments and gain a sense of what voters think.

Another issue is how geographically widespread the sentiments are. By asking for name and address, including postcode, and providing the option of also nominating electorate, this information is available. Our report on the poll demonstrates how these last two points can provide a new dimension in public debate.

A fourth issue goes to the heart of the legitimacy of contributors. While many media organisations run frequent polls, they have much less legitimacy in politicians' minds than even the 'letters' pages because voting is anonymous and lobby groups and political parties frequently attempt to manipulate the results through multiple voting and 'stacking'. This petition system not only requires name and address, thus making it closer to the letters page than a tick and flick poll, but it also uses an email verification process to make multiple voting less likely. Because the verification process requires some effort on the part of the signatory it also indicates they are committed on the issue being polled.

So the petition format brings an influential third dimension to the debate occurring on the issue in the 'fourth estate'.

It also devolves power down to the citizen level. Membership of The National Forum is available to any organisations involved in public debate without regard for their political position. It also has a number of parliamentary members who also straddle political alignments, and allows a form of membership for individuals, again without regard for their political alignment. Any of these people or organisations can initiate a petition the site merely provides the tools to publicise the issue and the poll and allow readers to collectively express their opinion.

At the other end of the spectrum it also involves elected representatives in a way that allows them to initiate their own conversations with their constituents at the same time that it measures their response, so providing a degree of accountability. This also helps to assure respondents that their views are being taken seriously.

By sending members of the House of Representatives the wording of the petition, along with a data file of respondents from their electorates with their contact details and comments, it provides the tools for the parliamentarian to at least provide a standardised response with the option for an individualised one. If they want to retain the data file it also provides them a potential avenue for a continuing electronic conversation on that and related issues. This conversation could also be scaled up to another level by the parliamentarian running a petition themselves.

The last significant feature of the system is that it packages citizens' views in a way which can interact with the legislative process as an official petition, tabled in the house. While this system has some things in common with citizen initiated referenda, it actually seeks to work within the existing customs and practices of the Australian Westminster system, applying the logic of the possibilities presented by ICTs to in one sense modify the letter of the practices whilst staying within the spirit of them.

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