Prospects for e-democracy in Europe

Part II: Case studies

STUDY

Science and Technology Options Assessment

Prospects for e-democracy in Europe

Case studies

Study

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Abstract

The growing use of ICT tools and social media significantly affects the way citizens can become involved in policy- and decision-making processes. Digital tools might create stronger connections between European citizens and the EU decision-making process and, by doing so, might contribute to reducing the EU democratic deficit. At local and national level, and to some extent also at EU level, digital tools have already been used for citizen involvement in policy- and decision-making.

This part of the report investigates what lessons can be drawn from local, national and European experiences of the use of digital tools for the functioning of EU decision-making procedures and institutions. For that purpose, a review of current literature on e-democracy and the European public sphere has been carried out (see part 1 of the study); 22 local, national and EU experiences with existing digital tools have been investigated and evaluated; and an analysis has been made of the suitability of the most promising digital tools for implementation and use at EU level (see part 3 of the study).

The most important factors for successful e-participation identified in the report are: a close and clear link of e-participation processes to a concrete formal decision-making process; the participatory process and the contribution of its outputs to the overall decision-making process have to be clarified to the participants from the start; feedback to the participants about what has been done with their contributions is an indispensable feature of the process; a participative process should not be limited to one event but should be imbedded in an institutional "culture of participation"; e-participation must be accompanied by an effective mobilization and engagement strategy, involving three communication instruments tailored for different target groups.

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Executive Summary

E-democracy nowadays is a widely applied term and describes a broad scope of practices of online engagement of the public in political decision making and opinion forming. As regards to theoretical concepts of democracy, e-democracy is mostly based on models of participatory and deliberative democracy. Far-reaching expectations of a fundamental reform of modern democracy, through the application of online tools for political participation and public discourse, are vanishing after two decades of e-democracy. There is, however, no doubt that e-democracy adds new modes of communication among citizens and between actors of representative democracy and their constituencies.

Unfortunately, a continuing deficiency with e-democratic projects is a lack of direct, or even indirect, political or policy impact, although many of the provide personal added value for participants and community building. This study investigates how to continue with e-democracy at the EU level in a way that supports public debate, deliberation and   community building AND has an impact on political decision-making. The two central research questions are:

- What are the conditions under which digital tools can successfully facilitate different forms of citizen involvement in decision-making processes?

- And how can we transfer these tools – and the conditions which make them successful – to the EU-level?

This executive summary starts with a short description of the research design and continues with the results from the literature review on building up a European public sphere by using digital communication and e-participation. Based on a case analysis, the summary proceeds with a description of six necessary conditions for e-participation tools to have an impact on political decision-making and agenda-setting. We conclude with policy options to improve e-participation at the EU level.

Research design

The research design consists of three elements:

1. Systematic literature review of around 400 seminal publications about: 1) e-participation in the context of decision making, 2) democratic impacts and effects, 3) lessons regarding success and failure, 4) application on EU level and 5) the European public sphere.

2. Qualitative comparative analysis (csQCA) of 22 case studies at the local, national and European level. The case studies are based on desk research and 45 interviews with organisers and researchers and can be categorized in five groups: 1) **Websites that monitor politics**: TheyWorkForYou, Abgeordnetenwatch.de, 2) **Informal agenda setting tools**: Petities.nl (Dutch e-petitions site), Open Ministry Finland (crowdsourcing for law proposals), 3) **Formal agenda setting tools**: constitution Iceland (crowdsourcing for a new constitution), Future Melbourne Wiki (co-creating a city planning vision), Predlagam.vladi.si (Slovenian platform for e- proposals and e-petitions), European Citizens' Initiative (citizens' proposals for new EU laws); Participatory budgeting in Berlin-Lichtenberg, Internetconsultatie.nl (Dutch e-consultation on draft legislation), Futurium (consultation on EU - digital- policy making), Your Voice in Europe (public consultation on EU policy), European Citizens' Consultation (pan-European consultation on the future of Europe), 4) **Non-binding decision-making tools**: Pirate Party Germany, Five Star Movement, Podemos,participatory budgeting Belo Horizonte, participatory budgeting Paris, Betri Reykjavik (Participatory Budgeting and agenda setting tool), 5) **Binding decision-making**: e-voting in Switzerland, e-voting in Estonia and e-voting for Spitzenkandidaten in the 2014 EP elections within the Green Party.

3. Assessment of EU suitability, via desk research and experts on the EU level, about 1) Improving existing digital tools and 2) new possibilities for e-participation at EU level.

This part of the final report consists of the results of the case studies.

The results of the case analysis: conditions that contribute to an actual impact of e-participation on decision-making

Recent years have shown the development of a broad spectrum of tools for electronic participation at all levels of policy making, so that nowadays e-participation comprises democratic functions such as *monitoring*, *e-petition*, *e-consultation*, *e-deliberation*, *e-budgeting* and *e-voting*. As it seems to be an ongoing theme that e-participative projects suffer from a lack of direct, or even indirect, political impact, the in-depth and qualitative comparative analysis of 22 case studies (csQCA) has focussed on conditions that underlie such impact.

A link to a concrete formal decision-making process appears to be the most decisive condition in the qualitative comparative analysis. Two observed EU cases – Your Voice in Europe and Futurium – have such an established link to existing formal policy process*s*. Even though some of the online participation tools were legally embedded (such as the ECI and ECC), they usually did not create any actual impact as long as these were not linked to a specific policy process. The online participation processes are of low significance when topics are too broad and the outputs too general. Such outputs fail to match the needs of decision-makers. When rules on how exactly to integrate outputs into the policy process are lacking, it also remains unclear which officials are responsible for further processing the outputs. The link between the input from participants and political reality could be intensified by facilitating online interaction between participants and decision-makers in order to enhance the connection between the participative input and the political/policy reality and enable co-creation. Online interaction can also contribute to an increase in transparency and accountability of the policy process.

It is also important that the design of the participatory process and the contribution of its outputs to the overall decision-making process are clearly explained to the participants from the start, so that participants and decision-makers may both know what to expect. Being clear on the participation process also means that it is made explicit if there is no guarantee of each proposal being implemented and that authorities are permitted to make the final judgement. Some of the cases show that visualisations like the use of infographics or a simple 'traffic light system' indicating the status of the citizens' proposal can certainly help to clarify the participation process and its contribution to the final decisions to participants.

A third condition observed in those cases that succeeded in having actual impact on policy or political decisions, is feedback to the participants about what has been done with their contributions. Providing feedback is again a sign of a well-organized process in which it is clear how exactly the participatory input has contributed to the decisions made. In addition, feedback to participants is an important form of accountability, especially since in the majority of cases authorities had the possibility to make their own considerations on how or to what extent to use the contributions. The participation processes in the majority of cases observed were non-binding. This is not necessarily problematic: participation processes are rewarding for citizens when their proposals are given adequate consideration. However, if this is not the case, it can lead to distrust not only in the participatory process itself, but also in the political system as a whole. Providing information for participants about what has been done with their contributions is therefore all the more important in the European context, given the democratic deficit and the often negative public discourse around the EU. It is thus a quite problematical finding that, from the four observed European cases, appropriate feedback to participants is only provided in the Futurium case.

A fourth condition that contributes to impact on final decisions is sustainability. A participative process should not be limited to one single (or even experimental) event (such as ECC09). It takes time to organise

a digital participation process properly and to have it run smoothly; this often implies several adjustments over time. In Futurium and Your Voice in Europe adjustments have been or are being made to enhance the user-friendliness. In contrast, the European Citizens' Initiative has not made substantial enough improvements to date, although several evaluations have made some drastic suggestions.

It is a particular advantage of online participation practices that votes can easily be collected. Logically, quantitative aggregation is applied in a majority of the observed cases. However, voting on or signing proposals with the aim to reach a certain threshold in order to set the formal agenda did not significantly contribute to an actual substantive impact. This lack of impact can possibly be explained by a weak link to the decision-making process: the signatures are collected in order to put a proposal on the political or policy agenda but leave all further interpretation and implementation to decision-makers. Quantitative aggregation is more influential if used to vote on proposals in order to prioritize these or – obviously – when applied in elections or referenda. It might be particularly interesting to further explore voting in combination with deliberative processes. Deliberation could enhance the quality of the input and the subsequent votes give an indication if the participative input is broadly supported or not. However, we have to note that deliberation between participants from different EU countries is quite challenging to organise, particularly because of language barriers.

The last condition contributing to actual impact (and to a legitimate participation process) is an effective mobilization and engagement strategy, involving communication instruments tailored to different target groups. This is probably one of the greatest challenges of e-participation, especially for the EU institutions, since EU citizens form a very large and diverse group of people. Mass media clearly function as important mediators in mobilizing the general public in several e-participation cases on the national and local level. Due to the lack of a transnational European mass media public and the often restricted awareness of national media of European issues this is a particular challenge for European e-democracy formats. A specific media strategy targeted towards national publics of the Member States might be needed to induce awareness of e-participation formats offered by EU institutions and it might help to promote commitment of partners like Civil Society Organisations (CSOs) at the national level, who can help to mobilize the national publics.

1. Introduction

"*There exist more opportunities than ever before for citizens wishing to have their say, via the media or directly to local and national governments, but there is a more pervasive sense of disappointment than ever before that citizens are outside the citadels of power, and that those within do not know how to listen to them.*" (Coleman and Moss 2012: 4)

According to the UN's e-participation index (UN, 2016), e-participation is expanding all over the world. The index measures e-participation according to a three-level model of participation including: 1) e-information (the provision of information on the internet), 2) e-consultation (organizing public consultations online), and 3) e-decision-making (involving citizens directly in decision processes) (UN, 2016: 54). In the present report we reserve the term 'e-participation' for all forms of political participation making use of digital media, including both formally institutionalised mechanisms and informal civic engagement.

The drivers behind e-participation are digitalization, the development of digital tools that can be used for citizen involvement – social media, deliberative software, e-voting systems, etc, and the growing access to the internet. In European countries, especially those which rank prominently among the top 50 performers, citizens have more and more opportunities to have their say in government and politics. According to the UN, the largest share of e-participation initiatives relates to central and local governments giving access to public sector information and public consultation via digital tools. Recently there has been a growing focus on citizen involvement in policy-making, although progress in this field has been modest so far.

A democratic deficit

However, it is not only digitalization that has been advancing e-participation. Nowadays many European citizens are invited, especially by their local governments, to be more involved. Because of the economic recession and budget cuts, civil service reform and de-centralization of public tasks, citizens are now expected to be more self-sufficient (i.e. taking over activities that were formerly public services). At the same time, citizens themselves actually want to be more involved. The UN report (2016: 3) states that "*advances in e-participation today are driven more by civic activism of people seeking to have more control over their lives.*" This is confirmed by surveys such as the European Value Studies (2008) where the majority of European citizens indicate they want to be more involved in political decision making.

From other surveys it is clear that many European citizens do not feel as if their voice counts or their concerns are taken into consideration. For example, in the European Social Survey (2014), the majority of the respondents gave a negative reaction to the question "*How much would you say the political system in your country allows people like you to have a say in what the government does?*". The same holds true for the question: "*And how much would you say that the political system in your country allows people like you to have an influence on politics?*". When it comes to the EU, the Eurobarometer tells us that exactly half of the EU citizens disagree with the statement that their voice counts in the EU. And in almost all European countries there was an increased number of respondents that disagreed with the statement that the European Parliament takes the concerns of European citizens into consideration. In general, it was a majority of 54% that disagreed with the statement.

This 'democratic deficit' (Grimm 1995) at the EU level is also felt by EU officials and EU parliamentarians. EU politics as executed by the European Commission and the European Council is lacking democratic legitimation and responsiveness to European citizens. The fact is that the roles and powers of the European Commission are growing while the European government has no direct accountability to the European citizens. It is enacted and controlled by a multilevel system of policy making and often

operating outside the control of formalized systems of representative democracy. The trust in European governmental and political institutions by European citizens remains quite low: according to the Eurobarometer, 46 per cent of European citizens tend not to trust the EU.

Expectations of e-democracy

E-participation and in a broader sense e-democracy - the practice of democracy with the support of digital media in political communication and participation – are seen as a possible solution for democratic shortcomings at the European level (as well as on the local and national level). From the start, and especially in the 1990s, the expectations for renewing democracy through new media were far reaching. Those hopes were based on the idea that e-democracy could strengthen the ties between the sovereign, the citizens, and their political representation - governments and policy makers. It was expected that new technologies would facilitate direct communication, allow more transparency of decision making, and increase the responsiveness of public authorities to the needs and expectations of the constituency, all things which would lead to a revitalization of democracy.

However, after a few decades of e-democracy and e-participation practices on all levels of policy making from municipalities to transnational bodies, the reality has been sobering. After 25 years of e-democracy, Jan Van Dijk - a scholar of e-democracy – concludes that, up until now, the primary achievement of e-democracy has been a significant improvement in access to, and the exchange of, politically relevant information. Evidence on the realization of e-democracy supporting public debate, deliberation and community building was mixed, and – most disappointing from the perspective of direct democracy – "*no perceivable effect of these debates on decision-making of institutional politics*" was detected (Van Dijk 2012: 53 ff). Furthermore, van Dijk asserts that e-participation is largely confined to the initial and the final stages of the policy cycle, and that it rarely allows for entries into the core stages of decision-making and policy execution. This is more or less (still) in line with the UN report on e-participation (2016) which states that there is a modestly growing focus on citizen involvement in policy-making. Although the initial high expectations can be so adjusted, e-democracy and e-participation are a reality and both have changed the communication between citizens and governments in, without a doubt, many beneficial ways, for example by providing better and faster access to all kinds of public information for citizens, procedures of e-consultation or e-budgeting. And in this decade, social media have been offering a new mode of direct political communication among citizens, communities and policy makers.

In this study – taking the STOA report from 2011 as a starting point – we investigate how to continue with e-democracy at the EU level in a way that supports public debate and has an impact on political decision-making. We start from the viewpoint that e-democracy is one of several strategies for supporting democracy, democratic institutions and democratic processes, and spreading democratic values. Its main objective is the electronic support of legitimate democratic processes and it should be evaluated on these merits. In other words, e-democracy is additional, complementary to, and interlinked with, the traditional processes of democracy (Council of Europe 2009: 11). Or as the Council of Europe also states in its recommendation on e-democracy: e-democracy is, above all, about democracy.

Research questions

In order to investigate how to continue with e-democracy at the EU level, 22 cases of digital tools have been analysed and compared. A short explanation of each of the cases can be found in the ANNEX. The majority of the cases (15 of the 22 cases) was individually requested in the project specifications, as defined by STOA. The 22 cases:

- are organised at different political and governmental levels (local, national, European);
- enable citizen involvement at different stages of political decision-making (agenda setting, decision-making and monitoring);

- are possibly suitable to be implemented and used at the EU level in order to counteract the deficit in European democratic processes.

The two central research questions that will guide the analysis are:

- What are the conditions under which digital tools can successfully facilitate different forms of citizen involvement in decision-making processes?
- And, how can we transfer these tools – and the conditions which make them successful – to the EU level?

Our study is divided into three phases:

1. A literature review with a particular focus on the most recent and relevant literature;
2. An empirical assessment and comparison of 22 cases of digital tools;
3. Lessons for existing EU e-participation tools and new options to improve e-participation at the EU level.

This part of the report consists of the findings of phase 2: the analysis and assessment of 22 digital tools.

Reading guide to part 2 of the report

Chapter 2 discusses the methodology of phase 2 of the study: the case selection, the data collection of the cases (literature research, standardized online questionnaires and semi-structured interviews with two experts per case) and qualitative comparative analyses (QCA) for the case analysis.

Chapter 3 uses the findings of the literature review (see part 1 of the report) to construct two theoretical frameworks for a) evaluating the digital tools and b) for assessing the suitability of these tools for use at the EU level.

Chapter 4 to 8 contains the case descriptions of 22 cases of e-participation tools at local, national and EU level. The cases are grouped according to the following division: monitoring tools, informal and formal agenda setting tools, non-binding and binding decision making tools.

Chapter 9 consists of the results of the Qualitative Comparative Analyse (QCA). The QCA starts with the descriptions of the conditions – like feedback to the participants or embeddedness in the policy cycle – and outcome factors we used in the comparative analysis. It continues with an analysis of which conditions are actually contributing to a positive outcome factor: impact on the final policy or political decisions and/or impact on the policy of political agenda setting.

Chapter 10 consists of the main conclusions on the case analysis.

2. Methodology and resources used

In methodological terms the current study rests on two central pillars: a systematic literature review (see part 1 of the report) and 22 empirical case studies. An expert workshop on suitable digital tools at the EU-level served as an additional component (see part 3 of the report). In this chapter we will go into the methodology behind the empirical case studies.

2.1. Empirical case studies

Next to the systematic literature review, this research comprises the empirical study of 22 cases of existing digital tools. In this chapter about the methodology we will explain the research design for this empirical case analysis, in terms of the case selection (2.1.1); the strategies for data collection (2.1.2); and the fundamentals and procedures of the QCA approach, which we apply in the comparative case analysis (2.1.3).

2.1.1. Case selection

The 22 cases are existing digital instruments that organize citizen involvement in local, national or European democratic decision-making processes. The majority of the cases are a pre-given, since these were individually requested in the project specifications defined by STOA (The participatory budgeting in Paris, Reykjavik, and Brazil, the European Citizens' Consultation, Futurium, Your voice in Europe, European Citizens' consultation, the Italian Five Star Movement, the German Pirate Party, Podemos, the European Greens, the constitution reform in Iceland, the Swiss e-voting experience, the Estonian e-voting experience, the Finnish governmental experiment;). To further select appropriate cases, the following criteria are used:

- existence of (grey) literature on the case;
- diversity of tools;
- diversity of institutional contexts and scales (local, national, EU);
- geographical diversity throughout Europe;
- different types of citizen involvement.

The combination of these criteria provides a broad perspective on the tools that could be used to strengthen participatory and direct democracy at EU level. In the table underneath it is shown which cases are selected on the basis of the criteria.

For the purposes of the present study we suggest a further differentiation and somewhat different structuring of major digital tools used in different types of participation serving different functions of citizen involvement as displayed in table 1:

Table 1. Functions, types and tools of e-participation

Function of citizen involvement		Case	Scale	Country
Monitoring		TheyWorkForYou	National	Great Britain
		Abgeordnetenwatch	National	Germany
		Petities.nl: Dutch e-petitions site	National	Netherlands
	Informal	Open Ministry Finland: crowdsourcing for law proposals	National	Finland

Agenda setting	Formal	Iceland: crowdsourcing for a new constitution	National	Iceland
		Future Melbourne Wiki: crowdsourcing for city planning vision	Local	Australia
		Predlagam.vladi.si: platform for e-proposals and e-petitions	National	Slovenia
		European Citizens' Initiative: citizens' proposals for new EU laws	European	EU
		Participatory budgeting Berlin	Local	Germany
		Internetconsultatie.nl: consultation on draft laws	National	Netherlands
		Futurium: consultation on EU (digital) policy making	European	EU
		Your Voice in Europe: (open) public consultation on EU policy	European	EU
		European Citizens' Consultation: pan-European consultation on the future of Europe	European	EU
Decision making	Non-binding	Pirate Party Germany	National/ district	Germany
		Five Star Movement	National	Italy
		Podemos	National	Spain
		Participatory budgeting Belo Horizonte	Local	Brasil
		Participatory budgeting Paris	Local	France
		Participatory budgeting Reykjavik	Local	Iceland
	Binding	Voting for Spitzenkandidaten in the 2014 EP elections within the Green Party	European	EU
		E-voting for elections	National	Estonia
		E-voting for elections/referenda	National	Switzerland

2.1.2. Data collection

Each separate case is thoroughly studied. All aspects of the evaluation framework are covered in a structured template (see 4.1.4) that forms the empirical checklist for the case studies. Empirical data on all these aspects come from different data sources and methods of data collection, namely:

- (grey) literature research;
- standardized online questionnaire;
- semi-structured interviews.

Key in our strategies for data collection is thus *methodological triangulation*. We use more than one method and source to gather data on the 22 cases. This is to cross-check our data and to obtain construct validity (an effective methodology and a valid operationalization) (Fielding and Warnes 2009). The elementary data for the case studies comes from the (grey) literature about the case. In addition, two respondents per case are interviewed. In our design the two respondents are (1) a professional that is involved in the case and (2) an expert who scientifically studied and/or contemplated the case. The data collection was finished in February 2017.

The interviewing takes place via two steps. First, the interviewees are asked to answer a standardized questionnaire online to evaluate the digital tool. For the e-voting experiences a separate questionnaire has been created, because not all questions are applicable in these cases. The concept questionnaires have been pre-tested in a pilot and are commented on by STOA and two external experts. This has led to several adjustments in the questionnaire. In Annex II en III the final online questionnaires can be found.

Second, the respondents are interviewed face-to-face, by telephone or Skype, asking follow-up open questions which take no more than one hour. The individual responses the professionals and experts gave guide these subsequent semi-structured interviews. The open questions address, in a more qualitative way, the motivations of respondents behind their evaluation scores. Moreover, the open questions focus on a better understanding of the success factors, risks, challenges and the EU suitability in relation to the specific digital tool. In addition, in the interviews unsolved issues within the case study - inconsistencies in the data or aspects on which no information can be found in the literature – are discussed with the respondent. The interviewee was able to comment on the transcript of the interview as well as on the draft case study.

2.1.3.   Case analysis: Qualitative Comparative Analysis

To analyse the findings of the desk research, the questionnaire and the interviews, the technique of Qualitative Comparative Analysis (QCA) will be used. QCA is a technique for making a systematic comparison of different case studies. The intention of the QCA is to integrate qualitative case-oriented and quantitative variable-oriented approaches (Ragin 1987). The QCA technique aims for 'meeting the need to gather in-depth insight into different cases and to capture their complexity, while still attempting to produce some form of generalization' (Rihoux and Ragin 2009, xvii). QCA is yet more related to the side of the case-oriented methods, than on the side of the statistical methods, as Berg-Schlosser et al (2009) outlined.

Our particular research has an intermediate-N research design, including 22 cases. This sample is too large to focus on in-depth analysis only and too small to allow for a conventional regression analysis, but QCA is an appropriate technique for analysis (cf. Gerrits and Verweij 2015). It is particularly in such intermediate-N research designs that QCA helps to acknowledge the within case-complexity on the one hand, while it enables cross-case comparison on the other hand (Rihoux and Ragin 2009, xvii).

2.1.3.1.   The basic principles of QCA

The goal of the qualitative case comparison is to identify conditions that are necessary or sufficient to produce a pre-defined outcome. A necessary condition is a condition that is always present when the outcome occurs. A sufficient condition is a condition that alone produces the outcome, and does not need to be combined with other conditions.

The QCA method recognizes all interactions between social phenomena as set-relations. Conditions that are present concurrently with the outcome are seen as a set. By perceiving relations between social phenomena as set-relations, QCA rejects the idea of permanent causality, but, instead, focuses on the causal complexity. The presumptions of QCA are (Berg-Schlosser et al. 2009, 9):

- Several causes can be simultaneously present constituting a causal combination, this is referred to as *conjunctural causation*;
- Varying causal combinations can result in the same outcome, which is called *equifinality*;
- A given condition may, combined with different others, sometimes act in favor of the outcome, and sometimes (differently combined) act against it (*multifinality*); and
- The presence and the absence of the outcome may require different explanations, which is referred to as *asymmetric causality*.

The qualitative comparative analysis has different analytical stages (which also on their own represent different applications of a QCA (see Berg-Schlosser et al. 2009, 15-16)). The first step and aim of qualitative comparative analysis is to explore and summarize data. The data collected is explored by producing a *truth table* that shows the similarities between cases. The raw data table, in which all cases have scores on the pre-defined conditions and the outcome, is the starting point. This data table is minimized by grouping the cases that have exactly the same scores on the conditions and the outcome. In other words, the truth table is a data table that clusters the cases with similar configurations. Through these steps, similarities and differences between cases come to light.

Another step and aim of QCA is to check the coherence of the data. Here, the analysis is focused on detecting contradictory configurations. Contradictory configurations are paths that appear to be inconsistent in the comparison of cases; when cases score exactly the same on the conditions, but got a different score on the outcome. The next step is to seek a solution to these contradictions. This implies a 'dialogue with the cases' and leads to a more coherent body of evidence (see Berg-Schlosser et al. 2009, 16). Strategies to resolve the contradictory configurations are, among others, to add another condition to the model, the removal of one or more condition(s) from the model and the replacement by another condition and or to re-examine the conceptualization of the various conditions, by considering an adjustment of the threshold (Rihoux and de Meur 2009, 48-49). These strategies thus lead to an adjustment of the truth table.

When the contradictory configurations are resolved, the next step of the analysis is *Boolean minimization*. The goal of the Boolean minimization is to obtain a minimal formula to which all cases can be connected. The minimal formula makes a statement of the necessary and sufficient conditions that explain the outcome. More precisely, two minimal formulas are obtained: one formula that explains the occurrence of the outcome, and another formula that explains the non-occurrence of the outcome. This formula can be used for testing hypotheses or existing theories, for quickly testing any conjecture formulated by the researcher or for developing new theoretical arguments (in a more grounded manner), which are three other aims a QCA can have (see Berg-Schlosser et al. 2009, 16).

2.1.3.2.   Our qualitative comparative analysis

Several variations within QCA techniques exist. In this research we apply the Crisp-Set Qualitative Comparative Analysis (csQCA). This was also the approach that Pratchett et al. (2009) used to compare different cases of e-participation. The foundation of csQCA lies in Boolean algebra. Hence, the scores of the cases on the different conditions and the outcome will be dichotomized in the course of the procedure. In practice, the csQCA with an intermediate-N research design follows these steps:

1. *Case selection*. For a Qualitative Case Comparison there are several good practices to select cases (see Berg-Schlosser and De Meur 2009:24-25). Since the majority of the cases were selected on request of STOA, not all good practices can be met in this research. Requirements for case selection are: that cases share enough background characteristics. Also, a very clear definition of the outcome is needed and it is best to include both cases with a positive outcome and cases with a negative outcome. Sufficient familiarity with each case (empirical "intimacy") is needed in (small or) intermediate-N design (intermediate N ≈ 10-40 cases). This is covered through the triangulation of data sources within the data collection phase. Another piece of advice from Berg-Schlosser et al (2009) is to leave the possibility open to remove cases at a later stage in the research (for instance in the phase of creating the truth table or the Boolean minimization).
2. *Selection of the conditions and the outcome.* The number of conditions needs to be relatively low, because the number of possible logical set-combinations quickly exceeds the number of cases (Berg-Schlosser and De Meur 2009). In other words, the empirically observed cases will occupy only a tiny proportion of the potential 'logical space' (3 conditions result in 8 possible logical combinations, 6 conditions already leads to 64 possible combinations). Moreover, the fewer the number of 'causes' we need to

explain an outcome, the closer we come to the core elements of causal mechanisms. A large number of conditions tend to individualize each case, which makes it difficult to find any regularity or any synthetic explanation of the outcome across the cases. In our intermediate-N research design, a number of 4-7 conditions is advised in the literature (Berg-Schlosser and De Meur 2009, 28). The ideal balance between the number of cases and the number of conditions is found through trial and error. Hence, the final conditions and outcome 'variables' are formulated in a later stage of the research. The empirical findings are needed here, since the conditions and the outcomes need to vary in their score across the cases. At least one-third of the scores on a condition must be a 1 or a 0, otherwise they should be excluded or adjusted (Berg-Schlosser and De Meur 2009, 45). In our research the conditions and outcome measures are largely based on the evaluation framework criteria.

As Kubicek and Aichholzer (2016) argue there is a need to empirically identify the factors and conditions contributing to the success or failure of e-participation tools. An obvious option for the outcome 'variable' in our QCA is therefore 'positive result', which could be operationalized as the 'real impact on the decision-making process' (as Pratchett et al, 2009).

3. *Assessment of the scores on the conditions and the outcome within the different cases*. On the basis of the qualitative and quantitative data the scores of the cases on the different conditions and the outcome are assessed. In the application of QCA, the qualitative and quantitative information derived from the desk research on the cases are analysed integrally with the quantitative survey and the structured qualitative interviews. The scores are based on in-depth knowledge of the cases and a triangulation of data sources.

4. *Dichotomization of the scores*. Thresholds are formulated for the different conditions and outcomes in a transparent way, justified on substantive or theoretical grounds (or, if not possible, technical criteria can be used) (Rihoux and De Meur 2009, 42). The result should be a dichotomized raw data table with all the scores of the cases on the conditions and the outcome measure.

5. *The creation of the truth table.* Steps five till zeven are further elaborated on in chapter ten.

6. *The detection of and solution for contradictory configurations.*

7. *The Boolean minimization into minimal formulas which explain the occurrence of the outcome.*

2.2. Limitation of the research

2.2.1. Qualitative comparative analysis of 22 cases

Underneath we address the limitations with regard to the case selection, data and QCA.

2.2.1.1. Case selection

The majority of the cases are a pre-given, since these were individually requested in the project specifications defined by STOA. The cases are quite different in nature, both in terms of their context (different countries, administrative levels, types of initiators, decision-making phases for instance) and in terms of the digital tools that are applied. E-voting for example is one of the most prominent of e-democracy tools, while it often can be considered more a public service than a tool that enhances democracy, in contrast to the other cases. For the qualitative comparative analysis the cases ideally would have been more similar in some respects. In our analysis we use a general conception of political decision-making processes that overarches all cases. We analyze and compare the cases to look for the conditions under which digital tools can successfully facilitate different forms of citizen involvement in decision-making processes. The conditions are deliberately chosen because they can be studied in all cases.

2.2.1.2. Data

One of the data sources for the case studies is existing literature. However, some cases are barely researched up till now. These cases studies are innovative on the one hand, but for certain conditions triangulation was not fully possible. Not much academic literature was found on M5S, Podemos, Participatory Budgeting in Paris, the Dutch petition site and Green Primary (which could be related to

our search in English and German literature). Also for other cases no or only limited research or knowledge was available on certain conditions (as with regard to characteristics of participants). This lack of data resulted in some case studies that go into detail more than other case studies. As the cases at the EU level address two main aspects of our study – digital participation and the EU level –, these European case studies are more elaborately described. For almost every case we were able to interview both an organizer and an academic researcher with an independent, reflective perspective on the case. For Participatory Budgeting a journalist was interviewed to offer the independent, reflective perspective as no academic expert was found on the case. For the case study of Your Voice in Europe we interviewed a second organizer instead.

2.2.1.3.   QCA

The most obvious drawback of the crisp-set qualitative comparative analysis (csQCA) is the subjective process to determine the hard thresholds to score conditions as being present (1) or absent (0). In terms of reliability we are aware that this subjective process of determining thresholds and making choices with regard to presence of conditions could have had other outcomes for other researchers. We therefore attached great importance about being transparent about our choices and thresholds, as can be seen in chapter 10. Moreover, at least two researchers were involved in making these decisions (usually the researcher that made the case study and one of the other researchers). The harsh threshold could have been softened by applying fuzzy set QCA (fsQCA), in which conditions can have more gradations than 0 and 1. Such gradations could have described the complexity of the digital participation cases better. However, using more gradations in the conditions makes that the logically possible number of combinations increases exponentially: the number of conditions that can be taken into account would therefore become even more limited.

2.2.2.   Recent developments

Public debates about digital manipulation of political information from foreign powers have emerged during our research endeavour, and came up in some of the last interviews. Unfortunately we were not able to address this issue in this research convincingly. Our research strategy, to build on existing literature and to reflect on past experiences of digital participation, did not enable us to make a thorough analysis of this development and risk. The issue of (foreign) digital manipulation of voters should be thoroughly studied on its own, in a future study.

3. Theoretical frameworks for evaluating digital tools

3.1. Evaluation framework for assessing digital tools

The selection of the evaluation framework's key elements for assessing the digital tools we choose to describe and analyse has been made according to the project's central aim: to identify and analyse best practices with digital tools for participatory and direct democracy at different political and governmental levels (local, national, European) that can be used at EU level to encourage citizen engagement and countervail the European democratic deficit.

In view of the current crisis of representative democracy, the disengagement from the democratic processes and the distance of citizens from EU institutions, restoration and enhancement of democratic legitimacy at the European level is needed. Therefore, we put legitimacy and its key dimensions (Schmidt 2013) centre stage in the evaluation framework, and use it as the basis for differentiating further, more specific evaluation aspects (see table 2). In short, we consider a digital tool to be successful when it is able to restore and enhance democratic legitimacy. In this we follow the Council of Europe in its Recommendation on e-democracy as referred to in the Introduction: "E-democracy, as the support and enhancement of democracy, democratic institutions and democratic processes by means of ICT, is above all about democracy. Its main objective is the electronic support of democracy" (Council of Europe 2009: 1).

In order to investigate how digital tools can contribute to stronger connections between EU citizens and EU politics, we distinguish between five types of citizen involvement in the decision-making process: agenda setting, input for policy options, co-decide, decide and monitoring/contest (see also section 2.2.1). In combination with the strong focus of the project on democratic legitimacy, this leads to an evaluation model along the lines of the input, throughput and output legitimacy of political decision-making processes (Schmidt 2013; Scharpf 1997).

Fritz W. Scharpf's (1999) divided democratic legitimisation into input legitimacy, judged in terms of the EU's responsiveness to citizen concerns as a result of participation **by the people** and output legitimacy, judged in terms of the effectiveness of the EU's policy outcomes **for the people**. Vivien Schmidt (2012) has added to this theorization of democratic legitimacy, a third criterion for evaluation of EU governance processes: throughput legitimacy, judging legitimacy in terms of their inclusiveness and openness to consultation **with the people**.

The distinction between these three criterions for democratic legitimacy, helps to understand the particular relevance of the democratic deficit in times of the recent and current EU crisis. Due to the transnational character, EU institutions' legitimisation has difficulties to be rooted in strong channels of information by citizens (input legitimacy) and consultation with citizens (throughput legitimacy) and thus must rely on legitimising its policies by the quality of its output, i.e. its decisions and regulations being in the best interest of and thus being supported by the citizenry. The fact that in the latter respect, the means of the EU institutions are restricted as well, has a special bearing in times of crisis. The missing input legitimacy becomes the more problematic, the weaker out-put legitimacy is getting with apparent difficulties to establish consensus on a European way out of the fiscal crisis or a joint European policy to solve the refugee problem. In a situation where strong decisions have to be taken at the EU level (beyond national interests) input but also throughput legitimacy is urgently needed.

The three types of legitimacy poses different demands on digital tools for citizen involvement. In the following paragraphs we will address these different demands.

3.1.1. Input legitimacy

Regarding the input legitimacy, the use of digital tools will be assessed for how it enhances the voice of citizens in the political decision-making process. Voice concerns the way in which affected citizens are able to influence the political agenda (Manin 1987). To what extent are citizens enabled to express their wishes and interests in political decision making? How can citizens get an issue on to the political agenda? Is there equality of opportunity for citizens to voice their concerns? Are citizens supported enough in their efforts to voice themselves in the process (i.e. interaction support)? Is the tool user friendly (i.e. tool usability)?

3.1.2. Throughput legitimacy

Regarding the throughput legitimacy, an evaluation will be made of how digital tools contribute to the quality of the deliberation process, in terms of an inclusive dialogue and a careful consideration of options (Cohen 1989). Relevant questions are: to what extent do the views of the citizens expressed by the digital tool represent the views of the general population (i.e. representation)? How is the diversity of views within the population (including minority views) reflected in the process? Are the different policy options carefully considered in the deliberation process? Do the citizens have access to all the relevant information about the decision making process to which the results of the digital citizen involvement should contribute?

3.1.3. Output legitimacy

Concerning the output legitimacy, responsiveness to the arguments and proposals of citizens (Cohen 1989) and effectiveness (Scharpf 1999) will be evaluated, along with the accountability of decisions made. To what extent do the tools substantially contribute to the political decisions made (i.e. democratic impact)? How do the digital tools contribute to feedback? Is information provided about the decision-making process and its outcomes (i.e. accountability)? Does the digital tool help to enhance the trust of citizens in the wider perceptions of the political system? To what extent has the tool been (cost)effective?

In table 2 the final evaluation framework is further elaborated, including specific questions which are used as a basis for the questionnaires as well as for the case description format (see 4.1.4).

Table 2. Evaluation framework for assessing digital tools

Key Dimensions	Demands	Specific questions
Input legitimacy	• Information/equality of opportunity • Tool usability • Interaction support • Voice	• Has the possibility to participate been effectively communicated to the target group? • Is the tool accessible for every member of the target group to participate? • Are the participation tools considered usable, reliable and secure? • How and to what extent are participants enabled to express their wishes and interests? • How and to what extent are the participants able to set the (political) agenda? • Does the design helps to involve citizens beyond the participation elite?

Throughput legitimacy	• Deliberation quality • Representation • Diversity/Inclusion	• To what extent is information provided about the complete decision-making process and how the citizen participation is part of this (during the process)? • How is information provided to the participants about the issues at stake? • Does the tool encourage interactive exchange of arguments between participants? • Does the tool encourage interaction between the views of participants and views of the officials/politicians? • To what extent are the participants representative for the target group? • To what extent is the input of and/or conversation between participants moderated? • How is the diversity of views of the participants managed (aggregated?) in the process; are minority standpoints included?
Output legitimacy	• (Cost)-effectiveness • Democratic impact • Accountability • Responsiveness • Trust	• How does the instrument contribute to the decision-making process and its outcomes? • Does the tool increase the transparency of the issues at stake? • Does the tool help to enhance accountability: informing who is responsible for what action? • How are participants informed about the outcomes and about what has been done with their contributions (afterwards)? • Does the tool contribute to reducing the distance between government and the target group and increasing trust in government? • Is the tool considered cost-effective? • Does the process provide space to the official/politician to make their own judgement, selection or assessment?

3.1.4. Case description format

Based on evaluation framework as described in table 2 we have developed a format for the case descriptions. Each case description has at least four sections: an introductory one (i.e. (short description of the digital tool), one on the participants, one on the participatory process and one on the results of the digital tool. Depending on the literature available on the tool but also on the knowledge of the two interviewees per case, the sections contain the following information:

Introduction
• Aims
• Initiators
• Financial sources
• Involvement of political and/or governmental organizations
• Legal framework (in which the tool is embedded)
• The decision making phase(s) (i.e. monitoring, agenda setting or decision-making)
• Different phases in the participatory process (if appropriate)
• Time period in which the tool is used

Participants
• Target group of participants
• Was there an engagement/communication strategy to involve the target group?
• How many people participated?

- (Self-)selection process (e.g. who participated (citizens, stakeholders, officials), registration needed, etc.)
- Representativeness of the participants
- Minorities included?
- Does the design help to involve participants beyond the participation elite?

Participatory process
- To what extent is information provided on the issue at stake?
- What sort of input can participants give (through which technologies)?
- Is the input aggregated (e.g. voted upon, ranked, weighed or interpreted)?
- Is the diversity of views managed (in the decision making process)?
- To what extent are views exchanged (between participants and/or with the decision makers)?
- Can participants monitor the complete decision making process and is clear who is responsible for the decisions?

Results
- How do the results contribute to the decision making process and its outcomes?
- How are the participants/target groups informed about the outcomes?
- How are the participants/target groups informed about what has been done with their contributions?
- Does the tool contribute to reducing the distance between government and citizens increasing trust in government?
- Is the tool cost-effective?

3.2. Evaluation framework for assessing the suitability of digital tools for use at EU level

The cases of e-participation studied in this report exemplify various ways in which democratic participation and direct involvement in political and administrative processes can be supported by digital tools. Our major motivation for studying these cases is to gather inspiration for how e-participatory tools and approaches can help to address the perceived democratic deficit of the EU. We expect that the case studies in themselves as well as our cross-case analysis will provide food for thought for those who work inside or outside the EU institutions on improving channels for citizens' participation at the EU-level. However, taking the lessons learnt from the case studies into account, we also wish to produce concrete options for how existing EU-level mechanisms might be improved, how additional mechanisms could be conceived, and how the general approach of the EU institutions to producing such mechanisms could be tweaked to create better and more sustainable results.

To make this leap from analysis to options for action demands a change of pace – from stepwise analysis to leaps of the imagination - and dictates the adoption of a problem-oriented approach. Rather than an attempt at systematically presenting and evaluating all logically possible applications of the tools, which were analyzed in the previous section, we attempt to use the findings from the case study to identify the 'low-hanging fruits' of e-participation at European level. We therefore turn our attention to the shortcomings of existing mechanisms and draw on the lessons learnt in our case studies in an effort to come up with useful solutions. Our efforts have been guided by inputs from stakeholders engaged on a day-to-day basis in the examination and improvement of these existing mechanisms. Based in part on our own analytical efforts and the experience and creativity of these stakeholders, we hope that the recommendations produced in the final part of this report will help to move debates on EU-level participation and the availability of digital options for its improvement forward.

3.2.1. Conceptual approach

The basic approach that we take to the production of options for improvement of EU-level participation is one in which individual e-participation processes are seen as contributing to the formation of what the Commission-funded Engage2020 project calls 'a culture of openness, transparency and participation' in the EU institutions (Andersson / Bussu / Davis 2015). We assume that there is no 'silver bullet' solution to establishing the kind of ongoing interaction and deliberation between the EU institutions and the gradually Europeanized public spheres of the European Member States (Monza and Anduzia 2016). Instead, if the ambitions set forward a decade ago by the European Commission (in its 'Plan D for Democracy, Dialogue and Debate') of strengthening the European public sphere through e-participation and thus mending the perceived gap between European citizens and decision-makers are to be realized in practice today, this ambition must be operationalized through an EU-wide 'participation infrastructure'. To be sure, rather than some technical super-system for digital communication (which already exist in plentiful numbers) we adopt the definition of participation infrastructure proposed by Nabatchi and Leighninger as a complex of "*laws, processes, institutions, and associations that support regular opportunities, activities and arenas that allow people to connect with each other, solve problems, make decisions, and be part of community*" (Nabatchi and Leighninger 2015). Digital tools supporting participation are, in other words, only part of the equation, and no single tool should be expected to provide the entire solution to the problem of legitimacy of the EU.

As a matter of governance culture we could say that looking for ways of increasing the Union's legitimacy is less about looking for places where openness, transparency and participation (digital or in real life) could increase legitimacy and more about questioning whether there are in fact good reasons why *any* EU decision-making process should be exempted from precisely those ideals. This reversal of perspective is part and parcel of the emergence of interactive, participatory, and collaborative forms of governance (see e.g. Ansell and Gash 2008; Torfing et. al. 2012).

The point of these considerations in the context of evaluating the suitability of digital tools for e-participation in EU decision-making is to reject outright the notion that a 'technical fix' could mend the EU's democratic deficit (see also STOA 2011). For any such tool to be useful it is a necessary – if not sufficient – condition that the governance actors making use of the tool are willing and able to explicate the degree of influence given to the public via the tool and to follow-up the e-participation process in a highly visible and straight-forward manner (Andersson, Bussu and Davis 2015; Nabatchi and Leighninger 2015; see also our cross-case analysis later in chapter 5). In a recent study carried out on behalf of the European Parliament the danger that this criterion would continue to be ignored by European decision-makers was recently highlighted as a major threat to the continued usefulness of the ECI and EC consultations (Lironi 2016).

To be inspired by e-participation tools previously deployed at national, regional or local levels, we must therefore take into account not only the technical aspects of the digital tool supporting the e-participation process. The evaluation must equally emphasize considerations of the intentions for which the e-participation process has been implemented and investigate the degree to which the kind of political or administrative process in which citizens participate is recognizable at the European level. This may take some element of creative imagination, since the EU institutions do not mirror in any simple way the processes of national, regional or local governance. Finally, the evaluation must also take into account the specifics of European governance, i.e. the challenges of multilingualism, multi-level governance, subsidiarity, and digital divides across Europe.

In the following, we describe an evaluation framework designed to enable a structured qualitative evaluation of the suitability of existing tools for e-democracy in relation to political and administrative processes in the institutions of the European Union.

3.2.2. 'Suitability' is a flexible notion

When considering the suitability of existing e-participation solutions for the EU-level, it is important not to expect 'plug and play' compatibility. All mechanisms for e-participation, digital democracy or indeed participation under any form are highly context sensitive. Specific solutions are developed in response to specific institutional gaps or ambitions. If a certain case works well, it is because there is a good fit between the political ambitions behind it, the underlying institutional culture and organizational capacities, the democratic culture of the community, and the specific design and implementation choices made in regard to the e-participation solution. Evaluating the suitability of a given case for implementation in another setting – in our case the EU institutions – should not begin by reducing the case to a 'tool'. On the contrary, if we find a certain case inspiring and see a potential connection to an institutional problematic at the EU level, we should start by clarifying the nature of this problematic and only then turn our attention back to existing cases to see to what degree they were responding to similar problematics and how the response was designed.

From this starting point and in line with previous overviews of inspirational cases of participatory processes (e.g. DoingForesight, Engage2020), our evaluation of the suitability of existing cases for implementation at EU-level follows a 'toolbox' approach. To determine the suitability of any tool for a given task, it is first and foremost necessary to understand the purpose of the activity for which the tool is being considered. Once this has been established, selection among a given set of tools is dependent on a working understanding of each tool and the purposes for which it was designed. Only after the available tools have been categorized in a general way do we zoom in on the specific characteristics of the tool in order to choose exactly a suitable tool for the task at hand.

More often than not, multiple tools will be suitable for the performance of a given task. Tasks as well as tools are open to interpretation; they both provide a degree of affordance (Gibson 1977, Norman 2013). Problem-solving thus affords the person charged with a task a certain leeway in designing his or her problem-solving strategy so as to make the problem solvable with a given box of tools. A tool can be used differently than before, and a task can be redefined so as to make it more easily solvable (Wysocki 2010).

This flexibility in matching tasks to tools is especially important to bear in mind when considering the transferability of digital tools used in a political or administrative context at national, regional or local level to the EU level. On the one hand, the political and administrative processes of the EU institutions do not mirror 1-to-1 the processes that take place closer to local level. On the other hand, the process of European integration does not only transfer competencies from the national to the European level, it also transforms these competencies in the process. Because of these differences between the institutional contexts at local, national and European level, we must expect that while e-participation solutions at one level may have similarities to solutions implemented at another, they will not be identical.

Precisely for these reasons, evaluation of the suitability of existing tools deployed in a different context to solving tasks of democratization at the EU-level must allow for flexible interpretation of the tasks of democratization as well as the tools available for those tasks. Maintaining a too narrow focus on direct replicability of the political or democratic processes studied in the case studies along with a rigid understanding of how the digital tools used are to be implemented will rule out beforehand many tools that might have been deemed suitable from a more flexible analytical perspective.

3.2.3. Examining options for the improvement of participation at the EU-level through e-participation

The tool evaluation in WP3 implements the above considerations in a process that puts the identification of areas with potential for improvement first and the discussion of how existing tools may help to achieve

such improvements second. The work package thus draws together the analysis of the state-of-play of European e-participation and e-democracy from WP1 with the case studies of WP2.

Adding to this, the work package makes use of a co-creative stakeholder workshop format to gather experience-based input and creative ideas for improvement. The workshop format is one in which stakeholders working in and around the European institutions have been invited to co-design creative uses of existing tools at European level. This workshop allowed the six invited stakeholders to consider, with the support of the ETAG group, how immediately obvious tasks of increasing openness, transparency and participation of the EU could be achieved using the tools studied in the project. The co-creative workshop provided examples of the creative application of existing e-participation tools at European level.

As a final step, the suitability evaluation will synthesize these outcomes into a set of recommendations for improving existing e-participation mechanisms and for reaping the low-hanging fruits of e-participation at the European level through new and additional mechanisms.

Schematically the process is structured in the following steps:

- **Analytical preparation**
  - General characterization of the uses for which the studied tools were intended (the theory of change behind the intervention in which the tools is embedded) (based on the cases analyses)
  - Indications of possible uses of the tools at EU-level (based partly on our attempts at reconstructing theories of change at European level, partly on stakeholder interviews)
  - Identification of 3-5 obvious focus areas for democratization of the EU through e-democratic tools (based on the literature review and analyses of the democratic deficits of decision-making at EU level)

- **User-driven design**
  - Produce ideas in dialogue with key stakeholders for how the identified focus areas for democratization could be matched with one or more of the selected tools if both the task at hand and the use of the tools is interpreted with some degree of affordance. This has been done at a co-creation workshop with six stakeholders at November 21st 2016 in Brussels.

- **Adaptation analysis**
  - Based on the user-driven examination of flexible options for tool application, a more in-depth examination of the most relevant tools in their existing form will evaluate the degree of adaptation needed before these tools could be applied at the EU level.

3.2.4. Challenges specific to the EU-level

In making recommendations for the improvement of EU-level e-participation with inspiration from national or local level cases, the following challenges specific to the EU-level will be taken into account.

- **The challenge of large scal and multilingualism**. The EU as a community of more than 500 million citizens has a very high degree of multilingualism and no official lingua franca. This creates a well-known trade-off between cost and speed on the one hand and language support for all citizens on the other. How can different proposed solutions take this into account?
- **Challenges arising from the cross-border and transnational nature of the EU**. Which challenges arises out of the interplay between political jurisdictions involved in EU decision-making (multi-level governance, subsidiarity principle, multi-linguistics, multiple polities, etc.)? How would the intervention and/or the tool have to be altered to address these challenges?

- **Challenges arising from the digital divide.** To what degree do existing tools rely on people's own internet infrastructure and skills? What provisions exist for including people less integrated with the internet?

4. Case studies: Monitoring

4.1. Parliamentary monitoring in the UK: TheyWorkForYou

4.1.1. Introduction

TheyWorkForYou (www.theyworkforyou.com) enables voters to monitor the actions of their representatives in the British Parliament. This includes voting records, speeches during debates and questions put to government ministers (Edwards and De Kool 2015). The website was launched by volunteers in 2004 and became a project of the organisation MySociety in 2006.

4.1.1.1. How it works

TheyWorkForYou provides information on the activities of members of the Upper and Lower Houses of Parliament in the United Kingdom, the Scottish Parliament and the Northern Ireland Assembly. This information is extracted from Hansard, the database of proceedings of parliamentary debates (Escher 2011).

Visitors of the website can search information on any Member of Parliament (MP), debate or public bill committee, but they can also enter their postal code to find information on the MP relevant to them (Edwards and De Kool 2015). The available information on every MP includes voting records, recent appearances, expenses and a register of interest showing, among others, sponsorships, remunerated employment, office and profession and a land and property portfolio. In addition, there is a Numerology section displaying facts and figures per MP, such as number of debates in which an MP spoke, the number of written questions and the MP's participation in votes. For each figure, it is indicated whether this is above or below average (MySociety 2016c). A specific algorithm, known as the Policy Agreement Ratio, is used to display MPs' voting records in gradations, such as "consistently voted against", "almost always voted against", or "generally voted against" (Edwards and De Kool 2015). Since the Brexit, MySociety has added information on how each MP campaigned concerning the European Union (MySociety 2016d).

The tool runs on software specifically designed for TheyWorkForYou. In addition, the open source software specifically developed for MapIt and WriteToThem was used, as well as PDF and text scrapers (Interview 1, Head of Research MySociety).

4.1.1.2. Initiator and aims

MySociety, a charity project of UK Citizens Online Democracy runs the website. MySociety aims to promote "strong democratic accountability" and a "thriving civil society" (Edwards et al. 2015: 261). It runs several other websites that aim to engage the public in politics, such as MyNextRepresentative, WhatDoTheyKnow and FixMyStreet. The organisation is not politically aligned, and its projects and tools are for everyone to use, to "make democracy a little more accessible" (MySociety 2016a). The original initiators of the website were a group of volunteers with the same objectives, eventually incorporated in MySociety.

The main purpose of the initiators and of MySociety is to provide neutral, non-partisan information about the actions, words and votes of MPs. Their objective is to provide this information in such a way that it is understandable for everyone, also non-experts (Escher 2011). The official proceedings of Parliament (Hansard) are, according to the interviewed organiser (Interview 1), "notoriously difficult to navigate".

More specifically, the goals of the website are to create (1) value, (2) transparency and (3) engagement (Escher 2011). It aims to provide better information than official parliamentary sites do and, in particular, to simplify access to this information for people who are interested. Another aim is to allow citizens to

make a fair judgement of MPs on the basis of what they do and to make MPs feel accountable (i.e. citizens acting as watchdogs). A final aim is to make sure citizens are better informed and to engage citizens in politics.

MySociety has expanded its mission by supporting parliamentary monitoring organisations abroad. The software code used to run TheyWorkForYou is open source and has been used to create similar websites in Ireland, New Zealand and Australia. In 2013, Pombola was released, a codebase designed to accommodate parliamentary monitoring websites for parliaments which are structured differently than the UK system, which is now used in several African countries (Hogge 2016).

No political or governmental organisations are involved in TheyWorkForYou. MySociety does sometimes receive complaints by MPs or their assistents about what is published on the website, but "at the end of the day, all of the information on the site is a matter of public record anyway" (Interview 1, Head of Research MySociety).

4.1.1.3. Financial sources

MySociety is a not-for-profit social enterprise. It receives funding and research grants from several organisations as well as donations from individuals (MySociety 2016b). For instance, before TheyWorkForYou became an official project of MySociety its main developer received funding for a month from UK Citizens Online Democracy. The website received two grants, in 2006 and 2008, out of the Innovation Fund of the Ministry of Justice. Until previously, the bandwidth costs were donated by Easynet, but that has stopped. In 2010, TheyWorkForYou received support via a Google grant for free Google Adword campaigns, amounting to £60,000 (Escher 2011).

There is not much funding for the tool, but to maintain it costs a lot of work (Interview 1, Head of Research MySociety). Setting up the website costs a few thousand pounds, but Escher (2011) indicates that with annual maintenance costs of over £20,000 it is the most expensive MySociety project. There are no resources to pay a developer to expand the website or add new functions. Maintenance of the website is sustained by income from commercial activities of MySociety (Interview 1, Head of Research MySociety). On the bottom of TheyWorkForYou's homepage, a banner can be found through which donations can be given. The interviewed organiser (Interview 1) states that they do not want to make the appeal for money too intrusive for the website's users.

4.1.1.4. Legal framework

The parliamentary system of the United Kingdom is majoritarian, where representatives of the majority of the people govern (as opposed to a consensus model, where a broad variety of minorities is involved in governing) (Edwards et al. 2015). Typically, a majoritarian system has two opposing parties. In the United Kingdom, these are the Labour Party and the Conservatives, but some other smaller parties such as the Scottish National Party, Democratic Unionist Party and UKIP are present in the Parliament as well.

The UK Parliament is characterized as a "strong debating parliament", but Edwards et al. (2015: 261) also note that its accountability seems to be eroding, due to several dents in the representativeness of MPs, for instance because of their representation of special interests, party donations, non-parliamentary incomes from consultancies or other services to companies and expenses. An expense scandal in the media that erupted in 2009 was a blow to public confidence in Members of Parliament (Edwards et al. 2015). TheyWorkForYou provides insight into these factors, not only for citizens but also for journalists to see, and this period indeed saw an increased usage of the website (Escher 2011).

Relevant legal frameworks for the tool to function were, according to the interviewed organiser (Interview 1), the right to contact an MP and the right to access parliamentary and debate information. This information is published openly on Hansard, but, as stated earlier, in a format difficult to navigate.

However, at the time TheyWorkForYou started, government information was protected under Crown copyright and therefore could, without permission, not be published elsewhere. The interviewed researcher (Interview 2) notes that it is very likely that the release of the Open Government Licence in 2010, which works similar to the creative commons license, has been driven by TheyWorkForYou. The interviewed researcher (Interview 2) states that it has, in fact, changed the legal landscape in the sense that government information is now more likely to be published under an open license instead of under Crown copyright.

4.1.2. Participants

The site has no specific target group; all British citizens over the age of 12 (Interview 1, Head of Research MySociety) can use the tool. Participation is based on self-selection, and registration is not required.

The interviewed organiser (Interview 1) states that spikes in usages can be seen around election times, but also when there is an issue in the news. The user research of Escher (2011) shows that since 2007 the website received between 200,000 and 300,000 visits a month, with noticeable drops during summer recess and between Christmas and New Year. At some instances, usage spikes were observed. For instance, in the run-up to the General Election in 2010, the website had over 230,000 visits in one week, making that week the busiest since its launch. In May and June 2009, another significant spike occurred as the media reported on extravagant expenses by MPs and people used the website to check on their MPs' expenditures (Escher 2011). The summer of 2016 saw another sudden increase in visitor numbers (see figure 1), due to political upheavals such as the Brexit and the resignation of the Prime Minister (MySociety 2016d).

Figure 1. Usage of TheyWorkForYou towards the end of June 2016
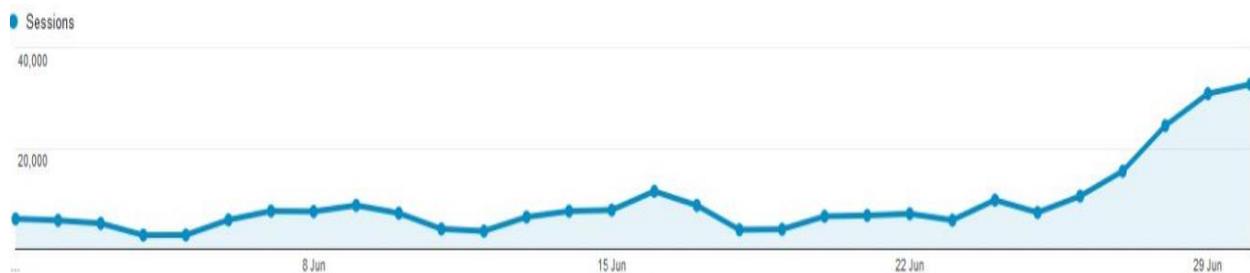
Source: MySociety 2016e

4.1.2.1. Engagement or communication strategy

According to Escher (2011), MySociety does not promote its websites much because of financial constraints. There were a few promotional activities over the years, however. With the aid of the Google grant, Google Adwords were used to advertise the website so that when someone would search for terms such as "members of parliament" or names of MPs, a sponsored add for the website would appear. In 2010, a campaign was launched in the weeks running up to the General Election, consisting of a quiz that allowed voters to compare their views to those of candidates, which resulted in a temporary increase in visits to the website (Escher 2011).

In addition, MySociety has a blog and posts news on current political developments in relation to TheyWorkForYou or on updates of the tool. There are also Facebook and Twitter accounts for TheyWorkForYou which are regularly used. There is a communications and marketing manager who promotes all MySociety's websites, but there is not a large budget to do so. At present, MySociety is organising focus groups for young people to find out how to engage them. In the future, and if budget permits, the interviewed organiser (Interview 1) states they would like to find ways in which to engage

those people that are not already interested in politics. For this purpose, they do research on User Centred Design: What could the website do for its users if it was designed differently or had other features?

As journalists use the tool as well, and sometimes credit TheyWorkForYou for the information they retrieve, the media also function as an intermediary between the website and citizens, indicates the interviewed organiser (Interview 1).

A footnote here is placed by the interviewed researcher (Interview 2), remarking that "*ordinary people don't get their information about democracy from these sorts of tools. I think they get them from Facebook and the media.*" The interviewed organiser (Interview 1) also states that the tool could be improved by increasing the repackaging of information for broader audiences via forums as Twitter, Facebook or Reddit.

4.1.2.2.   Representativeness of the participants

Escher's (2011) analysis shows that when it comes to the site's demographics, there is a strong male bias, a strong participation of high income groups and of people with a university degree. According to Escher, the sample does not deviate much from the overall group of users of TheyWorkForYou (Edwards and De Kool 2015). TheyWorkForYou users with a high education make up the majority of the tool's users. This is a high proportion, higher even than that of FixMyStreet, another UK-based tool of MySociety (Rumbul 2015). People with full-time employment also make up the largest user group of the tool, with 41% (Rumbul 2015).

When compared to the average Internet user, visitors over the age of 54 are overrepresented, whereas visitors younger than 45 are underrepresented. The share of retired visitors of TheyWorkForYou is twice as high, and sick or disabled people are overrepresented as well in comparison to the online population (Escher 2011). There is insufficient data to say anything reliable about the inclusion of people with different ethnic background. However, as Escher (2011) shows, the available data suggests that white people are overrepresented compared to the average Internet user.

Making the parliamentary process more accessible for all layers of society is one of the main aims of MySociety (Escher 2011). However, respondents in Escher's survey are more politically engaged and more often participate in politics online than the average Internet user. Compared to the general knowledge of politicians and parliamentary proceedings – Escher states not even half the population can name their MP – the users of TheyWorkForYou are quite knowledgeable: four out of five users indicate they knew the name of their MP before they used TheyWorkForYou (Escher 2011). However, three out of five visitors had never looked for information on their representatives' actions before looking up their MP on TheyWorkForYou. A significant new group of users is also reached, however, as two out of five users have not been previously engaged in politics before using the tool. More than half of the website's users have not been involved in organised groups, although those who have tend to have been involved in organised political groups more often than in community groups (Escher 2011). The most recent data of MySociety shows that over 70% of TheyWorkForYou users read political news at least once a day. One fifth of users had previously contacted a politician, government agency or public body (Rumbul 2015).

These numbers are an indication of a high proportion of the website's users being professionals. As Edwards et al. state (2015: 262): "*Although there is no concrete evidence of this, many NGOs, campaign groups and the like use the site to gather information, in particular on how MPs are voting (source: email communication, 30–07–2015).*" The interviewed researcher (Interview 2) also states that many of the website's users are part of the "political class", using the website professionally: campaigners, journalists, civil servants. Each week some 1,500 visits, 2% of all visits, are from members of the parliament (their IP address can be traced back to parliament.uk) (Escher 2011). Another 2.5% of visits can be traced back to governmental sources (.gov.uk and .mod.uk). The BBC accounts for almost 0.5% of all visits in 2010. Users linked to political parties also use the tool. For instance, the Conservative Party Central Office accounted for 0.26%

of site visits up until the General Election, after which the number of visits decreased again (Escher 2011). The interviewed organiser (Interview 1) affirms that they observe a lot of traffic from inside the Houses of Parliaments. MPs and their aids use the website, for instance, when an election is coming up and they want to show constituents their actions so far. "*It is a bit like showing your CV when you're applying for a job*" (Interview 1, Head of Research MySociety).

4.1.3. Participatory process

Users of the tool cannot give input through the website. It is not meant to be a platform for interaction, states the interviewed organiser (Interview 1). TheyWorkForYou only displays information obtained from official public sources, and tries to avoid creating a narrative out of information. "*We don't want to curate the information. We're not political and we don't want to appear like we're trying to craft any kind of story out of the information. What we do, is try to simplify the information for people so it can easily be compared*" (Interview 1, Head of Research MySociety).

However, another MySociety tool, WriteToThem, is very closely connected with the TheyWorkForYou website. On every MP's profile page, a button can be clicked which links to WriteToThem, to directly contact the MP.

The interviewed organiser (Interview 1) indicates that the tool's strong suit is that it enables citizens to participate in an informed manner. Also, they can hold their representatives accountable for the way they vote and challenge those who do not appear to represent their interests. However, it is a somewhat passive tool, which does not give much opportunity for interaction, therewith possibly stifling debate. However, the interviewed organiser (Interview 1) states that there are not the resources to moderate full two-way participation.

4.1.4. Results

According to Edwards and De Kool (2015), the effects of this website on parliamentary work are difficult to assess.

In 2006, The Times suggested that the statistics displayed on the website contributed to an increase in non-necessary interventions by MPs (Edwards and De Kool 2015). Head of Research at MySociety states: "*When it came to the attention of some MPs that citizens were monitoring how often they spoke in the chamber, as reported by The Times in 2006, several MPs increased the number of times they spoke. In most cases however, they did not speak of anything of substance, and this therefore skewed the totals for individual MPs and compromised the integrity of the information being provided to citizens*" (Rumbul 2014). The tool may thus have led to "*symbolic accountability processes*" (Edwards et al. 2015). In order to convince users of the tool to look further than these figures, and to counter the consequences of a too narrow interpretation of this data, MySociety has added some "silly" data as well, such as the number of times an MP uses an alliterative phrase (e.g. "she sells seashells"). On the website, MySociety (2016a) explains: "*Simply put, we realise that data such as the number of debates spoken in means little in terms of an MP's actual performance. MPs do lots of useful things which we don't count yet, and some which we never could. Even when we do, a count doesn't measure the quality of a MPs contribution.*"

As Edwards et al. state (2015: 261): "*In the United Kingdom, the election system allows for a direct accountability relation between individual representatives and their voters, but the strict party discipline that is imposed on the representatives in the British House of Commons leaves little room for independent behaviour in parliamentary votes.*" Members of parliament are expected to vote with their party, but are not obliged to. One impact of the website seems to be that parliamentarians vote less in line with their party and more for their constituents, according to an impact assessment by Becky Hogge in 2016. Hogge (2016: 3) concludes: "*The greatest impact of TheyWorkForYou may be on Parliamentarians themselves. MySociety suspects, and some data also confirms, that Parliamentarians have changed the way they go about their work in response to*

TheyWorkForYou's vote monitoring and analysis tools, both by turning up for more votes and rebelling against their party more often."

Hogge (2016) points out that the possible monetised time savings for users, such as civil society groups and journalists, should be considered when evaluating the website's impact. If keeping up with parliamentary actions through the tool can free up time for smaller campaigning or lobby groups' time to use for other actions, more of a level playing field is created.

4.1.4.1.   Trust in government

Almost all respondents in Escher's survey believe that it offers them neutral, non-partisan information (Escher 2011). Most also indicate they find the website well-structured and easy to navigate. However, when a poll on the website asked visitors if they could find what they were looking for, 40 percent answered negative. Among survey respondents, this was 20 percent. Nine out of ten respondents indicated that the website improved their knowledge about their representatives.

Rumbul (2015) found that a majority of the tool's users felt more confident in contacting their representatives directly as a result of these types of technological platforms.

However, Edwards and De Kool (2015) state that transparency on the parliamentary process does not automatically translate to its legitimacy. The fact that civilians are better able to see how these processes work does not imply they accept and acknowledge them, let alone trust the politicians and political institutions that form the foundation of these processes.

The interviewed researcher (Interview 2) also remarks that although the tool works very well, it will not change the comprehensibility of the parliamentary system. The speech of parliamentarians is reported verbatim, and thus no translative action is provided.

4.1.4.2.   Application at EU level

Both respondents indicate this tool would be very useful at the EU level. Such a website, Votewatch.eu, does exist and shows similar information. Repackaging parliamentary information in the style of TheyWorkForYou is more user-friendly than most parliamentary sites, because it is easier to navigate, to contact representatives directly and to share content, according to the interviewed organizer (Interview 1).

4.2. Parliamentary monitoring in Germany: abgeordnetenwatch.de

4.2.1. Introduction

The German parliamentary monitoring website abgeordnetenwatch.de was first developed for the state of Hamburg in 2004. Following its success there, it was extended to the federal level. Its scope is broader than just monitoring; it is an online platform that German citizens can use to monitor their representatives, ask them questions and sign petitions (but not start them). The website records information on representatives of the Federal Parliament (Bundestag), of German members of the European Parliament and of eleven state parliaments (Parliamentwatch 2015).

The organisation also has a blog on which it posts results of their investigative research on topics concerning parliamentary transparency. The platform is non-partisan, but the blog and associated activities (such as the organisation of events) have "*a little bit of an agenda for transparency and participation*" (Interview 3, fundraiser abgeordnetenwatch.de). This case study will focus mainly on the question-and-answer platform that abgeordnetenwatch.de offers, as this digital tool is of main interest in the study.

4.2.1.1. How it works

German citizens can look up their representatives on the website by entering their postal code. Parliamentary profile pages show public information such as voting behaviour, questions asked and answered and ancillary functions. The platform can also be used to sign petitions, but not to start them. When petitions gain over 100,000 votes on the public website Change.org, abgeordnetenwatch.de publishes them on the website. In some instances – "*concerning our core topics*"(Interview 3, fundraiser abgeordnetenwatch.de) – the organisation of abgeordnetenwatch.de will start a petition themselves, as on digital democracy and citizen participation.

Users can ask questions by clicking on the contact button at the personal pages of the Members of Parliament (MPs). When submitting a question, a name and email address are required. Otherwise, no registration is needed. The space for entering a question is limited to 2,000 characters (see Figure 2).

All questions are moderated before they are sent to the representative in question. These questions and the answers of the MPs are then published on the website for the public to see (Albrecht and Trénel 2010). A moderation protocol is in place to ensure a platform free of lobbying or offensive behaviour. All questions and answers are monitored by a group of twenty volunteers (abgeordnetenwatch.de 2016a). Interviewee 3: "*If they are in accordance with the code of conduct, in each case the question is forwarded to the MP via email. So even in the case of a question not being published, he/she could decide to answer the question.*" The moderators only post contributions that are identified as questions or requests for statements on particular issues (Pautz 2010). There is a limit to the number of questions one can ask the same politician on the same issue, as monitors feel that if a clear answer is not given after two questions, it is not likely that it will be given at all (Pautz 2010). Users can appeal to the abgeordnetenwatch.de board if their questions are rejected. Politicians can be sanctioned as well. In one incident, all members of the National Democratic Party in the 2009 state elections in Thuringia were banned because too many questions posed to them originated from the same computer and fraud was suspected.

Figure 2. Screenshot of the question form

Source: www.abgeordnetenwatch.de

Of the different functions of abgeordnetenwatch.de, the Q&A platform takes up the most resources, due to intensive monitoring activities and technical development and maintenance (Interview 3, fundraiser abgeordnetenwatch.de).

4.2.1.2.   Initiators and aims

abgeordnetenwatch.de is a non-governmental, non-profit organisation. The website was launched by the campaigners of the organisation Mehr Demokratie (*More Democracy*) (Buzogány 2016). Mehr Demokratie is a non-governmental organisation committed to promoting direct democracy. Political scientist Gregor Hackmack and computer scientist Boris Hekele are the main founders of the platform (Kleinsteuber and Voss 2012). In 2008, the platform was included in the Ashoka network, a network of social entrepreneurs (Richter 2013). Hackmack, now also an Ashoka fellow, sees the website as a tool to "update" the democratic process, with the accountability of representatives and the transparency of the democratic process as important themes (Buzogány 2016: 74).

The initiative is independent and not connected to any political parties (Kleinsteuber and Voss 2012). It does, however, have a certain political drive to ensure more transparency and direct democracy in the parliamentary process (Interview 4, researcher). In addition to performing a "watchdog" function, the platform has the goal of a more person-oriented democracy. Its main aims are to establish dialogue between voters and representatives, to make Parliament more accountable, transparent and less anonymous, and to provide a sort of archive or "memory" of what has been said and achieved by parliamentarians (Albrecht and Trénel 2010; Kleinsteuber and Voss 2012).

Today, Hackmack and Hekele are still in charge at abgeordnetenwatch.de, and another 19 people are listed as being part of the – flat – organisation (editors, fundraisers, press officers etc.). In addition, there are 19 moderators and 9 curators of the website and organisation (abgeordnetenwatch.de 2016b).

4.2.1.3. Financial sources

abgeordnetenwatch.de works as a non-commercial social enterprise, depending on funds and donations. It also enables representatives to make changes to their profile on the website so as to improve their online presentation ("premium profiles"), for a contribution of €200 (Buzogány 2016).

In 2014, 62% of revenue was funded by donations (1,722 recurring and 2,516 individual donations). The other 38% was funded by donations from foundations (15%), companies (12%), premium profiles (3%) and other income (8%) (Parliamentwatch 2015). Recurring (e.g. monthly) donations are the platform's most important source of income (Interview 3, fundraiser abgeordnetenwatch.de). Transparency on funding – both where it comes from and where it goes – is important to the organisation in order to build users' and funders' trust (Interview 3, fundraiser abgeordnetenwatch.de).

Maintaining and developing new technology is expensive, states the interviewed organiser (Interview 3, fundraiser abgeordnetenwatch.de). But open source software is used as much as possible, for instance on the management system. "*We really try to limit our costs to the very essential*" (Interview 3, fundraiser abgeordnetenwatch.de). Both respondents feel that it is difficult to say whether such a tool is cost-effective. "*I'm not sure cost-effectiveness is the right measure here – it is not really measurable*" (Interview 4, researcher). However, the organisation is financially independent, which may be a marker for cost-effectiveness, states the interviewed organiser (Interview 3, fundraiser abgeordnetenwatch.de).

4.2.1.4. Legal framework

Germany's representative democracy is based on strong political parties with an active membership and is legitimised through elections with, in the past, high turnouts – but this democratic system is said to be in crisis, states Pautz (2010). Parties on all sides have lost members, electoral volatility is increasing, and trust in the capability of political parties to solve political problems is decreasing. At the same time, it is claimed that Germans are more interested in politics than in the 1990s, support democracy and are keen to participate in it. The use of ICT in the case of abgeordnetenwatch.de is one of the ways in which this apparent paradox is addressed (Pautz 2010).

Political parties have a strong influence in the German electoral system. German citizens have two votes at the national level: one for choosing a party, and one for an individual elective to represent a constituency. The parliament's 622 seats are then divided via complex formulas between these individuals and between parties. So, in many cases, candidates who did not gain enough votes on an individual basis, still get assigned a seat through their party (LFA Group 2016). Parliamentarians are expected to vote within their party line for most vote calls. Because of this system, individual MPs can therefore often not be held directly accountable for their voting behaviour (Interview 3, fundraiser abgeordnetenwatch.de).

The structure of abgeordnetenwatch.de's platform concerns no legal rights or regulations except for the right to petition and the act of informational freedom (IFG in German) (Interview 3, fundraiser abgeordnetenwatch.de). But even if the Q&A platform does not produce legally binding outcomes, it may contribute to changing parliamentary habits – see the section "Results".

4.2.2. Participants

Participation is based on self-selection. Any visitor can search for information on politicians and ask questions. There are on average 200,000 visitors and 400,000 page views monthly. This makes it the

largest political platform in Germany (abgeordnetenwatch.de 2016b). In 2012, abgeordnetenwatch.de attracted over 2.6 million visitors. In 2014, over 1.4 million visitors were recorded (the decrease is partially caused by a change in analytics software) (Parliamentwatch 2015). The number of questions asked has also decreased somewhat due to competition from social media (Interview 3, fundraiser abgeordnetenwatch.de).

Over 174,000 questions were submitted in 2014, with a response rate of 80 percent (Parliamentwatch 2015). This percentage is similar to that of queries specifically addressing MPs. In 2014, 10,144 questions were asked to MPs (Edwards and De Kool 2015). More than 90% of federal parliament members respond to questions (abgeordnetenwatch.de 2016b).

In their study from a couple of years earlier, Albrecht and Trénel (2010) found that the majority of the people seeking interaction only asked one question. A quarter asked more than one question, and the average number of questions per person stood at 1.8.

4.2.2.1. Engagement or communication strategy

In addition to financial sources, several partnerships are important for the success of abgeordnetenwatch.de. Based on a partnership with abgeordnetenwatch.de, Spiegel Online offers the Parlamentsradar (*Parliamentary radar*). There are over 50 news portals that have a working relationship with abgeordnetenwatch.de, and many journalists use the website to base their research on (Buzogány 2016). The 2014 annual report states that media partners "*serve as important crowd-pullers*" (Parliamentwatch 2015: 15). abgeordnetenwatch.de's surveys show that one third of the visitors found the platform through media (Parliamentwatch 2015).

An additional attraction is the blog on which issues are researched and news is reported. There is also a weekly newsletter, with interesting questions and answers and recent successes. The number of newsletter subscribers is increased by campaigns that accompany petitions started or endorsed by the organisation (Parliamentwatch 2015).

In response to competition from social media, the interviewed organiser (Interview 3, fundraiser abgeordnetenwatch.de) states the platform could be made more straightforward and self-explanatory. "*If you're in your twenties and you're used to simple apps or Facebook or communication via those channels, then [abgeordnetenwatch.de, mainly the Q&A] is not that intuitive. It takes a bit of time. […] You should usually have a look: what questions did that MP already answer? Maybe your question has been answered. And then you have a limited number of characters in which to ask your question. And you have to categorise [the topic]. And so, well, you have to have a bit of an idea of what you want to ask.*"

4.2.2.2. Representativeness of the participants

The platform attracts predominantly male visitors, people with a higher education and with a higher than average political interest (Albrecht and Trénel 2010). During two weeks in 2007, visitors were asked to fill out a questionnaire to provide insights into the website's demographics, analysed by Albrecht and Trénel (2010). Of the respondents, 81% were male and 19% female. The average age was 40 years, but the age group of 20 to 29 years was overrepresented when compared to German Internet user demographics. Also overrepresented, with 41,8%, were higher educated respondents. Persons with a lower education were underrepresented, compared to the average Internet user. Over half of the respondents made contact with their representative for the first time through this platform (Parliamentwatch 2015).

The platform is – as mentioned already – also used by professionals, such as journalists, albeit more as a source of information (Edwards and De Kool 2015). "*In terms of data, it's a bit of a hidden treasure. We have so many voting records. We have so many answers given by MPs. It's all on the platform. That's the idea: it is on the platform and it remains on the platform. […] We have seen some journalists or professionals making use of that. There is a project about to start about the extra earnings of MPs, how that might relate to their voting behaviour.*

We provide the data [for this]." Other professionals, such as lobbyists, have better means than abgeordnetenwatch.de, says the interviewed researcher (Interview 4): "*It doesn't have the same effect as just walking into the Bundestag and talking to people.*"

Reaching those who do not usually participate in the political process has not received specific attention of the organisation. The interviewed researcher (Interview 4) states: "*The whole process is quite well explained on the website, but it's still a technical process. You have to know something about the role of parliamentarians and so on, and you have to be able to read longer texts […]. That might exclude some people. They did not change their site to video questions or something like that. I'm not sure if they tried to specifically address people who are not comfortable with the way the site is presented at the moment.*" The platform could be made more user-friendly, but the interviewed researcher (Interview 4) indicates that it is the political process in general that makes direct participation via such a tool difficult. And, "*you will have to sort of adapt yourself to the process you want to interact with. That is of course a bit problematic if there's a huge gap between the daily lives of people and the daily lives of politicians.*"

The interviewed organiser (Interview 3, fundraiser abgeordnetenwatch.de) indicates that it may also be a good thing that users of the tool have to delve into the political process a bit before participating. "*Those people do take the time and make the effort. For them, it can be a good experience.*" However, simplifying the platform structure and experimenting with new ways to engage people might help to make the tool more inclusive (Interview 3, fundraiser abgeordnetenwatch.de). A recent action, in the run-up to the Berlin state elections, was to enable people to ask their question through Facebook. This did not prove to be successful, however (Interview 3, fundraiser abgeordnetenwatch.de).

4.2.3. Participatory process

Users of the platform can (1) search information on their representatives' voting behaviour, ancillary functions and expenses, (2) query their representatives and receive an answer, both published on the website, and (3) sign existing petitions.

abgeordnetenwatch.de also has a blog with posts on several issues concerning transparency, citizenship and participation in politics. Here the organisation posts on the issues they deem important. Visitors of the blog can react to the posts.

4.2.3.1. Deliberation

The main functionality of the platform is to accommodate interaction between citizens and parliamentarians, not the exchange of views between citizens. Users of the website can comment on the voting behaviour of individual parliamentarians, recommend answers by parliamentarians or share them on social media (Facebook and Twitter).

4.2.3.2. Privacy and security

With a Q&A platform such as abgeordnetenwatch.de, privacy and security are important to both citizens asking questions and parliamentarians answering them.

The site requires some personal data from people who want to interact with politicians: a name and an email address. Here, transparency and privacy may conflict. "*We try to be really careful with the data we get. If you fill in something, whether it's a donation or if you're signing a petition, your data is encrypted. That is really important. You can also call us and ask to have your data deleted*" (Interview 3, fundraiser abgeordnetenwatch.de).

Politicians' data published on the website is publicly available via other channels as well, the interviewed researcher states, and risks of hacking are therefore minimal. "*At the moment, it has become accepted that people have the right to know more about parliamentarians than before. We [Germany] also have tougher regulations*

of what they can do beside their mandate, consulting or such matters. […] I think Abgeordnetenwatch has become part of that process to make more data available. [Parliamentarians] are public persons, [and so] hacking would not make a difference, because today all the data on them is already publicly available" (Interview 4, researcher). Privacy of politicians is ensured through a code of conduct. "*We do not allow questions concerning the private lives of politicians, for instance. We believe that does not foster an open dialogue. That is why moderation is really important*" (Interview 3, fundraiser abgeordnetenwatch.de).

4.2.4. Results

The high percentage of questions asked and answered and the short time (in general a few weeks at most) in which an answer is given show abgeordnetenwatch.de to be an effective platform with a strong reputation, according to Edwards and De Kool (2015). The quality of these questions and answers is also high, Albrecht and Trénel state (2010).

4.2.4.1. Contribution to the decision-making process

Pautz (2010) states that, although the possibilities of ICT have not substantially increased citizen involvement in politics, the fact that abgeordnetenwatch.de functions as a collective memory of the actions of representatives may at least increase politicians' accountability, at little cost to citizens.

The interviewed researcher (Interview 4) states the abgeordnetenwatch.de platform does not often directly influence the political agenda, but changes the attitude of parliamentarians. Pautz (2010: 163, quoting an interview with abgeordnetenwatch.de on 15 October 2009) states that the initiators of abgeordnetenwatch.de want to "*facilitate a shift 'from a democracy made up of spectators to a democracy of participants', thus effectively reshaping the functioning of the representative system.*" Pautz (2010) also states that abgeordnetenwatch.de is part of the current development from contractual to permanent representativeness. Politicians are, more than they used to be, under permanent evaluation by voters. abgeordnetenwatch.de may also contribute to the fragmentation of the parliament, as it affects the party structure by putting voters in direct contact with representatives, making the individual MPs stand out in relation to the parties (Pautz 2010).

The website has fostered debate on the direct communication between citizens and their representatives. The interviewed researcher (Interview 4) notes that it was the possibilities of Internet (offering politicians the possibility to put up campaign and personal websites) and social media in general that set this shift in motion, but that abgeordnetenwatch.de played a role here as well. The platform has impact "*on the way people care about transparency of the parliamentary process, on the personal integrity of members of parliament, and also on the debate on how much they have to be responsive to such platforms and to requests from individuals*" (Interview 4, researcher). The interviewed organiser (Interview 3, fundraiser abgeordnetenwatch.de) affirms that this attitudinal shift of politicians might possibly be abgeordnetenwatch.de's largest achievement. However, this might mainly be because of the organisation's continuing efforts besides the platform. "*I think our investigative research (the petitions, putting pressure on politicians) has a more direct impact on the political process than the dialogue platform has*" (Interview 3, fundraiser abgeordnetenwatch.de).

A lack of direct impact of questions on decision making may partly be caused by Germany's political system, where MPs often vote according to the party line, depending on the vote call (in some calls parliamentarians do not have to vote with their parties). "*To a small extent, I do think that the Q&A platform can also influence the political agenda of singular MPs. It wouldn't change the agenda of the entire party, but it might change the behaviour of an MP. I do not think that the platform would have a direct effect on the voting behaviour of the politician. […] It really depends on the vote call. And there are always certain exotic MPs who vote against their party lines. But I don't think they are really influenced by the Q&A on the platform. […] What we did see though was, in one or two cases, that MPs, when they were asked about their voting behaviour, they actually… First of all, they explained it. In one or two rare cases, they later on adapted their voting behaviour. But*

that is obviously not only due to a question asked. I think that is part of a bigger process, like the political situation changing" (Interview 3, fundraiser abgeordnetenwatch.de).

In the preface of the case study on abgeordnetenwatch.de by Albrecht and Trénel (2010), researcher Ulrich Riehm states that abgeordnetenwatch.de is a topic of discussion in the German parliament. On the one hand, there are those that perceive the questions asked on the website to be an extra load in an already overfull work schedule and see the website more as a pillory than a platform for citizen consultation. On the other hand, there are MPs who use the website as a place to promote themselves, or they put up links to the questions they have answered on their own websites.

4.2.4.2.   Information on issues at stake and the outcome

Not only the citizens' queries, but also the answers to these are published on the website, as are records of representatives voting behaviour, ancillary functions and expenses. This way, the website also forms a sort of "public memory" of parliamentary activity.

At the end of each year, abgeordnetenwatch.de publishes a ranking based on representatives' performance in answering questions. By using grades, the ranking shows which representative was most responsive. This ranking is reported in local and national media. Several years ago, the newspaper Bild found that some of the worst-scoring deputies did not only fail to answer the questions of voters but also neglected their other tasks in parliament, which has caused some representatives to resign (Buzogány 2016). This increased awareness made it difficult for politicians to ignore the website, according to Buzogány (2016).

Another focus of abgeordnetenwatch.de is research into lobbies, ancillary positions and party expenses (Edwards and De Hool 2015; abgeordnetenwatch.de 2016b), which abgeordnetenwatch.de posts on its blog. In 2010, the speaking fees of former finance minister and Member of Parliament Peer Steinbrück were disclosed on the blog, leading to the obligation of disclosing income from ancillary functions of representatives in 2013. Another instance where the organisation's actions had a consequence: abgeordnetenwatch.de took legal action against the Parliament, which refused to open up about their contacts with lobbyists. This was ruled unlawful. Since 2015, the Parliament has not only provided a list of all lobbyists (over 1,100) but has also sharpened the rules of access to parliament members (abgeordnetenwatch.de 2016b).

4.2.4.3.   Trust in government

The interviewed researcher (Interview 4) thinks a platform as abgeordnetenwatch.de can play a role in bridging a possible gap between politics and society: "*People can see: okay, they are responding. They can justify their arguments. And from what I experienced with the political process, once you get deeper into it, you see the complexity of it. You see the evaluations behind it, which are not really apparent in the media discourse or the public discourse. That helps you to understand why [parliamentarians] do things that you don't think they should do.*"

However, the opportunities to contact representatives directly may raise false expectations of the influence citizens have on the political process (Interview 2, fundraiser abgeordnetenwatch.de, and Interview 4, researcher). In the case of Germany, this is because the role of parliamentarians is not necessarily to be responsive to their own constituency, but to consider the common good whenever they decide on an issue (Interview 4, researcher). People monitoring and asking questions to "their" representative may therefore falsely expect that this MP is supposed to answer to them directly.

4.2.5. Application at EU level

At the EU level, there is a similar problem as in Germany, says the interviewed researcher (Interview 4): a lack of transparency of the political process. Using such a platform for dialogue can therefore, also at

this level, help people get more involved in the political process (Interview 4, researcher). At the EU monitoring platform that already exists, Votewatch.eu, individuals can look up European Members of Parliament and their email address, but the website does not cater to dialogue. In addition, the fact that European Parliament members cannot be chosen directly, and therefore not be voted out of parliament, may hinder the workings of a direct-accountability tool such as the abgeordnetenwatch.de platform, states the interviewed organiser (Interview 3, fundraiser abgeordnetenwatch.de).

4.3. Short summary of the monitoring tools

Two monitoring websites were analyzed in this chapter: theyworkforyou.com and abgeordnetenwatch.de. In this brief summary the main findings will be discussed with regards to relevant contextual factors, the participants, the participatory process and the impact of the tool on the political process.

4.3.1. Relevant contextual factors

Both monitoring websites are initiated and managed by non-profit organizations with an explicit goal to enhance transparency about politics. Their services are based on public information. The British monitoring website enables voters to monitor the actions of their representatives in the British Parliament, including vote records, recent appearances, expenses and a register of sponsorships, remunerated employment, office and profession and a land and property portfolio. The German website records voting behaviour and ancillary functions, not only for representatives of the Federal Parliament (Bundestag), but also for German members of the European Parliament and of eleven state parliaments. Besides, the German website has functionalities for signing petitions and to ask questions to MPs. The questions are moderated and the website monitors how many questions the MPs have answered. Asking questions to MPs in Great Britain can be done via writetothem, another website.

4.3.2. Participants

Although the monitoring sites in principle have a broad target group, in practice they only reach a limited fraction of the general public with their site. The non-profit organisations do not have means for large mobilization campaigns to attract larger audiences. Through mass media that use and report their data the content on their websites nonetheless reaches many people. The German Abgeordenetenwatch even has partnerships with 50 media outlets. Beside journalists the British theyworkforyou also reports professional users as NGOs, campaign groups, civil servants. Other users of the German and British monitoring sites are mainly people who are politically interested. Users of the German abgeordenetenwatch appeared to be often highly educated and male, for its British counterpart these characteristics of users are not investigated.

4.3.3. Participatory process

At the monitoring websites retrieving information about parliamentarians is the most important activity. The British site theyworkforyou is solely focused on informing, and has no interactive features. Abgeordenetenwatch offers opportunities to ask questions, to comment on the voting behaviour of individual MPs, recommend answers by parliamentarians or share them on social media (Facebook and Twitter) and to sign petitions.

4.3.4. Impact

Because MPs are individually subject to public scrutiny, this impacts their individual accountability and responsiveness. MPs might be somewhat more inclined to rebel their party discipline and to make a deviant decision in voting. The most important benefit mentioned in the case studies is that the sites

contribute to impartial information on political votes, etc. The questions asked at abgeordenetenwatch might have influenced agendas of individual MPs in some instances. More in general the site stimulates public accountability of individual MPs, by also monitoring their response rate. This effect was strengthened by lists in media that criticized the MPs that weren't responsive at all.

However, an unintended side effect occurred as several MPs in the UK increased the number of times they spoke just to increase their scores. Another downside to the monitoring websites is that they quantify parliamentary activity, which of course provides only a limited reflection of their work.

5. Case studies: Informal agenda setting

5.1. The Dutch e-petition case: Petities.nl

5.1.1. Introduction

The main goal of petities.nl – which started in May 2005 – is to make it easier for citizens to sign or start a petition. The reason why we choose this digital platform as an e-petition case for our study, is the fact that it exists quite successfully over a longer period of time and the initiators make a continuous effort to embed the e-petitions in the decision making process in The Netherlands. Since the start of the website, 6,488 petitions were signed with one or more signatures (January 2017). The petitions cover a broad range of issues, from populist to technocratic ones. The petition which was signed the most so far – by 395,000 citizens – was on bringing forward the age of breast cancer screening. The amount of signatories in total is about 7.5 million ([website](), accessed January 2017). Nowadays the website attracts about 2 million visitors monthly. In 2010 the website won the eParticipation Award in the category Society out of 400 initiatives. This award was organized by Citizenlink, a three year encouragement programme (2008-2010) from the Ministry of the Interior and Kingdom Relations.

Petitions can be defined as requests to a public authority, usually a governmental institution or parliament. In general, they have the purpose to change public policy, call for an official statement or evoke a certain act by a public institution (Lindner and Riehm 2011). Because of IT-technologies such as the internet and social media, it is now much easier to start a petition, gain support for a petition, monitor the petition and of course to announce the final result of the petition to the outside world.

5.1.1.1. How it works

Citizens can start or sign a petition through the website. The applicants are responsible for filing the petition and for gaining political support themselves. Since 2016 the website can be used for crowdfunding among the signatories to pay for the help of a professional Public Affairs person with creating (political) impact with the e-petition. As a signatory you can also declare if and how you can or want to help to get the petition politically supported.

Another interesting function of the petities.nl website is that petitioners can declare that they are available for their municipality to participate in citizen councils, etc. One out of ten petitioners do so.

On the website there is the possibility of sending the e-petition directly to 22 local and state governments (the latter representing about 3 million Dutch citizens). There is no such digital petition desk at petities.nl for the Dutch House of Representatives (Tweede Kamer). The parliamentary administration assigns the petition to the most appropriate parliamentary committee. Citizens have to get in touch themselves with the House of Representatives to ask whether the concerned parliamentary committee is willing to accept the petition in public.

There are still governments which do not have a petition counter at petities.nl. Sometimes they have one at their own website, but usually the petitioner has to send the petition by mail to the clerk's office. If needed, the people behind petities.nl will help the petitioner to file their petition to the right public body. Since 2008 the recipients of petitions can open a desk on the website to receive and answer petitions.

A petition to the House of Representatives will be forwarded to the concerned parliamentary committee. This committee then decides if the petitioners can come to officially offer the petition to the committee. Every Tuesday afternoon Members of Parliament (MPs) accept different petitions in the entrance hall of the parliamentary building at a set time during one hour. There is no statutory obligation for

parliamentary committees to hold a public meeting with the petitioners (like for example in Germany when 50,000 or more signatures are collected for one petition).

When it concerns a petition addressed to a local or state government, the petitioner has to get in touch with the clerk to discuss the procedure. Offering the petition is possible before a meeting of the city or state council.

5.1.1.2. Legal framework

In all Member States of the European Union, citizens have the right to petition government, parliament or other public bodies which is mostly legally codified in the constitution and in addition often in specific laws and regulations too. In The Netherlands this right is codified in the constitution, i.e. article 5: "Everyone shall have the right to submit petitions in writing to the competent authorities." The legal provisions include the protection of the petitioner from adverse consequences of petitioning.

E-petition systems can be either operated by public or private non-governmental organizations. The first ones usually have institutionalized and even legal procedures in place while private initiatives such as petities.nl are free to determine procedural requirements.

Petities.nl does not have that many requirements for a petition. One of them is that petitions on a company or a product are not allowed (unlike for example on the international petition site change.org). The site is not severely moderated. The moderator and initiator Reinder Rustema is not editing the petitions very much, only language mistakes are corrected. He never removes a petition for content related reasons.

5.1.1.3. Agenda setting

Petitions can put an issue on the agenda of the recipients (i.e. agenda setting). However, recipients in the Dutch system do not need to respond to a petition. They can decide for themselves how to proceed with the request. And if they decide to proceed, the petitioner is usually not involved in the ensuing debate and decision-making process anymore (see also the section Results).

The collective result of a petition is never binding; it's a non-mandatory sign of discontent or a new idea which can be picked up or ignored by government or politics. A petition can in that sense be compared with an advisory, not binding referendum.

Regardless of the formal limitations, it can still happen that a petition becomes politically influential because it collects many signatures and captures broad media attention. For example, in February 2016 there was an e-petition which got signed 17,500 times in three days (and in the end it had nearly 30,000 signatures) ([website](#), accessed 26 August 2016). It was a petition against a new law on administrative requirements between freelancers and their clients. There was a lot of media upheaval about it and the state secretary did undertake action in the end by sending all Dutch freelancers a letter in which he explained the particulars about the new law. In their study, using a big data approach in analyzing 8,000 Downing Street e-petitions, Hale et al (2013) find that while online mobilization for most petitions does not grow, there are a few successful petitions with rapid growth – mostly independent of media attention, the amount of signatures gathered on the first day being a significant indicator for success. Hale et al (2013) continue: "*These findings have implications for the strategies of those initiating petitions and the design of websites with the aim of maximising citizen engagement with policy issues.*"

According to the interviewed initiator, agenda-setting is not the only goal of petities.nl. "*It is more about participating in a democratic process. To me, a petition is also a success when the answer of a recipient is: 'sorry, that is not going to happen, for this and this reason.' After which the signatories might even agree. […] And the debate is defused because everybody has had their say. […] And sometimes the petitioners are plain wrong, because*

they know too little, they have heard something about it, but they do not know the rights of it. Well, that's fine. It happens, especially with today's overflow of information" (interview 5, our translation).

5.1.1.4. Initiators

Petities.nl is a private, not a public initiative. In the Netherlands there is no e-petition system made available by a public body. Petities.nl is recognised by the Dutch Tax Authority as a public benefit organization. It is founded by initiators Reinder Rustema, Arjan Widlak and Michiel Leenaars. Reinder Rustema is (still) the driving force behind petities.nl.

5.1.1.5. Financial resources

The site runs on professional volunteers, private donations (€ 1,075 in 2015), support in kind (like hosting, office space, etc.) and irregular state subsidies from the Ministry of Internal Affairs to build a new site (€ 30,000 in 2014).

5.1.2. Participants

The main target group of petities.nl are Dutch citizens, but the initiator is planning to make the site multilingual (Interview 5, initiator). Nowadays (i.e. January 2017) the website is in Dutch as well as in English. Basically any citizen from The Netherlands or abroad (and speaking English or Dutch) can file or sign a petition: it is a question of self-selection. If someone wants to sign a petition, he or she has to fill in one's name, email address and place of residence but the signatory can choose whether he or she wants to publish their name visibly below the petition or not.

As stated before, since the start of the website, 6,488 petitions (January 2017) were signed with one or more signatures. On average a petition on petities.nl has 1,200 signatures. The balance between local versus national issues is about fifty-fifty with slightly more locally oriented petitions. The amount of signatories in total is about 7.5 million (January 2017). These are not all 'unique signatories'. But it does give an indication of the low threshold of this form of political participation. Citizen involvement by way of an e-petition is of course much less time consuming than for example organizing a protest march, starting an energy cooperation, etc. Some call it also a form of "pyjama activism" (Van Hulst et al. 2016), "slacktivism" or "clicktivism". The idea is that individuals engage in "activist" actions with minimal effort and no strong real world consequences, the act itself only serving to satisfy the individual's sense of having accomplished something and decreasing the likelihood of engaging in further, perhaps more effective, political engagements.

Table 3. Amount of signatories/petitions from 2005 until February 2016

Signatories	Petitions
2-10	739
10-100	1,326
100-1,000	1,523
1,000-10,000	689
10,000-50,0000	88
50,000-100,000	7
100,000 +	6

Source: Van Hulst et al. 2016

5.1.2.1. Representativeness of the participants

A petition is not an opinion poll based on a representative sample of respondents inviting opponents and supporters around a specific issue. In fact a petition collects only support statements. There is also the question of the representativeness of the signatories for the Dutch population. Unfortunately there is not much known about the people who are using petities.nl. A random sample of 100 petitioners consists of 47 men, 32 women and 20 unknows (gender cannot not be deduced from the name). The interviewed initiator (Interview 5) states that lower as well as higher educated Dutch citizens use the website. This is based on the information he gets from the background of the petitioners (not the signatories): "*How they describe and express themselves, the subject [of the petition], the e-mail address they are using. That gives me an impression of the kind of people I am working with.*" (Interview 5, initiator, our translation). In general petities.nl is used more than average by educated men above 50 years of age (Van Hulst et al 2016).

Actually, in general there is not much known about the characteristics of petitioners and signatories: are they random citizens or stakeholders? What is their social-economic background, etc.? There has been some German research on the background of petitioners and e-petitioners approaching the Bundestag. The authors conclude based on a survey of more than 900 persons: "*E-petitions seem to amplify existing inequalities in participation patterns as they predominantly attract highly mobilized and politically active [male] individuals with a disproportionately high social-economic status*"(Linder and Riehm 2011: 1). From other studies it seems as well that online platforms are likely to underrepresent those who generally take no interest in political issues (Lee et al 2014).

The question whether the design of petities.nl attracts participants beyond the political participation elite, is hard to answer. The interviewed initiator notices that he does not know if minorities like people with visual impairments use his website. Before the website was certified for being 'barrier-free', but not anymore. "*I want to serve those people as well. So far I did not get any complaints, maybe it is possible for them to use the website. Technology proceeds as well. […] But it is not a commercial business. I don't have a computer programmer who is continuously implementing the latest of the latest, like booking.com. […] In spite of this, petities.nl, is the biggest petition website in The Netherlands*" (Interview 5, initiator, our translation).

An interesting study is that of Pushmann at all (2016). They distinguish between different group of petitioners based on the style of usage (i.e. single and serial signatories where the serial signatories can be considered a member of that participation elite) and causes supported by the e-petition. Their conclusion is that some contributors sign large numbers of petitions spontaneously, out of habit, while others sign just once and do not engage otherwise. Single signatories are more often female related to profession or interest groups (like midwives, psychotherapists, pet and gun owners), serial signatories more often men (environment, privacy online). Furthermore, from the study it appears that participation of single users is a better predictor of success than that of serial petitioners. Petities.nl attracts mostly single signatories, because participants visit on average 1,3 webpage (Interview 5, initiator). According to interviewee 6 (researcher) it is a good thing that petities.nl does not attract serial signatories for another reason: "*If it would be mostly serial signatories, the website would start to resemble an online opinion panel where participants are regularly inquired on specific topics*" (our translation).

When it comes to the diversity of the causes supported by the online petitions, it seems petities.nl is quite inclusive. The website is not dominated by one sort of (populist or technocratic) issues. The interviewed researcher (Interview 6) notices: "*It [petities.nl] does not look like a regular American petition website where most of the visitors are serial signatories and where there is a lot of echo-chambering. Petities.nl is founded by someone who does not present himself in an ideological way and so the website has no specific political or ideological background*"(our translation). In general, one could state that the local petitions are more focused on public space and national petitions more on health care (Van Hulst 2016). It is striking that on the national level there are a few (but very popular) petitions on more populist issues ('Black Piet should stay' en 'No reduction of sentence for Volkert van der G' (who was the person who shot the Dutch politician Pim Fortuyn on May 6th 2002)) .

A common critique on e-petitions is that they are channeled by established political actors (parties, associations or movements) and that they only occasionally rise from ad hoc and informal units of collective action (Panagiotopoulos et al., 2011; Alathur et al, 2012; Schmitter and Trechsel, 2004). Petities.nl seems to be less an instrument of political organizations. This is agreed on by interviewee 6 (researcher): "*Specific NGOs have not discovered and used the website that much.*" The interviewed initiator explains it as follows: "*Most of the professional organisations out there choose to register their own internet domain and install petition software on it. That way they themselves have access to the data.[…] But the problem they have then, is that the petition does not reach other groups than their own supporters or followers*" (Interview 5, initiator, our translation).

5.1.2.2. Engagement or communication strategy

The low threshold implicates that a largescale engagement strategy to give more name and fame to the platform was not needed. As the interviewed initiator says: "*We haven't spent one penny on advertisement*" (interview 5). The Ministry of Internal Affairs has helped petities.nl once to get in touch with some of the local governments, but mostly it works like a snowball via social media and e-mail. "*It's the signatories inviting others [to visit the website] through mail who create the most traffic*" (interview 5, our translation).

The biggest competition for petities.nl is both petities24.nl (a website that comes up first in Google when you search for 'creating a petition' but is less user friendly and offers no support) and individuals building their own website for a petition or putting petition software on their own website. In the Netherlands, there is no national public e-petition website, like in the UK or in Germany. An important reason why there is no governmental or parliamentary petition site in The Netherlands is that: "*These [governmental] sites are bureaucratic – as a participant you have to bring out your whole past – because it attracts vandalism. People who think: 'let's show them'. […] So this [petities.nl] is a perfect firewall for the government. All gain but no pain, so to speak. And if something comes up, they will get to know at an official presentation of a petition*" (interview 5, initiator, our translation).

When it comes to a communication strategy on the e-petition itself, the website offers a handbook to help citizens to plug their petition. The handbook contains tricks and tips based on the experiences the initiators had since 2005. For example on viral marketing and free publicity. The handbook addresses how to: get as much traffic to the petition (for example by sending invitations to one's personal network, approaching journalists and a special Dutch website on local petitions, placing messages on news sites, social network sites, blogs or discussion sites, releasing the petition on a special day related to the cause of the petition, etc.), start a campaign website or blog with more information, write and spread a press release, how to get in touch with local or national TV or radio broadcasting centers and how to place a widget (so people can sign the petition from another social network site or campaign site).

An interesting study which might help to improve the communication strategy for individual e-petitions is based on 885 petitions submitted to the German Bundestag between 2008 and 2010 (Jungherr a Jurgens, 2010). The authors conclude that during periods when an eventually successful petition was opened for signatures, other petitions attracted more supporters too. The authors call it 'cosigning overspill'. Schmidt and Johnsen (2014) confirm this effect with a broader dataset of 2653 petitions signed between October 2008 and February 2013.

5.1.3. Participatory process

After the main message or title of the petition (for example Forward the age of breast cancer screening) and the number of signatures, the following text blocks are presented: We…., Observe... and Request… (see Figure 3). It depends on the petition how much information on the issue at stake is given but the design of the platform is such that there is not too much space (in order to keep the message as concise as possible). There is the possibility to give a link to a website – like a Facebook page or an actual campaign website – where more information can be found. The input is not edited much, only language

mistakes are. The moderator (also the initiator) never removes a petition for whatever reason because of "democratic reasons". As stated before only petitions on a company or a product are not allowed.

Figure 3. Screenshot of a petition on petities.nl

All of this information is the input which has to be given by the petitioner, the person who is initiating the petition. The only input a participant can give is their name, email address and place of residence and their 'signature' (pressing a blue button). And when it comes to privacy, the initiator mentions in the interview: "*Personal data is only shared in compliance with data protection laws*" (Interview 5, our translation).

The design of the site is such that participants cannot make any remark on the petition or discuss the petition amongst them: no views are exchanged (also not with the recipients; see next section Results). According to the interviewed initiator there is not much need for online deliberation in general. The reason for this is: "*The moral of the medium is that you can endlessly 'fork' as we call it. If you know better, you*

move on to another website, another Whatsapp group, etc. There is no scarcity of space" (interview 5, our translation). It is always possible to find like minded people, somewhere else on the internet.

The interviewed researcher concludes that the contribution of a participant is limited, but this is not always necessarily a bad thing. "*You can only sign or not sign. You cannot co-edit a text for example. At the same time, your voice is not lost as happens often in deliberative settings where a participant can take part in a discussion but where in the end it is difficult to ascertain where and how one's input has been used. With petitions, your voice just counts*" (interview 6, our translation).

5.1.4. Results

In general the impact of petitions on decision making processes is not very high and for e-petitions it is the same (Miller 2009; Polat 2005). For example, in the United Kingdom, the House of Lords, it is generally recognized that government is not doing anything as a result of a petition (Norton 2005; Bochel 2013). When a petition doesn't reach a certain threshold, generally nothing happens.

The formal recipient of most of the petitions on petities.nl is a representative at the national, state or local level. Although the right to petition compels the addressee to pay attention to a petition, it is very easy for the representatives to just accept a petition and tell the petitioners they will use in their decision making process (Edwards and De Kool 2016). On top of that, the representatives provide virtually no feedback on how they have dealt with petitions. There are occasional signs that petitions from petities.nl are being used, for example when a member of parliament quotes from a petition text (usually without identifying it as such); the petitioners themselves are not aware of this (interview 5, initiator). In general, there is not much insight in the plating out of the petitions in parliamentary decision making.

The potential power of e-petitions is not so much to have an impact on decision making but mostly as a form of 'testimony politics' on moments of urgency. "*Petitioners are not really that much concerned with the impact, they just want to make a statement or leave a testimony*" (Interview 6, researcher, our translation). The rise of e-petitions in that sense fits in the broader trend of what is called the 'mood democracy' by Hendriks (2012). Citizens can make themselves heard at an international stage and mostly at their own terms (since petitions are initiated bottom-up and access barriers are comparatively low in terms of formal requirements). The conclusion that e-democracy tools are often successful as a civic instrument but not a convincing policy instrument (Kies et al. 2013: 24) seems to apply here as well. Interviewee 6 concludes (our translation): "*It [petities.nl] is an 'outlet' for participants. There are no creative powers at work like with collaborative writing projects as in Melbourne. Such projects seem to be better at creating impact; although this particular project [Melbourne] was also politically well embedded.*"

Van Hulst et al (2016) conclude in their study about petities.nl: "*Most petitioners and signatories restrict themselves to the hyper reality of the online proposition with sometimes quite a few or sometimes less online support statements.*" According to the initiator of petities.nl, most petitioners indeed do not present their petition in time for the relevant political debate when there is a 'policy window' open and 'policy entrepreneurs' can be fed effectively with a opportunistic petition idea (Kingdon, 1984). Actually, many individual petitioners do not see the use of presenting their petition to officials. Except petitioning organisations, they see a petition as a "*starting point of a lobby process*" (Interview 5, our translation). "*It does not happen that often that ordinary citizens offer their petition to Members of Parliament. Citizens reason like this: 'Well, it's on the internet now. All of us are here with our names on a long list. 10,000s of us. Sometimes 100,000s of us. It should be clear enough now. We really do not need to come and hand over the petition as well'*" (Interview 5, our translation). This is radically different from the perception of Members of Parliament or municipal councilors. According to the interviewed initiator (interview 5, our translation) they think like: "*A petition does not exist when it is not handed over. Apparently the issue has been solved or it is not so urgent anymore.*" So in practice, offline meetings between petitioners and politicians almost never happen (Edwards and De Kool, 2015).

It could be an improvement of petities.nl (or any other digital petition platform) if per petition was mentioned: how did the recipient react to the petition? Although this question might not always be answered convincingly, to make this question explicate is already of value. It would be even better if the recipients would react to the petition via a short movie clip or statement on the website itself. At petities.nl this is done twice: both are references to the online videos of the political debate where the e-petition was discussed.

If offline or even online meetings between petitioners and the recipients do not take place, there can still be media attention for a petition, but this is no guarantee for any impact on the decision making process. Petities.nl does in general get good press in The Netherlands. The press takes notice of the public signals from the website quite regularly while at the same time arguments against the e-petitiopledgen messages are mentioned (Van Hulst et al 2016). The interviewed initiator agrees: "*Not a week goes by without a petition from petities.nl mentioned in some local newspaper somewhere in the country. […] Also the petitions on national issues are regularly in the news*" (Interview 5, our translation).

At the same time, the expectations of some petitioners are high and sometimes have been raised very high (Bochel 2013). Petities.nl tries to manage these expectations by explaining to the participants what they can and cannot expect from the process, particularly by encouraging the petitioners to undertake further action after the petition is closed (towards the media and politics). For example, as mentioned, since 2016 petities.nl is experimenting with a crowdsourcing function to collect money to rent a professional to work on the public affairs on the petition: to do some additional research, to work on the publicity, to get in touch with relevant policy makers and politicians, etc. The first month more than 100,000 petitioners pledged donations amounting to in total €12,000.

People can also declare whether they possess certain capabilities or a network which they would like to deploy to reach the goal of the petition. Some of them want to do research, organize a meeting, be a spokesperson for the petition or bring the petition under the attention of their political party of which they are a member. In general, journalists can easily find spokespersons for any petition. At every petition there is at least one person who declared that they are available for questions on their own experiences with the subject of the petition.

The interviewed initiator concludes that a petition is only a means to an end. "*And the end is to support (local) democracy, to bring people together and make them talk. […] Nowadays it's all iPad, iPhone, iGovernment, my ING [a Dutch multinational banking corporation], my this, my that. It is all adapted to your personal wishes; I call it the ideology of new media. What I want to offer with petitie.nl, is a sort of we-platform*" (Interview 5, our translation).

5.1.4.1. Information on the process

The website is transparent in the sense that it gives an overview of all the petitions either open for signing, closed and/or filed. At the same time, as already mentioned, there is not much information on the political impact of the petitions on the site. The initiator wants to improve this. "*That hardly happened until recently, because I had to find out myself what the impact of a petition has been. I did it ad hoc only. […] But now I have received funding of the Foundation for Democracy and Media to work on a structural solution for this. For a period of twelve weeks, I am going to give information on the impact of 25 e-petitions filed at the largest local governments. It is like investigative journalism. In the end, all the signatories get the information [linking to official sources] and it makes people very happy. […] This is quite unique; nobody works like this at the moment. The Germans [openpetition.de] want it, but they don't get time*" (interview 5, our translation).

At the moment, however, the signatories get information on process and the results via email. During the process of an e-petition, the petitioner can send a maximum of three mails - through the webmaster – about the progress of the e-petition to the signatories. This does not always happen. Only the very active petitioners, mostly representing an organisation, make use of all three mails. The last mail is usually a

request to subscribe to a newsletter, become a member, etc. (Interview 5, initiator). The handbook which was earlier mentioned advises the petitioners to send at least two messages. One before the presentation of the e-petition in order to invite the signatories to be present as much as possible and one after the presentation to convey to them what the reply of the recipients was.

5.1.4.2. Trust

Although in general the impact of petitions is not high, it also depends on the petition system and the policy-making framework behind it. Those systems without mechanisms for detailed consideration of each petition risk creating disillusionment among petitioners. It might undermine their trust not only in the petition system but also in their wider perceptions of the political system (Bochel, 2013). Interviewee 6 (researcher, our translation) is less pessimistic about it: "*I think that when a petition lacks impact, it confirms the already existing moderate trust in politics with participants. I do not think it makes their distrust in politics grow. In the case of a referendum it might work that way.*"

Åström et al. (2016) conducted research on survey data of 1,470 individuals who participated in Malmöintiativet, an e-petitioning process in Sweden, in order to closer examine the relationship of e-petitions on trust in political institutions. The study found that citizens generally had very low expectations regarding the impact of e-petitions. Among their conclusions they state that experiences have not rendered overall gain in trust. For participants who are not in the political mainstream, distrust is often reinforced. But there is light at the end of the tunnel: "*However, the results show that more citizens with a negative predisposition toward government have changed their perception in a positive direction than vice versa (positive predisposition - negative change). So even if negative reinforcement is more common than positive reinforcement, change is more positive than negative.*" (Åström et al. 2016: 3f.)

Best practices of a good working petition system can be found in Scotland and Wales. There all the petitions are discussed through a parliamentary committee where and petitioners can get on forehand in touch with the clerks and Members of Parliament to discuss the content of petition before it is submitted leading to suggestions for improvement. The Scottish Public Petitions Committee is also able to request ministers to attend the Committee to answer questions and provide information with regard to the petition (and indeed do so). Furthermore, it can write to the cabinet and other authorities or organizations to request information, start commission inquiries, can request that an issue raised by a petition is debated in the Parliament's chamber. The Petitions Committee of the National Assembly for Wales can take similar actions. According to interviewee 6 (researcher) this could reinforce or reinstall trust people have in politicians. "*However, it [a politically well embedded petition system] also creates expectations and potential disappointments*" (our translation).

Interviewee 5 (initiator) states that the best way to prevent distrust or reinforce trust, is: "*Petitions need to be answered. And that could be an honest 'no' as well*" (our translation). But the 'no' needs to be explained well. The officials need to be open about their considerations.

5.1.5. Application at the EU level

The European Parliament has its own petitions portal and even a parliamentary petitions committee dealing with the incoming petitions. The initiator of petities.nl does not have any comment on the portal itself, but he notices that there is one condition which makes it very unattractive to file a petition at the European Parliament: the subsidiarity principle: "*The petition has to be about European laws and regulation and in particular the implementation of it by the Member States. It has to be about issues where the European Union has exclusive competence*" (interview 5, our translation). This is one of the reasons why so many filed petitions are rejected, because the subject they are addressing does not fit this condition. In 2015, 1,431 petitions were received and about one third (428) turned out to be inadmissible (Committee on Petitions, 2016). In practice this also means that citizens cannot start a petition for the purpose of agenda-setting. The issue of the petition has to be on existing laws and regulations. The interviewed initiator argues that

the Petitions Committee should still make an inventory of what people actually ask for in these 428 petitions. They could be a service hatch for the Member States that way. Another idea he pitches during the interview is to organise a competition for an e-petition website on EU level which actually connects with the existing local, national and European institutions. "*For example, one way to go could be to encourage cooperation and monitoring between local and national e-petition websites. Often the issues addressed are similar. That way you know: 'Hey, this is what occupies peoples' minds in Europe*" (interview 5, our translation).

Of course there is also the European Citizen Initiative (see section 6.4 for a case description). The initiator of petities.nl is not very positive about this tool, however. "*Every year when I go to the European Petition Day, the sentiment [about the ECI] gets more depressive: 'What do we have to do with this, this instrument? It is not going to work. Ever"*(Interview 5, our translation; see case description on the European Citizen Initiative for explanation).

5.2. Open Ministry Finland

5.2.1. Introduction

Since 2012, Finnish legislation enables three types of citizens' initiatives: 1) initiatives asking the Eduskunta (The Finnish House of Representatives) to roll out new policy, 2) initiatives in which citizens themselves submit a bill to the Eduskunta and 3) initiatives for annulment of existing legislation. The website explains "*A citizens' initiative can propose the enactment or drafting of new legislation. It can also concern the amendment or repeal of existing legislation*" (consulted on February 2, 2017). If such an initiative collects at least 50,000 signatures – less than 2% of the voting population – within six months, the Finnish Parliament is obliged to discuss the proposal and vote on it.

In October 2012 the online platform "Avoin Ministeriö" (Open Ministry) was founded by a citizen group to advocate well-functioning citizens' initiative processes and to support individual citizens' initiatives campaigns (Pekkanen 2015). "*The Open Ministry (Avoin Ministeriö) is about crowdsourcing legislation, deliberative and participatory democracy and citizens' initiatives. It is a non-profit organisation based in Helsinki, Finland. We help citizens and NGOs with national citizens' initiatives, EU citizens' initiatives and develop the online services for collaborating, sharing and signing the initiatives.*"(website, accessed on 8 December 2016).

The online tool of Open Ministry is used to collect ideas for discussion and for co-creation purposes. In the first years legal experts tested and edited the initiatives pro bono at the online platform. Open Ministry also helped in getting publicity for particular initiatives, and volunteers of the platform sometimes acted as official representatives of an initiative, particularly to the government and the European Parliament (website Open Ministry). The digital process around the citizens' initiatives as organised by Open Ministry is often referred to as *crowdsourced lawmaking*.

The very first citizens' initiative was a proposal to ban fur farming which was introduced the same day as the law about the citizens' initiative was enforced. This proposed bill was rejected by the Eduskunta. Initiatives submitted in 2014 included a bill to legalise same-sex marriage (which was successful) and to introduce new copyright legislation. Crowdsourcing to co-write a draft bill played an important role in the latter initiative (Edwards and De Kool 2016: 58-59).

5.2.1.1.   How it works

The procedure as it is now is clearly explained on the website (accessed on December 12, 2016):

1) *Ideas*: Registered users can add their own ideas: the idea is given a descriptive title, a summary and, if necessary, a longer explanation. Other users can comment on the proposals and vote in support or against the idea. Ideas can be edited based on the comments of other users and experts. Usually ideas need further development: by clarifying the objectives, listing arguments for and against, an assessment of the possible consequences and so on.

2) *Draft*: In the second phase ideas are fine-tuned into an official legislative proposal that can be put at the Ministry of Justice's website (kansalaisaloite.fi) with – in the first years of Open Ministry - the help of legal experts and other experts on the topic. The proposal cannot be publicly commented in the final stage of the draft.

Figure 4. Screenshot of avoin ministriö listing proposals and supportive votes

3) *Legislative proposal*: The proposal is uploaded at the official site for citizens' initiatives of the Ministry of Justice. In a six-month period the initiative should collect at least 50,000 electronic and/or paper-based expressions of support. Online bank IDs, mobile verification or a chip ID card are needed for launching and signing an initiative at the website of the Ministry of Justice (this site can be easily reached via a hyperlink at Open Ministry). This website shows from top to bottom of the page: the amount of supporting signatures until now, in a time chart of six months; the button to support the initiative; the title, date and the complete text of the initiative; the main argument of the proposal; financial support; the initiator and other representatives including their contact details; and again a support button.

Figure 5. Screenshot of kansalaisaloite.fi: legislative proposal on legal euthanasia
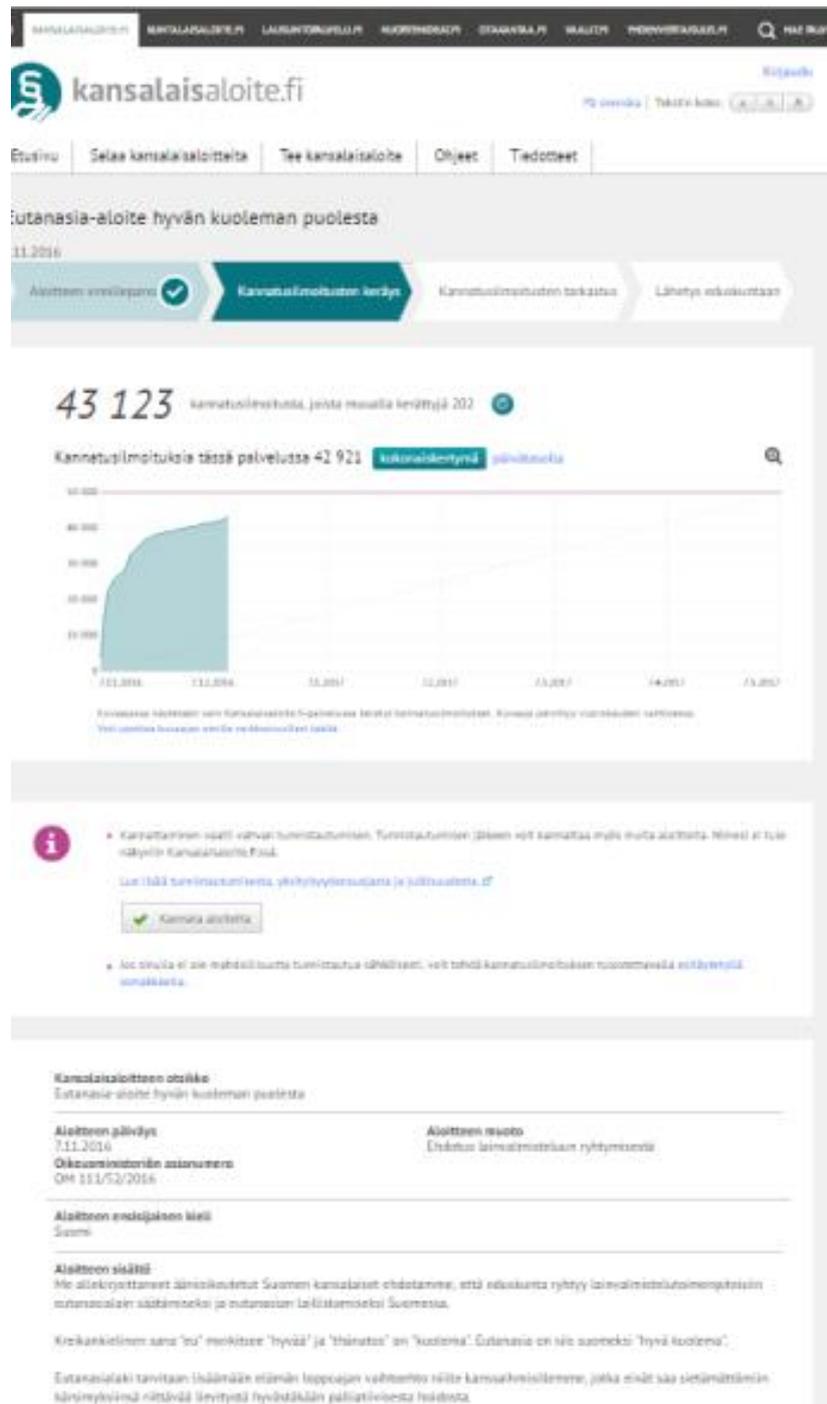
4) *Handing over to Parliament*: After the Population Register Centre has checked names and confirmed that at least 50,000 approved signatures have been collected, a spokesperson for the initiative can submit it to Parliament for consideration (website, accessed on 12 December 2016). Only in the very beginning Open Ministry also collected signatures and verified their correctness and validity. It was problematic that some banks asked money for that service. Moreover, an extra platform to collect signatures is more likely to confuse citizens, explained our expert (Interview 7, initiator).

5) *Legislative proposal in Parliament*: Citizens' initiatives are debated in Parliament in the same way as other legislative proposals. At the parliamentary website this route is extensively described: "*The consideration*

of a citizens' initiative in Parliament begins with a preliminary debate in plenary session. At the end of the debate Parliament refers the matter to a committee. During the committee stage spokespersons for the initiative must be given an opportunity to state their case. A committee may also hear a representative of the relevant ministry and other experts. The committee may continue discussion of the matter and prepare its report for the plenary session. It can also decide not to support an initiative and to end discussion of the matter. This does not mean that the matter is dropped or that an initiative is rejected. It simply means that an initiative must wait for further measures such as a government proposal. The committee may return to the matter later on. A citizens' initiative that has not been considered by the end of the electoral term is allowed to lapse."

5.2.1.2. Legal framework and internal procedures

Addressing the legal framework, first and foremost important is of course the amendment to the Constitution that allows citizens' initiatives to be submitted to Parliament (1 March 2012). An initiative must be supported by at least 50,000 Finnish citizens who are eligible to vote. Signatures of these citizens must be collected within a period of six months. After these signatures are verified by the Population Register Centre (which checks names and confirms the number of approved signatures), a representative needs to submit the proposal to Parliament. If one of these requirements is not met, the initiative is allowed to lapse. The law obliges Parliament to deal with the initiative and to hear its initiator, but it is entirely up to the Parliament to make the final judgement to accept or reject the proposal (Christensen et al. 2016). These legislative procedures are ground-breaking, as Heikka (2015: 288) argues: "*If one were to point to a key to the success of the CI-Act as a civic engagement experiment, I argue that the radical legislative framework itself – a result of a decade's work by three governments – was the defining element.*"

The Ministry of Justice is primarily responsible for the online system to collect statements of support (www.kansalaisaloite.fi). Guidelines and formal requirements for legislative proposals can be found on the Ministry of Justice's website. The Ministry of Justice checks if the initiatives submitted by citizens include the required information and do not contain content not suitable for publication on the Internet. Thereafter, the collection of statements of supports may start.

Also other organisations are allowed to build their own platforms, to be approved by the Communication Regulatory Authority (Christensen et al. 2016), like the Open Ministry platform. The most important procedure within the online platform of Open Ministry is that ideas posted on the website do not have property rights: all ideas and comments are written within the Creative Commons license (website, accessed on 12 December 2016). In addition, although Open Ministry provides legal support independently, the organisation emphasises its non-legal and voluntary basis on its website.

5.2.1.3. Financial sources

Open Ministry has received a financial contribution (€30,000) from SITRA, a Finnish innovation fund for setting up the first version of the website (Interview 7, initiator) and €15,000 from the Ministry of Justice (website Open Ministry). Due to a lack of further financial support the Open Ministry was not able to continue its work: "*We were more active in the first two years of the citizens' initiative law. […] We haven't been able to continue that and to develop it further. So now the operations are quite minimal. […] In fact, we now, last … or this year, we switched to quite a simple, just a wordpress-based webpage basically*" (Interview 7, initiator).

5.2.2. Participants

The purpose of the constitutional amendment that enables citizens' initiatives is "*to promote and support free civic activity and thus strengthen civil society, in which different parts of the population participate and have a say in developing society*"(website, consulted on 12 December 2016). This makes clear that the Finnish citizens' initiative is aimed at a broad range of people.

The target group of the online crowdsourcing at Open Ministry is in principle everyone with legislative ideas, comments or opinions. While the term crowdsourcing in theory includes anybody who has access

to the Internet and is aware of the task, 'the crowd' in practice refers to the individuals who self-select from that larger group of people (Aitamurto and Landemore 2016). The academics Laura Nurminen, Maija Karjalainen and Henrik Serup Christensen (2013) conducted a survey among users of the Open Ministry website at the end of 2012. Their respondents show an overrepresentation of the 21-40 age group, males, university graduates and urban residents in comparison to the general population. The overrepresentation of young people, the well-educated and people who live in urban areas among those who sign the citizens' initiative is reaffirmed by the Finnish National Election Survey in 2015 (Christensen et al. 2016). While these findings suggest the citizens' initiative mainly activates people who are well off, Christensen et al. (2016) emphasise that also people who are unemployed or in bad health make regular use of the new possibilities. Moreover, "*actually the strongest finding that we have is that it appeals to young people. That young people are very interested and very active in using these tools. So in that sense it's actually reaching a group that is often considered to be problematic from a democracy perspective, young people often don't want to participate*" (Interview 8, researcher).

Co-founder of Open Ministry Joonas Pekkanen ([youtube](#), 2014) states in relation to the participants: "*Politicians and civil servants preparing the law need to understand that it is not a representative sample of the population obviously. Because people choose to participate and people with their own interests of course are vocal about their needs and requirements for the law. […] The challenge is to get regular people who are not kind of motivated by their personal interests to get involved. That's the big issue, that's the big question to answer in the future, I think.*"

The main aim of crowdsourced law-making is to encourage diversity, not representativeness per se (Edwards and de Kool 2015). As Aitamurto and Landemore (2016: 175) argue in relation to crowdsourced law-making: "*lack of statistical representativeness […] does not necessarily mean a poverty of views, information, and arguments and low quality deliberation*". At the same time, the threshold of 50,000 signatures can be seen as a minimum check of the popular support for the proposal. In the following parliamentary debate and parliamentary vote, political representativeness is ensured.

5.2.2.1. Engagement or communication strategy

The communication strategy of Open Ministry included press releases and the Facebook page (Interview 7, initiator). By being online six months earlier than the ministerial website for the citizens' initiatives, Open Ministry was able to focus media attention to their website and boost their user base (Heikka 2015). The people behind Open Ministry have therefore been "*important in the beginning in creating awareness of the possibilities the citizens' initiative gives. And they campaigned for many of the successful initiatives in the beginning. […] But I think it was more about the people than the platform*" (Interview 8, researcher). The academic researcher rates the effectivity of the communication strategy around the platform quite low, as he thinks Open Ministry is not well-known in general: "*It is a specific group of people that was reached. It's urban, well-educated men. And they're living in the Helsinki area*".

Avoin Ministerio has helped several citizens' initiatives with campaigning to collect the required number of signatures. At the same time, campaigning appeared to be a very decentralised process in practice, where different groups organise and mobilise themselves separately online and offline around the issues, especially when they have conflicting interests or views ([youtube](#) Pekkanen 2014). Also offline participation was tested in one instance, the co-founder told in the interview; paper versions of the initiative have been distributed. "*That we put into a few hundred libraries. And the idea was … and pre-paid envelopes for the libraries to send those back to us. And easier to collect paper signatures also from those who can't take part in the digital platforms. […] But that we also ended because nobody wanted to pay for the expenses for doing that.*" This option was used "*not a huge volume but it's more for the people who are in the kind of minority or in the fringes of society in a way*" (Interview 7, initiator).

The separate successful law proposals that reached the 50,000 threshold are quite well-known, research concludes. The initiatives that collected the required number of signatures received so much media

attention that Parliament felt the urge to proceed them relatively swift and thoroughly (Christensen et al. 2016: 6).

5.2.3. Participatory process

To participate people need to register via the APIs offered by banks, mobile operators or a chip ID. Originators and representatives of specific legislative proposals also need to provide their contact details, which are published online. The further process of crowdsourcing varied for different proposal trajectories. The (co-)founder told in the interview that the ban on fur farming initiative, the same-sex marriages initiative and the copywriting initiative were "*the biggest ones. So those initiatives that brought people in and I think we had something like 6,000 registered users, people who opened an account on our site to be able to comment and write. […] The most crowdsourced one was the copywriting initiative; there was more than a hundred people commenting on it. And more than a thousand people voting for the draft before it was finalised. […] The same-sex marriages initiative was prepared a bit differently. We had a set of semi-open, or set of semi-closed group of law students and professors helping them to write the proposal and then we just published drafts a few times. So it wasn't kind of co-edited all the time. […] We were testing out different processes and ways of working on different proposals*" (Interview 7, initiator). In another trajectory about the donation legislation, they formed a proposal via a Wiki platform, but it was never launched on the websites to collect support from citizens, because it was put forward as an MP initiative in the end (a faster route to new legislation), as the co-founder further explained during the interview.

The general state of affairs with regard to Finnish citizens' initiatives until December 2016 can be summarised as follows: 2 proposals in the starting phase; 28 proposals in the process of collecting signatures; 519 proposals that failed to collect sufficient signatures and 16 legislative proposals that are handed over to Parliament (for most recent update see this website). That means that less than 3% of the legislative proposals of citizens actually reaches the 50,000 threshold and are discussed in Parliament (which is consistent with the earlier analysis of Christensen et al. 2016). Open Ministry has been involved in 6 of the initiatives that have reached the 50,000 threshold (Interview 7, initiator).

The 15 initiatives that have passed the threshold of 50,000 signatures within 6 months concern the following issues (website, accessed on 12 December 2016):

2013(-2014)
- Fur farming (before governmental site was launched) (69,381)
- Copyright reform (51,801)
- Swedish language (61,306)
- Same-sex marriages (166,851 in 2013)
- Energy certificates (62,211)
- Drunk driving (62,835)

2014(-2015)
- Birthing hospitals (66,797)
- Child molestation (58,013)
- Right to refuse conscientious cessation of life (67,547)
- Expelling foreigners guilty of offense (54,324)

2015(-2016)
- Zero-hour contracts (62,516)
- Same-sex marriage and (adopted) children (106,195)
- Pension index (84,820)
- Referendum membership of the euro area (53,425)
- Maternity Act (55,707)

In 2016 only one proposal was started that was supported by more than 50,000 people: a proposal about euthanasia. This low number of successful proposals might be explained by the fact that it was election year in Finland and all running citizens' initiatives had to start over collecting signatures after the election. At the same time, *"this was formally the case according to the rules, but the collection was allowed to continue through the elections (which makes sense). Nevertheless, I think that the elections and the unclear rules did cause a minor dip, just as the initial use was probably larger due to the novelty of the citizens' initiative, so now we are using the "natural" level"* (email correspondence with interviewee 8, researcher).

Many citizens' initiatives do not get enough support. Christensen et al. (2016) calculate that 44.9% did not even manage to collect more than 100 signatures. Another 48.1% stagnates before 10,000 signatures. Thus collecting 50,000 signatures is not an easy task and proves to be a threshold that prevents much extra workload for Parliament (Heikka 2015).

Open Ministry has been able to change the law in one case until now. Yet, the quality of the legislative proposal is not always considered satisfactory. Even the initiative to legalise same-sex marriage was criticised by the Eduskunta's Legal Affairs Committee for having "technical deficiencies"(Edwards and de Kool 2016: 59). Nevertheless, the bill was passed by Parliament in November 2014 by a vote of 105 to 92. It helped that the liberal conservative Prime Minister, Alexander Stubb, had spoken out in favour of the proposal in an open letter before the parliamentary vote.

Other law proposals were not successful in changing legislation. For example the first initiative on fur farming that was rejected by Parliament. "*After the organisers submitted the proposal to Parliament in March 2013, committees and plenaries debated the proposal in the following months. In the end, the Finnish Parliament followed the recommendation of the Agriculture and Forestry Committee and rejected the initiative. In the plenary vote on 19 June 2013, 146 of 200 MPs voted against the initiative. The Green League was the only political party uniformly supporting the initiative while all other political parties in Parliament generally opposed the idea of a ban on fur farming.*"(Christensen 2015: 63) At the same time, all citizens' initiatives submitted to Parliament are handled properly: initiators are heard by committees, and these committee hearings were open to all MP and to media (which was a novelty in itself) (Christensen et al. 2016).

5.2.4. Results

Until now, only one of the citizens' initiatives has led to changes in the law: the gender-neutral marriage legislation. This win on the equal marriage law "*has big implications for the citizens' activism in Finland,*" because – as the evaluation of the pilot claims – *"people have seen that their digital participation (157 thousand of the 166 thousand supporters were online signatures) can make a difference"* (Bria et al. 2014). Other initiatives have had indirect impact on legislation, like the one on energy certificates (Christensen et al. 2016). Moreover, the initiatives have increased the awareness of the issues and influenced opinions regarding the specific issues (Christensen et al. 2016).

In addition, transparency and accountability are promoted because Open Ministry provides detailed information about parliamentarians' comments and voting records on its website (Edwards and De Kool 2016: 59). In addition to the support for citizens' initiatives the people behind Open Ministry take part in various projects to improve citizen participation, transparency and accountability including taking part in public discussion (Pekkanen 2015). Stefaan Verhulst, an academic in law and communications, wrote in a blog (consulted on 14 December 2016): "*Finland's program forces representatives to officially take a stand for or against proposals demonstrated to be important to a large portion of the population. As such, Open Ministry could lead to not only more immediate direct democracy, but greater accountability for government representatives.*" Also the research mentioned positive changes instigated by the citizen initiative procedure, the debate around that and the contributions of Open Ministry to these: "I*f we talk about the citizens' initiatives, at least the process … those that made it through to Parliament, the process has been relatively open. And also the meetings in the different committees have been fairly open and there's been a lot of media attention. So I think in that case, it has been an improvement to help how things are normally done in Finland*" (Interview 8, researcher).

And even though the legislative proposals are not always accepted, the democratic process around these proposals is all the more important for citizens that are involved. "*The good news is that the findings clearly suggest that crowdsourcing can potentially help increase throughput legitimacy by creating a more trustworthy decision-making process. The participants may well be willing to accept not achieving the desired outcome, as long as they perceive the process to be fair*" (Christensen et al. 2015). In general, the citizens' initiative is positively evaluated: 83% of citizens regard the contribution of the citizens' initiative to Finnish democracy as positive in the Finnish national election survey (Christensen et al. 2016).

However, the story of Open Ministry is less of a success. "*The failure of the Open Ministry to maintain its service after its initial success is a cause for concern, however, and resourcing of a civic technology ecosystem should be examined. The more radical experiments for crowdsourcing draft texts for legislation have suffered, since these technical features and practices were part of the work of the Open Ministry NGO. Lack of money was the likely cause of the downfall of the Open Ministry as a crowdsourcing service, but allowing NGOs deeper integration with existing government technical resources could alleviate this problem*", Heikka (2015: 288) argues. The online activities around the legislative proposals are now more directed at supporting initiatives with signatures and less at deliberating proposals. Also citizens cannot take advantage of the legal support Open Ministry provided earlier. In the interview the researcher argued: "*There is a need for some sort of legal advice to ensure that the proposals actually achieve what they are supposed to. And that's a problem because of course most citizens don't have the knowledge that they would need to ensure this.*" About the former legal support within the Open Ministry platform, he says: "*I don't think they succeeded in offering this legal advice. Not enough of it anyway*" (Interview 8).

5.2.5. Application at the EU level

In the EU the Finnish case is relevant with regard to the European Citizen Initiative as well as in relation to the crowdsourcing initiative of the European Commission's Directorate-General for Communications Networks, Content and Technologies. One of our interviewees point to the difficulty of having an ongoing discussion on issues in different languages and particularly in relation to the ECI he wishes the way to collect signatures would be made easier (Interview 8, researcher).

Both interviewees emphasise the need for legal support to enable citizens to make a good law proposal, especially at the European level. They also note that topics and complexity of initiatives are so different that these might ask for different procedures, which makes it hard to say how crowdsourced citizens' initiatives in general would ideally work. Both suggest that a voting tool to measure the support for specific adjustments made in law proposals by citizens might be a good addition to the earlier platform of Open Ministry. The co-founder of Open Ministry also proposes the idea to "*allow campaigners who are working on the initiatives to be able to integrate into the online signing platforms. […] If there is a central or EU-run signature platform for the initiatives, then it should allow people who have signed an initiative to opt in to take part in the campaign behind the initiative. Because the main problem now, or the missed opportunity now, is that the campaigners behind the initiatives, they get people to come to sign the initiative, but then that's where the process ends*" (Interview 7, initiator).

In addition to the initiatives by EU institutions, ECAS works on a pilot of crowdsourcing in the EU. They believe in crowdsourcing because it:
- enhances participation by involving citizens and civil society beyond the typical stakeholders including young people;
- ensures a learning process for both citizens and decision makers through a real time exchange of views and opinions on the content and the process;
- encourages fresh/innovative ideas for shaping policies based on the "wisdom of the crowd" and allows "hidden" expertise to participate in the debate; and it
- increases the legitimacy of policy making (ECAS 2016, 4).

However, according to ECAS (2016) more research and debate is needed to design the pilot: the subject to be crowdsourced at the EU level, the time frame and the concrete technological platform.

5.3. Short summary on the informal agenda setting tools

Two digital tools for agenda setting were described and analyzed in this chapter: the Dutch website petities.nl and the Finnish Avoin Ministeriö (Open Ministry). Both are organised bottom-up (informally), i.e. initiated by the public. In this brief summary the main findings will be discussed with regards to their relevant contextual factors, the participants, the participatory process and the impact of the tool on the political process.

5.3.1. Relevant contextual factors

Both tools are meant for citizens to put an issue on the policy or political agenda. Petities.nl is a private initiative to make it easier for citizens to sign or start a petition: a request to a public authority like a governmental institution or parliament. The participants themselves are responsible for filing the petition and for gaining political support. There is no official Dutch e-petition system run by a public body. This means, among other things, that the recipients (like Members of Parliament) are not obliged to respond to a petition. The fact that the website is not embedded in a formal system, also means that not many procedural requirements are in place. This, next to the increased digital possibilities to gain support for a petition, makes the threshold to start a petition very low.

The Finnish Open Ministry is also a private initiative, organised by a citizen group of mosty ICT professionals. It is – contrary to petities.nl – legally embedded in a formal system of the Finish citizen's initiative with diffent procedural requirements. 50.000 Finnish citizens who are eligible to vote should support the initiative. Signatures should be collected within six months. The names should be checked and confirmed by the Population Register Centre. The online tool of Open Ministry is used to collect ideas for discussion and for the purpose of co-creation of citizens' initiatives asking for new policy, new bills, or annulments of existing legislation. When citizens' initiatives gain enough support, there is also an extensive parliamentary procedure for the handling of the initiative.

5.3.2. Participants

Both tools aim to involve a broad range of citizens in both countries in order to let as many citizens participate in the democratic process as possible (initiator petities.nl) and in order "*to promote and support free civic activity and strengthen civil society*" (initiator of Open Ministery). Both non-profit organisations do not have much money to spend on large communication or mobilization strategies. However, petities.nl seems to succeed better in attracting a larger crowd of citizens than Open Ministry: their website attracts 2 million visitors monthly nowadays. The website of Open Ministry was especially in the beginning of the introduction of the citizens' initiative attracting a lot of media attention and consequently visitors. This was because their website was online six months before the official ministerial website for the citizens' initiatives. Due to lack of financial support, the Open Ministry is not able to continue their work and their website nowadays is a simple wordpress-based webpage.

As with many e-participation tools, within the group of participants of the Open Ministry certain demographic groups are overpresented. In this case citizens aged 21-40 years, males, university graduates and urban residents. In the case of petities.nl, there is not much known about the people who are using it. One study points out that the website is used more than average by highly-educated men above 50 years. The lack of representativeness in both cases does not have to be a problem since the main aim of both tools is political agenda-setting which profits from a diversity of views with a certain support base but not from representativeness per se. The diversity of causes supported by the online petitions, petities.nl is quite inclusive.The website is not dominated by one sort of populist or technocratic issues. The same goes for the citizens' initiatives in which the Open Ministry was involved.

5.3.3. Participatory process

The difference between the two tools in the amount of participants they attract, might be due to differences in their participatory process. Petities.nl has a low threshold for participation. A petitioner has to fill in three small texts boxes at the website (we…, observe,… and request). The design of the website does not allow other participants to comment or change the petition. The signatory at petities.nl has to just fill in one's name, email address and place of residence. The Open Ministry on the other hand is asking more of their participants: the request has to be take one step further in order to become eligible as a citizens' initiative. It has to elaborated into an official legislative proposal with the help of other interested citizens and (legal) professionals who volunteer to help. Since the Open Ministry is embedded in a formal framework of procedures, the participatory process entails much more than the process at petities.nl. However, to make a petition into a success, it also requires sufficient investment of (lobbying) time, especially by the petitioner. In most cases, the petitioners fail to do so.

5.3.4. Impact

The impact of both tools on the political agenda-setting has been rather low. Less than 3% of the legislative proposals of citizens reaches the 50,000 threshold (i.e. 16 proposals in total since 2013) and are discussed in parliament. Open Ministry has been involved in 6 of them. In the end, only one of the proposals has been able to change the law: legalisation of same sex marriage. Many other proposals were rejected by Parliament, a few are still in procedure. In case of petities.nl, there is not much insight in the plating out of the petitions in parliamentary decision-making. There are only ocassional signs that the petitions are being used by parliamentarians. Comparing just these two bottom-up organised cases, it seems that embeddedness in a formal system of agenda-setting does not necessarily help with gaining more impact.

Interestingly, the low impact does not seem to create too much desillusionment among the participants. Quite the opposite. The amount of visitors of the website of petities.nl has been steadily increasing. And from a survey amongst participants of the Open Ministry, it turns out that participants are willing to accept not achieving the desired outcome, as long as they perceive the process to be fair. Improving the legitimacy of the agenda setting process by introducing citizens' initiatives in the the parliamentary system, is positively evaluated by 83% of Finnish citizens. This is in line with the finding that e-participation tools are more often a succesfull civic instrument, but not a convincing policy instrument (Kies et al, 2013). In other words, both tools provide added personal value for participants and community building, but suffer from a lack of direct, or even indirect, political or policy impact.

6. Case studies: Formal agenda setting

6.1. Crowdsourcing for a new constitution: Iceland

6.1.1. Introduction

This case is internationally known because it was the first time 'crowdsourcing' was used to draft a new constitution. It is considered a classic example of how digital tools – next to offline participatory events – can contribute to democratic processes. Internet and social media were used to involve citizens and experts from Iceland but also from abroad in the process of writing the actual text of the constitution. The idea behind crowdsourcing is that when ordinary citizens and experts combine their judgements, the results are qualitatively better than when based on the experts' judgement alone (Surowiecki 2005).

6.1.1.1. How it worked

In November 2009 it was Prime Minister Johanna Sigurdardottir who sent a bill to the parliament to start a constitutional revision process. There was a clear motive. Since 2008 the country suffered from a

national economic meltdown which caused the country's stock exchange, currency and banks to crash. It resulted in nation wide protests; the public asked for fundamental reforms, like the separation of legislative and executive powers, more direct public participation, electoral reforms supervision of the financial sector and the public ownership of natural resources (Kok 2011). The public also asked for less influence for the president who was severely criticized because off his close connections with the banking world which was held responsible for the crisis by the public (Meuwese 2012).

Box 1. Timeline of events of Iceland's constitutional revision process

- 04 November 2009: Bill submitted to parliament
- 14 November 2009: National Forum 2009 organized by Anthill (1500 participants)
- 16 June 2010: Constitutional Act accepted by parliament
- 16 June 2010: Constitutional Committee appointed (7 members)
- 06 November 2010: National Forum 2010 organized by government (950 participants)
- 26 October 2010: Constitutional Assembly elections are held (25 elects)
- 25 January 2011: Supreme Court voids the Assembly elections
- 24 March 2011: Parliament appoints assembly members to Constitutional Council
- 06 April 2011: Constitutional Council starts its work
- 29 July 2011: Constitutional Council submits final draft to parliament

Source: http://participedia.net/en/cases/icelandic-national-forum-2010

In that same month, November 2009, different grass root organizations calling themselves 'The Anthill' organized a national forum to discuss the future of Iceland. 1,500 Icelanders joined which is 0,5% of the population in Iceland. With this number of citizens the organizers hoped to obtain some sort of mandate representative enough to make the government listen (Landemore 2015). The results of the meeting were extensively discussed in the media. The Althingi (the Iceland parliament) then decided – instead of drafting a new constitution themselves – that citizens should be involved in drafting a new constitution.

On June 16th 2010 the Althingi accepted a constitutional act which formed the starting point of the constitutional revision process. That same day a constitutional committee was appointed. They decided that the task to draft a new constitution was to be assigned to a 'constitutional assembly' of 25 people elected by popular vote (more in the section Participants). This assembly was ordered to draw on the results of second National Forum where citizens were to be consulted, as well as on the proposals from the first National Forum as organised by 'The Anthill'. In early November 2010, this second National Forum with 950 randomly selected delegates met for one day. The forum laid down certain key provisins that had to be included in the new constitution.

Three weeks later, there were national elections for the constitutional assembly. Voter turnout was low: 37 percent (Kok 2011). Owing to (alleged) irregularities, the Supreme Court of Iceland declared the election invalid. It was a controversial decision, which was de facto rejected by the Althingi which simply appointed the 25 candidates and decided they had to take place in a Constitutional Council (instead of a constitutional assembly). This Council had the same tasks and consisted of almost exact the same composition. By doing so the members of Constitutional Council were not directly elected by the people anymore, but appointed by parliament.

Figure 6. Overview of the parties involved and processes initiated
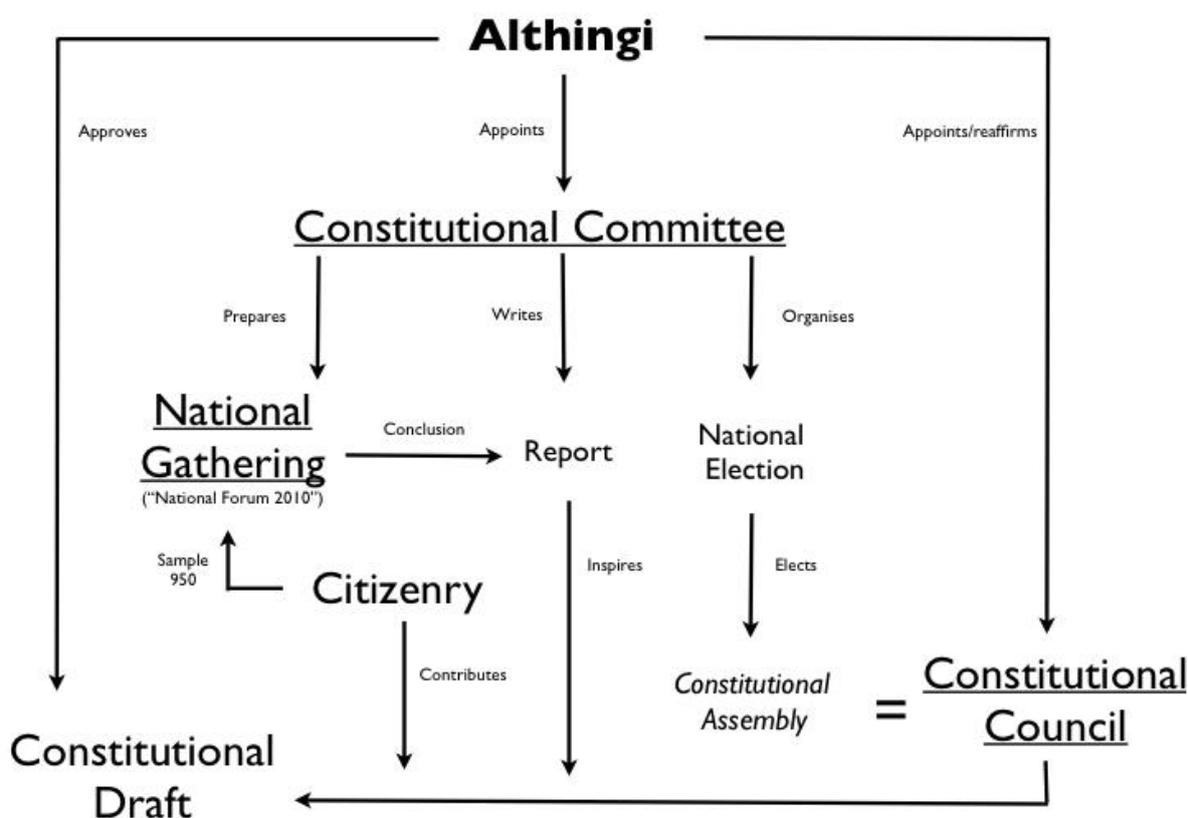
The Constitutional Council divided its work into different phases. In the first phase, it published draft articles of the new constitution on its website every week. Citizens were invited through YouTube, Twitter, Facebook and Flickr to make comments and suggestions. Social media was used to post updates, minutes of meetings, interviews with Council members and videos of their deliberations. Also Google software like Google docs was used to share and co-write documents (Interview 9, Council member). According to the Council, most of the online discussion had taken place on Facebook (Kok 2011). In the second phase, the assembly published the amended versions of the articles, once more inviting comments and feedback. In the final phase, the Council discussed the proposed amendments article by article, and then voted on the final draft (Edwards and De Kool 2016).

After a four months writing process, by the end of July 2011, the Constitutional Council presented its draft to Althingi. The draft contained a number of far-reaching sections concerning the electoral system and the ownership and management of natural resources. The draft constitution met quite some resistance from politicians and interest groups, especially the fishing industry. The parliamentary deliberations were troubled. On 20 October 2012, a non-binding referendum was held in which voters could speak their minds about the draft constitution as a whole and about five key issues. This time, voter turnout was 49 percent. The yes camp won on every issue. Regarding the general question ('Do you wish the Constitutional Council's proposals to form the basis of a new draft Constitution?'), the yes camp won 67 percent of the vote; regarding the more specific points (like national referenda upon citizen demand, a state religion, ownership of natural resources), the percentages ranged from 57 to 83 percent.

After the referendum, parliament had to approve the constitution. The Parliamentary committee in question asked some lawyers working as parliamentary staff members to take a second look at the text of the constitution. They were allowed to change wording but not the substance of the text since they

were not allowed to second guess the outcome of the referendum. According to the interviewed Council member the lawyers tried to change the meaning of the provision on natural resources in the advantage of the fishing industry, but "*the parliamentary committee saw through this and restored the original wording*"(Interview 9).

The Council recommended the parliament to show the draft version to the Venice Commission. (The Venice Commission is the European Commission for Democracy through Law residing under the Council of Europe. They are publishing studies, opinions and organising seminars and conferences on democracy, human rights and the rule of law.) It was only a year later that the parliament requested the Venice Commission to take a good look at the final text of the constitution (interview 9, Council member). The commission found some technical deficiencies and some minor flaws; this can mostly be assigned to the crowdsourcing process where nonprofessionals did most of the writing (Tushnet 2015). The draft was then modified to deal with these comments without objection from the already dissolved Constitutional Council (who were not very impressed with the comments of the Venice Commission: "*They made sort of outlandish remarks which were complete non-starters here and they actually apologised for not being well acquainted with the situation*"(Interview 9, Council member).

In the end parliament never took up the proposed constitution, it was never brought to vote, so it never went into effect. The new government that took office following the 2013 elections has established a committee to prepare further decision-making about the new constitution. The committee published a provisional report in the spring of 2014 identifying the Constitutional Council's draft as one of several possible alternatives for a new constitution (Edwards and De Kool 2016).

At the moment, the constitution is still on ice. Before the elections end of October 2016 the centre left opposition (Left-Greens, Pirates, Bright Future and Social Democrats) declared before the election that they would work together if they receive the majority to ratify the constitution after the election. But in the end a new coalition was formed on 10 January 2017 between the Independence Party, Reform Party and the Bright Future with Bjarni Benediktsson becoming Prime Minister on 11 January 2017. Benediktsson has never been a great fan of the whole crowdsourcing process.

6.1.1.2. Legal framework

A new constitution was the aim of the whole process. In order to improve the Icelandic situation, the population insisted very strongly on fundamental reforms that only proved to be possible after revising the constitution. But there was also the legal framework of the constitutional Act which was accepted by Althingi in June 2010 that ordered a complete modernization of the old constitution dated 1944 (the year that Iceland gained independence from Denmark). The text of the first Iceland constitution was almost literally a copy of the Danish one. Since 1944 not much was changed, only small changes like the substitution of the word 'king' with 'president' (Kok 2011). The purpose of the revision was thus to totally revise the old constitution and bring it up to date with the ideas of the Icelandic population on new political and moral values. After the revision, the incumbent parliament had to approve the new constitution, then the constitution should be adopted in a national referendum, and finally the constitution should be ratified by the subsequent, newly elected parliament. Altogether a high procedural barrier to reaching a new constitution (Landemore 2015).

6.1.1.3. The decision making phase

During almost every phase of the constitutional revision process, citizens have had quite some influence on the decision making process in different ways. The process can be divided in four phases (Meuwese 2010):

1.   The initiative to revise the constitution

   a. Nationwide protest of the public resulted in a bill to start the revision process of the constitution (<u>agenda-setting</u>).
   b. The first National Assembly was organized bottom up by different grass root organizations and lead to a decision by parliament that citizens should be involved in the drafting process (<u>agenda-setting</u>).
2. The choice for a constitutional assembly and working method
   a. The Constitutional Assembly (later called Constitutional Council) consisted of 25 people who were elected by popular vote (<u>decide</u>).
   b. The assembly had to organize a second National Forum with 950 randomly selected citizens who laid down key notions to be included in the new constitution (<u>co-decide</u>).
3. The actual drafting of the constitution
   a. Citizens were invited by the assembly to make suggestions and give comments during different rounds (<u>co-decide</u>).
   b. The assembly with the 25 elected citizens discussed the last amendments and voted on the final draft (<u>decide</u>).
4. The approval
   a. In a non-binding referendum the draft constitution was approved by a majority of the Iceland population (<u>co-decide</u>).
   b. The new government however did not adopt the crowdsourced constitution (<u>contest</u>).

6.1.1.4.   Financial resources

The costs of the constitutional reform process were paid by the Icelandic Parliament. The total budget is, however, unknown (Kok 2011).

6.1.2. Participants

As is made clear in the section above, participants were involved in different ways and different stages of the constitutional reform process. In this section we will take a look at who actually participated in phase 2, 3 and 4, how they got involved and who they represented. In general, the target group of the whole process were not only citizens and experts from Iceland but also from abroad. In phase 3 translating techniques were used to be able to quickly translate the draft texts of the constitution. And Council members communicated often in English on their Facebook or Twitter accounts, making the process very accessible for foreigners.

Phase 2: Constitutional Council
The 25 members of the Constitutional Council were selected from a group of 522 citizens who basically self-nominated themselves. They had to get signatures to place themselves on the ballot. 36% of the population voted through a single transferable vote system that allowed each voter to vote for up to the full complement of twenty-five. 15 of the 25 members did not manage to gather more than a thousand votes which has been considered as a lack of authority and legitimacy on behalf of the assembly (Kok 2011). Besides this, the members were not representative for the Iceland population. The 25 chosen members turned out to be highly educated and a disproportional amount of them were professors and students of political studies. Landemore (2015) argues that at least the Council was more representative than the participants in a regular referendum, in a crowdsourcing process or in a public demonstration.

The 950 people who participated in the National Forum were randomly selected from the national population register. Quota sampling was used to ensure representativeness in terms of age, gender and geographical distribution. Landemore (2015) indicates that this was only really successful for gender.

Phase 3: Drafting the constitution
The phase of writing the constitution has been the phase in which information and communication technology was extensively used to involve participants in the process (see section How it worked). This

phase lasted for four months. The process of participant selection was open (even to non-nationals), in other words: self-selection. On the website of the Council the only thing required of participants was an e-mail address (Kok 2011). Since there is a high internet penetration rate in Iceland, about 95%, almost the whole population could contribute through internet. The five per cent without access to internet could participate through letters ("*hundreds of letters*", according to interview 9, Council member) and telephone calls to the Council; Council members themselves were available to talk to.

There were also meetings – or public deliberations – with the Council that people could attend (but it was not possible to participate in the discussions). These meetings were open to everybody. The Council refrained from organizing special meetings with experts, parliamentarians or representatives of interest organizations. Some ("*a couple of dozen*") professionals were asked for input but only on an individual basis, not as representatives of an interest group. The Council decided from the beginning that: "*The invitation to participate was completely open. We decided that in order to live up to that we should not extend special invitations to anyone. You can view this as a kind of discrimination in reverse. […] In other words the elites, as I see it, partially sort of regarded it as offensive that they were not given any special treatment.*" (Interview 9, Council member). Later in the interview, the Council member does mention the influence of an NGO advocating for direct democracy on the draft constitution: "*I think it's fair to say that the emphasis on direct democracy and increased use of national referendum and so on, that was significantly influenced by their input.*" Meuwese (2012) considers the openness a positive point from the view point of representativeness, but points out the danger of lack of political support. In the end, there did turn out to be a lot of resistance from politicians, interest groups but also academics to the draft constitution (see Results).

So far, no reliable data have been published to indicate the level of online engagement. However, the fact that just over 4,000 people have "liked" the Council's Facebook page during the constitutional drafting seems to indicate that it was not very intensely used. It is therefore unclear whether the revision process has succeeded in truly engaging the Icelandic population (Kok 2011). On the other hand, when it comes to the contributions of the participants, Meuwese (2012) reports that the Council received about 3,600 comments as well as 370 "*formal suggestions*" on their official website; the amount of contributions on social media is not known but as the interviewed Council member remarks: "*The elaborate serious suggestions, they came almost exclusively via the website*" (Interview 9). Tushnet (2015: 9) thinks the amount of contributions was quite substantive. "*Not a trivial number in a nation with a population of under 400,000. Nothing is known though about the representativeness of the online participation.*"

The majority of the participants of the online crowdsourcing process seem to have been mostly ordinary Iceland citizens: "*So it was only sort of ordinary people from all walks of like, you know, teachers, farmers, nurses and so on, who contacted us*"(Interview 9, Council member). Many professionals – like academics – disregarded the whole process or gave their comments only after the draft constitution was finished, according to the interviewed Council member. The interviewed researcher says the following on this: "*Maybe boycotting is not the right word, but I have the impression that the viewpoint at the Faculty of Law of Reykjavik was that: 'Writing a constitution is for experts.' To some extent there been done some preparatory work done by experts and in the end the draft version of the constitution was also edited by experts. So my impression is that professionals were not involved in the digital participation process but did intervene in everything around it*"(Interview 10, our translation).

Phase 4: the approval or referendum

Only people from Iceland could vote in the non-binding referendum on the final version of the revised constitution. As written before, the voter turnout was 49 percent. This turnout is comparable to those of similar referenda in other countries (Edwards and De Kool 2016).

6.1.2.1. Engagement or communication strategy

There was a clear urgency (policy window) that helped to mobilize the population. Still, a communication strategy was needed. At different stages in the process, the attempts to involve the public were quite

diverse. Whether, and if so, how exactly, social media were used to involve (certain groups of) citizens actively in the process is not extensively documented.

Phase 2: Constitutional Council and National Forum
522 Icelandic citizens stood for election of the Constitutional Council: 30% of which were women and 70% were men (website, accessed 30 September 2016). About 9% of Icelandic citizens signed a commendatory letter for a candidate. The Ministry of Justice and Human Rights had introductions of the candidates for the Constitutional Assembly on a special website. The Ministry also published a brochure with information about the candidates and the elections which was distributed to all homes in the country. The candidates could also place introductions about themselves on different webpages. The national Icelandic broadcasting service broadcasted over fifty radio shows where the candidates introduced themselves (website, accessed 30 September 2016).

In the end, 36% of the total population voted, which is a low turnout for Iceland standards (Kok 2011). Reasons mentioned were amongst others: low media coverage, lack of debate between the candidates about basic issues, disagreement about the importance of a Constitutional Assembly and most probably also a general election fatigue. Looking at the first two reasons mentioned, it seems that the communication strategy failed in that respect.

For the National Forum in 2010 the participants were randomly sampled from the National Population Register. The mobilization rate was 20 percent, which meant that five times more than the resulting participants had to be approached (Kok 2011). No special engagement strategy had to be used.

Phase 3: Drafting the constitution
It is difficult to discover how the crowdsourcing process really worked in practice and how different groups of citizens were actively approached to get involved in the process. The literature does not describe the process in detail. And although the internet site of the Council is still online, only a small section is available in English (website, accessed on 29 September 2016). The interviewee 10 (researcher, our translation) confirms that she did not hear of any communication strategy: "*It wouldn't fit with the overall ad hoc character of the process.*" Tushnet (2015: 9) adds: "*It is also not clear whether specific attempts were made to include different groups of citizens – beyond the so called participation elite – like minorities in the crowdsourcing process.*"

The website does state that the activities of the Council could be followed closely and that advertisements were published in the general media to encourage the public to keep track of what is going on. Otherwise the media kept aloof of the whole process, according to interviewee 9 (Council member).

Phase 4: the approval
Not much can be found in the literature on what Altinghi did to get as high a turnout as possible for the non-binding referendum on the final draft of the constitution. As stated before, the turnout was 47%, which is comparable with the turnout at similar referenda in other countries (Edward and De Kool 2016).

6.1.3. Participatory process

For this section on the participatory process, we will focus on phase three, the drafting process, because during this process digital technologies were extensively used. This phase is the most relevant for our study on e-participation and e-voting (the voting in phase 2 and 4 was not done by means of e-voting).

There were different digital platforms where information was shared and where participants could bring their proposals forward. Next to the official website, there was a Facebook page where most of the online discussion was consequently taken place (Kok 2011). The Council employed two computer experts to facilitate all technical aspects of the process, including social media use. It was quite innovative for the

Council to use digital means – especially social media – to actively solicit input from citizens (Gylfason and Meuwese 2016). Both authors describe how the Facebook page of the Council was actively used and that the Council thought it important to react to all the given input on Facebook. Different Council members were also active on their own Facebook page and used their Twitter accounts as well. According to interviewee 9 (Council member), privacy or safety issues were a "*complete non-issue*" because "*there was no confidential information at stake or anything.*"

However, the drafting process seems to have been organised ad hoc with little time available and under a lot of pressure, without a method to structure all the input from the participants (Interview 10, researcher). The interviewee saw this confirmed at a recent conference in Iceland on the whole constitutional process. As an example of the unstructured process she mentions: "*If some comment came in on Facebook, then I believe that an intern or someone else working at the Councilan started working on it. He or she just typed an answer on Facebook or thought to send it to one of the Council members' maybe. […] There was not a protocol or something, like: how do we deal with the comment coming in and how do we send this information to the meetings of the Council?*" (Interview 10, researcher, our translation).

6.1.3.1. Sort of input the participants can give

During the four months the drafting process lasted, the Council published preliminary drafts online for public review in twelve rounds and in three different working groups consisting of the Council members. Participants could comments on these drafts. Some of these suggestions which were approved for consideration by the Council were posted on the website. The suggestions could be debate online by participants. The Council would then consider the arguments for and against the suggestions and decide whether to include them in the next draft. During the last round the Council discussed the draft per article which was followed by voting by the participants (Kok 2011).

Participants could follow the activities of the Council closely. During the drafting process the following activities were put online (website, accessed on 30 September 2016):

- Short interviews with delegates were uploaded on Youtube and Facebook daily;
- On Thursdays at 13:00 there was live broadcast from the Constitutional Council meetings on the webpage and on Facebook;
- There were schedules for all meetings, all minutes from meetings of groups, the Board and the Council as well as the Council's work procedures (website, accessed on 30 September 2016);
- Regular news from the Council's work was posted on the webpage as well as a weekly newsletter.

The use of digital tools, like the website (with livestreams) and the Facebook page, made the process very transparent and reflected a high degree of accountability towards the public. Every week, small portions of the draft (i.e. new provisions) were put online. This was done deliberately, to keep the process accessible (Interview 9, Council member). Citizens could closely follow the developments in the text of different prospective provisions and could make comments on the draft or on each other comments. And there was the possibility to compare older texts with newer ones on the website. Everything was published on the Council's website under the name of the sender (anonymous messages were not accepted). In the end, not only the version of the draft constitution which was brought to a vote in the Council was on the website, but also the version which was actually approved. What was published later on, but not opened for comments of participants, were the supporting documents with explanatory statements about the reasons behind the different provisions, partly written by the Council members and partly by the professional staff of the Council (Interview 9, Council member).

The interviewed researcher, however, reckons the Council's website could have been more user-friendly: "*It wasn't like the tool itself had some sort of built-in deliberation design by which the issues were explained in a comprehensible way. The drafts were just put online* (Interview 10, our translation).

Meuwese (2012) mentions that most of the posts of participants were generic and a fair number suggested substantive provisions for inclusion in the draft constitution. Kok (2011) argues that many of the suggestions were more policy recommendations – for example the prohibition of livestock maltreatment – rather than constitutional rights. (Some have argued that this made the draft constitution too specific and therefore too inflexible for future generations (Kok, 2011).) The interviewed researcher concluded from comments on Facebook: "*Well, it was not always very profound. Often the input was very specific, like 'Take a look at that study if you are looking for the best way to divide the electoral districts.' This would lead to some discussion. But sometimes also things like: 'Banks should be forbidden' […] There were also a lot of comments that the whole process was very inspiring for other countries*" (Interview 10, our translation). On the other hand, the contributions to the official Council website were according to the interviewed Council member, quite substantive. The concern about the crowdsourcing method that Council members had at the start turned out to be unfounded. "*We were concerned that maybe this would be abused by too many people; that our website might sort of be filled by people writing rubbish as you see on many newspaper websites. But that did not happen*" (Interview 9, Council member).

6.1.3.2. Aggregation

Within the drafting process there were forms of deliberative democracy – amongst participants and between the Council members and the participants (mostly through Facebook and the website) – as well as aggregated forms of democracy (presenting preliminary texts and voting). The process of writing by the Council members and then presenting to the public and receiving comments made it a predictable process (Van Hulst et al. 2016). In other phases of the process there was a similar kind of balance between deliberation and aggregation.

However, the comments themselves were not aggregated. Interviewee 10 (researcher) had the impression that "*the tool wasn't really sophisticated. The tool was just a more qualitative way to send your comments to the Council. It was not designed to encourage deliberation or structure the online conversation in any way.[…] There was not really a method to keep a score of how many times participants talked about a certain subject or provision, so the input could not be weighed that way.*" Interviewee 9 (Council member) confirms the fact that the process was not organised systematically: "*[…] but we saw no evidence of comments being systematically ignored or not replied to. Because if that had been the case, I'm sure the people who felt neglected would have complained. And we are not aware of any such complaints.*" However, aggregation nor a systematic approach were needed, according the interviewed Council member. It was possible for the Council to take a look at every contribution and comment, because of the small size of the population of Iceland. "*But if this was the US for example, you had to multiply everything by a thousand and then it would be impossible for them to read everything, so they would simply make a random selection*" (Interview 9, Council member).

6.1.3.3. Deliberation

Interviewee 10 (researcher) also mentions some active Council members were reacting to comments of participants. While she has a copy of the Facebook time line in front of her, she says: "*I see here that a non-Icelander suggests something and Katrín Oddsdóttir – one of the Council members – says: 'Hi Sascha, thanks for your comment. We are looking into all sorts of measures to minimize corruption, but as of yet, they are not as radical as you suggest. Nice to get your input though.' That is pretty typical reaction, I would say. A direct comment from a Council member but it does not give evidence that Facebook as such was the forum where profound discussion took place.*" (Interview 10, researcher, our translation). According to the interviewed Council member, it was Council policy to reply to all suggestions made. "*And I think very few people who offered their help from the outside had any reason to complain about they were not being paid attention to*" (Interview 9).

In the end, the offline process might have been more important than the online process, according to the interviewed researcher: "*I think the deliberation within that group of 25 people [the Council] was more important than the processing of all the input from participants. The Council members were elected for a certain reason, for their ideas, so they were mandated. And there was of course the pre-work of the National Forum [in which 1,000*

citizens participated] which they were using. So the input from citizens did not only come from the digital participation process but also through the Forum. Cause 1,000 citizens, in Iceland that is 0,3% of the population" (Interview 10, our translation).

6.1.3.4.   Information on the process

The transparency of the process seems to have created a lot of public appreciation and a sense of co-ownership with the participants (Van Hulst et al 2016). The fact that people could monitor the writing of the constitution, that they were regularly informed, that they got personal emails from the members of the Council in response to their suggestions and comments could have contributed to the perceived legitimacy of the design. It created a sense of responsibility for the document in the entire population, including those who have not even tried actively to take part in the experiment, but, crucially, they knew that they could participate if they it would have liked. The public appreciation is partly reflected in the result of the referendum where the yes camp won 67% of the vote and on every issue.

Tushnet (2015) has some doubts in relation to the co-ownership. He thinks that constitutions drafted by lay persons who have no continuing interest in actually implementing it, may be defective because in the end they have no responsibility for the operation of the government or society they have been creating.

6.1.4. Results

The strategy of writing a draft constitution through crowdsourcing could lay claim to legitimacy. Still, it is not possible to track back the input of participants to the final draft. "*We can only find out because members of the Council tell us so, but there is no archive of any sort. It is all anecdotal. The only thing we know for sure is that there has been a deliberative process in the Council itself [i.e. the interviewee knows input from participants was used in the meetings of the different working groups]*" (Interview 10, researcher, our translation).

Summarizing, during the first three phases – and also to phase four when it comes to the non-binding referendum – the people of Iceland have had quite some influence on the process. However, in the last decision making phase the citizen involvement was strongly reduced.

After the Constitutional Council delivered the final version of the crowdsourced constitution, twice a group of experts were invited by parliament to read this version and make comments: the Commission of Venice and a group of legal experts. The Commission of Venice did not only commented on the text but also expressed concerns about how the constitutional process was conducted (Tushnet 2015). The second group although explicitly asked to just edit the final draft and not make changes in the content, did seem to try to conduct such changes (Gylfason and Meuwese, 2016).

At the same time the Constitutional Council's strategy was to let the parliament vote on the proposal before they had to resign in March 2013. This was important because the Iceland constitution can only be changed by a majority of two successive parliaments. After the election, another second vote by the new parliament could take place. However, the draft constitution was contrary to the parliamentary procedures never put to a vote, so it never went into effect. The final outcome ran up against considerable resistance from institutionalized political circles, for example on the provision on public control of the natural resources.

Gylfason (2014: 29), being also one of the 25 members of the Constitutional Council, notices in one of his articles: "*Even so, in a direct affront against democracy, Parliament hijacked the bill as if no referendum had taken place. It is one thing not to hold a promised referendum on a parliamentary bill […]. It is quite another thing to disrespect the overwhelming result of a constitutional referendum by putting democracy on ice as is now being attempted in Iceland by putting a new constitution already accepted by the voters into the hands of a parliamentary committee chaired by a sworn enemy of constitutional reform as if no referendum had taken place. Parliament is playing with fire.*"

The new government that took office following the 2013 elections has established a committee to prepare further decision-making about the new constitution. The committee published a provisional report in the spring of 2014 identifying the Constitutional Council's draft as one of several possible alternatives for a new constitution (Edwards and De Kool 2016).

Until now, the link with the formal political process is still not made and the outcome is therefore uncertain. Edward and De Kool (2016: 52) summarize it as follows: "*This makes the Iceland case study a significant example of the tension that can arise between representative democracy and participative democracy*."

6.1.5. Application at the EU level

"*If at any given time there would be an attempt to write a European constitution, one could not avoid to organize a similar process [involving citizens] as in Iceland*." This is the conclusion of interviewee 10 (researcher). Interviewee 9 (Council member) thinks that the Icelandic method can be scaled up to the EU level. However, there are some aspects the European Union could learn from, the interviewed Council Member States: "*Especially the stratification of the process is a positive one. I am talking especially about the National Forum here also, and not about the tight time schedule in which the Council has drafted the constitution without having a very sophisticated digital tool at their disposal. There is a lot of room for improvement there*." (Interview 9).

The only advice the interviewed council member wants to give the European Union is, that: "*constitutions should be made by specially elected representatives as was done in Philadelphia in 1787. You should keep elected politicians as far from it as you can. […] There's a risk of self-dealing*" (Interview 9).

The process in Iceland had some specific dimensions to it. Especially the opposition of the citizens with vested interests versus the progressive citizens of Iceland. At the European level this might be more multidimensional. "*In fact, if there would be a final crowdsourced text of a European constitution, it might not suffer politically from such a strong divide as in Iceland. On the other hand, it would probably be much more complicated*" (Interview 10, researcher). And there is the question of the legitimacy. For Iceland it has been much easier to organize a more or less legitimate process because with a National Forum of 1,000 Icelanders, you already have 0,3% of the population. "*At the European level it will not be that easy to gain legitimacy for such a process. And in Iceland they did have less issues they had to take into account than at the European level would be the case, I guess*" (Interview 10, researcher, our translation).

6.2. Future Melbourne Wiki: a strategic city vision by the community

6.2.1. Introduction

In 2007, the City Council of Melbourne, Australia, decided to replace its strategic vision for the city with a plan drawn up by the community: the Future Melbourne project. Firstly, meetings with different stakeholders were organised to draw up a draft plan. This draft was then published as a wiki webpage, to which changes could be made online (although not yet by the public). A stakeholder consultation of two weeks was held in which changes in the document were made by specific stakeholders. A few weeks later, a month of public consultation was organised in which the wiki was open for anyone to edit. Various meetings and events were organised to gather input for the document, making the project a combination of on- and offline community activity. In this case study, the emphasis lies on the online part of this collaborative process – the wiki.

6.2.1.1. How it worked

The City Council launched a participatory process combining on- and offline methods, taking place over the course of 18 months, between March 2007 and September 2008. The process started by setting six visions for the city – a city for people, a creative city, a prosperous city, a knowledge city, an eco-city and

a connected city – in cooperation with several organisations such as community groups, academics and civil society organisations. Partners included the Committee for Melbourne, the Victorian Council of Social Services, the Australian Conservation foundation, the Property Council of Australia, the Age newspaper, the University of Melbourne and RMIT Global Cities Research Institute (Kang 2012). The University of Melbourne partnership was most important, as it was the principle land owner of the area and also the biggest employer in the City (Interview 11, initiator).

Then, a group of ambassadors consisting of twelve prominent members of society was established to critically follow the process: the Future Melbourne Reference Group. They were effectively in charge of the process, to avoid the process becoming too much of a council-led collaboration. The City's urban planning team's role was to service this leading group (Interview 11, initiator). Another offline action was to invite various groups of people to provide input via a range of events, such as public meetings, roundtables, Internet forums and exhibitions sponsored or organised by the Melbourne City Council. A final method of participation was to publish the outlines of the plan on a wiki, which the public could edit over the course of one month (between 17 May and 14 June) (Melbourne Planning Committee 2008). This can be seen as a form of crowdsourcing for policy making (Van Hulst et al. 2016). The wiki was made using the open source application TWiki.

6.2.1.2.   The wiki

The wiki was prepopulated with text before being opened up for contributions. Between the end of February 2008 and August 2008, it was gradually opened for editing to City of Melbourne officers, and subsequently to the city's major stakeholders (Interview 11, initiator). Towards the end of the process, the wiki was also opened to the general public. All contributions throughout the process and outcomes of offline activities were fed back into this wiki by City of Melbourne officers (Kang 2012; Hulst et al. 2016). "*The wiki played a very particular role at the end of the project as a vehicle to transparently do a final edit and publication of the plan in a way that it was accessible*" (Interview 11, initiator). Figure 7 shows the number of views during the entire wiki period, with peaks during the public consultation period, right after the public consultation period and towards the end of the process.

Figure 7. Wiki views by registered and non-registered participants and City of Melbourne officers
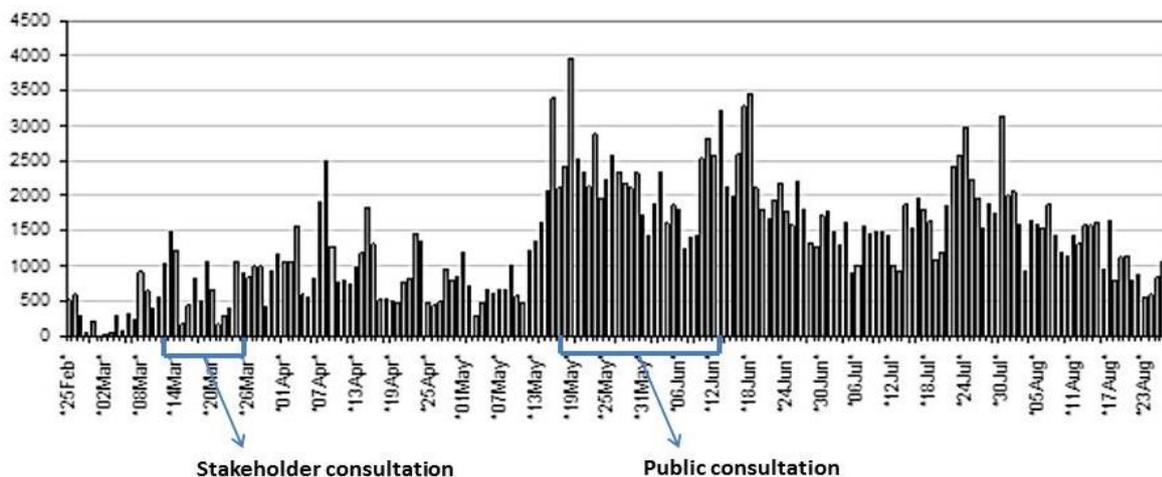
Source: Collabforge 2009, adaptations by the authors

The wiki consisted of two components: pages on each vision of the draft plan, and a talk page for each wiki page. This made it possible to edit the content and to discuss the content and the edits made (Interview 12, organiser; Kang 2012). For editing the document, registration with an email address was necessary.

There was a Future Melbourne Wiki team of City officers that answered questions by participants, correcting errors of fact in edits made, linking citizens to relevant documents and updating participants on events and developments concerning the project. All contributions were moderated both automatically and by hand. Machine monitoring flagged inappropriate words or activity (none were detected), and new additions were reviewed by City of Melbourne staff three times a day. This usually would not take more than 15 minutes, as the technology used clearly showed new additions or revisions to the document (Interview 12, organiser). The entire task of moderation, such as responding to questions and making suggestions, took more time. It kept an equivalent of two people occupied continuously, states the interviewed initiator (Interview 11).

Since this project, Collabforge, the company that advised the Council during the process, has been using the wiki approach in other collaborative processes and has made some changes to the way they use this tool. An evidence library was added so that contributors could reference their edits by linking to evidence, reports or other documents. Another addition was a "*DIY community meeting kit*" (Interview 12, organiser). This document could be downloaded from the library. It explained the process of organising a community meeting, and it included forms for collecting input and other data, which could then be fed back into the library. These options help to integrate on- and offline processes and bridge larger geographic distances in collaborative processes.

6.2.1.3.   Initiators and aims

The City Council, consisting of nine members supported by an urban planning management team, initiated the plan (Kang 2012). The aim was to enhance community collaboration on the future of Melbourne, to create a plan that had "*a political buy-in, not only from an electoral point of view but also from an institutional point of view*" (Interview 11, initiator), by engaging the whole community: citizens, institutions, businesses and organisations.

An innovative way to do so was sought, and found, by David Mayes, then head of the planning department, in the work for a PhD thesis done by Mark Elliott. The two got together and subsequently added the use of a wiki to the broader collaborative process, which formed the first project of Elliott's company Collabforge, created then and there.

An online addition to the participatory process was also sought because of the strong feedback the Council had received from the core population of those living and working in the city, the majority of which were around 30 to 35 years old. They wanted ways to participate that did not require them to go into a town hall, because of time restraints (Interview 12, organiser).

6.2.1.4.   Legal framework

Due to reforms in the state of Victoria (of which Melbourne is the capital), the legal size of local government councils was increased. The role of councillors in community representation and advocacy was emphasised. Elected councillors were supposed to set policy and strategic directions, instead of making day-to-day management decisions (Kang 2012). The Melbourne City Council was the first to implement these changes. According to Burdess and Tool (2004, in Kang 2012), it was this vision on the role of local councils that helped shape the Future Melbourne project.

The Council was also the first in Australia to incorporate e-democracy practices in policy making. For the renewal of the City's strategic plan, an innovative participatory process was chosen, which included a wiki. This collaborative process was embedded into existing planning processes (Interview 11, initiator, and Interview 12, organiser). All activities, both on- and offline, were funded from the Council's budget (Melbourne Planning Committee 2008). The local planning process ensured uptake and monitoring of results, making the use of the tool stronger (Van Hulst et al. 2016). The resulting plan was ratified by two consecutive councils (Interview 11, initiator, and Interview 12, organiser) – more on this under "Results".

The use of a wiki sparked some controversy within the City of Melbourne administration, as it was perceived as a threat to some employees within the administration and a risky mode of communication for the city. The initiators' response was to suggest it would be just another layer to the process, not a substitute to any part of the normal urban planning process (Interview 12, organiser). "*What we said to council was, 'you don't have to agree to this plan. […] All you have to do is acknowledge that this is a plan by the community. And in future when council starts to take actions that have a strategic component, it will use this as a resource.' So we split those processes*" (Interview 11, initiator).

However, the wiki was not made a standard component in the urban planning process of the city. Drafting a new plan for the city in 2014 included public consultation, but this time without the use of a wiki (State of Victoria 2014; Van Hulst et al. 2016). The interviewed initiator (Interview 11) states that the council did not want to start from scratch but only needed to refresh the plan, and that they wanted to do this in a much shorter timeframe. Instead of a wiki, a citizen's jury was formed to revise the plan.

6.2.2. Participants

The City Council sought contributions by citizens of Melbourne, but also welcomed input by a broader community. All people who visited Melbourne for work or studies, for its nightlife or for its cultural institutions were invited to participate (Kang 2012).

During public consultation, the website received around 30,000 page views in total. The draft was visited by over 7,000 unique visitors in one month. 131 members of the public registered to edit the contents of the plan. Collectively they made several hundred contributions to the draft (Collabforge 2009). At the time of consultation, around 740,000 people lived in, worked in or travelled to the city (on a daily basis) (website, consulted December 2016).

Most edits were made not by the public, however, but by City of Melbourne officers. For them, the wiki was open for editing for a longer period of time. Internal engagement saw spikes of activity towards the end of both the public consultation and the stakeholder engagement periods (Collabforge 2009, see also Figure 7). Throughout the entire process there were almost 60,000 page views and 11,500 edits made by internal participants of the City of Melbourne. But, as the interviewed initiator (Interview 11) states, "*the vast bulk of that was purely in the editing facilitating. My group was under strict instructions not to get into the content generation, but to really see our role as enabling and facilitating. All the content generation that the officers did was by going out over the preceding twelve months, making sure the people – experts, non-experts – that needed to input did so. So as far as possible, those officers were being vehicles. […] But what we didn't want – and we did end up getting some of this unfortunately – is officers […] writing down what they thought should happen. And so it was a mixture. It wasn't a pure result in the end.*"

6.2.2.1. Engagement or communication strategy

The Future Melbourne project approached issues of access and engagement using several strategies. Local library staff was trained to offer support to public participants. Potential cultural barriers were bridged by enhancing the wiki with translation options, supporting seven out of ten most spoken languages in the Melbourne area. Content could immediately be translated by clicking a link at the bottom of each page (Collabforge 2009). There was also an online help function, or assistance by City of Melbourne employees during business hours (in person and over the phone). Community engagement sessions were organised for community representatives and leaders, helping them to engage in the plan and to edit it.

In evaluation interviews held by Collabforge (2009), citizens indicated that they wished to have had more experience in using and editing wikis and that they would have made more changes to the document had there been more time. There were training programs offered early on in the process, but respondents

of Collabforge's analysis indicated they either did not know about that or had no time to visit these trainings.

The project was advertised through the City's regular communication channels, such as the website and newsletters. The main newspaper ran a series for six weeks following the process (Interview 11, initiator). Officers of different departments were also asked to engage "their" stakeholders in the city, to ensure all the various sectors of the community would get to know the process and the opportunities it offered. Mark Elliott, owner of Collabforge and involved in designing the wiki, indicates that perhaps the process was not promoted enough: "*A key problem was coordination between internal units at the City of Melbourne – key units whose role it was to promote the opportunities to participate weren't fully supporting or understanding of the online wiki component*" (quote from an email by Elliott, in Van Hulst et al. 2016).

6.2.2.2.   Representativeness of the participants

Using a direct-editing tool such as a wiki works as a filter, the interviewed organiser (Interview 12) notes: "*If you have an idea and you have enough energy and interest and understanding to demonstrate your idea in context by going in and editing a strategy document or a policy document, that's pretty high on the ladder of engagement. And so, out of your total base of engagement, there is only a small subset who's going to ultimately take up that opportunity. […] It acts as a filter and it filters out a lot of the noise in many respects*."

Collabforge (2009), the organisation that assisted with the development of the Future Melbourne Wiki, reports in its Post Implementation Review of the project that of 129 registrants of which demographics were recorded, 59% were male. Of participants that made changes to the document, an even larger share was male: 88% (Van Hulst et al. 2016). Over one third of the users were aged between 27 and 35, a large proportion when compared to the actual age distribution of citizens of the City of Melbourne and the Melbourne region. However, those aged between 36 and 45 made more edits to the wiki: while 30% of all page views can be attributed to this age group, nearly 45% of all changes were made by them. And with 40% of all page views attributable to 27-35 year olds, they are accountable for only 20% of changes made to the document (Collabforge 2009). In sum, males and people from the age group of 27 to 35 participated most. The most changes to the wiki were made, however, by participants between 36 and 45 years old, who also made up a substantial share.

There is no data on the socio-economic status of participants, but there is some information on their relation to the city in the analysis by Collabforge (2009). One third of participants worked in the area, another third lived there. The remaining third were students, visitors or had other connections to the city.

The share of City of Melbourne officers working on the wiki provides another outlook on the representativeness of participants. Internal officers are responsible for around 60,000 views and made 11,500 edits, also outside the period of public consultation. This is a larger share than the several hundred edits made by 131 registered citizens over the course of one month of public consultation (Collabforge 2009; Van Hulst et al. 2016). As explained earlier, in many instances this was because of transferring input from meetings and events, both with stakeholders and citizens – officers worked as mere messengers here. Therefore, it cannot be said from the data shown above to what extent different groups were represented. However, a better targeting and inclusion of "*normal citizens*" would have strengthened the process, according to the interviewed researcher (Interview 13), as would better training in how to use the tool.

6.2.3. Participatory process

The wiki was the principal means of online participation. Here, the draft plan based on (offline) stakeholder engagement was published. Citizens had several ways of participating: reading and monitoring the document online; making changes to the text in the wiki; discussing the draft through the wiki's discussion pages and face-to-face at the various events; and co-writing on envisioned scenario's

for Melbourne's future, a process assisted by author Steve Bright. The only condition to participate online was a working email address (Van Hulst et al. 2016). The interviewed organiser (Interview 12) states that the main strength of the tool is the shift it creates in participants' mindsets, "*from a critical outlook - do I agree with this? – to a constructive frame of mind – how can I improve this?*".

6.2.3.1.   Phases in the participatory process

The wiki was one part of a larger participatory process. The strategy of the process was to build the collaborative community organically, incrementally increasing the number of participants and opening the tool to larger groups, explains the interviewed organiser (Interview 12): "*That is a way to make sure that you are growing that practice and community in a strong, healthy way. […] Because, whether is a kind of wiki-oriented tool or otherwise, if you let too many people in too quickly they invent their own practices and norms.*" The benefits of this approach are keeping control of the process and making sure that the practices put in place are productive and constructive.

The organization's first step was to get the entire planning team to use the wiki well, by transferring the first content – the outcome of the face-to-face meetings with civil society groups – onto the wiki, and by holding a few workshops in which the technology and the guidelines (such as leaving a comment after editing someone else's contributions) were explained.

Then, the wiki was opened up internally, step-by-step, eventually including the whole of the City "*intranet-style*" (Interview 12, organiser). By doing this, potential flaws already came to light before the process was opened up to include citizens. For instance: one City department "*literally waited until ten minutes before midnight on the deadline to go in and make their contributions that they'd already planned, so that nobody could change what they'd put in there, basically*" (Interview 12, organiser).

After including the whole of the City administration, Melbourne's major stakeholders (community groups, institutions and organizations in the city) were involved in the process. Between the 13th and 25th of March in 2008, consultation with specific stakeholders was organized. Not a lot of stakeholders took the chance to participate, according to the interviewed organiser (Interview 12). "*I think that was because, at that time, people did not understand what the opportunity was. […] Most of them just used the traditional channels.*" This was partially solved by taking a proactive approach. "*They [City officers] would take a laptop around. And they might go to one of the major universities and speak with the vice chancellors and talk through where the plan was at, at that point. And as they were getting feedback they would just start writing and either feed that directly into the wiki, or as a comment in the wiki to come back to. And then they were able to just tell them: 'This is how we're writing it. Everybody has access to it. You can have access to this later if you want to go and correct what I'm saying, but I'm just putting it in on your behalf right now.' And just right there, that was a big breakthrough… It's almost like the community sentiment started to shift right there with that. […] And just that opportunity changes the way people think about the organization that's running the consultation*" (Interview 12, organiser). Van Hulst et al. (2016) also indicate that a strength of this project is the possibility of directly contributing to texts.

The subsequent phase was the public consultation of four weeks in which the wiki was opened up to the public for editing. This was supported with offline meetings and events. This combination between on- and offline participation made this project most successful (Interview 13, researcher). The wiki provided the means for large-scale offline consultation to work. "*Face-to-face engagement is […] much richer. But it is just not scalable, and that is the key issue*" (Interview 12, organiser).

After the public consultation, the draft was edited and shaped into a presentable form by City officers. Many of these edits were about making sure the final document read as if it had been written by a single author (Interview 12, organiser). "*We tidied the spelling, we developed some headings for the content. A lot of that was just editing work. We didn't have to actually massage a lot, just added some coherence to it*" (Interview 11, initiator).

6.2.3.2. Deliberation

Participants could exchange views on certain topics in different forums on the wiki. In Collabforge's analysis, respondents indicated they missed some sort of participation etiquette. It was unclear who decided which parts of the text are kept and which are changed. "*Last one in gets final say […] isn't a very constructive collaborative process*", states one respondent (Collabforge 2009: 7). Elsewhere in the analysis, "*un-productive tug-of-wars*" are mentioned (Ibid: 6).

No rule was established on deleting input either. One respondent states: "*It was hard to put so much time and work into contributions, just to see them deleted without knowing why*" (Collabforge 2009: 9). This also impeded negotiation on contributions. During the public consultation period, there was no clear ownership of the document, and no clear assessment of the proposals put forward (Collabforge 2009). A 'neutral' point of view or a jury would have been helpful to mediate the different vested interests, one respondent puts forward (Collabforge 2009). However, "*the role of the moderator then becomes quite powerful. Who moderates the moderator?*" (Interview 13, researcher, our translation).

Another issue was the lack of transparency on who was editing (Collabforge 2009). It was unclear whether individuals were editing on behalf of a larger organization or not, for instance. And, as only an email address was needed for verification, Van Hulst et al. (2016: 31, our translation) point out that "*in theory, all changes could have been made by the same person*". This is, of course, highly unlikely, but in consultations on contested issues it is a point to be aware of.

6.2.3.3. Privacy and security

Issues of privacy and security were hardly addressed, states the interviewed researcher (Interview 13). Perhaps because around the time of the process (2007-2008), online safety and privacy was not as big an issue as it is these days (Interview 13, researcher). No abuse was reported (Interview 12, organiser).

6.2.4. Results

Including a wiki in the development of a new strategic city plan was innovative. The Future Melbourne project won the 2008 Victorian Planning Award and the 2009 President's Award, bestowed by the Planning Institute of Australia (Kang 2012).

6.2.4.1. Contribution to the decision making process

The draft plan was published in the run up to the council elections, and a number of candidates and the new mayor then adopted several of the plan's principles for their electoral program. When the new council was selected it was already partially in favour of the Future Melbourne project, and it reformed their committee structure to echo the plan. All committees now fell under the header of 'Future Melbourne committee'. Councillor portfolios were to represent the different parts of the plan (such as 'eco-city', 'connected city' and 'knowledge city'). This way, a large part of the plan was incorporated in the Council's strategic plan. When the council was re-elected after four years, they again incorporated many of the plan's ideas into their four-year strategy. This meant the implementation of the plan effectively ran eight years (Interview 11, initiator).

In fact, the wiki component was essential to the political uptake of the plan, states the interviewed initiator (Interview 11): "*I think the wiki ended up being a very key component of the buy-in as much as anything because of the symbolic value that it brought to the process. The, if you like, slightly outrageous and outlandish transparency and empowerment that we were offering through that.*" Respondents in the analysis by Collabforge (2009) state that as a collaborative tool the wiki was helpful in bridging organisational silos, to let the City's officers connect and communicate ideas.

After the public consultation period, momentum for public engagement was lost slightly, recounts the interviewed initiator (Interview 11): "*The capacity to edit was shut down and [the plan] moved into a passive website for people to read. I suppose it started to lose traction in terms of public knowledge of it. All of the actions shifted to the council's website, how they were implementing the Future Melbourne goals, as they were then framed. We didn't have a plan for continuing the engagement with the community [...]. That was probably the main weakness. One of the problems was that the Reference Group was disbanded after the eighteen month period of the process. And look, they were very busy people and we were lucky to get their time. But what would have been needed is to institute some citizens group who would have an interest in continuing with the process.*"

6.2.4.2. Information on the outcome

Van Hulst et al. (2016) point out that the final plan was only assessed and accorded by the Council, but not by the citizens. There was no opportunity for them to indicate whether they still agreed with the final outcome of the plan. One respondent in the analysis by Collabforge (2009: 11) states: "*My big questions were, the work that I did, where is it going, how will it be considered and used?*"

The City Council received many ideas for the development of the city through the public consultation process, but after reporting on some of these ideas in a news article on its website, it states in between brackets: "*Please note: There is no guarantee that all suggestions can be incorporated into the Future Melbourne draft plan. A number of the recommendations fall outside the City of Melbourne's areas of responsibility*" (City of Melbourne 2008). Expectations were also managed during the various offline meetings with the public, by being clear about the parameters of the process, for what the wiki was used and that the ultimate decisions on political issues was the responsibility of the Council (Interview 11, initiator).

6.2.4.3. Trust in government

In many cases of online participatory processes trust in government tends to actually decrease as a result of the lack of embedding the participation process and results in the decision making process, according to the interviewed researcher (Interview 13). In other words, participants have their say, but don't see their opinions taken into account in the further process. As a consequence their trust in these processes diminishes. This wiki case seems to be an exception to the rule, as the online participation was well-anchored in the rest of the decision-making, including monitoring and accounting for actions taken (Interview 12, organiser and interview 13, researcher).

What helps, states the interviewed organiser (Interview 12), is if the document is 'digital by default': the content created and edited must be the final work product. Which does not mean that the organizers do not have final say over the content, but that this must happen transparently and by way of dialogue. The wiki tool manages revisions, showing participants what has happened with their contributions. "*Participants readily accept the role that government must play when it is done openly and responsively*", according to the interviewed organiser (Interview 12). Guidelines for participation ensure clarity on where responsibilities lie. "*So before somebody even is allowed to start, they need to tick a box which says: I understand the terms here*" (Interview 12, organiser).

The dialogue between government and citizens is also important in this respect. Explaining how you deal with participants' contributions works best to maintain trust during online participatory processes. As the interviewed organiser (Interview 12) states: "*It is almost like you extend the respect to people as if they were sitting in a room talking to you. You would expect to have to respond to them. Otherwise it's just plain rude, right? And so that that is the same sort of thing we advocate online. [...]If you take that mind-set, you just leave a comment: 'I just moved this over to this section, because it seemed more appropriate over here' or 'Sorry, that point, we're not legally able to change that part of the law, so I had to delete it. But I'll point you to the state government body who is responsible for that.' It is those types of contributions and changes that maintain the trust during the process.*"

Working with post moderation, where contributions are moderated after they 'go live' instead of before, is essential to genuine collaboration, according to the interviewed organiser (Interview 12): "*It almost technically doesn't work to moderate contributions before they go live on the wiki, because of how integrated they are. But it certainly acts as a barrier to participation. It also sends very strong signals to the community that you don't trust them, basically.*"

Transparency contributes to mutual trust as well. The history of all wiki pages can still be found online, showing changes from the last version to come out of the consultation period until it was approved by the Council (Interview 12, organiser).

6.2.5. Application at the EU level

A wiki is as suitable on the EU-level as on any governmental level, as long as it is approached the right way, according to the interviewed organiser (Interview 12): "*Documents [form] the focal point of agreement and collaboration. […] Ultimately, government has to reference documents. They have to sign off and agree on documents. Because of that, I see the wiki-based approach as suitable in any context where the final outcome is a document. That is not to say that I think that in every context where that's the case, everybody should have free reign access to edit that. […] You have to be selective in terms of the scale of participation and how you unfold that participation*".

What made the Melbourne case unique, according to the interviewed researcher (Interview 13), was the clarity on how the strategic vision would be translated into action, and that it was monitored if set goals were achieved. This is advisable if a tool such as this wiki would be used at the EU-level.

According to the interviewed researcher (Interview 13) this tool might be suitable at the EU level if accompanied with the possibility of real-time deliberations, and within a framework that ensures the uptake of the input and monitoring of the results.

Also, for use at the EU-level issues of privacy and online security need to be addressed more thoroughly than was the case with the Future Melbourne Wiki.

In addition, it is of relevance for which topic or goal a wiki would be used, states the interviewed researcher (Interview 13, our translation): "*It matters whether it is about positive, challenging ideas on what a city should be like twenty years from now, or about issues on a much larger scale in which different vested interest are represented.*" And: "*Do you want experts to tackle a problem or do you want to hear what civilians think?*"

Lastly, when it comes to legitimacy, for use at the EU-level, "*you might want participants from each country represented,*" states the interviewed researcher (Interview 13, our translation).

6.3. Predlagam.vladi.si in Slovenia

6.3.1. Introduction

Predlagam.vladi.si is a Slovenian government initiated e-participation platform modelled after the Estonian project TID+. "Predlagam vladi" translates to "I propose to the government", with Predlagam.vladi.si being an active interface for petition-type proposals by citizens. The proposals can amend the current regulation in certain areas or matters, the platform aiming to exchange opinions between Slovenia's citizens and policymakers at the state government level. The creation of the tool was confirmed during the government's 37th regular meeting on July 23rd 2009, with the website being launched on November 11th 2009 (Predlagam vladi 2016a).

Concerning the purpose of the tool, the website states the following when translated by Google from Slovenian to English: "*Predlagam.vladi.si project is part of a broader effort to integrate the population in the*

processes of shaping government policies and actions. The project opens up a new channel of communication between citizens and the state and among citizens themselves. Its primary purpose is to encourage the people of Slovenia to submit their views, suggestions and proposals for the regulation of certain substantive issues. Thus we primarily intend to achieve greater participation of individuals and civil society in the formulation of government policies and to enhance dialogue between civil society and the state." (Predlagam vladi 2016a).

6.3.1.1. How it works

Predaglam vladi is an online tool available exclusively through the Internet. "*But […] citizens have the same option to get the same treatment if they write their suggestion to the competent Ministry or to the Prime Minister*" (Interview 14, administrator). The website has a simple appearance and is moderated. Moderators help initiators improve their proposals, for example by applying keywords. They are in close contact with the relevant authorities for each proposal and get in touch with them when the proposal is launched with a request for active involvement. The moderators also judge the adequacy of the response of the competent authority (Oblak- Črnič 2013). The process of submitting proposals is described as follows: "*When users send forward a suggestion it is not published immediately. We read it, and what we check is if we had a similar suggestion in the past. […] There are two options then. If a similar suggestion is still under consideration and it is in debate by the users, we reject the second suggestion and reply that they should participate in the debate on this issue which is already going on, and we send them the link where they can participate. In the other case, if the suggestion was already answered by the Ministry under the current government, we […] reject their suggestion and send the link to the [response] and invite them to read the [response]. If they still think their suggestion is different or if they still think that their suggestion should be put forward, […] they should take into account the [response] and maybe amend their suggestion a little and we [will] publish it.*" (Interview 14, administrator). The comments are also moderated. Seeing as they are posted in real-time, moderation consists of checking whether the comments comply with the terms of use.

On the main page you find short instructions on how to navigate the tool, with screenshots aiding comprehensibility. Participants can post proposals for new government policies, with users having the ability to comment on the proposals or propose revisions within 15 days. The final proposal prepared by the author of the original proposal can then be voted on during the course of 14 days, with users being able to vote in favor of or against a proposal. During this phase public deliberation takes place within the comments section and it is possible for the author to modify their original proposal based on this deliberation process. Governmental agencies can also enter this deliberative process (Oblak- Črnič 2013). The process has changed since the launch of predlagam.vladi, based on user feedback, the administrator explains: "*At the beginning we had two stages. One was the deliberation or the discussion stage and the other was the voting stage. The difference was that once the deliberation stage was over, the user who proposed the suggestion could not change it anymore and so the editing of the proposal was then locked and it was put to the vote. But we got the suggestion from the users that the voting could be started immediately, so now when the proposal is published by the moderator the users can comment on it and also vote on it immediately. The user who proposed the suggestion can still edit it, but if he or she does, then all the votes are deleted and all the users who voted on the proposal are informed by email that the proposal has changed and they should vote again. The change, that was implemented on user request has simplified the voting procedure and resulted in a higher number of proposals being voted through*" (Interview 14). The proposal is submitted to the competent authority of the government of the Republic of Slovenia for an official response if at least 3% of users active in the last 30 days vote in favor of the proposal, and if there are more votes in favor of than opposed. In the case of a positive response, follow-ups are posted annually or every six months on the implementation status of the proposal. In the case of a negative response the users are informed that the procedure is finished, with an explanation as to why there will be no implementation of the suggestion made within the proposal (Interview 14, administrator).

6.3.1.2. Initiators

The website was initiated by the Slovenian government and is currently being managed by the Office for Communication (UKOM). As mentioned before, the tool is based on the Estonian project TID+, which has successfully been operated in Estonia since 2001 and can be found on the website for e-participation of the Estonian government (Predlagam vladi 2016a). An open source software solution was developed in cooperation with the Estonian government and non-governmental organizations.

Different ministries are involved in the project, seeing as they have to react to the proposals within due time. Governmental bodies such as the Government Office for Local Self-Government and Regional Policy, the Office for Equal Opportunities and the Office for Religious Communities and the Office for Intellectual Property are also involved.

6.3.1.3. Financial sources

Concerning the financing of the project, the Government Communication Office invested €5,500 for the implementation, upgrading and maintenance of the online tool based on open source software solutions. Another €9,257 was invested in 2010 for the upgrade, maintenance and modification of visual identity, brought on by the new corporate identity of the government (Predlagam vladi 2016a). All in all, since 2009, €34,480 was spent on setting up, maintaining and upgrading the technical platform of the service.

Regarding the staff needed to run the site: "*Currently, two people from the government are directly involved in interacting with citizens, which takes about ten percent of their time. The answers, of course, are prepared by the ministries and government offices responsible for the particular issues*" (as quoted in Offerman 2014). According to the administrator (interview 14), the main cost factor of Predlagam vladi consists of the working hours which staff have to dedicate to running it. The moderation of the tool alone takes up around 15 hours a week.

6.3.1.4. Legal Framework

There are currently no plans of formally institutionalizing the instrument Predlagam vladi in this format, but citizens fundamentally have the right to petition in Slovenia (Interview 14, administrator). According to Article 45 of the Slovenian Constitution as stated in the official Gazette of the Republic of Slovenia Nos. 33/91-I, 42/97, 66/2000, 24/03, 69/04, 68/06, and 47/13: "*Every citizen has the right to file petitions and to pursue other initiatives of general significance*" (Constitution of the Republic of Slovenia 1991, amended 2013).
Governmental departments and agencies are obliged to respond to proposals submitted to them within 20 days by the order of the Government 38200-11/2009/9 dated 23.7.2009 (Predlagam vladi 2016b). "*There is a legal framework that obliges the government to respond but there is no legal framework that there should be a further analysis […] or even [that the government must] implement some suggestion. We operate on our obligation to respond.*" (Interview 14, Administrator). It is currently entirely within the judgement of the government officials in which way an input is implemented, or whether it is taken into consideration at all (Interview 15, researcher).

The moderation is based on the constitution and laws of the Republic of Slovenia, with restrictions such as no content inciting sexual, racial, ethnic or religious intolerance being allowed, and any form of discrimination based on the personal circumstances of individuals being banned (Ombudsman 2015).

6.3.1.5. The decision making phase: agenda setting

Predlagam.vladi can be categorized as falling into the agenda-setting phase of the policy cycle. It is a tool meant to gather suggestions of citizens, aiming to facilitate an exchange of opinions between citizens and policymakers of Slovenia. During interview 14, the administrator stated: "*I think the main thing is that it is kind of a notification system on what issues are out there and what things do people think that we should change or what are the problems so that bureaucrats and politicians are informed on even those smaller issues that don't get*

media attention […]." Petitions therefore offer the possibility of putting an issue on the agenda, without the government being legally obliged to do so.

Oblak- Črnič and Prodnik describe Predlagam vladi as "*[…] the first practical attempts to institutionally democratise the link between the citizens and the Slovenian government through use of the Internet's emancipatory potential.*" (Oblak- Črnič and Prodnik 2015: 100-101). They also see the potential of Predlagam vladi not in the area of political decision-making, but in the possibility of introducing socially relevant issues to the public sphere and contributing to rational opinion-formation. In their analysis, Oblak- Črnič and Prodnik (2015) deem Predlagam vladi to have a demographically open and inclusive architecture, not technically limiting the participation of individuals based on age, gender or ethnicity, though there is a language-bias since the platform operates in Slovenian. Predlagam vladi has a direct link to political institutions due to the obligation of government agencies to respond to proposals. "*While the main goal of the [Predlagam vladi] e-tool is to promote civic activity by including citizens in the policy process, we speculate that it might be of equal or even greater use as an arena for mini-publics*" (Oblak- Črnič and Prodnik 2015), whereby the level of empowerment of mini-publics varies. During our interview, Researcher (interviewee 15) was sceptical whether the discussions held on the platform actually manage to leave this bubble and reach the public sphere, seeing as he is not aware of any major resonance within the media.

When asked about the extent to which the tool provides information on the decision-making process, the administrator explained: "*[…] the whole platform is designed in a way that it is about the suggestions of the citizens. It is not about what the government is currently taking into consideration and which laws are currently on the drawing board. We have a separate system, which is called "e-democracy", […] that is the consultations platform. That is a separate system*" (Interview 14).

6.3.2. Participants

Participants of the website assemble through a process of self-selection. Within the span of the first year a total of 102,225 visits and 439,101 page views could be recorded, with an average of 280 visits and 1,203 page-views per day. The average visitor stayed on the website for 3 minutes and 46 seconds. A total of 2,897 users registered and generated 1,201 proposals in this timespan, casting a total of 11,521 votes and leaving 7,021 comments (Predlagam vladi 2016b). In the following years, these numbers have grown, with the Government Communication Office reporting 12,891 registered users, 5,095 proposals, 33,304 comments and 72,289 cast votes for the first five years (Offerman 2014). According to the interviewed administrator the amount of registered users is steadily increasing over the years. "*I would say that we see an increase in citizen participation, when we have a change of government. I believe because the people are more hopeful that now maybe the new government will be more susceptive to their ideas […]*" (Interview 14).

6.3.2.1. Representativeness of the participants

During the analysis of Oblak- Črnič et al. in 2011, a sample of 218 users showed that almost a quarter of users were between 35 and 44 years of age, with 34% having a high degree of education, 30% a secondary school education and 10% a higher education (Oblak- Črnič et al. 2011). Interviewee 14 (administrator) mentioned: "*We did a survey […] among our users a while back and we saw that, as regards to age-groups, that it is more or less evenly distributed through the entire population. There was a spike in users who were […] in the age-group of 25-35, that was above average, but otherwise we [also] had people over 65 […] participating in this process. We also saw that, as regards to the educational level of our users, that it is also more or less evenly distributed, but of course there was also a small spike as regards the users who have a higher education.*" Data on representativeness concerning minority groups or the share of professionals participating is not available, seeing as personal data from the users is not collected.

Only registered users can send their own proposals, participate in discussions and vote on the proposals. One has to register with name, surname and email address, but seeing as the validity of the names is not verified, there is no obligation to use real names. "*The only thing that we require is that they use a valid email […]. At the beginning [we] were going with the idea that everybody should use their own name. [But then] how*

would we ensure that? Well, then they would have to use a government certificate that is issued by the government […], but we didn't want to [introduce] any obstacles that would hinder participation […]." (Interview 14, administrator). Hence there is practically no way for administrators of the site to identify registered users or recognize what group they represent.

According to Oblak- Črnič, the portal could also be accessed through OpenID or Facebook accounts, describing the usage as *„plain and simple"* and "*suitable even for people with low computer literacy*" (Oblak-Črnič 2013: 416). Concerning user-friendliness, interviewee 14 (administrator) admitted that the website is currently not user-friendly when accessed via tablet or mobile phone, but that this is an area which is currently being updated.

Despite the requirement to register with name, surname and email address, nicknames are used to identify users within the comment section and the vote casting, which contributes to a sense of anonymity (Oblak- Črnič 2013). Proposals are published primarily by individual actors. Half of the users visited the website several times a month and 65% stated they found the email updates they subscribed for on a weekly basis to be informative (Oblak- Črnič et al. 2011).

6.3.2.2. Engagement or communication strategy

In his survey response the administrator noted numerous press releases, press conferences and media reports on the possibilities of participation through Predlagam.vladi being made during launch of the website. Currently no communication campaign exists specifically for the promotion of Predlagam vladi. At one point there was a weekly 10-minute segment on national television in Slovenia, where a particular issue brought up on the website was discussed by a representative of the government or a citizen who drove the proposal. During the interview, the administrator explained: "*We felt that the media coverage that we got at the beginning was quite big and we were under the impression, that even if we spent ten thousand or twenty thousand Euro for advertising, we wouldn't get the numbers that one media report gets in the evening news*"(Interview 14). In the past a banner and advertisement for the tool could also be found on the government website. They also reported that on average journalists will inquire about the statistics of the site two to three times a year, in order to formulate a media report. According to interviewee 15 (researcher), however, the general public is not sufficiently aware of the existence of this tool: "*I don't think the general public knows about the [tool]. I don't think it has been systematically promoted […].*" They speculate this may be tied to a lack of personnel who could tackle the increased workload a systematic promotion of the tool may entail.

6.3.3. Participatory process

On the Predlagam vladi site you can navigate to an overview of recent proposals where you see the latest responses from the competent government authorities on suggestions (See figure 8). The total votes for and against the proposals are displayed, as well as the username of the author, the title, the timeframe of the debate, the number of comments, the views and a preview of the introduction to the topic. On the right you have a word cloud, showing you the most frequent keywords used and tags for the policy fields. A column of the top six latest posts, most voted on proposals, most viewed proposals and most commented on proposals can be found underneath the collection of category tags. "Interesting Proposals" are also featured, which all appear to have been forwarded to the competent authority. Once you enter a proposal you can view the motion, and discussions can be held through posting comments. Under "number of votes" you can see signature lists for and against the proposal, signed by usernames. The response of the competent authority is also posted under the proposal page.

To give an overview of what proposals on Predaglam.vladi look like, here are a few examples of proposals which garnered the most user interest within the first year of the platform: reintroducing a flashing green light on traffic lights, basing traffic fines on personal income, better regulation for the protection of animals, introducing a tax on plastic packaging, defining disruptive dog barking as an

offense, clarifying the phenomenon of chemtrails and establishing an animal police (Predlagam vladi 2016b).

6.3.3.1. Privacy and security

Interviewee 14 (administrator) believes the website is relatively safe concerning the misuse of data and hacking, simply due to the fact that no personal data is collected of the users with the exception of a valid email address.

6.3.4. Results

6.3.4.1. Transparancy

On the website itself data can be found on the amount of open topics and responses from the first year after launch, dating from 2009 to 2010. During our interview with the researcher (interview 15) we were informed that there are statistics on things such as the amount of open topics, which are sent to everyone on an email list. Information on how many proposals ended up being effective, however, is harder to come by. The responses of the governmental bodies are all published online. In the case of a proposal being changed by the initiator, all voters are deleted and users who have already submitted their vote will receive an email notification asking them to verify the change and resubmit their vote. When inappropriate comments are hidden, they are replaced by a message from the moderators announcing the reason for its removal.

Figure 8. The website predlagam.vladi.si as run through Google Translate from Slovenian to English (16.11.2016)

6.3.4.2. Impact

As mentioned, Predlagam.vladi offers fairly detailed statistics on the first year of proposals handled on the website, giving us the following insights: In less than 24 hours of the website going online, more than 80 proposals and draft proposals had been created. Within a year there were 2.897 people who had registered as users of the website. Between November 2009 and November 2010 they had generated a total of 1.201 proposals, published 7.021 comments and cast a total of 11.521 votes. Of these 1.201 proposals, 251 went on to be submitted for consideration to the competent government authorities, with 458 being rejected for not receiving sufficient votes. Other reasons for exclusion were e.g. lacking concrete solutions to the matter at hand or being too similar to a proposal which already existed (Predlagam vladi 2016b).

Within the first year there were 235 responses issued by the competent governmental authorities. These responses are sent on average within 23.9 days. A total of 11 proposals of the first year were ultimately successful in measures being taken to implement or solve them. An example is the proposal for a reduction in the rate of value added tax for baby diapers: on the 9th of March 2010 the Ministry of Finance supported the proposal and stated that it would be included in the following amendment of the Law on Value Added Tax. On the 2nd of April 2010 this was implemented. Further examples of proposals which have been successfully implemented in some way are the proposal to upgrade the software of state administration computers to allow the viewing of .odf formats, a motion for a clear position on the pandemic flu vaccination, a proposal to increase the number of parking spaces for motorcyclists, a motion to be allowed anonymous votes on the Predlagam.vladi website and a proposal to extend the voting time of Predlagam.vladi from seven to fourteen days (Predlagam vladi 2016b). When looking at the successful cases from 2010, one can observe that many of these issues didn't have to do with policy changes, but were related to software and the Predlagam.vladi tool itself. It would be of interest whether the more recent successful proposals are of a similar nature. Additionally, some issues tackled in successful proposals were already present in the public sphere and part of discussions prior to being submitted to Predlagam.vladi. It is therefore unclear whether or not it was the e-tool which led to a successful implementation or if the issues would have been implemented regardless (Interview 15, researcher).

According to the website rtvslo.si, by 2015 only 1.5% of 1,505 responses from government authorities were positive. By the end of January 2015, a total of 13,088 users were registered with 5,185 proposals having been submitted, 1,748 of which garnered enough votes to be submitted to the competent authorities. Of these 1,748 proposals, 1,505 received a response. According to the rtvslo.si report, half of the proposals were rejected on the basis of the proposed solution already being (or having been) in the process of implementation. Of the 1.5% positive responses, many were related to the accessibility of e-services. Many of the proposals are difficult to achieve, the more unusual examples including the enactment of polygamy, the relocation of ministries in Slovenia, the definition of nuisance dog barking, the prohibition of church bells, the castration of rapists, a decrease of television commercials and the reimbursement of schooling costs by physicians who go abroad. This can help explain the low number of proposals receiving positive feedback from government authorities.

In our interview interviewee 14 (administrator) reported a total of around 35% of proposals being submitted to competent authorities, while the number of consequent actions taken by the government is very low, an estimated 40 out of 2000. Even if the response is positive, there are still further obstacles to overcome regarding implementation. An example of this was a case in 2009, where it was decided that the suggestion should be implemented, but due to the amendment being relatively small, it was decided to wait for a different matter to initiate the process of the law being opened and revised. In March of 2016, seven years later, this finally happened and the suggestion from 2009 could be implemented. Bureaucratic procedures often hinder positive implementations of positive responses in this way.

Something which managed to successfully increase positive responses from government authorities was the decision to endorse five or six proposals on a monthly basis: "*We at one point wanted to give these suggestions, before we send them to the competent ministries, a bit more weight. […] What we did was, we, with the cooperation from the General Secretary of the government and the chairman of the Committee for State Order and Public Affairs, pick 5 or 6 suggestions monthly that we think are really good and that should be implemented, and then we put them forward to the committee and they discuss the suggestions. The committee consists of representatives of all the ministries. […]*" (Interview 14, administrator). These proposals are then submitted to the competent authorities, the idea being that they now carry more weight and are more likely to succeed. Interestingly, not only the success rate of endorsed proposals was raised through this method, but that of all proposals in general, indicating that the importance of the entire tool was raised in the eyes of the ministry representatives. Within a year the amount of positive responses received from government tripled compared to the six previous years (Interview 14, administrator).

When there is a change in government, some users attempt to pass proposals which were previously rejected, a strategy which has proven successful in the past with a new government positively responding to a suggestion which had received a negative response before (Interview 14, administrator).

6.3.4.3.   User feedback

Oblak- Črnič et al. (2011) examined 60 proposals taken from the website and determined that there was a high interest from the users and a respectful discursive climate.

Interviewee 14 (administrator) believes that, despite the high amount of negative responses, users appreciate the feedback the ministry provides, as it shows the ministry is giving adequate consideration to their suggestions. He points out that there is, however, no data available as hard evidence. The whole system is currently being upgraded, with the idea of presenting positive examples of successful proposals on the front page. This way it can be communicated, that good suggestions can lead to implementation. Interviewee 15 (researcher) is less optimistic concerning the government feedback: rather than letting the participants feel heard the responses would feel standardized.

6.3.4.4.   Recommendations

Interesting criticism was raised by interviewee 15 (researcher), with the observation that the format of the tool is too open and the recommendation that it should be more structured with more information given on what kind of input the government wants from citizens. This of course goes hand-in-hand with limiting the scope of participation and bureaucratizing the manner in which a proposal must be made. The interviewed researcher was of the opinion, that the open structure of the Predlagam.vladi tool would not be an issue if there was enough staff which could process the ideas. His argument was as follows: "*The policy process is very complex. And citizens should be aware how complex it is. I don't think that they should be fooled. And in this case, in the case of this tool, I think they are being fooled, because there are still a lot of proposals and they are just going into a blackbox where nothing happens with them. I think it contributes to the cynicism of the citizens regarding the political system; it is quite the opposite of what its intent is. Its intent is to educate people, also to give them an option to include them*" (Interviewee 15, researcher).

6.3.5. Application at the EU level

In the opinion of interviewee 15 (researcher), Predlagam vladi would be difficult to translate to the EU level as a deliberative tool, due to the issue of language. This would mean that either the deliberations would have to be localized, or the deliberations would have to be held in one of the main languages of the EU. In addition interviewee 15 (researcher) deems the tool to be too rudimentary in its current form, with changes being needed regarding the procedure of posting proposals. Tutorials and video-seminars are suggested to foster a better understanding of how the public policy process functions.

In principle this tool seems to fulfil its intended function as a communication instrument, i. e. to open up a new channel of communication between citizens and the state and among citizens themselves. Although there is evidence for implementation of a number of proposals coming from citizens, the impact on political decision-making is limited to date. To some extent this is connected with the modest level of usage of this online service by Slovenia's citizens. It certainly carries higher potential to introduce issues of relevance for society into the public sphere and to invigorate the democratic discourse but it lacks the wider publicity needed to achieve this. The steps taken to lift the tool's profile within government and to increase its usability are part of the preconditions to realize this potential.

6.4. European Citizens' Initiative (ECI)

6.4.1. Introduction

The European Citizens' Initiative (ECI) is the first supranational instrument of participatory democracy in the European Union and perhaps even the first transnational instrument of participatory democracy worldwide. The purpose of the ECI is to allow citizens to participate directly in the law-making process of the EU by giving citizens the opportunity of inviting the European Commission to legislate on a matter through submission of a proposal. Currently this is the only tool granting EU citizens such a right (Lironi 2016: 34). The ECI can be considered an agenda-setting and policy-shaping instrument and is targeted at the European level.

6.4.1.1. How it works

A million participants (of at least seven Member States) must support a given topic, such as for example "water and sanitation as a human right", and must fulfil some further criteria (Regulation (EU) No 211/2011 on the European Citizens' Initiative, adopted on February 16th, 2011). Signatures can be collected offline or online through an online collection system certified by national authorities in Member States (Article 6 of the ECI Regulation). There is an open-source online collection software made available for organisers of ECIs free of charge by the EC, namely the Online Collection System (OCS) (EC 2016a). Due to the difficulty of finding private service providers to host the online collection systems, the Commission provides free hosting services for the OCS (EC 2016b). Signatures must be collected within 12 months of registration. In order to sign a citizens' initiative one has to be a citizen of the EU and of voting age (concerning European Parliament elections). After achieving the signature goals the support forms are verified by the competent national authorities (EC 2016c). The initiative is then examined by the European Commission (within 3 months) and a decision is made on whether or not the initiative warrants legislative steps to be taken. There is no legal obligation for the EC to propose legislation. During the examination phase Commission representatives are in contact with organizers to gather more insight. There is also a chance for organizers to appear at a public hearing in the European Parliament to present their initiative. Lastly, feedback is given from the Commission in the form of a communication on how it will proceed and what actions will be proposed (if any), and explanations are given. This communication is available in all official EU languages and adopted by the College of Commissioners (EC 2016d). The Europe Direct Contact Centre offers information and assistance concerning ECI rules and procedures in all EU languages, with over 1080 questions being processed according to the 2015 Report from the Commission (EC 2015).

Since the launch of the ECI there have been 59 submissions to the EC, three of which were successful, four of which are still open, 20 of which were refused for registration, 18 of which gathered insufficient support and 14 of which were withdrawn by the organizers (as of 09.01.2017). The goal of one million signatures and an official response from the EC has been achieved by three initiatives, namely the "Right to Water", "One of Us and "Stop Vivisection" (Lironi 2016: 34).

Concerning the use of online channels, the "Right2Water" initiative collected up to 80% of its statements of support online, the "One of us" initiative merely around 30%, and "Stop vivisection" around 60% (EC 2015: 7).

There are currently improvements to develop a link with social media to enable organisers to connect the OCS software developed by the Commission with the organisers' campaign websites: "[…] *the latest releases of the OCS have developed the link with social media to enable organizers to link the OCS with their campaign website. What happens in practice is that the OCS provides the functionalities of links with social media and the organizers […] develop their own campaign websites, and it is through their campaign website that they can develop the campaigns, outreach actions, and also launch discussions on the specific initiatives. In the future, releases of the OCS planned for 2017, such as the mobile version for the Commission online collection software, will improve these links between the OCS and social media for campaigning purposes.*" (Interview 16, commission official).

6.4.1.2. Legal framework

The Treaty of Lisbon amended the Treaty on European Union and the Treaty establishing the European Community. It introduced the following two articles which form the basis of the European Citizens' Initiative (Official Journal of the European Union 2007):

- Article 11, paragraph 4 of the Treaty on European Union (TEU) reads: "*Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties.*" (Official Journal of the European Union 2012a).
- Article 24, paragraph 1 of the Treaty on the Functioning of the European Union (TFEU) reads: "*The European Parliament and the Council, acting by means of regulations in accordance with the ordinary legislative procedure, shall adopt the provisions for the procedures and conditions required for a citizens' initiative within the meaning of Article 11 of the Treaty on European Union, including the minimum number of Member States from which such citizens must come.*" (Official Journal of the European Union 2012b).
- The ECI Regulation entered into application on the 1st of April of 2012 and is currently ongoing. Regulation 211/2011 of the European Parliament and of the Council on the citizens' initiative determines the procedures and conditions required for the citizens' initiative. The Regulation states, that every three years "*the Commission shall present a report to the European Parliament and the Council on the application of this Regulation.*" (Official Journal of the European Union 2011a). The technical specifications for the online collection systems are determined by the Commission Implementing Regulation (EU) No 1179/2011 (Official Journal of the European Union 2011b).

6.4.1.3. The agenda setting and policy-shaping phase

The project can be categorized as falling into the agenda-setting and policy-shaping phase, with the ECI offering citizens an opportunity to set the agenda at the EU level. While initiatives may fail to achieve changes in legislation, the mobilisation of support and act of deliberation may increase the legitimacy of the policy agenda (Organ 2014).

6.4.1.4. Initiators

The ECI itself is the result of campaign efforts in the European Convention 2002/03, led by, among others, Michael Efler from Mehr Demokratie, Lars Bosselmann and Carsten Berg, the coordinator of the ECI-Campaign (The ECI Campaign 2003). "*Provisions for a citizens' initiative very similar to the current regime were originally included in the draft Constitutional Treaty, Article 47(4). Although the Convention Praesidium rejected the inclusion of these provisions in the final text, concerted efforts on the part of civil society organizations allowed them to be maintained. Following the failure of the ratification process for the Constitutional Treaty, similar provisions were reinserted during the drafting of the Lisbon Treaty.*" (Novak 2016).

6.4.1.5.   Financial sources

The European Commission has set-up, maintains and develops the open source software used for the collection of statements of support under the ECI Regulation (see article 6). This software is open-source and provided free of charge to organisers of ECIs. The Commission also provides free of charge hosting services offer to organisers of ECI for their online collection systems.
Organisation costs for initiators of ECIs are substantial.

6.4.2. Participants

The ECI is an instrument aimed at involving citizens more closely in agenda-setting at the EU level (cf. TEU/TFEU; ECI Regulation rules and procedures of the ECI instruments) (Interview 16, commission official). EU citizens must form a "citizens' committee" which can then launch an initiative by registering on the ECI website. A citizens' committee must be made up of at least seven EU citizens of seven different Member States and the members must be of voting age in European Parliament elections according to national law. The conditions for registering are as follows: the initiative must fall within a field of EU competence (e.g. environment, agriculture, transport, public health) and there must be a Treaty provision to serve as a legal basis (Article 4(2) of the ECI Regulation). Once an initiative has been registered it requires a total of one million supporting signatures. Additionally, there is a minimum number of signatures required in each Member State which must be reached for at least seven Member States (EC 2015; Lironi 2016: 34).

An important possible restriction for participants is the fact that there is no available EU funding for citizens willing to start an ECI. In addition, ECI initiators often have to engage with legally qualified personnel, data protection specialists, fund-raisers and marketing specialists (Greenwood 2012: 332).
For transparency reasons organizers have to provide information on all financial sources exceeding 500 EUR per year and per sponsor (EC 2015).

6.4.2.1.   Representativeness of the participants

 In general, the construction of the ECI appears to favour existing civil society organisations above individual citizens (Organ 2014). Civil society organisations (CSOs) often promoted ECIs, leading to the perception of the ECI being a successful example of civil society mobilisation (Bouza García 2012: 338 ff.). Despite the fact that organizations cannot run a citizens' initiative, they can promote or offer support for initiatives if this is done in a completely transparent manner (EC 2016d). There appear to be four different types of promoters of ECIs, with more than half of the initiatives being promoted by two kinds of European-level organisations. These were either well-established organisations with the aim of promoting a very specific policy or they were European organisations promoting public participation in EU policy-making in general (such as the King Baudouin Foundation or environmental groups such as Greenpeace). The third type consists of companies and organisations representing business interests with a specific focus on the health sector (see also Greenwood 2012: 333) and the fourth group consists of EU officials and representatives that use the ECI in order to raise attention to issues already being discussed in the EU.

According to the interviewed researcher you will always inevitably reach out to the well-educated and people who already have a high interest in the EU, in part due to the amount of data requirements which are needed in order to ensure no fraud is being committed: "*I don't think it is a tool which is very accessible for an individual normal citizen, in the sense that it is usually a tool used very much by civil society organizations and people who are professional […], [who have] the means and the human resources to launch campaigns around the ECI. It is a tool used, according to me at least, by people who are already experts in campaigning. And secondly, the signatures come usually from people who are also maybe more informed about what is happening in the EU.*"

Concerning the signatories of initiatives, no data is collected by the Commission concerning demographic information such as level of education regarding specific ECIs. The collection of statements of support is carried out by organizers of initiatives. The ECI Regulation provides inter alia for the specific rules on the procedures and conditions for the collection of statements of support, including the information to be provided by signatories for the different Member States, and the protection of personal data (see Articles 5 and 12 of the ECI Regulation). Consequently, no specific observations can be made by the Commission regarding the representativeness or share of professionals supporting specific initiatives. General information on the ECI instrument, also regarding awareness, participation and socio-demographic data, have been collected for the ECI as a whole via Eurobarometer Surveys (c.f. Flash Eurobarometer 430.) Overall over 6 million people have participated in the ECI to date (Interview 16, commission official; see also EC 2015). Despite there being no data on representativeness, the fact that the ECI is an offline and online tool makes it reasonable to assume it is more widespread and can reach out to certain groups which would not be reached exclusively through online means. "*The offline campaign for the ECI is very strong, especially on the national level. I know of organizers who were really going to different events, trying to reach out to different groups physically and not only virtually. […] If the organizers want to reach out to minority groups, there is a possibility to do so with a tool like the ECI.*" (Interview 17, researcher).

6.4.2.2.   Engagement or communication strategy

Responsibility for raising awareness, collection of statements of support and mobilization of support for specific initiatives primarily lies with the initiator of an ECI. The Commission carries out information and awareness-raising actions on the ECI instrument. Information on the specific initiatives is provided via the ECI official website. State of Play on ongoing initiatives is also provided as part of the Commission awareness-raising and communication actions. Another example is that in the recently registered initiatives, the Commission has used social media to inform on the registration of initiatives. "*Increasing awareness or communicating more about the instrument is also a big challenge. The importance of raising-awareness on EU issues is not something that is specific to the ECI, but the instrument could benefit from more awareness by EU-citizens […].*"(Interview 16, commission official). The Commission has acknowledged in its report of March 2015 and in its response to the European Parliament resolution adopted in February 2016 that more can be done to improve the effectiveness of the instrument and has committed to a set of actions in this regard in the context of the ECI review process. Increasing awareness on the ECI tool should also be a joint effort by all the EU institutions and bodies, Member States and other stakeholders On the basis of the results of the Eurobarometer Surveys. "*There are also divergences between Member States. In some Member States there is more awareness, in some other Member States less […].*" (Interview 16, commission official) (see also Flash Eurobarometer 430). When asked about current efforts to improve this situation and raise awareness of the ECI, the Commission mentioned inter alia the ECI Official register and website dedicated to this purpose which provides comprehensive and updated information on the ECI available in all EU-languages. The Commission also provides the Guide on the ECI available in all EU languages and provided free of charge by the Commission both online and in paper version. The Commission is also working on several actions for awareness-raising on the ECI instrument, and also cooperates for instance with the European Economic and Social Committee (EESC), the Member States authorities in the ECI Expert Group and the EC Representations in the Member States in communication actions. In order to increase representativeness civil society events such as the ECI Day are being organized by the EESC. The Commission participates in this event and cooperates with the EESC in several ECI related actions. There is also increased cooperation and synergies with the "Europe for Citizens" Programme (Interview 16, commission official).

According to the Report of the Commission from 2015, the ECI register has offered over 300 translations in total, with the average initiative being available in 11 languages and four initiatives offering translations in all official EU languages at the point of the Report being written (EC 2015). Since April 2015, the EESC provides direct assistance to ECI organisers via translations services, which include the translation of the 800 character ECI submission text in all EU languages for all registered ECIs. Organisers

can submit the request to the EESC to translate the main elements of their ECI (i.e, title; subject-matter; main objectives; and relevant EU Treaties provisions) and then can submit these translations to the Commission for its validation and publication in the ECI Official Register. These translations services are therefore available to all organisers of ECIs since April 2015 (Interview 16, commission official).

6.4.3. Participatory process

The main ECI page prominently features links to "Open initiatives", "Successful initiatives" and "Launch an initiative". Underneath you find a news section providing brief updates on relevant developments, such as newly registered initiatives, press releases, updates of the online collection software, updates on successful initiatives, court rulings, and similar. Links are also provided for more information on how an initiative can be organized (figure 9). The initiative pages provide basic data on the initiative, such as the current status, Commission registration number, date of registration, subject matter, main objective, Provisions of the Treaties considered relevant by the organisers, organisers and members of the citizens' committee, a link to the main initiative website, draft of the legal act and information on the sources of support and funding (figure 10). For the three initiatives which have reached the 1-million signature threshold the number of statements of support at the time of submission for each country is also provided. At the bottom of the page you can find a visualization of what phase of the initiative progress the initiative is currently in (Figure 11).

Figure 9. Screenshot of the European Citizens' Initiative homepage (taken 05.01.2017)

Figure 10. Screenshot of a selection of information provided on the initiative "One of Us" (taken 05.01.2017)

Draft legal act:

LEGISLATIVE PROPOSAL ONE OF US English.pdf (323788 bytes)

Sources of support and funding:

Last update: 27/02/2014

Name of sponsor	Date[1]	Amount in EUR[2]
FONDAZIONE VITA NOVA	25/03/2012	50,000
FONDAZIONE VITA NOVA	30/05/2013	70,580
FUNDACION PROVIDA DE CATALUÑA	30/11/2013	5,639
FUNDACION VALORES Y SOCIEDAD	10/01/2014	33,000

Total amount of support and funding: €159,219
[1] Date when the contribution was received. In case of in kind contributions, date when the in kind contribution started.
[2] Actual amount of funding provided or estimated value of in kind contribution.
Further information on support and funding: CERTIFICADOS FINANCIACION ONE OF US 2.docx (2503642 bytes)

Number of statements of support at the time of submission:

Austria	Belgium	Bulgaria	Croatia	Cyprus	Czech Republic	Denmark	Estonia	Finland
24,973	5,478	906	12,778	6,407	11,468	7,563	2,417	1,230
France	Germany	Greece	Hungary	Ireland	Italy	Latvia	Lithuania	Luxembourg
83,503	137,874	52,977	45,933	6,679	623,947	9,132	11,646	5,469
Malta	Netherlands	Poland	Portugal	Romania	Slovakia	Slovenia	Spain	Sweden
23,017	27,271	235,964	65,564	110,405	31,951	3,481	144,827	2,468
United Kingdom								
26,298								

Number of signatories: 1,721,626

Figure 11. Screenshot of the initiative progress of the initiative "Stop Plastic in the Sea" (taken 05.01.2017)

Initiative progress

Registered 19/10/2015 → Collection ongoing → Collection closed 19/10/2016 → Submitted → Answered

6.4.4. Results

6.4.4.1. Successes

The ECI SWOT analysis by Lironi (2016) revealed the following strengths of the ECI: encouragement of participation and active citizenship, being a non-partisan political tool, giving citizens agenda-setting power, educating citizens about decision making and the political process of the EU, reducing the democratic deficit and facilitating access to information for citizens. Opportunities are seen in the potential to stimulate alternative forms of engagement and to counter (young) people's disengagement in 'traditional' politics, to work on democratic ills , and in view of the lack of grassroots support for EU policy, the weak shapes of 'European Citizenship' and a European demos and to take advantage of potentials of technological advancements in ICTs.

6.4.4.2. Challenges

Major threats named in the ECI SWOT analysis are citizens' disinterest in EU politics, the perceived democratic deficit in the EU and the digital divide between countries as regards digital infrastructure and e-participation experience (Lironi 2016).

The ECI is also not cost-effective with large investments being needed (also in terms of organization) for relatively low rewards (in terms of certainty of impact). "*It just requires too much effort to implement, design and everything, and it just gives the people very little impact […] and a lot of frustration because they don't see where the results are going.*" (Interview 17, researcher). This expert suggests that the Commission could make the tool simpler so it would require less effort, assuming that participants would then be more accepting of the fact that there is such low impact, and adds another point: "*You have to be clear on what you want and what you are going to do with the citizens' ideas*".

There is also a lack of clarity regarding the citizens' committees and the liability of organizers. It is not clear what the exact responsibilities are: "*The citizens' committee should have legal personality in order to have the responsibility instead of responsibility lying within individuals.*" (Interview 17, researcher). At the same time, however, there is an issue of liability.

The European Citizens' Initiative (ECI) was envisioned to increase direct participation in EU lawmaking, but seems to have little success in conveying its message to citizens as there appears to be no connection between knowing about the ECI and the image of the EU or being willing to use the tool (Gherghina and Groh 2016). In fact, Gherghina and Groh even determined a negative correlation between knowledge about the ECI and the image of the EU among Germans in the course of an empirical assessment. Monaghan (2012) speculates that perhaps the output-based approach and the measurement of the ECI in Commission Green Papers or Proposals is not relevant to EU citizens, as they are more interested in changes in their political realities.

6.4.4.3. Impact

When regarding Lironi's (2016) SWOT analysis, a weakness of the ECI tool lies in the lack of impact which is a source of great frustration for citizens and one of the major issues which need to be addressed. Currently the results of the ECI are not legally binding, "*[h]owever, most respondents clarified that 'binding results' do not necessarily mean a direct change in EU legislation because of a successful ECI, as it would both be undemocratic and lead to 'dangerous waters'. What they mean is that there should be more efforts by the European Commission to reach a binding follow-up, for example an inter-institutional debate on the ECI results.*" (Lironi 2016: 47-48). As could be witnessed with the first three ECIs to reach the required support, the Commission has committed to a set of follow-up actions in response to two of these successful initiatives (see [website](#) for an overview). In the eyes of the interviewed organiser (interview 16) the lack of impact up to now is somewhat questionable with only three initiatives having managed to reach a million signatures and go through the entire ECI process: The ECI has been operational for only a couple of years. The Commission has committed to a set of follow-up actions in response to two of these initiatives which are being implemented. For instance, the Commission announced in its annual Work Programme for 2017, adopted on 25 October 2016, that it will come forward with a legislative proposal on minimum quality requirements for reused water and a revision of the Directive on drinking water as a follow-up to the "Right2Water" ECI. As regards participation, an estimated 6 million people were estimated to have participated in the ECI in the Commission report on the application of the ECI Regulation of March 2015. Also, the launch of citizens' initiatives in different areas has contributed to participation at EU level and the launch of pan-European debates. "*[…] At the same time the Commission has acknowledged that is not the amount of initiatives that we would like to have successful. The objective is to have more initiatives which are able to not only be registered, but also to reach the one million signatures. […] There is room for improvement.*" (Interview 16, commission official). The Commission is working on a set of actions for improvement to be implemented under the current legal framework in several areas ranging from support to organisers, to communication and awareness-raising actions and improvements in the ECI online collection systems (for further details see the [Commission reply to the EP resolution on the ECI](#)). The low number of

initiatives reaching the 1-million threshold is identified as being one of the biggest weaknesses. One of the main challenges of the ECI is therefore how to support ECI initiators to reach the one million signature goal in the given time-frame. As the commission official (16) pointed out during our interview, it should be considered that initiatives which don't achieve the one million signature threshold may also have an impact, seeing as debates may have been held which would otherwise not have taken place. This sentiment was also shared by the interviewed researcher: "*I do think that it is not true that the ECIs, even the ones that did not reach a million signatures, did not have impact. […] I know, for example, the [initiative] on water, even though the Commission didn't start any sort of logistical proposal on it, in some national countries such as Italy, the fact that the ECI existed and the fact that there was a debate going around it and the fact that people were campaigning for the ECI also made national politicians realize there was a problem. And they actually debated it in national government.*" Concerning the dialogue with politicians, researcher 16 stated the following during our interview: "*Here in Brussels it is easy. I know that if you organize an event here on an ECI in Brussels, you can get some MEPs talking about it. But at national [level, in] Member States? I doubt there is much.*"

6.4.4.4. Transparency

According to Researcher 17, the problems concerning the communication strategy are not singular to the ECI, but apply to the Commission and the EU in general. The information supplied by the ECI website itself is generally very good with exceptions in the area of result feedback. Interviewee 17 mentions an example of being asked by an MEP about the results of the initiative "*New Deal for Europe", seeing as attempts were being made to reopen the case and debate it in Parliament through a different route: "He was asking me, do you know what happened, did the Commission answer to it? And I couldn't find anything on the Commission's website on it, so in the end what I did was […] I just contacted the organizers and asked them directly. […] And only through that way they told me, […] the Commission didn't publish it, but they actually answered us, and then there is going to be a hearing in the Parliament on it.*" (Interview 17, researcher). This lack of transparency contributes to the frustration of citizens, as the impact is not visible.

6.4.4.5. Civil society organisations

Bouza García (2012: 339; 2015) sees two important effects of the ECI aiming at the participation of organisations: Firstly, the ECI may attract groups that are not highly institutionalised in Brussels, since CSOs that have been strongly active at the EU level may prefer a civil society dialogue (Bouza García 2012: 339). This could empower organisations that have been less able to attract the attention of EU institutions but are successful in mobilizing citizens and thus more successful with ECIs. "The second possible effect is a change of style and register in EU institutions – civil society relations. Whereas these relations have been characteristically consensus-prone, the emergence of new actors and issues could contribute to increased contention in the field of civil society EU relations." (Liebert and Trenz, 2011, as quoted in Bouza García 2012: 339).

Empirical findings from an analysis of the first 16 initiatives suggest that the ECI had special potential to enable citizens of small Member States to participate in the EU (Conrad 2013: 301), but the sample is yet too small to draw definitive conclusions. In the first 21 pilot ECIs German, Austrian and French associations were particularly well represented within the group of national promoters. Within this small sample European-level organisations played a major role, as they promoted more than half of these first initiatives (Bouza García 2012: 343). Hrbek (2012: 383) concludes that despite the fact political parties have not yet been organisers of an ECI, they may see potential in this instrument in the future and therefore may play an active role. However, whether the ECI will have the potential to realise a better integration of top-down and bottom-up approaches, given the existing social asymmetry among the promoters, remains uncertain.

6.4.4.6. Participation

According to Lironi's (2016) SWOT analysis, the ECI is a helpful instrument for encouraging participation as well as active citizenship and respondents identify large potentials in reinforcing activism (mainly within the online sphere). This contradicts the opinions of some experts who have stated that the ECI can discourage active citizens due to its high complexity and disappointing outcomes (Lironi 2016: 47). The fact that the ECI offers citizens an opportunity to set the agenda at the EU level must be recognized as an important benefit. The EU institutions can profit from this citizen input, by gaining more insight into public opinion (Lironi 2016: 47). According to expert opinions there is also a positive effect regarding the occurrence of cross-national debates. There is the hope that these kinds of debates can strengthen a European identity (Lironi 2016: 47). During our interview the commission official (16) also pointed out the positive effect in terms of citizens' participation and involvement in pan-European debate of certain initiatives being introduced into public debate through the ECI. Even if no legal outcomes are achieved, the legitimacy of the policy agenda can be increased through acts of deliberation involved (see also Organ 2014).

6.4.4.7. Promotion

The ECI suffers from a lack of presence. Many citizens have never heard of the tool, due to there not being much media coverage, with the level of awareness likely differing between Member States. As mentioned before, the Commission provides information via communication actions and tools such as the ECI website or the Guide to the European Citizens' Initiative both available in all EU languages and awareness-raising actions dedicated to the ECI are also carried out through events such as the 'ECI Day' organised by the EESC. Already in 2012 the Commission established a point of contact providing information and assistance, based in the Europe Direct Contact Centre. Through this point of contact it answers any questions from citizens on the ECI rules and procedures, in all official EU languages. As referred to in the report on the application of the ECI Regulation (March 2015), during the first three years of the ECI operation, the point of contact has answered over 1080 questions. Attempts have also been made by the ECI Support Centre (a not-for-profit service and initiative of the European Citizen Action Service, Democracy International and the Initiative and Referendum Institute Europe), for example through the development of an Android smartphone ECI-App meant to keep people updated and raise awareness. The App allows users to sign initiatives via their mobile phones (ECI Support Centre 2016).

6.4.4.8. User-friendliness

Another point of criticism is the lack of user-friendliness. In order to sign an ECI a lot of information is required from citizens, which entails a strong discouraging effect, particularly in connection with the low expectations concerning impact and security concerns. Thomson (2014: 74) states that until that point every single campaign "*has suffered, often gravely, from a myriad of problems stemming from these data requirements*", referring to the large amount of personal data, e.g. ID card numbers, signatories have to submit when stating their support for an initiative. While the amount of information gathered from citizens is deemed "*excessive*", email addresses are not collected, making it difficult to provide feedback about the initiative. The issue of user-friendliness remains problematic, as the issue needs to be balanced with questions of privacy and security. New updates of the OCS are released regularly, with an adapted version for mobile devices and improved functionalities being expected in 2017.

In addition, the collection of data, which is considered to be a big stumbling block for would-be-signatories, is decided by each individual Member State: "*Each Member State defines the personal data which citizens have to provide to support an ECI, and this is probably a big deterrent for citizens sometimes, to provide not only name and last name but also other information such as address or ID number, this kind of information. So this is one big challenge in terms of citizen-friendliness*" (Interview 16, commission official). The Commission report of March 2015 confirmed that divergences between the conditions and personal data required from signatories by the different Member States remain an issue of great concern, welcoming the constructive approach of those Member States who so far have responded positively to the repeated calls of the Commission to harmonise and simplify their data requirements. The Commission will continue its

efforts in encouraging the Member States to simplify these requirements under Annex III of the ECI Regulation. These data requirements can be modified under the current framework via amendments to Annex III of the ECI Regulation but the decision depends on the Member States and the information needed to verify and certify the statements of support by the competent national authorities. The Commission is working with the Member States in this field in the context of the ECI Expert Group and has launched a study in 2016 to assess the options for the simplifications of data requirements in the ECI context (Interview 16, commission official) (see also websites of EC and EP).

So far it could be observed that ECIs are expensive on part of the organizers. Over 100.000 € have been spent on initiatives passing the million signature mark (Malosse 2015) with the initiative "*Water is a human right*" having raised €140,000 in support and funding, "*Stop vivisection*" having raised €23,651 and "One of us" having raised €159,219. This consequently means that 'ordinary' citizens are at a disadvantage. Sangsari (2013) points out the need for organizers to possess human and financial resources, networks, alliances, coalitions with civil society, media and NGOs in order to gather the promotion and awareness needed for success.

6.4.4.9. Technical and organizational aspects

Another difficulty of the ECI is the online collection system for signatures. The various technical and security requirements make this a challenge, though the Commission provides and updates an open source Online Collection Software (OCS) which organizers can use. The requirments are set out in one of the articles of the Regulation on the citizens' initiative (6.4) and to the technical specifications set out in a specific regulation (Commission Implementing Regulation (EU) No 1179/2011). These requirements seek to ensure in particular that the data will be securely collected and stored in the system. Then the organizers should request the competent national authority of the Member State where the data will be stored to certify their system. To this end, organizers have to provide appropriate documentation to the competent authority. Initially the OCS struggled with issues such as a complex installation process, inconclusive error messages or insufficient checks for duplicate signatories (Starskaya and Çagdas 2012), with improvements having been made in newer versions over the past years. The ECI Campaign offers an alternative software named OpenECI for signature collection (The ECI Campaign 2016). This software is not developed or maintained by the Commission . It is also not linked to the Commission hosting services offer provided free of charge to organisers. The Commission software is provided free of charge and is open-source made publicly available. Organisers can indeed use their own online collection systems different than the one provided open-source and free of charge by the Commission. At the same time, they have to ensure that such systems comply with the relevant requirements under the Regulation and Implementing Regulation on Technical specifications for online collection systems and that the systems are certified by the relevant national authorities in the Member States in application of the procedure under the ECI Regulation (Interview 16, commission official).

The ECI possesses certain structural weaknesses, such as the low flexibility and high complexity of its regulation. More flexibility is often desired regarding the ECI support collection timeframe, seeing as due to bureaucratic requirements the OCS certification and general management procedure is very time-consuming. "*[Something] which could be changed in the regulation in order to facilitate the ECI as a tool and make it more user-friendly, is simply the fact that now if you sign up for an ECI and it is accepted by the Commission, you have 12 months from the date that the Commission accepts the ECI. One thing that could be changed is the fact that they let organizers decide when they want to open the ECI, so that organizers have a few months at least to implement the platform, to work on their campaign strategy in the proper way, to work on their website, and then they decide when they want to start the 12 months for the collection of signatures*." (Interview 17, researcher).

The identification requirements and signature collection are currently also not harmonized between the different countries, leading to difficulties for organizers in building alliances as well as for participation

of expatriates, who are currently often excluded from the online signature collection. These problems are due to the fact that there is no common European set of requirements, with signatures being collected according to national rules in Member States: "*There are some countries which need more data because it is more difficult to assess and verify who has signed and who hasn't.*" (Interview 17, researcher). When asked whether the introduction of an electronic ID would be a support or a barrier in this context, our interviewee stated they believe that as a complementary tool it could simplify the process.

6.4.4.10. Recommendations

There is little doubt that the ECI would benefit from a reform, with many proposals having been made by instances such as the ECI Campaign, the European Ombudsman and the rapporteur of the AFCO committee of the European Parliament.

The current implementation of the concrete terms and rules of the ECI still demands significant improvements and modifications in design. Suggestions for major improvement of the online collection software and the entire process have been made (Kaufmann 2012: 240) and recognised to some extent. Additionally, calls were made to extend the period of signature collection to 18 months, in order to set up an independent help-desk and to increase access to signing an ECI. There are also proposals on multilingual training tools, the clarification of the EU data protection law and uniform requirements for signature collection in all Member States (Karatzia 2013). Berg and Thomson (2014: 122) advocate the following:

"1. Reduce and harmonise personal data requirements across Member States.
2. Eliminate ID number requirements.
3. Ensure that all EU citizens can support an ECI – wherever they live.
4. Lower the age of ECI support to 16.
5. Redesign the online signature collection system.
6. Collect the e-mail address within the main ECI support form.
7. Lengthen the signature collection time to 18 months.
8. Give ECI campaigns time to prepare: let them choose their launch date.
9. Provide a support infrastructure for ECIs with legal advice, translation and funding.
10. Provide an EU legal status for ECI citizens' committees.
11. Remove or modify the first legal admissibility check.
12. Increase public and media awareness of the ECI."

A study commissioned by the European Parliament identified similar obstacles for the ECI as already discussed (Ballesteros et al. 2014). These obstacles are found in six areas covering the entire ECI process: registration, certification of the online collection system, signature collection, verification and submission of statements and horizontal issues such as data protection or funding transparency. At this point measures to create a one-stop-shop for supporting ECI organizers as well as improving the signature collection software and support forms are seen as essential. The study concludes with recommendations for increasing the ECI's effectivity, with concrete suggestions for revising both Regulation 211/2011 as well as EU primary law (EP 2014). Key points include amending the TEU to either revising the ECI as an agenda-setting tool – in this case the Commission would not be obliged to follow a successful initiative with legislation – or revising the ECI as a tool for legislative initiative, meaning that citizens could have real legislative power within a certain framework. More specifically the study suggests a two-step system where for instance half a million signatures would request the EC to propose legislation, whereas one million signatures would oblige the EC to do so. During our interview, researcher 17 pointed out a problematic element of this idea: "*I don't think that all ECIs which have one million signatures should directly become a legitimate proposal. Also because, let's remember that one million EU citizens is a tiny percentage of how many citizens we have in the EU. So it shouldn't be automatic.*"

Until recently, the Commission had not considered revising the Regulation. However, it has acknowledged in inter alia its report of March 2015 and in its response to the European Parliament resolution adopted in February 2016 that more can be done to improve the effectiveness of the instrument and has committed to a set of actions in this regard in the context of the ECI review process. A number of measures and actions for improvement in the implementation of the ECI instrument have already been or are implemented under the current legal framework. This set of actions include measures in the areas of inter alia: awareness-raisingactions; improved support to organisers of ECIs; simplification of data requirements for signatories under the ECI Regulation and Annex III thereof; the revision of the Commission Implementing Regulation laying down technical specifications for online collection systems pursuant to the ECI regulation; the use of electronic identification; use of electronic identification, eID tools in the context of the ECI; and improvement of the online collection. software developed by the Commission for which several new releases have been produced over the past years and a new releases are planned in 2017. In this context, the Commission has launched in 2016 three technical studies to assess the simplification of certain requirements, notably on data requirements and online collection systems and is working with the Member States on these issues in the framework of the ECI Expert group (Interview 16, commission official) (see the [Commission reply to the EP resolution on the ECI](#) for further details).

The 2017 Work Programme of the Juncker Commission was presented to the European Parliament on October 25th 2016. In reaction to this the European Citizen Action Service (ECAS) stated in their press release: "the lack of commitment to revise the European Citizens' Initiative (ECI) regulation in order to make it "*fit for purpose*" is disappointing" and notes "*Despite declaring the Commission's overarching priority to be a Europe that takes responsibility, listens and delivers*", citizen engagement is notably absent from the 2017 Work Programme." (ECAS 2016). The REFIT (Regulatory Fitness and Performance Programme) Platform Stakeholder group had formulated recommendations to revise the legal framework of the ECI (REFIT 2016), which appear not to have been regarded within the Work Programme. The identified areas in need of revision had included the "*legal admissibility test*" as prerequisite for the registration of an ECI, the procedure of the follow-up to a successful ECI, the citizens' committee and liability of organisers, the moment of the start of the 12-month collection period and the simplification of the online collection of signatures (REFIT 2016: 2).

Against this background, Lironi provided a set of recommendations deemed essential for improving the ECI's potential (Lironi 2016: 51):

- to intensify promoting the ECI as a tool and encouraging citizens to use it, pointing out its importance as the official pan-European e-participation instrument;
- to reduce the efforts required in its use, clearly (re)define the outcomes of successful ECIs and start to fulfill them;
- to make the ECI more user-friendly by: reducing the excessive identification and personal data requirements, improving the OCS functionality to allow for ECI organiser feedback to supporters, and increasing the ECI's publicity e.g. through the EU's communication channels and national media;
- to improve the ECI's rules (more flexible and less complex), in particular: the Commission should allow ECI organisers to start signature collection in a more optimal timeframe, Member States should harmonise identification requirements, and expats should be allowed to sign ECIs in their country of residence.
- to promote the ECI as an alternative form of engagement to attract citizens frustrated by 'traditional' forms of politics;
- to make use of the ECI to cure the democratic deficit, to support the development of 'European citizenship' and a 'European demos', to enhance grassroots support for European politics, and to increase citizens' interest and trust in EU politics and their understanding of European affairs.

Most recently there have been some absolutely notable developments which indicate a significant progress in the function of the ECI as a novel democratic instrument. There is evidence of improvements of the support infrastructure, increasing numbers of initiatives and enhanced success perspectives, supportive independent court action, and indications of EU level political impact as well as transnational democratic discourse impacts (website Power2People): NGOs, public institutions and the Commission have improved the support for ECI organizers with various tools such as improved information, helpdesks, translation services and legal support. This has also brought positive effects on the capabilities of organizers and reduced the likelihood of an initiative being rejected. Independent court action has been confirmed and also contributed to this result, as evidenced by the EU General Court decision in favour of the "Minority Safe Pack" initiative in February 2017. As a visible outcome of all these elements a number of new initiatives have been started recently, of which the "Stop Glyphosate" ECI is especially noteworthy as it is about to get the required million signatures within a few months. The launch of an ECI on the rights of EU citizens in Britain after Brexit also deserves to be mentioned. Last not least, the publication of a roadmap by the European Commission as an effect of the successful "Right to Water" ECI is a sign of political impact. In addition, the EU First Vice-President has recently announced the Commission will revise the Regulation to make the ECI more accessible and citizen-friendly (press release and website Power2People). This means more far-reaching improvements of this important instrument will most likely happen than brought about with the technical and practical advances within the Commission's own management of the ECI so far.

Overall, after five years of existence, the ECI as an institutional innovation has certainly achieved some success in mobilising citizens across Europe and thus in contributing to the formation of a European public sphere to some extent; however, it has achieved modest success at best as regards enhancing the citizens' influence on EU level decision-making to date. It would definitely be too pessimistic to conclude that the instrument has a predominantly symbolic function. Especially the promising signs of dynamics and progress the instrument has shown within the most recent developments underline the democratic potential which it can further unfold in future. It is to some extent still an experiment with many open questions and it was therefore wise to include a clause for a possible revision every three years after a period of gathering experience with the new instrument. For now it seems that the ECI's relevance is far greater in contributing to issue-specific discourse and citizen mobilisation at EU level than in terms of concrete policy-shaping impact.

6.5. Participatory budgeting in Berlin-Lichtenberg

6.5.1. Introduction

Civil society activists in Berlin, organized in several groups, had made their plea for participatory budgeting in Berlin. This has gained increasing public attention due to a large corruption case – in a chain of political scandals (Röcke 2014). In 2005 the borough council introduced the Participatory Budget in Berlin Lichtenberg. The instrument became part of a citywide administrative reform project to increase the effectiveness and efficiency of public spending (Röcke 2014, 133). The borough council formulated the following purposes for the participatory budget: "mutual agreement in policy decisions; effective and fair budgeting; transparency; and educating citizens about financial matters" (Shkabatur and Fletcher 2016).

Recently, many participatory budgets are employed in Germany. Ruesch and Wagner (2014) report an increase starting from one participatory budget in Germany in 1999 to 14 in 2007 to 96 in 2013. Most of them have the objectives to modernize local governments by participation and to become more responsive to the needs and wants of citizens (Ruesch and Wagner, 2014). None of the participatory budgets in Germany can yet be seen as instruments for direct democracy; it is ensured that the decision-making authority remains with the elected political representatives (Ruesch and Wagner, 2014: 289; Röcke 2014).

6.5.1.1.   How it works

The participatory budgeting process in Berlin Lichtenberg is consultative, and thus only concerns citizen involvement in agenda setting and providing concrete input for policy options. The basic structure of German Participatory Budgets has three phases:

1. information provision about the budget and the participatory budget procedure
2. consultation and participation of citizens, who contribute by making proposals, providing feedback on proposals and/or by making a planning of the budget – plus in Berlin Lichtenberg, by prioritizing projects –; and
3. accountability: decision-makers and civil servants explain the outcomes of the process and justify their decisions (Ruesch and Wagner 2014).

The rules of the process are decided upon by the administration and the district executive. A small group of organized citizens can only put forward suggestions for changes in the process (such as the evaluation framework). And the district administration has organized some public meetings to discuss the process (Röcke 2014:148-149). The borough council - or the citizen jury in relation to the smaller neighbourhood budgets - makes the final decisions on the allocation of the budget (Van Hulst et al, 2016; interviewee 19, researcher). In annual reports effects of the participatory budgeting and choices for or against citizens proposals are justified (Van Hulst et al, 2016).

In 2012, the tool was updated – both the procedure and the website. The software used before the update was specifically designed for the tool. Since 2012, the software is based on an open source software and adapted to the needs of the tool (Interview 18, administrator). Underneath, some screenshots are provided to give an idea of how the website looks like (see figure 12 and 13). The homepage of the website shows all recent updates. These include updates on meetings, blogs, new proposals, new statuses, new comments and the possibility to make a proposal. The first screenshot shows how information is provided on the proposals and their status (in process, assigned or rejected). In the second screenshot a proposal and a short explanation about the decision can be found.

Figure 12. Screenshot 1, the homepage

Figure 13. Screenshot 3, a proposal with an explanation on the decision

6.5.1.2. Initiators

On request of a few members of the groups pleading for a participatory budget in Berlin, the Federal Agency for Political Education stimulated a trial of participatory budgeting in a number of districts in Berlin (Röcke 2014). Heavily supported by the borough Mayor Christina Emmrich, who already had introduced several participatory forums after her election in 2002 (Röcke 2014), Berlin Lichtenberg, became in 2005 the first in Germany to structurally implement a Participatory Budget process. The PB process was not designed by the office of the mayor. The model had been created in a workshop with policymakers, party foundations, civil society members and experts which was organized by the Federal Agency for Political Education. The model from the workshop has been adapted and systematically elaborated by Carsten Herzberg (Röcke 2014, 133; 144). Later on, the organisers of the Lichtenberg process further developed the procedural framework. In 2012, the newly elected mayor revised the PB process in collaboration with citizens, politicians, civil servants and BpB; new procedural rules were added to the previous framework (Röcke 2014:145).

6.5.1.3. Financial sources

The maintenance costs of the participatory budgeting are estimated by the former mayor of Berlin Lichtenberg: "*Each year Berlin's borough of Lichtenberg spends 60,000 euro on participatory budgeting. This is used for the Internet presentation, brochures and rentals of event space*" (Emmrich 2010: 69).

The municipal budget that is opened up for citizen participation and consultation in a yearly cycle is about ten percent of the total borough budget. "*The budget in Berlin-Lichtenberg comprises 576 million euro, of which almost 90 percent are obligatory payments. This leaves 32 million euro as the subject of participatory budgeting*" (Emmrich 2010: 69). The mandatory expenses within the district budget are allocated according to the decision of the Parliament of Berlin or the German federal law. The discretionary expenses of around 30 million euro are directly decided upon by the borough council of Lichtenberg.

The discretionary expenses are for the following policy objectives: support of public health; business counseling; planning parks and free space; public libraries; general support for children and adolescents; cultural services of municipal institutions; the music school; voluntary services for elderly people; sports; maintenance of green spaces and playgrounds; planning of green spaces; support of the local economy and an adult education center (Van Hulst et al., 2016; Röcke 2014:198). The Participatory Budgeting project allows citizens to discuss and express their preferences with regard to this discretionary budget. However, within the sum of around 30 million euro personnel costs are included; this makes that the actual budget of money to be spend is much less. Herzberg (2013, in Röcke 2014:145) estimates the value of the projects approved by the district actually ranges only between 500.000 and 3 million euro. A total budget of 91 thousand euro is available for specific projects within the 13 districts within Berlin Lichtenberg (Van Hulst 2016).

6.5.1.4. Legal framework

All procedural rules can be found in the *Rahmenkonzeption zum Bürgerhaushalt in Berlin-Lichtenberg ab 2010*. In this document it is clearly written that citizens suggest and discuss how public money should be spend, but that politicians decide which suggestion will be included in the budget plan (Bezirksamt Lichtenberg von Berlin 2008). The transfer of direct decision-making powers to citizens is excluded by the German municipal law (Röcke 2014:151). "*Citizens do not have the right to make a final decision, this is a consultative procedure*" (Interview 18, administrator, own translation).

90 Percent of the total borough budget is allocated via decisions of the Parliament of Berlin or the German federal law (Shkabatur and Fletcher 2016). In contrast to the majority of participatory budgets in Germany (see Ruesch and Wagner 2014; Schneider and Busse 2015) with the aims of general transparency and accountability around the total municipal budget, PB in Berlin Lichtenberg is restricted to the subject areas of this discretionary budget (Shkabatur and Fletcher 2016).

The outcomes of the participatory process do not have a binding status and largely depend on the willingness of the borough council or citizen jury to adopt them. In the end (political) willingness is most important, if the willingness is there an open design might be even more fruitful than a strict legal framework (Interview 18, administrator).

6.5.2. Participants

The target group of the participatory budgeting in Berlin Lichtenberg is described on the website is 'everyone who lives or works in Berlin Lichtenberg'. However, it doesn't seem to be verified if participants really live or work in Lichtenberg unless they want to cast a vote (Van Hulst et al. 2016) (see also the distinction between 'registrierte Teilnehmer/ innen' and 'davon stimmberechtigte Teilnehmer/innen' in Daten und Fakten zum Bürgerhaushalt 2013). The requirements to participate can be found on the website as the "Rules of the game". In the online discussions participants are stimulated to use their own name and surname, but it is not obliged. When participants propose a plan they are obliged to give their contact details (Interview 18, administrator).

6.5.2.1. Engagement or communication strategy

On participedia.net Shkabatur and Fletcher (2016) make positive claims about the communication/engagement strategy: "*The borough has invested considerable resources in raising awareness with regards to the participatory budgeting project among residents – municipal representatives distributed posters and leaflets, held information stands at local festivals and events, and publicized the event in the local media*".

From 2008 onwards a randomly selected group of citizens (10% of the population) receives a personal invitation letter for the public neighbourhood meeting signed by the mayor. On the website also quite some articles in the press about the PB in Berlin Lichtenberg can be found, although the most recent article is published in 2013. In 2013 flyers with information about the participatory budget in German,

Russian and Vietnamese language are offered to inhabitants, which also included an invitation to make a proposal. Other flyers are designed especially for youngsters (Interview 18, administrator). The site is only available in German though. The researcher we interviewed states these not these flyers, but decentralised meetings were an important way for community workers to reach people. "*I think the flyer was not a very important thing, but the important thing [was] that they were trying to go into […] the neighbourhoods to [organise] decentralised meetings and to try to get this kind of active community workers or community people involved and to spread the word […]. Because they understood [that if] they would just do one central meeting, no one would show up. So…I had the impression that they were really quite active in the way of trying to reach people*" (Interview 19, researcher). The administrator confirms this, talking about the preparatory meetings in the neighbourhoods "*And this instrument… Really, this year we have once again discovered completely new faces because of it*" (Interview 18, administrator, own translation).

Until last year, a City Hall newspaper was distributed to all households free of charge, in which updates on participatory budgetting proposals and processes were given. This distribution has now stopped due to its high expenses, but the newspaper can still be read in public places (Interview 18, administrator). Local borough coordinators, who are evenly spread throughout the Lichtenberg district, are also important to spread information on participatory budgeting proposals (Interview 19, researcher).

In general, it can be noted that different channels for communication and interaction are used for the whole participatory budget process, which enlarges the possibilities for the different groups of inhabitants and employees in the area. The channels are:

- the website, including a blog, a section for praises and criticism, an agenda with events, an online voting tool (and its results), a link to the total budget overview in xls;
- telephone;
- possibility to write letters/proposal;
- community centers that organize public meetings and can be reached by phone. In addition, child care is provided during every public meeting and a sign language interpreter is present;
- a newspaper (although its distribution has ceased to exist);
- local borough coordinators.

Despite these measures and the positive reviews, there is still room for improvement: "*You have to be able to reach out to people and explain why it is important for them to participate. […] And to explain why, I mean, what benefit is there for them to take part. What difference does it make from the way [decisions] have been made before. […] I think here the problem is that it's a bit too formal, too technically sophisticated, but not really anchored in a sort of political activism or community activism of really going out, getting to the people, getting them involved. […] I think this kind of political communication and inclination of why this is important [and] what change it makes […] is probably missing a bit*" (Interview 19, researcher).

6.5.2.2. Representativeness of the participants

Röcke (2014) reports not a very large mobilization of citizens participating in the whole process (online and offline). She does however show an increasing number of participants every year (see figure 14). *The number of participants has been increased by the digital "turn". Internet participation is often greater than face-to-face participation*' (Röcke and Herzberg, in: Inwent 2010: 18). In addition, Lichtenberg seems to have a participatory culture: "*We have the luck and the good conditions in Lichtenberg of a high willingness of citizens to participate. The participatory culture simply grew over the years. Participatory budgeting is just one component of citizens' participation. There are so many instruments, committees and procedures where citizens can participate. The citizens' budget is always only a partial building block*" (Interview 18, administrator, own translation). However, participation always depends on time restraints and personal interests (Interview 18, administrator).

Figure 14. Number of participants in PB Berlin Lichtenberg
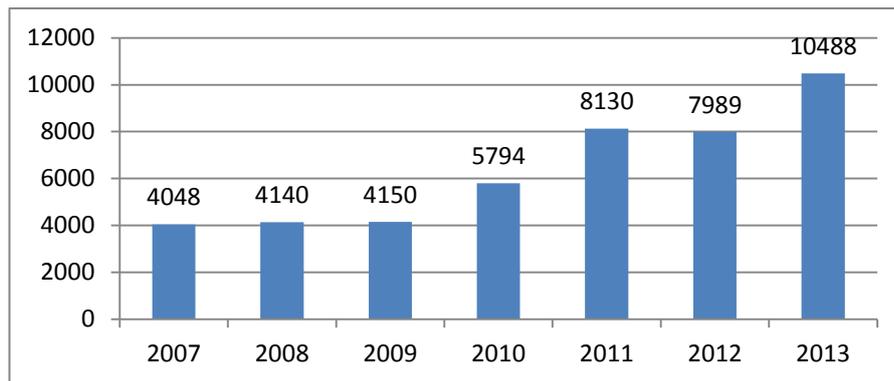
Source: Röcke 2014, 149

On the one hand, the participation rate can be seen as low since it includes only a small part of the population. On the other hand, since the main goal is to collect good proposals for the neighborhood and to assess preferences – the final decisions are made by other institutions – a high number of participants is not the most important requirement for a successful process.

Moreover, preferences are further assessed by a survey that is distributed to a larger amount of inhabitants. "*As the online forum and citizens' assemblies are based on unsolicited open participation, they cannot be considered representative. Hence, the borough council carries out a large survey of 25,000 randomly selected residents (nearly 10% of the borough population) to evaluate the best suggestions that were raised online and face-to-face.*" (Shkabatur and Fletcher 2016).

Not much research has been done about characteristics of participants, and whether PB in Berlin Lichtenberg is inclusive. "*The fact that participation is based on self-selection often excludes the less well-off residents of Lichtenberg. The under-represented groups include immigrants, elderly residents, uneducated residents, and young families,*" suggests Van Hulst et al. (2016: 42, own translation). Shkabatur and Fletcher (2016) report on Participedia.net that "*Participants were mostly young and middle-aged citizens of up to 50 years old, with a level of education higher than in the general population.*" In contrast, the interviewed administrator argues that on average the participants are quite representative, there are always some minorities included (Interview 18).

The online design of the 'Traffic light system' to indicate the status of the proposal contributes to the user-friendliness. Also the timeline with short information about the decision-making process around the proposal and the multi-channel approach (the combination of online tools, face-to-face meetings and possibility to write a letter) are used to increase the user friendliness and accessibility.

6.5.3. Participatory process

Participants can make proposals to spend money, to save money or make proposals that do not entail costs for the discretionary budget. Participants can formulate proposals worth a maximum of 1000 euro for activities or facilities in the neighbourhood. Since 2008 participants can also make proposals with regard to construction investments in the district (of around 4 million euro) and neighbourhood projects that are provided by voluntary associations but financed by the district (Röcke 2014). The proposals can be put forward in written form, via the internet and at neighbourhood assemblies (Röcke 2014:145; Interviewee 18, administrator). The process runs both on- and offline. "*We would never refer solely to the online tool. From the beginning, this has always been the case, and even after eleven years, this is still the way we want to go about it. There should always be parallel means. Because not everyone is comfortable with just one way [of participating]*" (Interview 18, administrator).

Röcke (2014) claims that most proposals on the internet are formulated in only one to three lines, without further justification or elaboration. Online, participants can also make comments on proposals of other

participants, vote on a proposal, and write blog posts (praise or criticism). On the website no links to extra information can be found about the particular subject in the citizen proposals.

6.5.3.1. The interpretation of the input of participants

To aggregate and weigh the proposals several strategies are combined. Participants make a list of the project proposals in an order of priority within public meetings organized in the 13 neighbourhoods. The next step is that the lists with the five priorities of the 13 neighbourhood meetings and the top ten from the internet 'vote' is sent as a survey to a representative sample of the population (50.000 randomly selected households) (Röcke 2014:145-146). The respondents are asked to make their own list of five projects that they perceive to have most priority. Successively, the district council and the Parliamentary Committees make the final decisions on the allocation of the budget, which they explain in a public meeting (Röcke 2014). The citizen jury decides upon the allocation of the neighbourhood budget proposals (Van Hulst et al, 2016). Proposals that do not fit the established budget can be rejected by the district council or it can be decided that people may vote on it (online or offline). If there are sufficient votes in favor of the proposal, the district council considers whether the proposal is financially feasible and it will be implemented. (Van Hulst et al., 2016). Feedback on the implementation of the proposal or an explanation of the rejection is provided per proposal. Proposals that do not fit the participatory budgeting process are sometimes redirected to the responsible city departments (Interview 18, administrator).

Participants can monitor the decision making process online. The proposals are shown on the website and their status is indicated with the help of a three-colour system. Green indicates that a proposal has been carried out; red for proposal that has been rejected and yellow indicates that the proposal is still under discussion. Sometimes proposals have the status of 'under discussion' for quite a long time: in that case it's not clear for participants what will happen to these proposals (Van Hulst et al. 2016). In addition, "*the whole process is monitored by a committee (Begleitgremium) composed of around 15 people (civil society representatives, civil servants and politicians)*," (Röcke 2014:145). The understanding of the participatory and political processes by Lichtenberg citizens has matured over time. "*At first, much was unclear. The administration was a grey area [for them]. Over the years this has improved*" (Interview 18, administrator, own translation).

6.5.3.2. Exchange and diversity of views

The tool gives the possibility of interaction and exchange of views. But proposals are not always commented on, so the diversity of views that can be found online is limited. Van Hulst et al. (2016) only find at maximum 15 comments on a proposal. Herzberg (2009) noticed that on the internet forum comments and proposals are often very diverse and not necessarily related to each other (in: Röcke, 2014:148). Also in the public meetings the projects not so much discussion reach an overarching perspective, participants mainly focus on their individual wishes (Röcke 2014). However, direct discussions amongst citizens and amongst citizens and policymakers about the individual proposals do take place (Röcke 2014:146). An overall assessment or balancing of the budgets is not do much part of the PB process in Berlin Lichtenberg. "*A rather weak point is this facilitative discussion aspect – to really have an informed discussion about why do we take this decision and not another one*" (Interview 19, researcher). The interviewed administrator also affirms that participants not often use the possibility to interact or discuss proposals, and the organisation wished that would happen more often. This functionality will receive more emphasis in the near future (Interview 18, administrator).

The exchange is moderated by the organizers, mostly to filter out unwanted content. "*There are some rules, which are also published on the online platform. The generally accepted rules should be followed. So there should be no advertising comments with purely commercial links. Insults, threats, abuse, all racist, fascist, sexist and pornographic content [are] not allowed and will be erased by us rigorously*" (Interview 18, administrator).

6.5.3.3.   Safety and security

The [website](#) displays information on data protection: what data is saved, what it is used for and how it can be protected. It is an issue with the organisation, but no abuse has been reported so far (Interview 18, administrator). Sometimes they check whether proposals are put forward by 'real' persons. But no hacks or unfluencing of voting outcomes have occured (Interview 18, administrator).

6.5.4.   Results

In June 2016, the website counts 821 proposals since 2005, from which 426 proposals have been implemented. Although the participatory budgeting is consultative, it is quite influential on the decisions made (Ruesch and Wagner 2014:12).

The impact of this process on the political agenda is higher than on the decision-making process: "*It is difficult to kind of say precisely how high the impact is really on the decisions taken, because there is no systematic way of giving account on this. […] I mean, it's difficult to have this measurement because you have to check every year […] what [were] the projects, how has the whole discussion amongst the representatives been taken into account or the citizen's perspective. […] It was clear from the outset [that] it was not a decision-making process, but [participants] can say what they think and prioritise and do this in a very organised manner. But it's not about taking decisions because this is against our municipal law, so this is not possible. But I think from the side of the former Mayor there was a real political conviction to organise a more participatory process*" (Interview 19, researcher).

6.5.4.1.   Accountability

For each proposal a brief account of the government is available online that explains why a project is or is not yet achieved or pending, which becomes visible by just clicking on the title of a proposal. Decisions are also explained and evaluated in public meetings (Röcke 2014; interviewee 18, administrator). The participatory budgeting committee also has the task to discuss the evaluation of proposals with the participants (Interview 18, administrator).

In addition, a yearly accountability document is published on the website. However, Röcke (2014:148) is quite critical on this form of accountability, because she saw many examples of only very short, simple rejections. This is an important concern, as the open explanation of final decision is essential in this form of participatory budgeting. Since most procedures in Germany are consultative and citizens do not take decisions concerning implementation, accountability is a phase that is all the more important for German participatory budgets. Without any feedback as to how the input made by citizens is being used in budget planning, citizens are highly unlikely to feel motivated to invest their time (once again) in participating (Märker and Nitschke 2008, in: Van Hulst et al. 2016, 45).

This process of accountability can be further developed in the design of the online tool for participatory budgeting. Ruesch and Wagner (2014:10) point to another example of PB in the city of Bonn, where by means of visualization of the budget, the structure of the budget is presented in an understandable way for the public. This is a tool that could be used to help citizens in making choices about budget allocation by visualisation of the financial consequences for other projects as part of the budget is allocated to a particular project. This is not implemented in the design of the website in Berlin Lichtenberg.

Röcke (2014:134) concludes that the selected approach is "*technically sophisticated, but citizens have hardly any procedural and political powers in the process; in addition, the process of accountability is not very well developed*". On the other hand, she concludes that the procedure has led to a greater dialogue between citizens, officers and politicians, although the deliberative quality of the procedure could be better (Röcke, 2014:149-150). The tool did receive the European Public Sector Award and the Theodor Heuss Medal (Ruesch and Wagner 2014: 12).

6.5.4.2. Cost-effectiveness

The costs of the maintenance of the participatory budgeting are 60.000 euro, however large costs for personnel are not included here. We cannot make a harsh judgement on the cost-effectiveness. The (former) mayor Christina Emmrich argued PB leads to a win-win situation: "*The instrument of participatory budgeting allows a win-win situation for all involved: the citizens gain more transparency, a say on the budget and requirement-suited priorities and they see they are taken seriously. Political bodies gain objectivity and higher quality of budget-political discussions, more legitimacy and more identification of citizens with the community. The administration gains more information and proximity to the people, as well as more transparency in the setting of priorities*" (Emmrich 2010: 69).

6.5.4.3. Trust in government

As stated earlier, Lichtenberg seem to have a participation culture. Throughout the years, it has been shown to citizens that they can participate in various decision-making process. "*This has a positive effect: it motivates [to participate]*" (Interview 18, administrator, own translation). Increasing trust in government by obtaining legitimacy for decisions and making the decision-making process more transparent was the motivation from the start, she further elaborates. But whether participatory budgeting has in fact had this effect on local citizens is hard to tell (Interview 18, administrator, own translation). The interviewed researcher sees the potential as well, but agrees it is difficult to assess: "*I think it [is] a really well-organised, transparent process, which clearly states the different roles and duties and rights of the different stakeholders in the process. And which also gives information on where the money comes from, where [it goes], what we do with it and why. So I think that maybe it's more in the potential way. It has the potential to increase trust. […] But if this actually is the case is another question*" (Interview 19, researcher). Those who participate in these types of processes often already have a certain level of interest in politics; "*So it is very difficult to reach those who have lost any contact with the political atmosphere*" (Interview 18, administrator, own translation).

At least, this process also works the other way around: politicians' trust in citizens increases and this fosters dialogue: "*[The administration] now also sees that citizens have expert knowledge, and that decision-making is not just based on files produced behind a desk. And that the triangle of politics, administration and citizens has already worked in other contexts*" (Interview 18, administrator, own translation).

6.5.5. Application at the EU level

Interviewee 18 (administrator) indicates that the application of participatory budgeting at the EU-level might be difficult, because the local embeddedness and personal, long-term commitment of the organization is an important success factor in the Lichtenberg case. In contrast, interviewee 19 (researcher) indicates the tool is very suitable to be used for the EU: "*It's a discussion process organized at different levels, where people interact with each other and with civil servants in an organized way, with clear rights and duties.*" However, she adds that it is very important to clearly define the goals and scope of the process when doing so (Interview 19, researcher).

6.6. Internetconsultatie.nl

6.6.1. Introduction

In the Netherlands the official governmental website www.internetconsultatie.nl has been built as a platform to organize online consultation in the legislative process. The public (individuals, enterprises and institutions) is consulted about draft bills, general orders in council, ministerial decrees and policy notes. E-consultation is part of the preparatory stage, the stage before the Council of States assesses the legislative proposal and the parliamentary debate about it. In addition, the site has a function for 'monitoring citizens' (and organisations) as well. There are a lot of people that visit the site without contributing to the online consultation. That means that the site is also interesting to people who are only looking for information about legislative proposals and what suggestions are made by participants.

The website internetconsultatie.nl is regarded as supplementary to other consultation practices that are already part of the legislative process. The first e-consultations via the internetconsultation website have been taken place in 2009. After two years, the experimental e-consultation procedure has been evaluated for the first time. The positive evaluation has led to a structural implementation of e-consultation within the legislative process (Broek et al. 2016).

The aims of the official website for online consultation are to increase the transparency of the law making process, to offer new opportunities for participation, and to improve the quality and practical feasibility of laws and regulations (website, accessed at September 29, 2016). Before, the lawmaking process was sort of a black box, and the consultation round often included only a limited group of organisations – every department had its own 'list' of organizations, the usual suspects – that they always consulted (interview with two administrators in 2015). An official procedure to consult individuals and organisations did not exist.

The website to consult the public is used by different ministries. As of our reference date (July 12th 2016), 622 online consultations have been completed (source: Internetconsultatie.nl). The House of Representatives has used the site only two times to consult the public about private members' bills (Broek et al. 2016: 42). One example is the bill introduced by former MP Ard van der Steur about mediation (Edwards and De Kool 2016).

6.6.1.1. How it works

The website internetconsultatie.nl shows in chronological order all online consultations that are running. Via the search function the user can look for specific topics, which results in a list of running and closed consultations on the topic. The heading of the different consultations contain the formal status of the proposal (eg. law, change of law, an implementation decree etc.) and its formal name. Underneath the heading the deadline of the online consultation procedure and the ministry in charge can be found. Clicking on a specific consultation leads to more information on this consultation. In about 1-1.5 page (A4) the aims of the legislative proposal, the target group(s), the expected effects, the aims of the consultation, the procedure of the online consultation, a link to the proposal and sometimes links to additional information on the subject (as policy documents, parliamentary documents or even media articles) are provided (see Figure 15a).

Figure 15a. The page with information about one specific consultation

Internetconsultatie

› Home internetconsultatie

Regeling vakbekwaamheid medewerkers beleggingsondernemingen Wft

Deze regeling bevat nadere regels over de vakbekwaamheid van medewerkers van een beleggingsonderneming Verder worden de regels uit MiFID II verwerkt wat betreft de samenwerking van de AFM met toezichthouders uit andere lidstaten en ESMA. Tenslotte voorziet deze regeling in enige vrijstellingen voor ondernemingen met zetel buiten de Europese Unie die in Nederland actief willen zijn.

Consultatie gegevens

Publicatiedatum	17-11-2017
Einddatum consultatie	01-12-2017
Status	Actief
Type consultatie	Ministeriële regeling
Organisatie	Ministerie van Financien
Onderwerpen	Financieel toezicht ›

Geef uw reactie op deze consultatie ›

Publicatie reacties
Reacties worden gepubliceerd tijdens de loop van de consultatie. Alleen die reacties worden gepubliceerd waarvan is aangeven, door de inzender, dat deze openbaar mogen zijn.

Doelgroepen die door de regeling worden geraakt
Beleggingsondernemingen, beleggingsondernemingen met zetel in een land buiten de Europese Unie.

Het bleek niet mogelijk om ook de noodzakelijke aanpassingen van het nationaal regime tijdig vorm te geven voor 3 januari 2018, de datum vanaf welke MiFID II moet worden toegepast. Er is daarom gekozen om het nationaal regime op een later moment aan te passen. Het streven is om de benodigde wijzigingen van de Vrijstellingsregeling Wft in het eerste kwartaal van 2018 openbaar te consulteren. Hierbij zal een overgangsregime worden opgenomen. Tot het nieuwe nationaal regime van toepassing is, zullen de bestaande vrijstellingen blijven gelden.

Verwachte effecten van de regeling voor de doelgroepen
Het voorstel leidt ten opzichte van het wetsvoorstel en het besluit ter implementatie van MiFID II niet tot additionele lasten voor het bedrijfsleven.

Waarop kunt u reageren
Er kan op alle elementen van de voorgestelde ministeriële regeling en de bijbehorende toelichting worden gereageerd.

Concept regeling
Regeling vakbekwaamheid medewerkers beleggingsondernemingen Wft
Versie 1 | 📄 169 kB ⌄

Acties

Reageren op consultatie	+›
Notificaties per e-mail	✉
Doorsturen	›
PDF-documenten openen	📄
Afdrukken	🖨

Delen regeling

Twitter	🐦
Facebook	f
Linkedin	in
Google+	g+
Tumblr	t

Figure 15b. The three steps of the online consultation

Step 1: question about the proposal

Step 3: request for your personal details

Step 2: possibility to upload your own document

In another click one can participate in the online consultation (see figure 15b). Sometimes specific questions are formulated around the legislative proposal, in other cases the general question 'what do you think about this proposal' is posed. One can participate by providing a response to the question(s). In the next screen, participants are invited to upload their own document with their reaction on the legislative proposal. One can skip one of these two. In the third step, participants are asked for their name and email address and if they want their reaction to be published.

6.6.1.2.   Legal framework

Crucial for the existence and use of the governmental online consultation website is that the website must now be structurally used in legislative processes. "*Since 2009, internet consultation forms a 'structural' part of the legislative process, which means: internet consultation is applied within all departments, unless it can be properly validated why not*" (own translation, Kamerstuk II, 2010-2011, 29 279, nr. 121).

Procedural conditions are formulated about the internet consultation process as well. The procedures focus on:
- the notification that actors that might be affected by new regulation need to receive about the consultation;
- the clearness of the e-consultation;
- the feedback that participants must receive about the results;
- the privacy of the participants; (the registration takes place in accordance with the Data Protection

Act)

- the minimum and maximum term for the e-consultation; and
- the accepted reasons to refuse the possibility to organize an internet consultation around concept regulation (Kamerstuk II, 2009-2010, 29 279, nr. 114).

As the administrator notes in the interview about these procedures "*This is only governmental policy of course; we do not have any law that says something about the mandatory use of internet consultations and how it should be organized. We are also not planning to further arrange this in a legal way*" (Interview 20, administrator, own translation).

These procedures can be further improved and complemented, as academic researchers Broek et al. (2016) convincingly conclude in their evaluation of the online consultation process. For instance, procedures for how to process the input do not exist. More procedural guidance might be helpful here, particularly because many different civil servants work with the website. And some civil servants feel the need for a clearer assessment framework for taking the decision to deploy internet consultation or not. It is insufficiently clear to them how to consider this in proper manner. Also with regard to the exact phase of the legislative process in which the online consultation can be best applied, different views exist among civil servants. (Broek et al. 2016, 71)

At the same time, some procedures appear to be ignored sometimes. Particularly the procedure about the feedback about what has been done with the input of the participants in internet consultation. This feedback is prescribed in the procedures but is not always provided in practice.

6.6.1.3. Initiators

Two administrators of the ministry of Security and Justice have been the main initiators and organizers. Later on most of the ministries were involved in the development and use of the tools (interview with administrators in 2015). Within the ministry of Security and Justice only limited budget was found to build the website and now only limited budget is available from the departments of legislation and legal affairs at the ministries (Interview 20, administrator). One of the two originators is still responsible for the management of the website. For the specific consultations administrators involved with the specific legislative proposal are in charge.

6.6.2. Participants

In principle, the target group is as broad as the Dutch population, private individuals as well as staff of businesses and civil society organisations. More specifically, the target groups of actors that are affected by the particular legislative proposal naturally varies among proposals. The e-consultation is especially directed at groups of individuals and organisations beyond the "usual suspects" that would normally be included in consultation processes of ministries (interview with administrators in 2015).

From 2009 onwards more than 17.000 public contributions of participants have been recorded. The actual number of contributions is much higher though, as the ministry of Economic Affairs already counts more than 22.000 contributions in total (public and non-public) for its own 250 consultations (Broek et al., 2016:41). On top of that, there are many more visitors than the number of responses shows, because visitors can decide whether they want their response to be published or not (Ministerie van Veiligheid en Justitie 2011).

The number of responses per bill differs considerably and depends in part on the subject, the anticipated effects of the bill, and the stakeholder groups that are affected by the legislative proposal. More than half of the consultations receives less than 5 – public – reactions of participants, in contrast, the highest number of responses is 5428 (Broek et al., 2016). "*For proposals that attract many reactions we regularly see that a particular organization has made prototype letters with a link to the internet consultation*" (Interview 20,

administrator, own translation). On average around 20 – public – reactions per consultation are measured by Broek et al. (2016). Most – public – reactions seem to be placed in relation to legislative proposals around education. (Broek et al., 2016:41-42)

6.6.2.1. Representativeness of the participants

It is not allowed to respond completely anonymously in the e-consultation. Participants are obliged to enter their name and email address (which can only be used once). The official Digital Identity system of the government is thus not used. The administrator explains in interview 20 that they (the organisers) sometimes wonder: "*Shouldn't we do more to check a person's identity, with regard to security? That is I think one of the issues that do ... At the same time, our main goal in an internet consultation is collecting ideas and it does not really matter if the ideas are offered by let's say Shelwin or grocer at the corner*" (own translation).

The name of the organisation or initials of the individuals, their last name and place of residence are published on the website unless participants object against the publication of their input (website internetconsultatie). This last option is contested lately, in public and parliamentary debate (Interview 20, administrator). The option is there to prevent that publication would be an obstacle for people or organisations with relevant specialist knowledge to participate if they don't want to share the information publicly with their competition. For instance, "*tax issues are always sensitive issues*" where confidentiality is often appreciated. And, "*in economic affairs, the know-how is often located outside the ministry. So, if you want to come up with legislation to bring to an end certain trends or developments in the industry people within that industry know more about that than people at the ministry*" (Interview 21, researcher, our translation). As the number of non-public reactions for the ministry Economic Affairs already indicated, with regard to this input confidentiality is clearly appreciated as well. However, the public and parliament do want to know what information from whom has been included in the formulation of the legislative proposals and request publication (As in recent parliamentary motion of Voortman and Recourt and the private members' bill of Bouwmeester and Oosenbrug).

On the basis of a survey among civil servants (N = 30) more than half thinks e-consultation reaches the right target groups (Broek et al. 2016). And more than two-third of the respondents think that through e-consultation groups get involved that otherwise would not have been included at all (Broek et al. 2016). Edwards and de Kool (2016) mention for example small businesses.

A survey among users of the site (N=171) showed that the group of participants is mainly formed of highly educated individuals and that white males dominated the group of participants (Broek et al. 2016). No study or evaluation has been found that researched whether minorities have been included in the e-consultation process. However, as highly educated individuals and white males formed the majority of the participants as Broek et al. (2016) surveyed, the participation of minorities is probably not as high as ministries would like it to be.

6.6.2.2. Engagement or communication strategy

The case studies of Broek et al. (2016) show that communication strategies show enormous variation in the different trajectories of legislative proposals. In some cases there was no publicity at all, in other cases specific organisations are contacted via letters, emails or phone and in one case social media as LinkedIn are intensively used to gain attention and to organize an interactive discussion. However, in general, the communication and engagement strategies to involve particular target groups can be strengthened, conclude Broek et al. (2016:74). This is a repetitive complaint, which can also be found in an earlier evaluation of the internet consultation website (ministerie van Veiligheid en Justitie 2011). "*Some departments work their hardest in relation to particular proposals to bring the internet consultation to everyone's attention, but that is far too little. There is still little investments in this*" (Interview 20, administrator, own translation). The administrator argues this is largely a task that must be tailored for every specific proposal.

However, "*people involved differed very much in how they felt about that* [the fact that the e-consultation website is not well-known]. *Some think that's all right; we do not want the whole world to respond. We especially [want that] a few people react who know the ins and outs. […] But if you make a law, as in the case of the drones, where you do not really know yet what's good in this field, what happens and about the possibilities, then it's useful to hear from many different people and organisations*"(Interview 21, researcher, own translation).

The researcher we interviewed pleas for more communication around the whole legislative process. The administrator told in the interview that they already work on a connection of the e-consultation site to the website that provides more information on legislative processes, which is "*a system of a legislation calendar where you cannot only see 'this is a bill and it's in this phase of the procedure'.* [Connecting these sites makes] *that you can also see when an e-consultation is organised, and which consultation responses are entered to that proposal. That would enable people to follow the different phases of the legislative process*" (Interview 20, administrator, our translation).

6.6.3. Participatory process

Participants can respond to proposed bills, general orders in council, ministerial decrees and policy notes by answering questions posed by the administrators involved or by raising questions or concerns themselves (with the possibility to upload their own document). Subsequently, participants can subscribe to receive information on the further process: "*Then you'll get a notification when a report is placed on the website or when the proposal is submitted to parliament or when it proceeds from the Lower House to the Senate*" (Interview 20, administrator, own translation). However, it is unknown how many participants make use of this service.

The input is interpreted by the administrators involved with the particular legislative proposal. How the input of participants is handled depends on context factors like the number of reactions, the quality of the input, the administrators involved and the time available to process the input (Broek et al. 2016). Sometimes an organisation is invited to the ministry on the basis of its input to further discuss the issue (Interview 20, administrator).

The process of interpreting the input is not always publicly clarified by the administration. And although the goals of different consultations vary, the researchers question whether this interpretation process is as professional, systematic and methodically sound as it can be. "*I spoke with someone who said 'I got 1100 responses, I went to my boss and asked 1100 comments, how do you think I can process per day?'. I think that's an example of a totally non-systematic approach. But others say, no you just get 1100 or some number of responses and you are going to read these one by one but you will first cluster these reactions, are these from organisations and individuals; in supporting and not supporting reactions; new arguments or existing arguments. Others said we put everything in an Excel file and then we deal with them systematically before we read them in detail. I think it's important that other ministries would do that as well*" (Interview 21, researcher). Hence, one of the recommendations in the evaluation of Broek et al. (2016:74) is a professionalization of the interpretation method by which the input of all participants is handled. More attention is needed for a systematic procedure to process the input, for the analysis and the interpretation; civil servants at the ministry need research skills.

6.6.3.1. Interactivity

The different cases of Broek et al. (2016) show much diversity in the amount and forms of online interactivity between citizens, organisations and civil servants. Social media have been used to engage individuals and organisations in the cases of proposed regulation around drones and of proposed regulation about energy. However, these interactive strategies are only used once in a while. The website itself is not interactive at all.

Some administrators that apply internet consultation feel a need for more interaction between participants and between participants and administrators, and participants feel this need even more. In contrast, most administrators involved would rather see interaction in earlier stages of the legislative process then in the phase of the online consultation. Broek et al. (2016: 75) note that a general strategy with regard to interactivity would probably be undesirable; this needs to be deliberately decided upon per consultation.

The researcher in the interview suggests that a categorization of reactions can stimulate interaction and the quality of the contributions. "*I actually think that the dialogue that would arise if people see their reaction to the site, that others see the reactions and some kind of interaction could occur, then I think that would lead to a much richer result*" (Interview 21, researcher). Earlier reactions may inspire other participants, the researcher argues, and this could lead to a kind co-creation. However, the administrator has her doubts in relation to such moderation. She questions whether such moderation could be done neutrally – without steering the discussion in a certain direction – and whether capacity within the ministries can be reserved to moderate such interactions (Interview 20, administrator).

6.6.4. Results

The results of the participatory process are somewhat ambiguous. On a positive note, participants as well as administrators do indicate that internet consultation contributes to the transparency of and participation within the legislative process. The transparency of the legislative process has increased, as argues 87% of the administrators and 65% of the participants surveyed by Broek et al. (2016). Moreover, in the studies of 2011 and 2016 two-third of the administrators evaluated the contribution to the quality improvement of legislation positively; they received useful input via the e-consultation.
At the same time, the administrators indicate that often little room exists to manoeuver: not much can be done with the input of participants since the proposals are already seen as almost finalized.

Although the policy is to structurally e-consult legislative proposals, the researcher as well as the administrator question this default. "*That leads to several ministries thinking 'well okay then, but then it shouldn't be too complicated* [for us]. *We just throw it on the site with a general question and then we'll see*" (Interview 21, researcher, own translation). Interviewee 20 (administrator) confirms that civil servants within different ministries can see it as a sort 'tick the box' within the legislative process, without seeing the utility. Moreover, public consultation is not always that appropriate, as for technically complicated juridical law proposals as the researcher suggest or implementation laws. "*That can sometimes be really hard ... Firstly, to consult about it because there is not always a lot of room to manoeuvre*". And secondly, with regard to the time schedule: "*The European Commission has of course penalties for non timely implementation which are considerably high, so the government has made special arrangements to deal with implementation proposals more quickly,*" and internet consultation could frustrate this tight schedule (Interview 20, administrator, own translation).

6.6.4.1. Information on the outcome

On the side of the participants, they feel that they do not have that much insight into what has been done with their input. Often a report about how the input of the e-consultation has been used in the legislative process is missing (Broek et al., 2016, 76). Regularly, the output of the e-consultation process is described in the explanatory memorandum alongside the legislative proposal for parliamentary debate. And participants are not always able to find this themselves.
In addition, the extent to which is explained how the participatory input is exactly used varies considerably. It is thus understandable that participants have great doubts about the impact of their contribution on the quality of laws and regulations (Broek et al., 2016, 64). In an earlier evaluation this was also a point of concern. Often quite some time elapses before the website reports on the most important results and the changes made to bills as a result. "*Participants indicate that participation should be rewarded, for example by ensuring that responses are published on the site without delay*" (Edwards and De

Kool 2016: 42). "*From the perspective of learning processes the system can be considered as too slow. People respond, but [information about] what's been done with that reaction reaches them way too late. […] I think you can learn so much from the dynamics of that process, around which a dialogue should be organized*" (Interview 21, researcher, own translation).

6.6.5. Application at the EU level

Online consultation are organized through Your Voice of Europe and ECC. The administrator makes the recommendation that e-consultations must also communicate about the parts that are non-negotiable, a lesson that can be relevant at the EU-level as well. Another recommendation she makes is to have the e-consultation earlier in the process, so it cannot delay the process too much and there might be more issues that can be integrated in the proposal in that stage (Interview 20, administrator).

The researcher we interviewed has several suggestions for e-consultations at EU level: "*At EU level, I think you need to explain even more things. Particularly the fact that […] if you discuss a European proposal there are always those elements that still remain within the national authorities. […] How far reaches your influence then?*" This could be done innovatively through short webinars, that the researcher also suggests for the Dutch e-consultation process: "*a short YouTube video like a Webinar, about 3-5 minutes in which is explained what it is about, and why that's important to you. And that some dilemmas and issues are discussed, which make you think 'damn I really should think about this'.*" Secondly, "*something must be invented to solve the language issue, so everyone has equal opportunities to be taken seriously*" (Interview 20, researcher, own translation). And, thirdly, the researcher suggests a sophisticated classification of different laws and rules, so that the legal status is clear for participants.

6.7. Futurium

6.7.1. Introduction

Futurium is an e-participation tool developed by Directorate General for Communications Networks, Content and Technology (DG CONNECT) of the European Commission. For some years it has been in an experimental phase, but now it is serving a number of units at the Commission. This means different DGs or agents of the European Commission can now use the tool made available by DG CONNECT. The tool was launched in 2011 to let citizens and professionals reflect on possible futures together (not on existing policies or regulations). The tool initially aimed to generate ideas that could inspire future strategic choices at the European level. Today, the tool is used more generally to gather input from stakeholders on several topics of EU relevance. A more general (and customizable) version of the tool is available under the ISA JoinUp repository for possible use also at the national or local government levels. Futurium was initially meant as a participatory foresight tool (it is based on foresight methodologies) and an attempt to respond to the growing demand for citizen participation in policy making: "*Its structured approach to content co-creation and synthesis allows streamlining otherwise expensive traditional foresight processes*" (EC 2016: 6).

In this case description we will refer to two projects that used or are using Futurium as a tool in their stakeholder engagement activities. One is Digital Futures and the other one is eGovernment4EU. Both projects will be briefly described here.

Digital Futures

Futurium was initially created to develop policy visions for a project called 'Digital Futures', designed to support the European Commission's reflections on ICT policies beyond 2020. The project was launched in autumn 2011 and completed in December 2013. The idea was for participants to focus on the long-term and to be inspired by the future in 2050 rather than the trends of today. DG Connect wanted to prime

policy makers' imaginations and prompt a wider debate (EC 2016) in order to inspire strategic choices in the context of the renewal of the EU policy framework in 2014 on ICT.

The project was launched in autumn 2011 with a kick-off meeting in Brussels. The project ended with an event in Vilnius in November 2013 where the results were presented. The project was a combination of different online and offline meetings on different topics and with different groups of participants and stakeholders (for example: Erasmus students, Digital Agenda for Europe (DAE) high level group, the European Economic and Social Committee (EESC), etc.). The onsite events sometimes had online engagement activities as well (at the same time or afterwards to build momentum around the topic). The most important aim was to "*gather informed opinions, improve and validate knowledge generated by the project, and ultimately build openness, transparency and legitimacy of the foresight processes*" (EC 2016).

One of the important online events were the webinars called #futurefriday and their goal was threefold (EC 2016):
- Stimulate conversation on a particular future or topic featured on Futurium;
- Enhance the vision and underpin it with possible policy ideas;
- Attract new users to the Futurium website to contribute to and co-create its content.

Examples of the subjects of these webinars were: women in the digital future, the future of democracy, parenting, energy policy, big data, (open) science, education and learning, personal data, networked workspaces.

eGovernment4EU

"*After the initial experiment with 'Digital Futures', Futurium was transformed into a platform where new policy-making experiences could be conducted through both scientific evidence and stakeholders' participation.*" (Lironi 2016: 39-40). Following the initial experience with Digital Futures, other policy areas have also been using Futurium as a tool for crowdsourcing ideas for future policies, for example on EU innovation, e-government, excellent science, etc. (see section How it works). One of them is eGovernment4EU.

This particular platform was launched at a high level conference on e-government under the Dutch presidency in June 2016. It complements the ambition of the eGovernment Action Plan 2016-2020 (website, consulted at January 16th 2017). The platform enables stakeholders publicly exchange their views in an open, transparent way by proposing concrete actions for implementation. The Action Plan has three aims:
- to modernise public administration;
- to achieve the digital internal market;
- to engage more with citizens and businesses to deliver high quality services.

The Action Plan will support the coordination and collaboration of eGovernment actions at European Union level: "*Through the joint efforts between Member States and the Commission, the availability and take-up of eGovernment services can be increased, resulting in faster, cheaper and more user-oriented digital public services.*"(website, consulted at January 17th 2017).

As described on the website, the aim of the platform is: "*To gather ideas for new actions and provides a space for all to collaborate and discuss how to improve eGovernment services in the EU.*" It is also possible to engage in discussions about eGovernment and to share relevant information and cases on the platform. The aim as described by interviewee 23 (community manager) is: "*To collect feedback, needs and ideas from stakeholders to propose new actions for the Action Plan which is a dynamic document: actions can be updated, removed or added*".

6.7.1.1. How it works

Originally, the tool is meant to implement a so-called 'Policy Making 3.0' model (EC 2016) based on the metaphor of emerging collective intelligence. "*Participants are meant to use Futurium to crowdsource ideas*

for co-creation with policymakers and not to take part in agenda-setting or decision-making." (EU 2016: 39). The original, foresight-oriented model is based on four main ingredients:

- Futures: visions of what the world might look like, and the associated challenges and opportunities. A participant can vote for the desirability (similar to the popular "I Like") and likelihood of a future.
- Policy ideas: ideas for possible future policies co-created to realize a chosen future (or vision). A policy idea may have an impact and may be more or less plausible (e.g. depending on costs or legal constraints).
- Evidence: data used to provide scientific ground to visions and policy ideas (e.g. a bibliographic link, statistical data, etc.).
- Events: bringing people offline together to discuss particular futures or policy ideas.

Furthermore, the original model (and the first implementation of it) enabled the users to create relations between content types, for instance, a vision "is-implemented-by" one or more policies, or a piece of evidence (e.g. a study) supports a particular policy idea.

On the Futurium online platform there are six areas ('engagement activities') where participants can add their ideas to (at the date of research: December 12th 2016). Every engagement activity has a different model and different platform (including a different landing page) with topics:

- Easier access to EU Structural and Investment Funds (Simplify ESIF)
- Excellent Science in a Digital Age (Digital4Science)
- Improve eGovernment services in the EU (eGovernment4EU)
- eID and Trust Services for the Digital Single Market (eIDAS Observatory)
- Next Generation Internet
- Implementing the digitizing European industrial actions

These projects are also done on request of other DGs from the European Commission, like DG REGIO and departments like the European Political Strategy Center (EPSC).

Box 2. Digital4Science

Especially Digital4Science has been quite successful. This e-consultation launched in September 2015 is meant to collect ideas and experiences about the European research in the field of Excellent Science: on FET, FET Flagships, Open Science and e-Infrastructures. It has been attracting quite a lot of participants (2400+), mostly professionals working in science. In the discussion section long threads of comments can be found, especially the posts on mathematics (with the aim "*to nourish the future Horizon2020 Work Programme (2018-20) with innovative mathematical content*") (website, accessed at 17 January 2017). The comments here – 179 in total – are "*very substantive*" and "*very rich*" (Interview 22, developer). All the comments are also highly rated by other participants with four or (maximum) five stars. The community manager (Interview 23) gives some explanation for the success of Digital4Science: 1) the platform is in line with the usual programme preparation practice to consult the research community, 2) the research community is more used to express their ideas like in other consultation contexts such as workshops and conferences 3) the target group of academics/researchers is easier to reach than ordinary citizens and 4) the target group is used to read and write in English.

However, it differs per subject what tools are available. "*Each of the community managers chooses the features to put in and the purpose and the objective of the use of this platform*" (Interview 23, community manager). There is a variety of options the different community managers can choose from to add to their platform:

- Start 'discussions' or participate in an ongoing digital debate on key 'issues' where policy makers should be aware off;
- Post 'ideas' or 'needs' to inform policy makers on best practices, sharing experiences or wishes;

- Upload a document to the 'library' that a participant thinks a policy maker (or any reader) should read and take into account (these can be linked to the other categories also, like issues or ideas, by the participant);
- Upload evidence supporting the idea which has been put forward (reports, data, etc.);
- Consult and participate in existing 'polls' on the topic or create your own poll;
- Add events to the 'agenda' on the topic.

Sometimes a series of online webinars or a survey has also been launched in order to further stimulate the discussion on future visions and policy ideas on the subject. Many of the 'engagement activities' also have offline meetings, like workshops, feeding the online discussions and vice versa.

6.7.1.2. Technology

The version of the tool as it started (and as it was used for Digital Futures) is different from the technology of the current tool. The older website (www.futurium.eu) as used initially for Digital Futures does not exist anymore. The current website is less sophisticated than the original one as interviewee 22 (developer) notes: "*The new platforms are based on a much simpler engagement model than the very structured foresight approach of Digital Futures. When shaping their platform and defining their engagement strategy, the community managers opted for a simpler approach to make it easier to grasp by the Futurium members and also because it reflected their actual policy needs. Therefore the specificities of the policy making 3.0 model were not fully used. For example it is not possible to define relations between different types of contents anymore. The platforms that you can see today are more like interactive platforms than participatory foresight tools. And they are more in line with the technical and communication guidelines set at corporate level [of the European Commission]. We are still working to expand and generalize the tool further so as the community managers can choose between a variety of content types, relations and engagement models.*"
With corporate guidelines the developer refers to architectural and governance choices (e.g. centralized quality verification and installation of Drupal modules) that are applicable to all web sites in the European Commission and also editorial and communication constraints stemming from the corporate communication policy of the European Commission.

Futurium as it was developed in the beginning was a tool which uses social networks, participatory engagement and an online foresight toolkit to facilitate the joint creation of ideas to help design future policies. The tool is supposed to combine "*the informal character of social networks, the simplicity of wikis and the methodological approach of foresights*" (EC 2016: 5). But as the developer said, the current tool resembles a social network more than anything else. Other features of Futurium as mentioned in the final report of Digital Futures, such as "*knowledge harvesting tools for policy-makers and stakeholders, data-crawling tools to extract knowledge from social networks and data-gathering tools to fetch real world data*" (EC 2016: 39) are not incorporated in the platform right now. These tools have been made available for the diferent DGs of the European Commission as a separate data analytics module called Doris (Interview 22, developer). But as the interviewed developer states: "*Realising the Policy Making 3.0 vision of combining the opinions of the crowd with evidence coming from big data may require long term investments, which goes beyond the scope of Futurium.*"

The interviewed community manager is not very happy with the user-friendliness of the Futurium for another reason: "*I think it is not very attractive and also not very user-friendly in the sense that, some things are available but they're not explained very well. […] And I think that this is an issue not only for the Futurium platform but more at the general level for the European Commission website. And anyway it's based on the European Commission look and feel. We cannot escape from that completely*" (Interview 23).

After the consultation Digital Futures was finished, DG CONNECT organized three public workshops in 2015-2016 to collect best practices, ideas and feedback on how to engage with stakeholders online and how to shape the eGovernment Action Plan 2016-2020, especially through Futurium. While mainly the second workshop focused on presenting Futurium as a platform, the third workshop in December 2015

gave the opportunity to stakeholders to test it on the spot and identify area where usability or functionality can be improved in collaboration with DG CONNECT developers. "*Although the idea behind Futurium was well-accepted, most of the participants thought the platform still presented a number of functional problems and inconsistencies.*"(Lironi 2016: 39-40). Some of which have been solved in the meantime (see Participatory process).

Futurium is an open source project based on Open Source Drupal developed in house (of the European Commission). "*Futurium is a simple layer on top of Drupal*" (Interview 22, developer). The software is free to download by any public administration, policy maker or private organization. It is still work in progress. Everyone can in principle contribute to its further improvement and development, in line with the Drupal open source approach, or use it to support specific foresight and policy making needs.

The tool is secured and there are measures to protect from for misuse of data and hacking. "*We have the benefit of being well protected by the measures put in place to protect the corporate IT infrastructure [of the European Commission]*" (Interview 22, developer). The default option is however that the content is readable by all, although the tool enables limiting the distribution of content to specific groups (for instance to co-create content within a group before it is made visible to all). The privacy and data protection of the Futurium website is no reason for concern, according to interviewee 22. "*We take a minimalistic approach in asking for personal data. At the platform a participant is asked to give a (nick)name and a picture can be added; both are visible (but not the email address).*"

6.7.1.3.   Legal framework

According to the interviewed developer (Interview 22), the legal framework of the Futurium tool for citizen consultation can be article 11 of the Lisbon Treaty (accessed at 10 January 2017). This article (clause 4) refers to the European Citizen Initiative (ECI, see section 6.4) but the first three clauses mention the obligation for the European Union to consult society in general:

- 11.1 The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action;
- 11.2 The institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society;
- 11.3 The European Commission shall carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent.

The interviewed developer (Interview 22) highlights that the implementation of Article 11 entails different technical, cultural and operational challenges. "*To consult stakeholders in one or the other form and using a variety of tools has been always the policy of the European Commission. Article 11 is an instrument for this. The tools to implement it can still be improved but this is not trivial.*"

6.7.1.4.   The decision making phase

Futurium's main aim is to crowdsource ideas from participants (i.e. citizens, businesses, public administrations, NGOs and professionals) for co-creating future policies together with policymakers. The reasoning behind such a tool is that the need to provide an open and informal channel to gather inputs from stakeholders in a structured, yet simple manner. When used as a participatory foresight tool, Futurium can be used to crowd-source ideas about future policy possibilities based on, for example, long-term advances in science and technologies. The tool can also be used to discuss ongoing trends or to simply gather input on possible future policies or programmes (such as for instance Digital4Science or eGovernment4EU).

This means that Futurium is a tool for actual decision-making (i.e. participants are not actually participating in the decision making process, they are only implicitly included in the process). It is more of an agenda setting tool where input from stakeholders for new or existing policy is collected. In the case of the platform eGovernment4E, it collects ideas for new actions in the (dynamic) EC communication

'eGovernment Action Plan 2016-2020'. Stakeholders also have the possibility to highlight certain areas where they think further action by public administrations is needed. These ideas are then presented to the eGovernment Steering Board (composed of Member States Representatives and EC services) for them to commit to action.

6.7.1.5. Initiators

Futurium was initially developed with the purpose of hosting the project Digital Futures. This project's sponsor was Robert Madelin, former Director General of DG CONNECT who worked for the Commissioner (at that time Neelie Kroes). Madelin had the initial idea to exploit advanced technologies and experiment with future-proof policy making practices. The current Futurium is still under the care of DG CONNECT.

6.7.1.6. Financial sources

The development of the initial tool itself costed around €100,000 (Interview 22, developer), because the technology used is open source Drupal which saves costs. The maintenance, hosting and curation is not included in this amount, as are all the other costs DG CONNECT had to make for Digital Futures, like consultancy costs for the foresight part, adapting the content of the website and the engagement strategy.

6.7.2. Participants

Futurium has been host and still is host to (currently six) different projects, as mentioned before. At the moment more than 6,000 people have registered at Futurium which means they have been or are contributing to one or more of the six different projects currently running. The current projects – contrary to Digital Futures according to the interviewed developer - attract more the usual stakeholders like the experts on the subject who are otherwise also consulted by the European Commission. "*In terms of numbers it is comparable [to Digital Futures] but in terms of diversity, the participants [of most of the new projects on the Futurium platform] are more traditional [like scientific experts]*" (Interview 22, developer).

Box 3. Amount of participants per engagement activity/project on Futurium

60+   Next Generation Internet
70+   Digitising European Industry
230+ Simplify ESIF
2400+ Digital4Science
320+ eGovernment4EU
230+ eIDAS Observatory
170+ Innovation4EU
2300+ Digital4EU
2000+ Digital Futures

Source: personal communication with DG Connect, d.d. 27th January 2017. Please note that the users who subscribed to one platform may equally be members of others. In the above table, the users in both platforms are counted (which explains the higher total than the 6000+).

The first project was Digital Futures, designed to support the European Commission's reflections on ICT policies beyond 2020 (i.e. in the context of the renewal of the EU policy framework in 2014). There has been an evaluation of this project (not of the other projects which are mostly still running except for Innovation4EU of which exists no evaluation publicly available. Therefore in our case description, we will focus mainly on the project Digital Futures, and partly also on the project eGoverment4EU.

Digital Futures
Digital Futures was one of the first experiments by the European Commission in adopting a bottom-up, participatory process in a foresight project. Foresight projects within the European Commission (and in

most governmental bodies) seldom involve citizens from the beginning. Normally, they rely on inputs by experts and policy makers. In some cases, surveys are used to get people's feedback on an existing document like a green paper (EC 2016). The question is to what extent Digital Futures succeeded in involving in European citizens (in the sense of lay people), or were the participants mostly professionals who had an interest in participating in the process? There are no data available on this. From the final report (EC 2016: 116) it seems the participants included mostly scientists, innovators, students and policy makers. The interviewed developer (Interview 22) confirmed this: "*I would say the majority were scientists and professionals.*" At the same time he was quite content with the diversity of the participants: "*It included everyone, also the non-usual stakeholders. […] The percentage of the non-usual participants was far higher than compared to the usual consultations we do. […] Digital Futures was able to capture everyone, students, the people in schools, teachers, also thanks to the accompanying in-person events. We were able to get on board people who had never heard of DG Connect.*"

All the online and offline meetings of Digital Futures together involved more than 3,500 participants in more than 100 participatory brainstorming events throughout the project, including more than 30 webinars. The community built around the project consisted of more than 2,000 members who actually subscribed to the tool and who were called 'futurizens' in the project (EC 2016).

eGoverment4EU
There has not been a lot of traffic to this particular platform so far since it started quite recent. It is going to be used throughout the eGovernment Action Plan life cycle (until 2020). The target group are citizens, organisations, associations, IT companies working with and/or for public administrations who are using digital public services (and public administrations themselves). So far more than 230 people have subscribed to the platform and about 50 people have contributed (Interview 23, community manager). The online activities are being complemented by in-person meetings though.

6.7.2.1. Representativeness of the participants

The selection of participants within Digital Futures was based on invitation when it comes to the onsite events (EC 2016: 25). Online participants could sign up themselves for the webinars or give their input on the website (self selection).

The participants of the current platforms like eGovernment4EU are self-selected and invited to participate. One third of them are professionals from public administrations; another third from associations, businesses or organizations working in the field. The other third are citizens (Interview 23, community manager).

6.7.2.2. Engagement or communication strategy

Digital Futures
The engagement strategy of Digital Futures was one of the success factors according to the final report. It resulted in 3,500 participants of which 1,800 were actual members of the project. One of the interesting features of the platform was to that every participants could invite friends and colleagues to be engaged in Digital Futures and every participant could host a Digital Future conversation on the platform, for instance in the context of a conference, local or national events, etc. That way the initiators wanted to create a viral process. It is not clear to what extent that was successful.

The interviewed developer (Interview 22) was less enthusiastic about the communication strategy. "*How were the possibilities to participate communicated? I would say not in a strong manner because we were not experts in engagement. That was linked to the exploratory nature of the foresight project. It was via social media and in-person meetings and events that people came to know about it […] I need to say that getting viral is a very hard goal, especially on policy topics and foresight. We learnt all of this with Digital Futures.*"

eGovernment4EU

During the six months this platform is now running, the possibilities to participate have been communicated through on-site workshops about the eGovernment Action Plan, news items at the website of Digital Single Market (DSM), different newsletters, social media (mainly Twitter), presentations by colleagues and distribution of flyers and post cards at different events on e-government. They also try to get certain NGO's interested, like the European Business Association and the Youth Association, and try to have other institutions link to the platform, for example the Committee of the Regions or the Observatory for Public Sector Innovation. A new challenge the community manager is taking up is trying to have national administrations, or even regional, link from their website to the platform of eGovernment4EU (Interview 23, community manager). However, so far the engagement has not been very high. One explanation might be that all the information on the platform is in English. The interviewed community manager also mentions that a lot of eGovernment initiatives take place at national, regional and/or local levels so participants wonder why to put their ideas or best practices forward at European level.

6.7.3. Participatory process

Both engagement activities – Digital Futures and eGovernment4EU – have had and still have both online and offline activities organised. Both are important to the consultation process according to both interviewees (Interview 22, developer and Interview 23, community manager). The latter sums up the relevancy of the online part of the consultation: "*I think that one of the things an online platform offers is first of all the transparency of the process. That when you do it offline, people don't know exactly what has been done, they don't know who has participated and worked on the proposals. […] And also it's a nice way to link to different useful platforms or websites which are relevant.*" Below the online participatory processes are explained.

Digital Futures

There are five different ways in which participants could contribute to Digital Futures: co-creating visons and policy ideas, organizing events, attaching evidence and linking it to visions and policies, grouping people and content into communities and commenting on content posted by others (like rating content with special emoticons for desirability, likelihood, impact and feasibility (Interview 22, developer). When it comes to the deliberative possibilities on the platform, the interviewee (Interview 22, developer) rate the possibility to exchange arguments between participants the highest score (10). The possibilities for exchange between participants and decision makers are less, but at times decision makers were online participating (like a head of unit or a policy advisor) (Interview 22, developer). The content on the website was moderately comprehensible: more aimed at experts. The input of participants was aggregated in different ways, for example by voting (by other participants) and organizing the content according to key words.

After Digital Futures was finished DG CONNECT organized some workshops with designers on how to improve the Futurium tool for further use. From the report of this workshop, we can make out some of the flaws in the tool at that time. Some of the most important comments were that: there should be more social media options (for example to share comments, discussions, issues, etc.), discussions could be structured better (for example by making distinctions between different comments), early feedback on the relevance of problems should be provided (avoiding entire discussions around problems that are outside the scope of the platform), the most active users should be identified, gamification could be used to encourage people to be more active and the voting could be more differentiated (for example using it for prioritization). Some of the comments lead to changes in the design of the tool, for example issues that receive the highest number of comments are now rated by using tags and top terms (allowing users to see the most relevant ones at the home page).

The information on the decision making process was very clear, according to the interviewed developer. "*Because we said to the participants, you give us your vision, then you give us the policy ideas and any evidence,*

and then we will summarise and offer it as an input it in the context of the renewal of the commission" (Interview 22, developer). In the end however, Digital Futures focused on the visions and less on the policy ideas because DG CONNECT wanted to retain their independent role and not anticipate on the ideas and plans of the new commission. However, during the workshop on how to improve Futurium beyond Digital Futures, the designers saw room for improvement. Two things were said:

- An overview of the process is missing – allowing users to know what will happen next. "*People would like to have a status overview on their problem, and also on the actions that are being co-created on the platform.*" (EC 2015: 16)
- There is a need for users to know that their input is part of a larger process. "*It is important that they should know that they are contributing for a reason. In addition, they should be able to track what has happened to their proposal once it has been submitted.*" (EC 2015: 15)

eGovernment4EU

There are six different ways in which participants can contribute to the engagement process on the eGovernment4EU platform: express their needs regarding eGovernment services or propose a solution, start discussions about these needs or solutions which could help modernize public administrations using ICT, add documents to the library, start a poll, list an event or write a blog. Once an idea has been submitted, other participants can also contribute to its definition or justification with their own input. Especially the last two are not used much by participants, only by the community manager and other people from the European Commission. The features 'needs' and 'library' are used the most (Interview 23, community manager).

Participants can upload documents which they find relevant for their proposal or solution or the discussion. Futurium wants to stimulate an evidence-based discussion that way. Ideas proposed could be substantiated by adding evidence, statistics or data from any source. The platform also provides a number of datasets and tools for visualisation. However, the interviewed community manager was not satisfied yet with the way this aspect of the model of Futurium was communicated to the participants. On the platform, it says 'Link content that serves to prove this', but it might not be clear to all users why this option is there and how it works (Interview 23): "*The bigger purpose and functions are not very well explained, I think.*"

The platform also offers help in the preparation of a proposal by putting up selection criteria. A participant can self-assess his or her proposal. Every six months, the earlier mentioned steering board, consisting of representatives of the Commission and the Member States, will evaluate the proposed actions and decide which ones they will commit to. The first time such a discussion will take place will be in February 2016. Feedback on the proposals and what has been done with them will be communicated through the platform, according to the website. According to the interviewed community manager, "*the Commission will, on a regular basis and following its internal procedures, decide to add the new actions to the Action Plan.*"

An exchange of arguments between participants at the platform is possible, especially under the option Discussion. One can see some threads in the discussions where participants have responded to each other ([website](), consulted January 17th 2017). In comparison to Digital Futures, however, there are less options to exchange arguments between participants and decision-makers (interview 22, developer).

The different platforms including eGovernment4EU are only mildly moderated. The community managers can delete contributions if they are offensive which does not happen often.

6.7.3.1.   Information on the process

Digital Futures

From the evaluation report it is not very clear if and how the participants were informed about the entire process, i.e. about who is responsible for what action and decision making processes. The interviewed developer gives it a low score. But when it comes to information about the final results: "*Every participant got an email with the final report.*"(Interview 22, developer).

eGovernment4EU

On the landing page of this particular platform, there is a flowchart of the entire decision making process (see figure 16). This platform is the only platform on the Futurium site showing such a flowchart.

Figure 16. From the landing page of eGovernment4EU

Source: (https://ec.europa.eu/futurium/en/egovernment4eu)

The platform also mentions that "*once a project is up and running, information about its progress and results will be made available on the platform.*" And the participants (i.e. proposers) will be notified about the decisions on the platform and how the actions will be implemented.

There is also the action dashboard with the list and status of the current actions. "*We explain in detail the twenty current actions and inform about the owners, their status of implementation, the due date, etc. It creates transparency on the state of play of each of the actions*" (Interview 23, community manager).

6.7.4. Results

Digital Futures

The engagement campaign, 'A journey into the 2050's visions and policy challenges', lasted about one year, and produced within the Futurium more than 200 "futures", 35 interviews with high-standing experts and futurologists, and more than 1,800 evidence library entries. The stakeholder engagement strategy included also social media presence on the major networks (Facebook, Twitter and LinkedIn).

Interviewee 22 (developer) was very enthusiastic about the impact of Digital Futures: "*Many people were inspired by the participatory approach to open up foresight to potentially everyone. Since then we have observed all around [at the European Commission] a renewed interest into foresight. This is of course not measurable. Also some of the challenges or opportunities identified by Digital Futures are nowadays becoming hot topics. For instance the prospect of a super centenarian society or that robots will take over jobs from humans.*" In the evaluation report some main impacts are mentioned (EC 2016: 10-11). In the first place, the eleven final themes provided varied landscapes of futures and potential change impacts to aid issues exploration and policy design. DG CONNECT services used this knowledge as one of the inputs to prepare briefs for the 2015-19's EU college of commissioners. The interviewed developer refers to this as well: "*A summary of Digital Future's results were included in our briefing to the new commissioners, both the vice president and the commissioner responsible for digital technologies. […]. But also going to the Parliament for the hearings.*"

Digital Futures also contributed to major foresight exercises carried out at EU level, such as the inter-institutional project European Strategy and Policy Analysis System (ESPAS) and the Horizon 2020's strategic programming exercise 2016-18. In the third place, the project has "*helped building skills and capacities which has been re-used to support other initiatives within DG CONNECT and the Commission.*" And in the last place: "*The Futurium platform has been adopted as a corporate platform as part of the EC-wide offering as well as by other institutions such as the Economic and Social Committee. Furthermore, the platform has generated the interest of several academic and industrial actors working on foresight and stakeholder engagement methodology*" (EC, 2015).

eGovernment4EU

Not much can be said so far on the impact of eGovernment4EU since the first meeting on the received ideas with the Steering Board still has to take place. They are responsible for assessing – and ultimately select - the proposals for newly identified actions in the eGovernment Action Plan (and coordinating the effective implementation and monitoring of it). As said, the intention is that proposals for action will be discussed by the Steering Board every six months. After a discussion between the Commission and the Steering Board on which new actions to associate with the Action Plan, the Commission will formally update the eGovernment Action Plan once a year.

6.7.4.1. The future of Futurium

The interviewed developer still thinks the usability and functionality tool can be "*dramatically improved, but this may require governance decisions and time. Currently the tool implements only about 40% of the policy making 3.0 model*" (Interview 22). But he also admits that the original idea behind the tool – a policy making model combining evidence and participation – might be too ambitious and future-oriented. "*It requires a cultural transformation, especially by policy makers and also users. How can I explain to my grandmother what is a 'vision' or a 'policy idea' or ' impact'? This kind of policy making jargon requires a proper re-formulation in simpler terms to make it digestible by everyone. That's a long way to go and requires much more than a tool*" (Interview 22).

According to the developer, one of the strength of the tool is the possibility to structure conversation without making it complicated or tight to rigid structures and rules (e.g. surveys). Still this may not be enough attractive to non-expert users. The tool has a possibility to summarise content using the most

advanced data related algorithm; this system is the earlier mention Doris system. Other strengths mentioned by the interviewed developer (interview 22) are:

- Possibility to download for free and use the tool by any public administration in Europe via the ISA JoinUp repository, together with a user manual and installation guidelines;
- Possibility to integrate evidence stemming from real world (big) data into the policy making process;
- Customisable participatory process that can be used to engage everyone in the policy making process at any level.

6.8. Your voice in Europe

6.8.1. Introduction

Your Voice in Europe (YViE) is the European Commission's "single access point" to a variety of consultations and feedback opportunities for citizens and various stakeholders which is now being integrated into the Better Regulation Portal "Contribute to law-making". The Commission aims to take into account views of citizens and stakeholders throughout the policy cycle, ranging from the conception of a new idea to the adoption and evaluation of a proposal. The YViE portal is also part of the Commission's minimum standards for consultation, meant to introduce better regulation and improve European governance (European Commission 2016a). Next to the open public consultations on Your Voice in Europe, the Better Regulation Agenda also provides citizens with the following opportunities to be part of the EU law-making process: they may provide feedback on roadmaps, inception impact assessments, legislative proposals and related impact assessments, express their views on how to make EU laws and initiatives more effective and efficient through the online contact form "Lighten the load – Have your say" of the REFIT Platform and share views on draft acts (European Commission 2016a; 2016d).

Badouard (2010) describes Your Voice in Europe as "*a way of regulating lobbying at the European level, by putting standards for consultation into practice, and by making public the identity and the contributions of the participants.*" (Badouard 2010: 101). In his view an additional objective of the Commission is to integrate expertise from new sources from all over Europe, moving beyond Brussels. It is hoped that efficiency and profitability can be increased in this manner.

Your Voice in Europe started in 2001 and is ongoing. In the meantime there have been over 880 consultations until January 2017 (see Table 4).

6.8.1.1. How it works

Participants are invited to share suggestions in a questionnaire or to formulate their contributions in an open format. "*There is a questionnaire usually […]. How the questionnaire is designed depends on the context and what is needed. So usually there is a mix of closed and open questions. Probably more closed questions […] but hopefully a good mix*." (Interview Commission official 24). Exchanges via email are not standard and are rather rare, for example in cases with high technical difficulty where a low number of expert replies is expected (Interview 24, Commission official).

The following statement can be found on some consultation pages: "*Received contributions will be published on the internet in aggregated form through a consultation summary. Depending on your answer to the specific privacy question, your text-based contributions (replies to open questions) may be quoted in the report under your name, anonymously or only used published in aggregated form.*" (European Commission 2016e).

Table 4. Closed consultations (formerly) listed on Your Voice in Europe for the years 2001-2016

Year	2001	2002	2003	2004	2005	2006	2007	2008
Closed Consultations	1	11	4	16	24	3	2	27
Year	2009	2010	2011	2012	2013	2014	2015	2016
Closed Consultations	68	97	130	113	99	91	83	119

Note: Closed consultations for the years 2014-2016 are to be found at this website (consulted at January 11th 2017). Closed consultations for the years 2001-2013 no longer appear on the Your Voice in Europe website. Archived snapshots of the website can be found at this website (consulted at January 11th 2017).

The Directorates-Generals (DGs) initiate the consultations and choose the topic and the desired publics. The kind of topics for which an open public consultation must be carried out is described in the Better Regulation guidelines. DGs that want to exempt from this must request for this exemption to the Secretariat General. It is the responsibility of the DGs to communicate the duration of the consultations, the minimum period being 12 weeks, and to provide feedback to the participants who were consulted (Badouard, 2010: 104). The DGs are contacted by the IPM (Interactive Policy Making initiative) about the use of the participants' contribution at the conclusion of an online consultation. In the past the usage of consultation results very much depended on the internal 'unit culture' determining the assessment of the contributions and the extent to which the consultation results were considered in a particular EU policy (Winkler 2007: 176). Since the adoption of the Better Regulation Agenda there is now clear guidance on how stakeholder input is to be processed.

Responses which go against the general values of the European Union will not be published and the respondent informed. There is, however, no censorship based on current policy lines. Responses which do not uphold EU-values are rare, possibly due to the fact that opinions are not given anonymously (Interview 24, Commission official).

6.8.1.2.   New developments

There are currently new developments planned for the Your Voice in Europe tool, with the aim of unifying the separate consultation pages: "*Currently we have this one-stop-shop Your Voice in Europe linking to the different pages prepared and managed by the Directorates. Every Directorate has a different template for that or a different style of writing, some are more technical, some are less technical, some [offer] more background documents, use different layouts. […] It doesn't look very corporate in a way; it might also make it a bit more difficult for stakeholders to find their way around the page. What the new "Better regulation" portal is supposed to do, is to have a unified way of doing that. Not only would the central point be managed centrally, but also the sub-pages, the consultation pages would be on the same server […] The idea is for a simpler visual guidance or explanation of where a particular initiative currently is in our policy-making process.*" (Interview 24, Commission official). Furthermore, there are also plans to inform users about which targeted consultations are taking place. Commission official 24 described the new developments as "[…] *a complete revamp of the way we interact with stakeholders. There will be and partly already is a complete new web-design and communication on consultations*". Next to the consultations there have been feedback opportunities on roadmaps and Commission adopted proposals since last year. "*These different feedback mechanisms and the consultations as we know them from Your Voice in Europe, they will all be integrated to one big portal that gives access to all the different types of consulting.*" (Interview 24, Commission official). The first phase has been launched in June of last year, with the integration of Your Voice in Europe being planned for 2017.

In addition to these changes, a new data analysis tool named "Doris", developed by DG CONNECT, EC, is meant to assist in processing the textual input arriving in different languages. Doris has the ability to cluster words which are frequently used and group responses. While the program is not flawless, it assists the interpretation and analysis of the large amounts of incoming data (Interview 24, Commission official).

6.8.1.3.   Legal framework

Legal frameworks relevant to Your Voice in Europe include the Communication from the Commission of 20 July 2005: "Action Plan to Improve Communicating Europe by the Commission" (CEC 2005). It states the following:

"*Communication is one of the main objectives of the Commission […] It is based on three main principles, namely:*

- *listening: the citizen must not only be informed but must also be listened to;*
- *communicating: citizens need to be informed in order to be able to participate in the democratic debate;*
- *connecting with citizens by "going local": good communication must meet the local needs of citizens.*" (EUR-Lex 2007a).

Your Voice in Europe is mentioned specifically in the following context: "*Finally, the Commission will widely publicise its consultation procedures, through the portal "Your voice in Europe", to give citizens easier access to the consultation process.*" (EUR-Lex 2007a).

A related act is the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions with "The Commission's contribution to the period of reflection and beyond: Plan-D for Democracy, Dialogue and Debate". "*Plan D proposes 13 specific EU initiatives and actions in order to strengthen and stimulate dialogue, public debate and citizen's participation. The European Commission is to play a significant role in these initiatives, in partnership with the other European institutions and bodies*." (EUR-Lex 2007b). Action plans related to the development of e-government in Europe also hold relevance for Your Voice in Europe.

The general principles and minimum standards for stakeholder consultation of the European Commission are made up of the following guidelines:

1. "*Participation: Adopt an inclusive approach by consulting as widely as possible;*
2. *Openness and Accountability: Make the consultation process and how it has affected policy making transparent to those involved and to the general public;*
3. *Effectiveness: Consult at a time where stakeholder views can still make a difference, respect proportionality and specific restraints;*
4. *Coherence: Ensure consistency of consultation processes across all services and include evaluation, review and quality control mechanisms.*" (European Commission 2016b)

Five Minimum Standards complement these principles, among which is one about the acknowledgement of feedback, stating: "*Receipt of contributions should be acknowledged and contributions published. Publication of contributions on the "single access point"*[YviE] *replaces a separate acknowledgment if published within 15 working days. Results of (open public) consultations should be published and displayed on websites linked to the "single access point" on the internet and adequate feedback given on how the results of the consultation have been taken into account.*" (European Commission 2016b). The guidelines also provide information on how to establish a consultation strategy, conduct the consultation work, inform policy making and provide feedback among other things. "*Adequate feedback should be provided to stakeholders. It is critical for those participating in stakeholder consultations to know how, and to what extent, their input has been taken into account and to understand why certain suggestions could not be taken up in the policy formulation.*" (European Commission 2016b). While the guideline states that input gathered through consultations should be analysed and contribute to policy preparation, "*neither the general principles nor the minimum standards are legally binding*" (COM 2002: 9) and "*the DG at the origin of the consultation reserves itself the right to consider whether a contribution is relevant or not.*" (Badouard 2010: 104, see also Badouard 2013: 156), which leads Badouard (2013: 153) to state: "*The link between the consultations and the legislative process is, if not binding, at least defined legally: the consultations have thus "potentially" a strong impact on the decision.*" Badouard concludes that the impact of Your Voice in Europe on the decision-making process is based on its institutionalization and the recognition as an e-government tool by the Commission.

6.8.1.4. The decision making phase

Concerning the decision-making phase, input is given at different stages throughout the policy lifecycle. On the website it states: "*From the first idea, to when the Commission prepares a proposal, through the adoption of a proposal and its evaluation.*" (European Commission 2016c).

6.8.1.5. Initiators

Your Voice in Europe is a web portal initiated by the European Commission's Directorate General for Informatics (DIGIT). It was set up in context of the Interactive Policy Making (IPM) initiative. IPM is a n information system, facilitating and managing online questionnaires. DIGIT developed the system in 2001 and it has since been used in different contexts. Your Voice in Europe is the most widely known IPM system, hosting the Commission's consultations and standardizing and centralizing consultation procedures (Badouard 2010).

6.8.2. Participants

By definition the Your Voice in Europe tool only hosts open public consultations, with targeted consultations not being published on the page. Targeted consultations, workshops and conferences for very specific groups are being communicated outside of Your Voice in Europe. In practice it is not always sensible to strictly divide between public and targeted consultations: "*Sometimes it makes sense to separate the questionnaire into two parts. One part for the general public and then the second part being more technical, more detailed, usually only for expert stakeholders. So there is a mix between a public consultation and a targeted consultation. In principle this tool is only for public consultations.*" (Interview 24, Commission official). Participants are selected through self-selection, with anyone being entitled to join and with participants being able to represent organizations and businesses.

A study dating back to 2009, undertaken by the French Economic Social and Environmental Council (ESEC), examined a total of 31 consultations which were held between September 2008 and March 2009. During these consultations 5,553 replies were made, of which 18.5% were from public authorities, 46.5% from civil society organizations, 7.3% from research centres, universities and think tanks, 14.2% from individual citizens and 13.5% from businesses (Badouard 2010: 104, 2013: 159-160). One can clearly see that, at least during that stage of Your Voice in Europe, civil society organisations played the biggest part in the consultations. This is quite a broad category which can include the following according to the White Paper on European Governance, which was adopted and published by the EC in 2001: "*Trade unions and employers' organisations ("social partners"); non-governmental organisations; professional associations; charities; grass-roots organisations; organisations that involve citizens in local and municipal life with a particular contribution from churches and religious communities.*" (European Commission 2001: 13).

This composition of participants is within the interest of the Commission, which is "*targeting specific sectors of the public on specific topics, and questioning them upstream of the legislative process. The subject of these consultations is indeed defined with a view to a specific policy to come, in order to allow the "interested parties" to influence its general objectives, its method of deployment, its performance indicators, and extending to the first broad outline of this policy. All these features are guaranteed by the General principles and minimum standards for consultation of interested parties by the Commission, which were published in 2002.*" (Badouard 2010: 100).

6.8.2.1. Representativeness of the participants

The home page of the website is available in all 24 official languages of the European Union, though most consultation pages are only available in English (currently around 75% according to interviewee 24). This automatically results in a certain restriction for participants, as they are often required to possess English skills. In addition, many consultations are highly specialized, requiring the participants to have much knowledge and expertise on the subject (Badouard 2010: 104). One can observe that the more documents are translated into other languages, the more Eastern European participants will contribute and make

use of the tool. It is therefore in the interest of representation to translate more documents (Interview 26, researcher).

Badouard (2010) sees a clear connection between "*the structure of the exchange on the website, the strategy in which it is embedded, and the actors who participate.*" (Badouard, 2010: 105). With Your voice in Europe the consultation is meant to be broadened, allowing the general public to partake in the process (Badouard 2010: 101). As described before, however, the consultations appear to have an elitist nature and do not favour "lay" citizens (Quittkat and Finke 2008; Bozzini 2007; Dabrowska 2007; Persson 2007; Badouard 2010, 2013). "[…] *its design leads to a strict regulation of the flows of information between participants and to a categorization of the audience. This specific design can be explained by the history of Your Voice in Europe: the platform that was created by the Directorate-General Internal Market and Services was not designed to build a European public sphere, nor to involve citizens in the decision-making process. It was created in order to set up mechanisms for impact analysis at a lower cost.*" (Badouard 2013: 166). While the aims of the website changed after the reform of the European governance, according to Badouard the design did not. During our interviewee 26 (researcher) stated that the general public was not the initial target group of the tool, but that reforms aimed to open up the process to all who wished to participate, albeit with little success as the percentage of citizens in the consultation studies appears to be relatively low. This observation is based on the afore mentioned ESEC study of 2009. There appear to be no recent studies investigating the participation of "ordinary" citizens in relation to civil society organizations, businesses, research centres and other groups. The amount of civil participation is expected to vary depending on the subject matter, with broad subjects or subjects relating to social issues inviting more civil participation than subjects of a technical nature (Interview 26, researcher).

According to interviewee 24 (commission official), it is not possible to ensure equal representation within a consultation. Additionally, there is a separate tool to assess representative European views: "*You never know in advance who will respond to a consultation. You know of course, that the main stakeholders will respond, so umbrella organisations that are active in the policy field you are consulting, […] some citizens may react, but you never know in advance how representative they are. That is why we always stress to the DGs, the Directorates General, when they prepare reporting on the outcome, that none of the consultations are representative as you may never conclude that participants are a representative sample of the EU population. […] For some policy areas or for some consultations we may want to know a detailed view on what Europeans think, a representative view, and therefore we have a special tool which is the Eurobarometer. That is conducted by Eurostat.*" (Interview 24, Commission official). During our interview the Commission official also mentioned that most big organizations can devote more resources to participating in a consultation, but it is much more difficult to gather individual responses from SMEs when dealing with policies which may affect small companies.

6.8.2.2. Engagement or communication strategy

Typically the possibilities to participate are communicated through interest representatives or civil society organizations, as well as on the Your Voice in Europe website (Survey 26, researcher), and a notification system alerting subscribers of published consultations in the area of their interest (Interview 24, Commission official). According to the interviewed researcher, particularly consultations on broad issues would benefit from media attention to let the public know that these consultations are taking place. For example, regarding the "Public consultation on the European Citizens' Initiative" held from 2009-2010, an association in France placed an advertisement in a local journal asking for opinions, resulting in many individuals writing them about their thoughts on the subject. This association then collected the responses and passed them on to the Commission. "*I think this kind of procedure is quite interesting because I don't think that the Commission has the power to target individual citizens that are far from the institution. […] They can target some organization or association that […] could be a relay to talk to people and to make them participate.*"(Interview 26, researcher).

Commission official 25 points out that each Directorate is responsible for the communication strategy of their public consultation. According to the consultation strategy chosen, the consultation can for example be accompanied by a press release, be advertised in an email to all relevant contacts, or be mentioned by senior officials and Commissioners when going to events. "*Whenever the DG has to consult stakeholders, the DG is obliged to produce a consultation strategy, which so far didn't focus too much on outreach and communication […] but it will do so more in the future.*" (Interview 25, Commission official). Your Voice in Europe is fairly established now and perhaps the issue isn't that the instrument itself is unknown, but that it is about communicating the individual consultations. Your Voice in Europe is currently simply a page linking to all consultation pages, and while it could be helpful to know this page exists, there are also other ways to find the consultation pages. Promotion of consultations is generally in the hands of the DGs and there is still much room for improvement in this area. Although efforts are made to reach as many individuals as possible, as one Commission official pointed out that there is also a group of people who may decide not to participate: "*The ones who have no trust in the EU, they will not participate in such consultations. The people that do participate believe that what they say, or their opinion, or their contribution may be considered […]. If you know in advance that whatever you do will not make sense, you will not participate. […]Building trust goes much beyond only trying to reach people via consultations; it should also show that EU policy really affects positively your daily life.*" (Interview 24, Commission official).

Still, for reaching out to minority groups or people living in remote areas in Member States there is a need for targeted action. When attempting to invite groups such as local farmers to a consultation, one can use methods such as making an announcement in the local press. The consultation itself will still be internet-bound, seeing as it is not logistically feasible to print out the questionnaires.

6.8.2.3. Participatory process

On the Your Voice in Europe page you have a list of links to open consultations sorted by period of consultation and categorized by policy field (e.g. Taxation, Customs, Public Health, Transport). The consultations themselves are all presented in the same format, listing title, policy field(s), target group(s), period of consultation , objective, instructions on how to submit your contribution, contact details, information on how to view the contributions and the results of the consultation as well as next steps (See also Figure 17). Within the section "how to submit your contribution" there is typically a link forwarding you to a survey page, which can be structured differently depending on the consultation. This page provides the user with more background information, the purpose of the consultation, notices on the publications of the responses and the actual survey questions.

6.8.2.4. User-friendliness

The web portal favours experts within the highly specialized consultations (Badouard 2010) but designing the questionnaires in a manner which allows participants to first answer more basic questions before getting to more technical questions is an attempt to remedy this. Even though many of the topics are quite technical, it should be possible to present these topics in a manner accessible to the general population, which would involve a different approach explaining relevance. "*Some consultations are of broad interest, some less so. So there are quite a few very technical evaluations which are arguably of not much interest to normal citizens. [...]. We could argue that even a technical topic could be made interesting if presented in the right manner and that is what we are trying to work with in our Directorates.*" (Interview 25, Commission official). Commission official 24 spoke in our interview about how the process of introducing more user-friendly ways of designing consultations is difficult, requiring a change in mind-set. Participation in training sessions is on a voluntary basis. Questionnaires are scrutinized by a team of 10-12 people before being published on Your Voice in Europe, with the aim of increasing the quality of the questionnaires. Commission official 24 considers the volume of sub-questions within the survey tool to be one of the most important points to improve with regards to user-friendliness, as the high degree of differentiation can lead to a questionnaire becoming very time-consuming and complicated. There have also been

complaints of visually impaired people regarding accessibility, so this is an area which is being looked into.

6.8.2.5. Deliberation

While there are successes, there are also limitations of the tool. One such limitation is the lack of a forum for deliberation with there being no space for interaction among a larger number of participants. When asked whether a more deliberative function would be desirable, Commission official 25 responded: "*I believe that the intention is to have replies being published instantly, which would basically allow the second person to have a look at the first person's replies and then make his or her comments accordingly or react to that. [...] There will be more of that, even though it is still very far from a discussion. But I'm not entirely sure whether the main aim of that tool should actually be about discussion. For that we have other ways of reaching out to stakeholders and obviously you can make this tool more interactive, but you could simply also, if identified in the consultation strategy as relevant, choose other tools which are already much more helpful in that regard*." In this context the feedback mechanism was also mentioned which allows stakeholders to instantly comment on roadmaps, inception impact assessments, delegated/implementing acts and legislative proposals early in the development.

6.8.3. Results

Your Voice in Europe is a participatory mechanism linked to the decision-making process; the goal is to gather views and evidence from stakeholders including European citizens. Your Voice in Europe is a recognized policy instrument, it follows the general principles and minimum standards for stakeholder consultation, thus participants can expect their contributions to be considered.

6.8.3.1. Impact

Your Voice in Europe has the advantage of being institutionalized, meaning, it is recognized by the Commission as an e-government tool for public policy (Badouard 2013). As already discussed under the section Legal Framework, there is a duty to consult, but there is no legal obligation to use consultation contributions in any way (although the general principles and minimum standards for stakeholder consultation do request consultations be analysed and contribute to policy preparation, they are not legally binding), resulting in the policy-impact differing with political cultures within EU units as well as with policy intentions (Winkler 2007). A case study could, however, show considerable impact on a draft which was then sent to the Parliament and Council: "*Not only did the Commission consider propositions that did not support its views, it also changed its mind according to contributions, or developed half-way responses in order to take into account the advice expressed during the consultation*." (Badouard 2013: 158). Weaknesses of the previous propositions were exposed and relevant solutions proposed through the consultation.

Figure 17. Screenshot of a Your Voice in Europe consultation (16.11.2016)

Seeing as the consultations mostly take place during the impact assessment phase before the final proposal is shaped, it is difficult to determine in retrospect how the final proposal would look like had the consultation not taken place. Consultations have in the past kicked off large internal debates (Interview 24, Commission official).

Your Voice in Europe can boast several successes such as the fact that inclusiveness could be achieved, as evidenced by the various interest groups represented in the online consultations. Access to EU level consultation processes has also been increased for individual actors. All in all, participation through the web portal can be considered high and diverse with many different interests being represented (Quittkat and Finke 2008). According to Winkler (2007), EC experts reported a high quality in consultation contributions. The following statement was made by Quittkat and Finke (2008:218) "*[…] our analysis showed that most online consultations seem to be more than simple opinion polls. Yet, their quality as instruments of participatory policy making varies with their format: especially consultations with open, albeit structured, questions offer real possibilities of participation, but participation rates are much higher when online consultations are based on (multiple-choice) questionnaires*."

A benefit of online consultation tools is also to be found within statistical evaluation opportunities at relatively low cost (Badouard 2010: 101; Winkler 2007).

6.8.3.2. Transparancy

Transparency is also a big issue, for example concerning the methodology of consultation evaluation and a lack of feedback to the participants concerning their inputs (Chalmers 2014, Quittkat 2011, Winkler 2007). During our interview Researcher 26 also voiced the desire for the Commission to be more transparent on which propositions are considered and for what reasons. According to Commission official 24 all responses of the Commission are published on the website. Currently it is obligatory that each initiative has a consultation synopsis report, summarizing the consultation outcome and including how different views were considered. Many of these reports are not yet available and are going to start gradually appearing on the website (Interview 24, Commission official). Participants have in the past reported being disappointed and feeling "fooled" about the impact of their contributions (Winkler 2007), which may in part have been due to a lack of communication about what happened with their inputs, underlining the importance of transparency order to foster interest and trust in EU politics.

6.8.3.3. Privacy and security

While there do not appear to have been any issues concerning security and privacy as of yet, Commission official 25 points out that it is theoretically possible to go online and write responses under whichever identity you choose.

6.8.3.4. Participation

The amount of public input achieved is also not always as high as would be desired, being related to how successful the choice and execution of a communication strategy is. "*We have noticed that all the work we invest in translating the consultations into 24 languages, at least that is what we are aiming at, in improving the questionnaires and really designing good strategies, that the outcome we have for that work is pretty limited, at least in some cases. We have had consultations with 50.000 replies, but this is rather an outlier than the norm. But obviously we would like to increase the number of replies and feedback we get. So what we are going to do is to work with our communication experts in the house to have a few case studies working on a few different types of public consultations and see how we can best promote them and which impact we have*" (Interview 25, Commission official). Commission official 26 also emphasized the need to increase the response rate, noting that consultations which are promoted via social media or press releases show notably higher response rates: "*In general we need to improve or increase the response rate. On average we have about 400-450 responses for each consultation […].*" According to this expert there is also a connection between the participation of different sectors and their satisfaction with the process. "*For instance, just to give you an example, […] if we do a consultation in the field of the finance sector all main stakeholders, they know [the tool], they can easily participate, they know it exists, […] so they may have a higher satisfaction rate than for instance when we do a consultation in the field of agriculture. A lot of farmers are a lot less used to internet or difficult to reach, and they may then rather complain "we were not consulted" or "we didn't know"*". Also the satisfaction rate of stakeholders which are present in Brussels is expected to be higher in terms of being able to participate.

6.8.3.5. Standardization

It has also been noted that while it is meant to serve as a "single access point", the web portal actually links the user to various DG websites (Lironi 2016: 38). Seeing as consultation documents (both Commission documents and submissions) are stored on the sites of the responsible DGs rather than on the Your Voice in Europe site, this leads to problems concerning a lack of standardization in file storage and the availability of documents, with file formats, storage techniques and databases varying (Opper et al. 2016). As mentioned under "New Developments", this lack of standardization is one of the issues addressed in the improvements to come.

6.8.3.6. Recommendations

Raphaël Kies (2016) proposes "*7 golden rules to introduce citizens' consultations at the EU level*", as well as an idea on how to reform Your Voice in Europe to be more inclusive. The 7 golden rules are as follows:

1. "*Any new measure aiming at reinforcing citizens' legitimacy of the EU decision process should not imply transformation and complexification of the existing decision-making system*
2. *A further intermediary reinforcement of the legitimacy through the national parliaments Is not sufficient*
3. *A deliberative form of inclusion should be privileged to a purely aggregative form of inclusion*
4. *Any citizen participative procedure should be institutionalized*
5. *Participative procedure should be inclusive*
6. *The issues discussed by the citizens should be concrete and respond to a real need of expertise that only citizens can provide*
7. *EU deliberative procedures should not have a binding impact on final decision.*"

Kies identifies four main issues with Your Voice in Europe, some of which have already been discussed above: lack of broad participation, lack of a forum for discussion with no space to "*foster the emergence of European public*" or "*promote a transnational political identity*", no education programs addressing knowledge gaps concerning EU-decision making programs and lack of information as well as incentives for citizens to participate.

Concerning solutions to overcome these issues, Kies takes inspiration from a citizens' consultation method used in the state of Oregon. "*A promising solution for solving these different obstacles to a broader inclusion, would be to combine on certain topics, the existing consultation method of Your Voice in Europe with the organisation of citizens' consultations, the so-called mini-publics.*" (Kies 2016: 6). Kies proposes that there should be a selection committee in charge of selecting the consultation topic. This selection committee is to be made up of citizens as well as political representatives from the EC, EP and the Council. As a next step each Member State should organize mini-publics and panels held. Panel participants are to have informed deliberations on propositions and a summarized report including recommendations made public. "*The Commission will have to take an official and justified position before drafting its legislation proposal*". Additionally, the communication of these events plays a vital role. Participants debating the issues on television or on the radio could help make these consultations more accessible to the public (Kies 2016).

All in all the Your Voice in Europe platform as the European Commission's "single access point" to a variety of consultations and feedback opportunities shows certain achievements as well as well as flaws and needs for improvement. It is recognized by the Commission as a tool for public policy which reaches out to a large number of potentially interested stakeholders and citizens, whose contributions are to varying degrees considered as one among various information sources in decision-making processes. It contributes to a level of accountability of the institution and there is some evidence of good quality in many consultation contributions as well as some impact on EU policies, favouring mainly the participation of civil society organisations rather than citizens. Main points for improvement are deficits in wider communication of this participation opportunity and involving the general public, more user-

friendly and accessible web interface and consultation formats, more transparency of the use of contributions made, and opportunities for exchange and deliberation among consultation participants.

6.9. European Citizens Consultation

6.9.1. Introduction

The European Citizens' Consultations were part of a "Plan D" (Democracy, Dialogue and Debate) as launched by the European Commission in 2005. This plan was a direct reaction to the voters' rejection of the European Constitution, especially of the French and Dutch voters who brought the ratification process to an end when saying no in their national referenda on the constitution in May and June 2005. Plan D "*seeks to foster communication and debate on the activities of the EU by addressing the need to listen to citizens' expectations*" on the future of the European Union (website, accessed 5 January 2017). Plan D contained six initiatives that had an online deliberative component. One of them was the European Citizens' Consultations in 2006-2007. This consultation process brought together more than 1,800 citizens from 25 member countries on three topics chosen by participating citizens themselves: family and social welfare, environment and energy, and immigration and Europe's global role (for more information see the website of the EC or the Wikipedia website). The total consultation process cost around 2,7 million euro.The ECC was relaunched in 2009 under the Debate in Europe Program (2008) of the European Commission. The idea behind the ECC was to build an EU-wide consensus on the future policies of the EU by encouraging national debates and in 2009 also a pan-European debate. In this case description we will focus on the 2009 initiative (ECC09).

The ECC 2009 aimed to be first pan-European deliberative consultation involving the 27 Member States of the Union and therefore combined an online phase with an offline phase. The ECC was supposed to give citizens across Europe a platform to put forth and discuss ideas with other EU citizens. The main topic of the ECC09 was: "*What can the EU do to shape our economic and social future in a globalised world?*" The stated aim of the ECC09 was to give EU citizens a voice and allow them to give input in determining the economic and social future of Europe. The six main objectives – as mentioned in the evaluation report – were to 1) promote interaction between citizens and policy makers, 2) establish citizens as policy advisors, 3) develop citizen participation as a policy tool for the future, 4) close the gap between the EU and its citizens, 5) to increase the general public's interest in the EU and 6) expand civil society networks across the EU. Because of some of these objectives, the ECC09 took place in the run-up to the elections of the European Parliament in June of 2009.

Interesting to note here is that there has been quite some (quantitative) research done on the process and results of the ECC09 initiative (especially on the first and second phase: the national consultations); much more than has been done on other cases in this study. For example, there have been evaluation surveys which were completed by the participants before, at the start and afterwards, but also a media analysis, a survey amongst involved politicians, traffic and content analysis of the online process were done. All of this was done for the final evaluation report, but the data has been the basis of quite some scientific articles as well. This case description is based on these different studies.

6.9.1.1. How it worked

The entire consultation was divided in five major phases which resulted in fifteen shared propositions for EU economic and social policy in a globalized world. Information technology was used in almost all phases of the consultation. The first and third phase were organized online. The other phases used ICT for supporting purposes like sharing information, voting, commenting, etc.

1. The first phase was completely online and lasted from December 2008 until March 2009. This phase was new in comparison to the 2007 edition of the ECC. The aim was to make the consultation process more visible and inclusive. There was a web portal which was launched in each of the EU Member States in December 2008. All European citizens were invited through this website to generate public

debate and elaborate proposals on what role the EU can play in shaping our economic and social future in a globalized world. The online discussions intended to set the agenda for the rest of the project.

The webportal consisted of one general European website with basis information and access to 28 national websites (with two for Belgium). The discussion on the different websites was moderated in the same way: the moderator was allowed to delete messages without leaving any traces visible for the participants. Next to the moderator each website also had an outreach person who had the task to contact stakeholders like political parties, NGOs, political bloggers, etc. to encourage them to participate in the online discussion or advertise the ECC project with banners on their own websites.

2. In a second phase, in each of the 27 Member States two days of consultation was organized over a period of three weekends in March 2009. The aim of this consultation round was to choose and elaborate on the ten best propositions for action at the EU level at each national event. The number of participants varied per country: in small countries about 30 participants, in the larger countries about 100. In total 1,635 citizens participated in this phase (using stratified sampling by professional opinion research institutes). Each national event followed a strict scenario that defined step by step how the consultation should take place (more information on the method can be read in Kies et al. (2013: 62). During the weekends, group deliberation, meeting with experts, debates with (candidate) MEPs and voting took place.

ICT played a role in this phase as well, for example by allowing participants to express their preferences, sharing information with other participants at other national events which took place simultaneously in other countries.

3. In the third phase the total of 280 propositions generated by the national consultations were summarized into a smaller set of 88 recommendations and divided into different domains (economy, employment, social policy, health, etc.). These 88 recommendations were then presented at each national website and all 1,635 participants were asked to vote online or by mail for 15 recommendations that they wanted to become the final result of the ECC. The participants could vote in favor of but not against proposals and all participants were allowed to place one vote on each proposal. They could not vote on the proposals that they had posted themselves. The registered participants were not allowed to vote, but they could make comments on the recommendations.

4. The fourth phase was a European Citizens' Summit on May 10-11 in Brussels. About 150 citizens who took part in the national events were invited. On the first day they reviewed the final fifteen recommendations once more. On the second day, they handed these over and discussed them with top EU policy-makers, including the European Commission and Parliament Presidents and the EU Presidency. The citizens were selected based on their proficiency of English and some basis quotas (age, gender, nationality).

5. The final phase were four thematic conferences (climate change, health, education and poverty) in four different countries (France, Ireland, Denmark and Slovakia) where citizens – also from neighboring countries – were invited to discuss the final recommendations with newly elected Members of European Parliament (MEPs).

Figure 18. The different phases of the ECC09 (Leyenaar and Niemöller 2010)
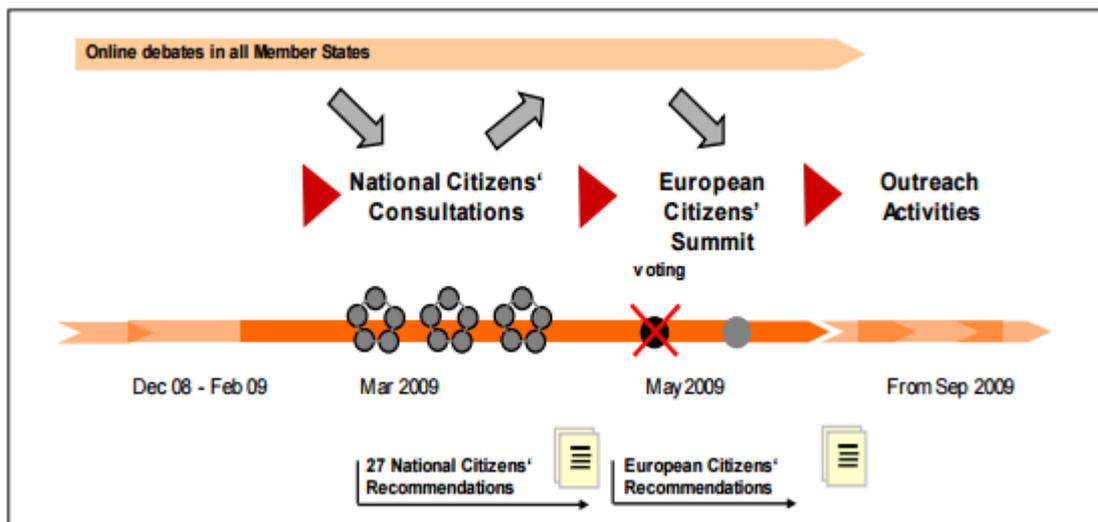
In this case description we will focus mainly on the first three phases in which ICT played an important role.

6.9.1.2.   Technology

The most important digital part of the European Citizens' Consultation 2009 was the web portal with access to the 28 national websites, designed by the French firm La Netscouade. Each national website had the same structure: one information section (with texts written by a professional journalist), one debate section and one proposal and voting section. The 28 websites were managed by national partners under the responsibility of the French information agency Toute L'Europe. Both interviewees (27 and 28, both are organiser as well as researcher) perceived the website to be user friendly.

Figure 19. The ECC website (http://www.european-citizens-consultations.eu, May 2010)

A web-based deliberation tool called VoDoO (Voting and Documentation Online) was used during the national consultations. It was used for the documentation of the outcomes and for the ultimate voting

process by the facilitators and editorial team. "*The group facilitators stored all the results generated by the citizens in their group into one central database. The use of VoDoO made synthesizing the results from the various groups easier: the outputs at table level could be linked to the editorial team, and outcomes – both qualitative (e.g. recommendations) and quantitative (e.g. the number of votes) – could be exported and presented directly to the participants*" (Leyenaar and Niemoller 2010: 17).

Participants were required to register at the national website with a valid email address, if they wanted to make a contribution like leaving a message, writing or editing a proposal or vote. They could still participate anonymously (Interview 28, organiser and researcher). At the same time, people could easily register multiple times with different email addresses. According to interviewee 27 (organiser and researcher) there was no control on identity. No special attention was paid to security or privacy issues. Interviewee 27 does not object to that: "*It is not like an important vote. It is just to give your opinion.*"

6.9.1.3. Legal framework

The ECC09 did not take place under a particular legal framework (Interview 27, organiser and researcher; Interview 28, organiser and researcher). However, the project was organized by the European Commission/DG Communication under its "Debate Europe" programme (2008) build on the accomplishments of Plan D launched in 2005 (see Introduction). The programme is described as a set of "*actions to foster a general and permanent debate on the future of the European Union*". Debate Europe consisted of three broad aims:

- To create a citizens' ownership of EU policies, to make them understandable and relevant, and to make EU institutions accountable and reliable to those they serve;
- To stimulate a wide and permanent debate on the future of the European Union between the democratic institutions in the EU and people from all walks of life, both at country and EU level;
- To empower citizens by giving them access to information so that they may be in a position to hold an informed debate on EU affairs.

Next to the ECC09 other initiatives were organized within the 'Debate Europe' programme like on-line networks to bring together European, national and regional stakeholders (website, accessed 9 January 2017). and European public spaces in the capital cities of Member States, to hold exhibitions, debates, and training sessions on EU matters.

Interviewee 28 (organiser and researcher) regrets the fact that the ECC09 was not linked to any legal framework. "*Having a strong legal framework – like the petitioning process in the UK for example – would have given the process more weight.*" And thus might have resulted in more political impact.

6.9.1.4. The decision making phase: agenda setting

The ECC09 had a lot of different objectives (see Introduction). One the one hand it represented a more 'instrumental' form of participation insofar as the engagement should contribute to specific public policies (see first three objectives). As the EU worked on the post-2010 successor to the Lisbon Agenda for economic growth and competitiveness, ECC09 was designed to provide timely and relevant input for the European decision-makers working this (i.e. agenda setting). Therefore, in the fourth phase of the ECC09, the fifteen final recommendations of the consultation process were offered by a representative group of citizens to the top of the EU policy makers. At the same time, the ECC09 was – with a reason – planned right before the elections of the European Parliament in June 2009. In the fifth and final phase it was therefore, that in four different countries the final recommendations were also discussed between citizens and newly elected Members of European Parliament (MEPs).

On the other hand, the ECC09 also aimed for a more 'transformative' type of participation by sensitizing participants of EU policy issues and contributing to developing a European identity and citizenship (see last three objectives). The ECC was in that sense aimed to building a European public sphere and developing a culture of active citizenship. Badouard (2010: 102 ff.) distinguishes the ECC from other e-

consultation instruments like Your Voice in Europe because of these transformative objectives (Badouard 2010: 103). Your Voice in Europe is on the other hand more related to institutional transparency and openness with the main outcomes being of benefit for the Commission instead of for the citizens themselves.

Interviewer 27 (organiser and researcher) calls the instrumental aims of the ECC09 "*rhetorical*" since the process was in fact not designed to have any policy or political impact like Your Voice in Europe for example (see Results). "*Meaning that in order to get financed, you need to put these rethorical terms in the objectives. It does not mean that you think you can realise them. […] But that's a sort of rhetoric that you find everywhere. And you will find them in all the projects you've been analysing. But if you don't say how concretely and on the long term to which procedure, for me it's blah blah.*"

6.9.1.5. Initiators

The whole process was managed by a consortium of 40 European civil society organizations, foundations, universities and think-tanks, led by the King Baudouin Foundation.

6.9.1.6. Financial sources

The process was financed by 40 other European charitable trust organizations of which the largest contributor was the King Baudouin Foundation and co-funded by the European Commission. The budget in total was 3.8 million euros.

6.9.2. Participants

The target group of the ECC09 were the European citizens in general.

In the first phase – the online consultation – the webportal and national websites had almost 150,000 unique visitors, 29,536 registered users from the dates of January 1st to May 1st 2009, resulting in 5,640 postings and 1,142 proposals. So, per day, each national site received an average of just over 30 different visitors per day. The attendance per national website varied greatly though. The busiest forum (the French forum) received over 26,000 unique visitors. Most of the forums (25 out of 28) had less than 5,000 unique visitors. The least lively forum (the Maltese) had only 327 visitors during the period of the online consultation. "*This general data on the attendance rate should be considered as positive given that the EU issues are generally strongly repulsive for lay citizens and that the ECC09 is an experimental procedure that does not guarantee any concrete impact on decision-making*" (Kies et al. 2013: 116).

In the second phase – the national consultations – 1,635 European citizens participated. Each national event had between 30 and 130 randomly chosen participants depending on the size of the country with a grand total of participants. The participants were selected by professional recruitment agencies based on general quotas for age, gender, professional status, and region in order to obtain a demographically diverse group (see next section on representability of the participants). One did not need to have the nationality of the country to participate in the national consultations; one just had to be a resident. So the Luxembourger group of participants included Germans, Italians and French. "*This makes sense since we are talking about European consultations*" (Interview 27, organiser and researcher).

In the third phase – the voting for the fifteen final recommendations – the broader European public was originally intended to be allowed to vote. However, fear for organized groups able to sway the voting, the organizers decided to make this phase only open to the participants from the national consultations. 958 of the 1,635 of the participants voted in the end, which is less than 60%. This is quite a low rate of participation. Different reasons are mentioned in the literature, like absence of internet for some users as well as a decreased interest of some of the participants after the core of the consultation process – the national consultations – were over. Kies et al. (2013: 62) also add: "*It could also be that the organizers*

underestimated the knowledge and capacities required for expressing preferences on such a large number or specialized proposals."

In the fourth phase– the citizen summit at 10th and 11th of May 2009 in Brussels – was attended by a selection of 150 participants representing the 27 national consultations. They were volunteers selected on the basis of age, gender, and nationality and also on the basis of proficiency in English because it was not possible to have simultaneous translation of the event for all the official languages of the EU ([website](#), accessed on 11 January 2017.

Members of the European Parliament as participants

Members of European Parliament (MEPs) and candidate MEPs were also participants in the consultation process of ECC09. On the one hand they debated with participating citizens on the online forums in phase 1 and during the national consultations in MEP panels in phase 2. However, the participation of MEPs on the online forums were scarce and divergent between the different national websites. On the other hand they were the recipients of the proposals of the participants at the end of each national consultation in phase 2 and during the regional thematic conferences in phase 5. Interestingly, according to Karlsson (2013: 95) the engagement online between politicians and participants showed much more signs of cooperation since they participated simultaneously and side-by-side here. But in the national consultations – face-to-face deliberation – the cooperation was not there since they were polarized into the roles of producers and receivers by the design.

6.9.2.1. Representativeness of the participants

Within the ECC process different ways of recruitment of participants were used: open self-selection (phase 1), randomized (phase 2 and 3) and selected recruitment (phase 4).

The first phase – the online consultation – was open to general public: anyone could join. There was no particular strategy to include certain (minority) groups in the online debate (Interview 27, organiser and researcher). This resulted in an overabundance of organized group presence in several different online forums during this online phase. Many visitors just registered to vote for the proposals of the organizations they belonged to. "*Collective actions structured on the basis of external networks of sites and platforms have targeted the ECC platform with the aim of helping certain propositions to gain as many votes as possible*" (Badouard, 2010:106). The interest groups were suggesting proposals that are in general not broadly supported by most EU citizens (Interview 27, organizer and researcher). "*Above all, activists promoting Esperanto as a common work language in the EU and supporters of the proposal to legalize cannabis dominated the agenda setting in many forums*"(Karlsson, 2012a: 16). The same author (2012a: 14) even argues that the design of the national websites was such that specific organized interests could divert the agenda of the participatory process: "*The forums were structured in a way that created strong incentives for mobilization around an issue. […] The thresholds created around participation were low: anyone with a valid email address could register as a participant. This design created strong opportunities for interest groups and networks organized online to affect the outcome of the online consultations*".

On the other hand, Badouard is arguing that the successful online mobilization of activist networks across national borders contributed to an important goal of the project: producing a European dynamic and transnational public. Although it was not intended as such and it happened predominantly in the first voting phase. This is an outcome which the national consultations could not have reached and points to the need for sufficient technical flexibility of e-participation sites to allow for such "*spaces of creative action*" (Badouard 2010: 107).

The second phase –the national consultations – was not open for anyone. There was a rigorous selection process by means of stratified sampling which included 24 different recruitment agencies (market research agencies and survey research institutions). 15% of the total budget of the ECC09 was spent on

the recruitment process of 1,600 participants. In the evaluation report it is said that "*the selection was based on demographical characteristics such as age, gender and location (which part of the country), and a random selection of citizens was made with statistical controls for these factors creating a sample of citizens that in the evaluation of the ECC project was characterized as acceptably representative of EU population. […] For some countries, the sample was – for one or more variables – somewhat biased, but for a majority of the countries, the profile of the sample is clearly acceptable, with exceptions for the presence of lower-educated citizens*" (Leyenaar and Niemöller 2010: 18-19). There was no specific method to include a specific percentage of certain minorities, e.g. disabled people.

Still Kies et al. (2013: 132) mention that there was a lot to be desired when it came to the representativeness of the national consultations since there was over-representation of people who were "*highly educated, politically interested, and pro-EU*". Especially the representativeness of the participants failed when it comes to their ideological attitude towards the European Union. "*A total of 60 participants with EU-skeptical attitudes was included among the participant body of 1,559 people, equaling 3.8% of the participants. In relation to the Eurobarometer survey of the spring of 2009, this means that the ECC consultations underrepresented EU-skeptical citizens with 12.2%. […] This project instead produced an outcome that reflected what a predominantly and, in close to half of the cases, exclusively EU-positive body of participants recommended*" (Karlsson 2012a: 12).

Still the bias in phase 2 was not as strong as the one in phase 1, according to interviewee 27 (organizer and researcher). "*Because you can sort of control for the bias by filtering [the participants] through selection questions. […] These are tools to control the bias but they do not exist online [in phase 1].*"

6.9.2.2.   Engagement or communication strategy

Only the first phase of online consultation was open to any European citizen. So especially in this phase an engagement strategy was important to get the target group of the ECC09 – the European lay citizens – mobilized. At the same time, as interviewee 27 (organisor and researcher) is stating that online: "*It is always a system of auto-selection and it is difficult to captivate the interest of people for things they would not naturally [do].*"

The evaluation report shows that most of the traffic on the national website was provided by referring sites. "*Among the referring websites, European institutional sites such as Europa [europa.eu] and social networks such as Facebook played a key role, as they generated the largest volume of traffic to the ECC portal. Websites of associations involved in the ECC process such as the King Baudouin Foundation and Toute l'Europe were also an important source of traffic. Other associations mentioned as 'sources' are the European Movement, Active Citizenship and Euractiv*" (Leyenaar and Niemöller 2010: 41). The online communication campaign was in general especially successful in mobilizing EU-friendly networks and institutional websites, that are visited by a well-educated public already familiar with European matters. Summarizing, the strategy was not successful in attracting its target public for the consultation: the lay citizens (Kies et al. 2013: 67). "*The online phase could be improved by reinforcing the advertisement of the project among categories of the citizens who are generally not interested in (EU) politics*" (Kies and Wojcik 2010). The evaluation report concludes that the differences in traffic and active usages of the national websites are due to different national cultures of (online) participation but also due to the fact that the national teams differed in their efforts in promoting their websites. The authors therefore recommend "*having one person in each national team tasked with advertising and taking care of the website, and working to generate more media coverage of the project in order to reach more citizens whose concerns are far removed from European issues and/or are less inclined to use digital tools*" (Leyenaar and Niemöller 2010: 47).

In the other phases where the already selected participants were involved, an engagement strategy was not needed. There was, however, a communication strategy to organize media attention for the whole process of the ECC09 in the mass media. The evaluation report contains a media analysis of the ECC09. The main conclusion is that the communication around the project in the mass media was less prominent.

"*Traditional media such as newspapers, magazines, radio and television, and new media such as the internet did report on the national consultations, but the coverage varied greatly from country to country. The two in-depth studies suggest coverage was mainly in local and regional media and focused on the national event, describing the process or interviews with participants. There was less interest in the content or the final results. It seems that the novelty of this type of citizen participation was regarded as more important than the political content and the political implications of the results*"(Leyenaar and Niemöller 2010: 6). One reason for the limited media coverage, according to interviewee 27, was the vagueness of the topic of the consultation.

The communication strategy could be improved by a collaboration between the mass media (in particular TV) and the internet. According to Kies and Wojcik (2010) this has always proved to be the most effective mean to involve new citizens in the political process.

6.9.3. Participatory process

"*ECC09 was a versatile project featuring both aggregative and deliberative forms of participation, involving both citizens as well as policy makers, being partially open to public but in some phases closed to selected participants, taking place on national as well as European levels, and combing online with face-to-face participation*" (Karlsson 2012a: 86).

In the first phase of online consultation the participants could choose between three activities on the national websites: 1) posting ideas or suggestions for a proposal for others to vote on, 2) comment on ideas or suggestions for proposals from other participants (in other words take part in a debate about a proposal) and 3) vote for (but not against) a proposal. An important incentive for people to participate online was that the ten most voted propositions were going to discussed during the national face-to-face consultations.

The evaluation report mentions that 28 national websites produced a total of 1,142 proposals distributed unevenly among the countries with France producing the most (257). Followed by Germany (132), Spain (115), Italy (84), Portugal (63), and the remaining sites boasting less than 50 proposals each. The range of issues addressed by the proposals was wide. Some proposals were quite elaborate and on topic (i.e. social and economic future of Europe). Many proposals however did not relate either to the topic of the consultation nor to the EU. Among the most popular proposals we find environmental issues, drug legalization and the introduction of Esperanto as a work language in the EU (Kies and Wojcik 2010: 10).

There has been done quite some research on the online activities during the first phase. Karlsson did a comparative study on the levels of deliberation and aggregation of the discussions. His findings are that the level of discussion – the percentage of all manifest activities on the forum made up of the posting of discussion-posts – varied between 3% and 52%. In four of the national websites, over 90% of the activities registered among the participants were of an aggregative nature (i.e. voting and the issuing of proposals) and consequently less than 10% of the activities consisted of discussions. At the other end of the spectrum, they found six forums with over 30% discussion (Karlsson 2012b: 66). The reasons for the different levels of deliberation at the websites are mostly the level of diversity of opinion between participants (Karlsson 2012b: 78). The issues which were put forward by organized groups were characterized by a high level of consensus. The interest in discussion seems to be lower when the level of bias is high among participants. The intense mobilization around specific positions thus hindered a discussion. Furthermore, many registered participants mobilized by their organisations were so-called 'lurkers' who only read and voted on the proposals but didn't get involved in the online debates. Consequently, because of less interaction during the online phase, not much moderation was needed (Interview 27, organiser and researcher).

Kies et al. (2013) also researched on the first online phase of the ECC09, based on the original data from the scientific evaluation report. Their main conclusions are:

- Equality (participants have the same opportunity to debate) is low (less than one out of five wrote at least one message or proposal);
- The level of reflexivity of the debates was satisfactory (more than half of the messages analyzed referred to a preceding message).
- The level of respect in the debates was high (only 2% of the messages were coded as non-respectful and 74% of the respondents to the evaluation survey perceived the debate to be "*generally respectful*").
- The messages were quite well justified (the average length of the messages was 160 words and in the survey 66% thought "*the contributions to the debates were generally insightful and intelligent*").

Concerning the online phase, Badouard (2010) points out the structural impossibility of engaging in transnational exchanges between the participants. Indeed the online debates were taking place at the different national websites. It was not possible for a web user from one Member State to exchange directly with a user from another Member State on his own national site. This critique was also expressed by interviewee 28 (organiser and researcher).

In the second phase of national consultations consisted of two-day deliberation events (see How it worked). At the first day of the consultation the participants decided together which ten ideas and concerns should be focused and elaborated on in the second day. According to interviewee 27 (organiser and researcher) the online collected propositions did not play a big part in the phase 2: "*At a certain point, the facilitator was just saying: 'Look online, there was that, that and that, what do you think about it?' And it could serve as an inspiration. But the participants of the face-to-face consultation, which was really the heart of the process, were not obliged to follow.*" On the second day, the participants co-drafted and voted on their recommendations. The consultation process shifted between small debates with ten to twelve people, when the ideas were elaborated on, and a large national general event, where citizens were required to vote on the recommendations they had made. This phase resulted in 270 proposals ([website](#), accessed 11 January 2017).

In advance to the national consultations, factsheets were sent to the participants. The factsheet covered the goals and intentions of the EU with regard to several social and economic issues (Leyenaar and Niemöller 2010: 17). During the national consultation experts were present to facilitate the participants' discussion, share their views with participants and provide them with information about certain topics. A survey amongst the participants afterwards concluded that the information available to the participants was judged positively.

The survey done amongst participants resulted in some knowledge on how they experienced the national consultation process. In the first place most of the participants think the events provided fair conditions and equal opportunities to speak for all participants. The evaluation states: "*Large majority of participants in most countries felt that the facilitators did a good job, that different opinions were accepted, that they were able to disagree openly in the group, and that they were given equal opportunities to speak and to influence the recommendations*" (Leyenaar en Niemöller 2010: 5). The report also states that participants deliberated in a well thought-out and converging process, and received guidance and instructions whenever necessary.

In the third phase of voting for the 15 final recommendations, the resulting 280 proposals were downsized and summarized in 88 recommendations. These 88 were then made available on the national websites for the participants of the national consultations to once again debate and also allow voting to choose the top 15 recommendations that would be the official recommendations to be presented during the citizen summit in Brussels.

In the fourth phase of the Citizens' Summit, 150 participants reviewed the final recommendations that had been selected during phase 3 on the first day. On the second day, the participants met with several top EU policy-makers including the President of the European Parliament, the President of the European

Commission, and the President of the Committee of Regions. The recommendations were briefly presented to the policy-makers by two participants and there was a discussion between them and the participants.

There was some debate between the participants and the politicians. But interviewee 27 (organiser and researcher) refers to it as a 'show': "*There were hundreds of people […] and you had the two poor citizens who presented in front of all these professional politicians. So you can imagine how comfortable they would feel to debate. It was just a show that 'Europe is listening to its citizens'. And it was just before the election. So then the politicians starting doing a sort of political propaganda. Not really taking the propositions seriously, which were so vague anyway that you couldn't do anything about them.*"

Kies and al (2013: 64) mention one particular downside of a pan-European consultation process of the scale of the ECC09: loss of plurality. "*This danger results from the tension between, at one end of the spectrum, the plurality of opinions and proposals generated by hundreds of participants on- and off- line and, at the other end of spectrum, the requirements for obtaining a limited number of clear recommendations supposedly shared by all the participants.*" During all the phases the amount of proposals are downsized by either voting or editing. Although the loss of plurality is inevitable in consultation processes, in comparison to other more current citizens' consultations, with the ECC09 there is comparatively a large loss of plurality.

6.9.3.1. Information on the process

In the evaluation report it is said that the all methods, proceedings and rules, and the results produced, were openly communicated to everyone involved (Leyenaar and Niemöller 2010: 5). This was done on the webportal and national websites, but also during the national consultations. Interviewee 27 confirms this but makes the following remark: "*So the process in itself was clearly presented and well communicated but the organisers were unable to say what would be the impact. That is the big problem with this participant procedure. And it leads often to frustration.*"

6.9.4. Results

Before we have mentioned two forms of objectives of the ECC09: instrumental forms of objectives or external impact (i.e. contribution to public policies) and transformative forms of objectives or internal impact (i.e. contribution to a European identity and citizenship).

Most of the sources used for this case description come to the conclusion that the ECC09 failed to have external impact in terms of policy influence. The survey of the evaluation report shows that participants already had rather low expectations about their chances of influencing decision-makers. However, the internal or personal impact of participation seems quite high. The evaluation report concludes that those who participated overwhelmingly responded in the survey as "feeling more European after the event. "*A large majority said that, as a result of participating in the ECC, they learned a lot about the EU, had changed their opinion because of the discussions, and more than two-thirds felt more European. They also followed EU politics in the media and discussed EU politics with family and friends*" (Leyenaar and Niemöller 2010: 6).

Kies et al. (2013) give a sharp summary of the results of the ECC09: "*A successful civic instrument but not a convincing policy instrument*" (Kies et al. 2013: 24), due to the participants perceiving positive impacts such as higher confidence in the EU and informational gains, but politicians disregarding the propositions. Interviewee 28 (organiser and researcher) adds: "*It was an effective way of gathering ideas and priorities bottom-up, from citizens all over Europe, but it lacked some important elements: a connection to the policy process, interest from politicians and political parties, transnational deliberation and sufficient marketing.*" Interviewee 27 adds: "*The main strength was civic power. […] They even felt more European afterwards. They were feeling this sensation of European publics. […] A second strength is probably the procedure itself. […] It should have been integrated into the decision making process, but in itself it's a very innovative procedure trying to consult people from twenty-eight countries.*" The two main weaknesses he addresses are: "*The topic was too broad. This can*

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never lead to any useful impact. Then it had no impact. There was no procedure to have an impact. And there was no procedure to have an impact."

6.9.4.1.   External policy impact

There are different reasons for the ECC not having had any policy impact. The most important one is probably that there was no official link between the consultation and the decision-making process. The European institutions were not obliged to provide feedback on the recommendations to the participants or give an official response for example. The ECC recommendations did not have any political mandate (Karlsson 2012c). So although initiated and financially supported by the EC, the ECC project was not strongly connected to the established institutions of the EU.

During the citizens' summit there was a debate between a selection of the participants and the panel of European policy makers and politicians but there was no guarantee that the recommendations would actually be taken into account. After the citizens' summit a report summarizing the recommendations was send to the heads of each of the EU-institutions but that was the end of it.

Interviewee 27 (organiser and researcher) complains that the ECC09 was not working towards a structural solution: "*They [European Union] are aware that we need to try to find new ways of involving citizens. So that's why they have been spending all this money. But then they are doing a one shot experiment and they don't include it into the decision making process. That is a problem. They don't think of a long term solution for implementing citizen participation at the EU level. So it cannot work. Then it's better to do nothing.*"

Another reason for a lack of policy impact, is a design problem: the scope of the subject of the consultation was too broad. Kies et al. (2013: 64): "*The topic of the consultation is extremely broad and vague. The question of the social and economic future of Europe in a globalized world is indeed likely to attract almost infinite number opinions and critics on what should be done and how it should be implemented. Moreover there is also a risk that the proposals that are elaborated in the end of the process will tend to be too general to serve the decision-makers and to attract the attention of the media.*" Karlsson (2013) adds that the wide scope of the issues under debate also demanded a broad area of expertise of the participants. In the process there was at the same time not enough information for the participants regarding what current policies were implemented in the areas under discussion. This resulted in broad recommendations of a very general character, too broad "*to give sufficient indication of citizen preferences, and in turn too broad to be useful as guiding recommendations in policymaking*" (Karlsson 2012c: 92-93).

The reason why the initiator choose to take up such a broad topic for the consultation, was that: "*They wanted to make an event public and open, they thought that a broad topic would be better.[…] And they were afraid that if you do something too technical [like with Your Voice in Europe], you will not find people to participate*" (Interview 27, organiser and researcher).

6.9.4.2.   External political impact

Karlsson (2013) did a survey amongst the involved MEPs. The response rate was very low (eleven MEPs), so this has to be taken into account when interpreting the results. However, the responding MEPs expressed dissatisfaction with the content of the recommendations and the issues they highlighted. The main reason Karlsson gives for this is that there was no clarity with the participants over what inputs were desired by MEPs. The form of communication between MEPs and citizens as well as its management should have been considered more carefully. Karlsson recommends that there should have been a meet and greet between the MEPs and the participants at an earlier stage. That way they could have exchanged perspectives and knowledge before the content of the proposals was decided upon. Now, according to interviewee 27 (organiser and researcher), MEPs reacted to the results in such a way: "*But we know already all that. They [MPs] say we know it so much more in detail. This consultation is good to have a feeling of what people feel about that. But this is not serious political material, they would say.*"

Another reason why the consultation process was dissatisfying for the MEPs was that the scope of participants were too broad. There were no specific groups of citizens involved. This makes the process less interesting for MEPs because it did not offer them "*new ways to communicate with their own constituents, or with a specific group of citizens sharing knowledge or experience that was needed within the realm of a specific policy debate*" (Karlsson 2012c).

6.9.4.3. Trust

Research (Leyenaar and Niemoller 2010star) has been done on the impact of the instrument on the trust citizen participants had in the European Parliament (right before and three months after the discussion of the participants with the MEP panels in phase 2). The evidence shows an effect going both ways. While the level of trust remained the same for the majority of the participants, for 15% their trust increased and for close to 30% their level of trust decreased (Karlsson 2012b). The evaluation report states: "*It also appears that the further towards the right the respondents' political positions were, the greater their trust in the European Parliament. The situation was similar with respect to social class. Upper-class citizens seemed to have more trust in the European Parliament then working-class citizens, at a 10% level of significance. Educational level, gender and age appeared not to be statistically significant covariates for the model*" (Leyenaar and Niemoller 2010: 33).

6.9.4.4. Cost-effectiveness

The evaluation report is quite positive about the efficiency of the ECC09, but that is because they consider only the transformative objectives for developing an European identity. "*The survey results suggest a very high level of efficiency: with the exception of the time available, positive judgments of 85% or higher were recorded*" (Leyenaar and Niemoller 2010: 6). When the instrumental objectives are considered (i.e. whether the process had any policy impact), the consultation cannot be considered efficient nor cost effective. Interviewee 27 (organiser and researcher) summarizes it as follows: "*But we all knew that this process is not integrated in the European decision making process, one that is already so complex. It had absolutely no impact. For me, it's a scandal. It's a lot of money. A lot of experiments that have been done. A lot of people that have been involved. A lot of energy with no outcome and no concrete proposal to say what are we doing now with all this experience that we've been gathering.*"

6.10. Short summary on the formal agenda setting tools

Nine digital tools for agenda setting were described and analyzed in this chapter: crowdsourcing for a constitution in Iceland, Future Melbourne Wiki, the Slovenian Predlagam.vladi.si, participatory budgeting in Berlin-Lichtenberg, the Dutch internetconsultatie.nl, and four European initiatives: European Citizens' Initiative (ECI), Futurium, Your Voice in Europe and the European Citizens Consulation (ECC09). All of these tools are initiated and owned by a governmental body at the European, national or local level (formal). In this brief summary the main findings of these cases will be discussed with regards to their relevant contextual factors, the participants, the participatory process and the impact of the tools on the political process.

6.10.1. Relevant contextual factors

All of these nine cases are iniated by government, and although one would expect it, this does not automatically implies that the initiatives are 1) well embedded in the law or policy framework or 2) well embedded in a formal policy or political process. When it comes to legal or policy embeddedness, 7 out of 9 cases are. For example, the European Citizens' Initiative is legally supported by the Lisbon Treaty (article 11, paragraph 4). And in the crowdsourcing case of Iceland, there was a constitutional Act which was accepted by the Iceland House of Representatives (althingi) ordering a complete modernization of the old constitution dated 1944. And the tool Your Voice in Europe is specifically mentioned in a communication from the European Commission: *the Action Plan to Improve Communicating Europe by the Commission* (CEC 2005). However, Futurium and the European Citizens' Consultation are not specifically linked to any legal or policy framework.

Also these nine formally organised digital tools do not always have a link with an existing official political or policy agenda. The three tools Predlagam.vladi, si, ECI and ECC09 are not linked to any agenda. In these three cases participants generate ideas for new policy measures off the cuff which do or did not necessarily end up on an existing policy or political agenda.

6.10.2. Participants

Most of these nine tools aim for a broad target group of ordinary citizens, but in practice these citizens are hard to involve in the e-participation process. In Iceland, the majority of the participants of the online crowdsourcing process seem to have been mostly ordinary Iceland citizens from all walks of life. Also Predlagam.vladi.si determined that their users are quite evenly distributed through the entire Slovenian population. Otherwise, in other cases, especially professionals (like civil servants or lobbyists) or organised groups (like civil society organisations (CSOs) are heavily involved in the process. In three cases at the EU level we studied, the heavy involvement of organised groups is common practice. In case of the European Citizens' Initiative (ECI), ordinary citizens are at a disadvantage, because the organisers of an initiative need to possess both human and financial resources, networks, alliances as well as coalitions with civil society, media and NGOs in order to gather the promotion and awareness needed for success. In the case of ECC09, an overabundance of organized group presence was noticed during the online phase. Many participants just registered to vote for the proposals of their own organizations. This resulted in proposals promoting Esperanto as a common work language in the EU and proposals to legalize cannabis; proposals that are not broadly supported by EU citizens. Also in the e-consultations of Your Voice in Europe empirical research shows that more than 45% of the replies were made by civil society organisations.

In the other cases, not only the CSOs made up a large part of the participants, but also professionals and companies. Like in the case of Wiki Melbourne most edits were made not by the public, but by City of Melbourne officers, although the bulk of that was editing and incorporating input from the offline meetings. In the case of the Dutch consultation website some law proposals attract many reactions, because a particular professional organization has made prototype letters with a link to the internet consultation. Although the number of received letters is not regarded as highly relevant, professionals from relevant organizations are part of the target groups of the Dutch e-consultation.

The main reason why so many of these initiatives do not seem to attract the target group of ordinary citizens is that there is just no substantive mobilization or communication strategy in place (except for Berlin-Lichtenberg). The general public is not familiar with the tool and lay citizens are not mobilised. This is the case for Predlagam.vladi.si, the Dutch e-consultation and Wiki Melbourne. Remarkably, all four European cases score low on their engagement strategy as well: Futurium, ECI, Your Voice in Europe and ECC09. In the European cases not much effort is invested in gaining a broader reputation among target groups other than the usual suspects (like CSOs at the European level).

6.10.3. Participatory process

There are many different kinds of input the participant can or could deliver in these nine e-participation tools. The aim of the tools is to give citizens the opportunity to contribute to a policy or political agenda. It extends from generating ideas for new bills (ECI), a new constitution (Iceland), novel policy measures (Futurium, Predlagam.vladi.si, Your Voice in Europe, Berlin-Lichtenberg), giving comments on draft bills and policy measures (internetconsultatie.nl and Your Voice in Europe again) or literally giving input for a future policy agenda (ECC, Wiki Melbourne and Futurium again).

Five of the nine cases offered not only online but also offline possibilities. Usually for reasons of encouraging inclusion of ordinary citizens (although this has not worked out well in many cases). The case of Wiki Melbourne, the crowdsourcing of a new constitution in Iceland but also the case of the

European Citizens' Consultation (ECC) are classical examples of how digital instruments can contribute to democratic processes next to offline participatory events. Both have been extensive and long-lasting participation processes consisting of different online and offline phases. In other cases like Futurium and Berlin-Lichtenberg, offline meetings like workshops, public events, community meetings, etc. also feed the online discussion and vice versa. Additionally, in the case of ECI is was possible to to sign a proposal online or offline.

The possibility to interact with other participants is there in six of the nine cases: the constitutional crowdsourcing process in Iceland, Wiki Melbourne, participatory budgeting in Berlin-Lichtenberg, Predlagam, Futurium and European Citizens' Consultation. The possibility to interact does not equal deliberative quality. In some cases interaction between participants was facilitated, like in Berlin-Lichtenberg, but the diversity of views on the different proposals appeared to be limited, only a few reactions could be found online. In the case of ECC09, the deliberation online varied a lot between countries. The possibility to interact between participants and decision-makers is only there in two cases. Wiki Melbourne had a team of city officers answering questions by participants, correcting factual errors made in edits, linking citizens to relevant documents and updating participants on events and developments concering the project. Also in the case of Berlin-Lichtenberg, policy officers interacted with citizens about proposals.

6.10.4. Impact

When it comes to substantive and/or a repeated effects on the political or policy agenda, three out of these nine cases have a negative score. These are the same tools - Predlagam.vladi,si, ECI and ECC09 – that were or are not linked to any existing agenda. This is probably also be one of the reasons of the absence of impact. Another reason for absence of impact is that rules or a formal system on how to integrate the results into the agenda setting process are lacking; this was particular clear for the ECC09 case. And a last cause for the lack of impact is that rules for providing input are too complex and require too much effort from participants; especially the ECI has been critised for it. The EU First Vice-President has recently announced the Commission will revise the Regulation to make the ECI more accessible and citizen-friendly.

All the other tools have had their impact on a political or policy agenda, although the extent of the impact does differ. The actual impact can not always be quantified. Policy makers indicate that they use the input of the citizens in their work or in their policy documents or draft bills, but it is not always easy to exactly point out where the results of the e-participation process have made a difference. The cases Melbourne Wiki, Berlin Lichtenberg and the crowdsourcing of the constition in Iceland are an exception. In Melbourne, several of the principles of the draft plan for the future of the city – a cocreation between citizens, stakeholders and civil servants – were adopted in several electoral programmes. And when the new city council was selected it was already partially in favour of the Future Melbourne project, and it reformed their committee structure to echo the plan. When the council was re-elected after four years, they again incorporated many of the plan's ideas into their four-year strategy. In Berlin-Lichtenberg, in June 2016, 426 of the 821 budget proposals have been implemented. Although the participatory budgeting is consultative, it is quite influential on the decisions made.

In Iceland – like the Melbourne case- a cocreative process took place, between citizens and a Constititial Council of 25 elected citizens. The participants did have a substantial influence on the draft version of the constitution. However, it is important to note here is that when e-participation has an impact on the political agenda setting, it does not always imply that there is an impact on the final decision-making process. Take the Iceland case for example. It does score positively on 'agenda setting' while it did not have actual impact on the final decision about the constitution. presented its draft to Althingi, the House of Representatives in Iceland, where it was discussed. The draft of the Constitutional Council – which was drafted with the help of many other Iceland citizens – met quite some resistance from politicians

which led to troubled parliamentary deliberations. A referendum on the draft constitution followed, with a positive outcome. However, the impact on the decision-making process remained zero, since in the end parliament never took up the proposed constitution, it was never brought to vote, and it never went into effect.

7. Case studies: Non-binding decision-making

7.1. The German Pirate Party

7.1.1. Introduction

After the – sudden – success of the Swedish Pirate Party the German Pirate Party has been founded with similar political goals and participative approach. Key party issues of the German Pirate Party are direct democracy, copyright, digital communication, privacy and transparency ([website](), accessed on 25 August 2016). As direct democracy and digital communication are important political goals for the party, their internal approach is characterized by many possibilities to participate (online) in the decision-making process. The Pirate Party makes extensive use of new technology to communicate and collaborate on policymaking. The technology facilitates the intension of the Pirate Party to – in terms of Bolleyer et al. (2015: 159) – maximize the democratic equality both between followers and members and between members and elites.

7.1.1.1. Initiators and aims

The Pirate Party Germany was founded in 2006 by 53 Berliners (Niedermayer 2013: 32). The most well-known founding members are Jens Seipenbusch and Christof Leng, who became leaders of the German Pirates later on. In 2009 the German Pirate party got officially represented in politics, with one seat in the European Parliament. Later on, also seats in four state parliaments (Berlin, North Rhine-Westphalia, Saarland and Schleswig-Holstein) were captured ([website](), accessed on 25 August 2016). Up till now the party has not have enough votes in elections to reach the 5% threshold that is needed to be represented in the Bundestag.

The use of technologies as liquid feedback was introduced to cater to the aims of this new party: democracy and transparency. Because of these values, anyone could come to the party conventions and have a say: "*This rendered the convention to a point where you weren't able to make a decision, because people were always discussing formalities. It wasn't really effective. At that point liquid feedback came in. If we want to be different from the other parties and if we take seriously that people want to participate via the Internet, then they have to be able to do that and join the decision making of the party. If we want to propagate this as the big difference of the Pirate Party, we need usable software, which is able to do this. So they started creating the software, because we exploded so fast in members*" (Interview 29, politician).

7.1.1.2. How it works

The Liquid Feedback Software has been the backbone for the inter-party decision making process (Paulin 2014: 221), which is confirmed in our interview: "*Liquid feedback was crucial in the success of the Pirate Party in Berlin*" (Interview 29, politician). Liquid Feedback incorporates the following four steps (Paulin 2014: 223, see also Klimowicz 2016):

1. It starts with an initiative that can be proposed by any registered member
2. This proposal must receive support of at least 10% of the registered users (within a pre-defined period of time)
3. If the proposal has received enough support, time for discussion and eventual modifications of the initiative is allocated, also within a pre-defined time span.

4. Eventually, members can cast their vote on the final proposal directly or they can (temporarily) delegate their votes to someone else whom they trust.

Figure 20 shows a screenshot of the liquid feedback website. Liquid Feedback has been used from May 2010 till May 2015, although use of the tool had been gradually declining by then (Interview 30, researcher).

Figure 20. Screenshot of Liquid Feedback
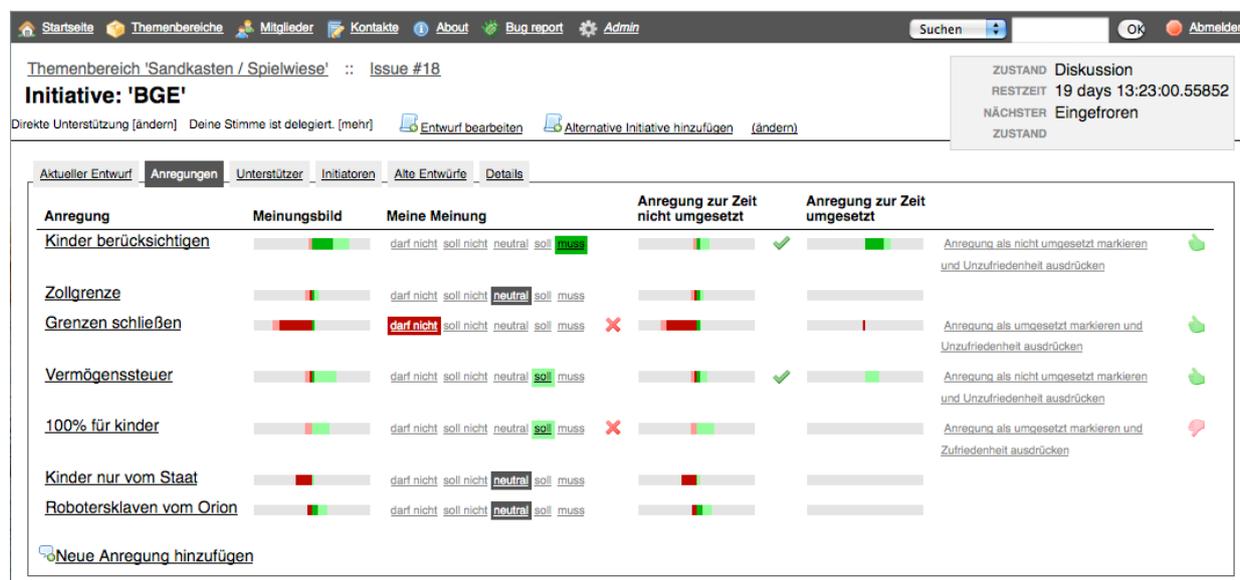
Source: website

In PiratePad text documents can be written collaboratively. This software facilitates members of the Pirate Party to write documents like the party program together. Figure 21 shows what the 'Piratenpad' looks like.

Figure 21. Screenshot of Piratenpad
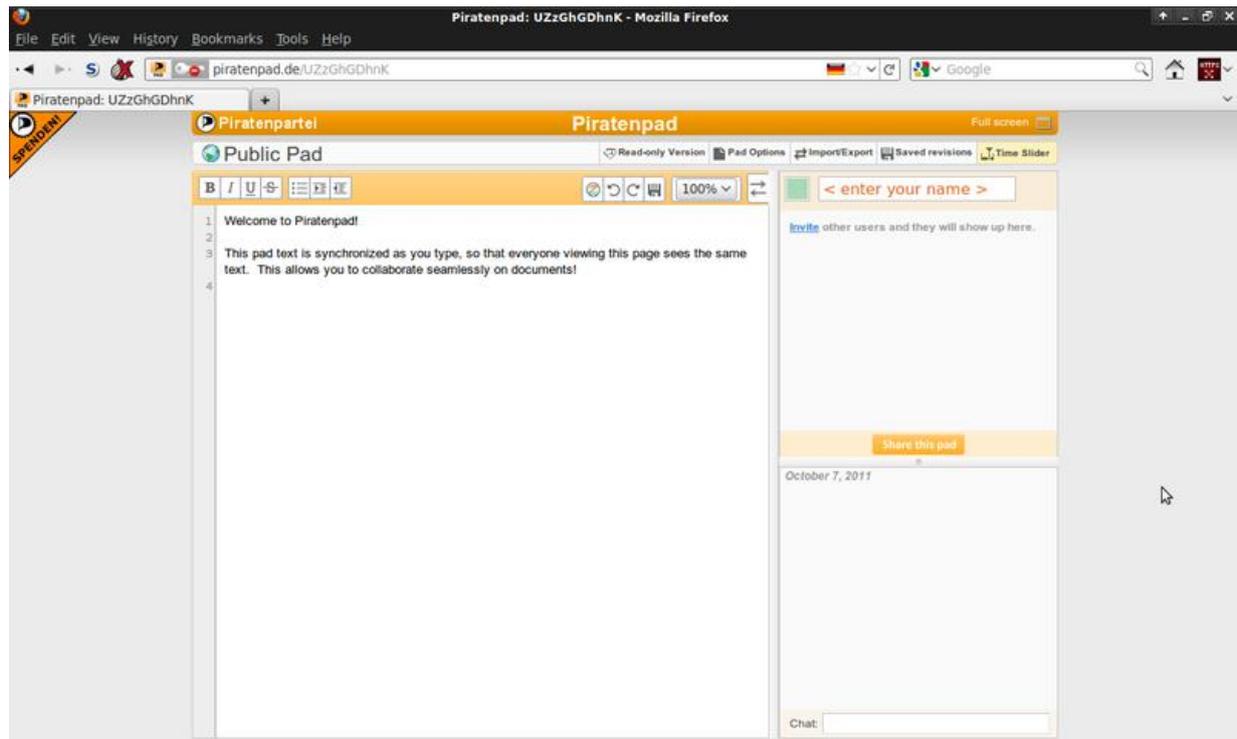
Source: website

7.1.1.3. Legal framework

The Pirate Party Germany (PIRATE) is a political party, on which the *Basic Law of the Federal Republic of Germany* and the *Political Parties Act* apply. In Germany, the constitution dictates parliamentarians to be representatives of the whole people, not to their 'own' part of the electorate. They are independent from their own party members (Interview 30, researcher). In addition, German law prescribes that all important decisions have to be democratically decided on at party conventions, by the general meeting of party members – so not online. These regulations mean that input from participants through the Pirate Party's Liquid Feedback tool is not necessarily of influence on decisions of the Party's members of parliament. "*If you decide something in Liquid Feedback, it can never be binding*"(Interview 30, researcher). This had its impact on the effectivity of the tool for party members: "*The mood in the party was: 'Why should I contribute? Or why should I engage in Liquid Feedback when the outcome doesn't matter anyway?'*" (Interview 30, researcher). The real decision-making process was taking place outside Liquid Feedback (Interview 30, researcher).

Internal procedures are written down in the Statute of the Pirate Party, which can be found on their website (accessed on 25 August 2016). About internal party policies and candidates the Statute postulates: "*In the German Pirates, candidates are elected by members on the regional or local level (Section 1, §10.2). The national executive is elected individually on an annual basis during the national membership meeting (Section 1, §9a.3). Changes to party policy and statutes can be initiated by all members and require a two-thirds majority during the annual membership meeting (Section A, §§12.1 and 12.3). Further, all members, if they have sufficient support, can initiate a membership referendum, the outcome of which is binding and equal to a membership meeting vote (Section A, §§16.1–16.6)*" (Bolleyer et al. 2015: 165).

7.1.1.4. Financial sources

The finances of the party (their income as well as their expenses) can be found on a website (accessed on 25 August 25 2016). In 2015 the main financial sources of the German Pirate Party were the contributions

of the State (about 246,000 euro), membership fees (about 197,000 euro), donations (about 97,000 euro) and subsidies (about 27,000 euro).

7.1.2. Participants

The target group of participants are people who share the main values of the German Pirate Party. "*Participation in actions on the wiki or forum is open to everyone - even without membership*," is stated on the website (accessed on 25 August, 2016). Yet, the membership is needed to participate in the decision-making processes within the party and to vote in the liquid feedback processes. Other than that, everyone has the same right to start an initiative within the system (Interview 29, political party).

Membership of the German Pirate Party is inclusive in the sense that it is not a problem if you are a member of another political party at the same time as you are a member of the Pirate Party. Decisions about membership are made at the lowest organizational level. The regional branch is allowed to reject membership applications. "*The concept of 'membership' in their national constitution explicitly refers to the obligation to work for the party as well as to the rights linked to membership. The party charges €48 a year for membership (Section B, §5) and members must be Germans who live in Germany, and must be aged over 16 (Section A, §2.1)*" (Bolleyer at al 2015, 164-165). These membership requirements for the German Pirate Party are more demanding than for the Swedish Pirate Party.

7.1.2.1. Engagement or communication strategy

At first the Pirate Party in Germany mainly attracted a community of people interested in the internet itself, in issues around the internet (such as copyright), and in digital instruments to realize horizontal decision-making. In 2009, the German Pirate Party gained more attention and popular support due to a few events: an internet censorship law proposed by minister Van der Leyen (CDU) that would ban German internet users from assessing child pornography (and the fear that the government would ban other internet sites in the future), the success for the Pirate Party in Sweden in elections for the European Parliament and the SPD parliamentarian Tauss who switched over to the Pirate Party – due to his protest against the law proposal of Van der Leyen – (Bartels 2013; Niedermayer 2013). These events have resulted in a considerable increase of media attention for the party.

In addition, the Pirate Party principles of openness helped to gain public support as well as the wider attractiveness of the digital instruments (Hensel 2016, 248). "*The party's appeal and capacity to re-engage demobilised citizens has been attributed to its programmatic openness, the openness of its decision-making structures assuring transparency and its innovative communication strategy that can mobilise disengaged citizens or win over disillusioned followers of mainstream parties rather than its exploitation of temporarily salient issues such as digital rights.*" (Bolleyer et al, 2015, 169).

Besides, external communication about the Pirate Party is organized via Twitter and Facebook (Bieber and Lewitzki 2013).

7.1.2.2. Representativeness of the participants

As a result of the increase of popular support, in 2009, the number of members increased more than tenfold (see figure 22). In 2012 another steep increase in party members can be noticed, as well as in the electoral success of the Pirate party. After the Pirate Party won seats in Berlin's state parliament in 2011, they also won seats in Saarland, Schleswig-Holstein and North Rhine-Westphalia in 2012. The *voter* profile for the German Pirate Party is young, male, internet-savvy and well-educated (Bartels 2013: in Greenstein 2013). The German pirates attract many protest votes. Schönenborn (2012: in Greenstein 2013) shows that only 14 percent of the voters for the Pirate Party made this choice because of concrete programmatic or content-based issues.

Figure 22. German Pirate Party members 2006-2016
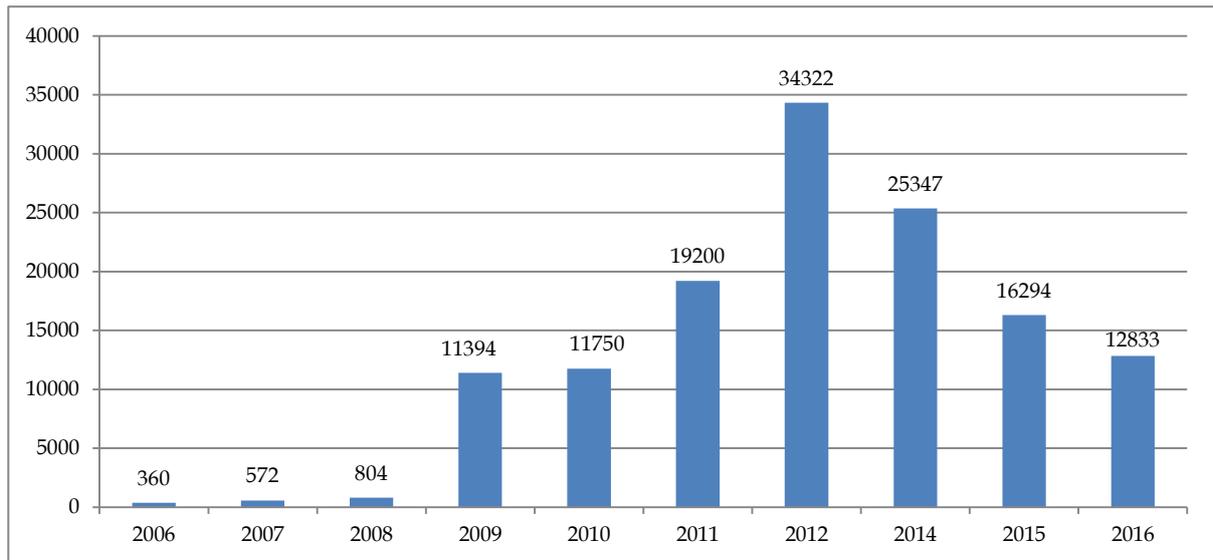
Source: Statista 2016 Note: Unfortunately, the number for 2013 was missing, accessed on 13 September, 2016.

The number of members does not equal the number of actual participants in the online tools of the party, but the dynamics in the group of participants does follow the dynamics within the member group. Kling et al. (2015: 3) show a strong growth in active users after the electoral success of the Berlin Pirate Party in 2011 and prior to the German federal election in 2012. A significant drop of active users is shown by Kling et al. (2015), when the voting system was used to prepare proposals for the party congress, 180 days after the programmatic federal party congress in 2011. "*After the congress, a critical debate on the future role of delegative democracy for the Pirate party started. In a discussion on the effect on super-voters – i.e. users with a large share of incoming delegations – the democratic nature of the system was questioned, and many users became inactive.*" (Kling et al. 2015: 3)

Despite the aims of the party of participatory decision making, the German Pirate Party (as well as the Swedish (Bolleyer et al., 2015) and the Dutch Pirate Party (interview with two members of the Dutch national Pirate Party)) shows relatively low member commitment in participation. "*In the German Pirate Party, recent figures indicate that only 28 percent of members on the national level pay their fees and have full voting rights. Nonetheless, using the average participation of fee-paying members at the national membership conferences (2007–14) as a proxy for the usage of core decision-making rights results in a ratio of 6.5 percent members to activists (with the meeting in January 2013, for example, attracting c.800 members)*" (Bolleyer et al. 2015, 170). The interviewed researcher (Interview 30) indicates that the tool might just have been another extra option for people who were inclined to participate anyway. Also, the use of the tool had been contested within the party since the beginning (Interview 30, researcher; interview 29, politician). Some local chapters, such as the Berlin Pirate Party, were quite active in using the tool. Others were not. Eventually many of the supporters of the Liquid Feedback tool left the party and it fell out of use (Interview 30, researcher).

Odenbach (2012) notes that the circle of Liquid Feedback participants accurately reflects the group of active members present in the 'real world' within the party. One explanation is that party members who come across technical or content-related problems tend to tackle them by communicating with fellow members in their real-life networks. The circle of active participants does not overlap with the group of members who have official party posts. Every party member has direct access to the circle of active Liquid Feedback participants. That undercuts the party hierarchy, with the prospect of an evolution towards a 'post-bureaucratic organisation' (Edwards and de Kool 2016, 71).

A few problems are noticed with regards to the representativeness of the Pirate Party members and participants. One problem is that the German Pirate Party is a very male-dominated party; only few women are represented (Kulick 2013). Also, questions are raised with regard to the representativeness of participants in relation to the 'super voters,' users with a large share of delegations (members can delegate their vote to a 'super voter'). "*However, as it has been demonstrated in a multiannual, detailed study of the Pirate Party Liquid Feedback platform, the risk of abuse of voting power by super-voters is highly limited by the continuous social control, recall mechanism and responsible selection of delegates*" (Klimowicz, 2016: 68).

Another concern regarding the representativeness of the participants is that the supposedly inclusive tools still can cause forms of exclusion, due to the skills that are required to participate online. "*Although certain groups can benefit from the new e-voting opportunities (…), not everyone has the access and adequate skills to use new technologies*" (Klimowicz, 2016: 68). This came to the fore in 2009, and again in 2012 with the influx of many new members, who appeared to have less digital competences and affinities, calling the digital communication culture of the party into question (Hensel 2014:249; Interview 29, politician; interview 30, researcher).

Moreover, the enlarged group of members appeared to have more diverse intentions, interests and backgrounds than the smaller community participating earlier. This resulted in internal clashes and made it difficult to form a collective identity as a political party. Not only did the new group lack abilities or knowledge to contribute to the internal discussion, their contributions in the debates were also seen as light-spirited and unprofessional (Bieber 2012, in Hensel 2014:249). What actually happened was that informal structures between a small group of members overruled the digital horizontal structures in the party decision-making processes, although this practice is in contradiction with all principles of the Pirate Party.

In sum, the online design of the tool has always been intended to open sharing of all information and towards horizontal decision-making procedures, striving to include participants beyond the participation elite. But when the party managed to attract a broader and more diverse member base, the result was not that inclusive after all. In practice it appeared that making meaningful interventions within online conversations presumed some digital competences, knowledge on the subject, and strong connections within the Pirate Party.

8.1.1 Participatory process

Members of the German Pirate Party can give many different sorts of input online. They can discuss issues, formulate proposals, provide feedback on proposals and they can vote on a proposal or delegate their vote to another party member they trust. For a long time Liquid Feedback was the most important tool for internal decision-making processes. Kling et al. (2015: 3) describe the Liquid Feedback process clearly: "*In Liquid Feedback as used in the German Pirate Party, members can create initiatives which are to be voted on to obtain the current opinion of the party members, e.g. for collaboratively developing the party program. Initiatives are grouped into issues which group competing initiatives for the same issue. For instance, if a user proposes an initiative to reduce the emission of CO2 by subsidising the construction of wind turbines, another user could create a competing initiative to subsidise solar fields. Furthermore, issues belong to areas which represent main topics such as environmental policies. Each user can create new initiatives, which need a minimum first quorum of supporters for being voted upon. In LiquidFeedback, votes can be delegated to other voters on three levels: On the global level, meaning that all initiatives can be voted for by the delegate on behalf of the delegating user; on the area level, so that delegations are restricted on an area; or on the issue level. The actions of every voter are recorded and public, allowing the control of delegates at the expense of non-secret votes.*" In the observation period between 08/2010 till 11/2013 Kling et al. (2015) counted 13,836 members, 14,964 vote delegations and a total of 499,009 votes on 6,517 proposals.

However, many Pirates did not perceive the security to be well-organized here. Also, practical failures and fundamental democratic issues within the systems were noticed (Hensel 2014:248). An alternative

software for liquid feedback is Polly (interview with Dutch members of the Pirate Party). Important differences are noted on the website about the Polly project (website, accessed on 6 October, 2016). One difference is that moderation is provided in Polly to facilitate the discussions; in Liquid Feedback moderation was intentionally not there (in order to keep things as neutral as possible). A second alteration is that ranking of proposals and members (supervoters) is less based on the popularity of these, but the ranking in Polly takes the complexity of the issues at stake and the actual actions and know-how of members into account. Another difference can be found in how alternatives for proposals can be entered into the process. Alternative proposals can be included in the Polly process by creating compromises and consensus instead of putting an alternative proposal into a voting procedure as in Liquid Feedback.

Hensel (2014) argues that the most important tools for the communication within the Pirate Party are now the Wiki, mailing lists, party related blogosphere. In addition, the digital party magazines, video- and streaming services and the video conferencing software Mumble. On the website these different tools are explained:

- Mumble "*is an open and free voice conferencing software and is a key work tool for pirates. Mumble is available for Windows, Linux and Mac OS. Mumble allows us to carry out decentralized meetings and short action planning, without having to travel across the country. Thus, we are very flexible in these areas. Boards, task forces and working groups and the federal board meet regularly to meetings via mumble.*"
- The Piratpad "*is a widely used means of communication of the Pirate Party. It works like a virtual notepad in which several people can leave messages synchronously. This makes it possible to construct complete texts, action plans or protocols for meetings. The Piratenpad server can be reached at www.piratenpad.de and is available to everyone. This way, this Pirate Party software has become a popular tool for companies, NGOs and even other political parties.*"
- The Piratenwiki functions as "*the information and coordination platform of the Pirate Party Germany. Here, content that has been previously constructed through other means (for example, in Piratenpad) is collated and archived – it is, so to speak, a kind of Wikipedia for the Pirate Party. Of course you can also create content directly on the Wiki. On the Wiki you can findour principle programs, minutes of meetings of all subdivisions, plans for events, application links to party conferences, lists of roundtables and working groups, and much more.*" (website Piratenpartei.de)

7.1.2.3.   User friendliness

On complex matters the tool does not provide enough information to enable sufficient participation, according to the interviewed researcher. This has had the effect that too few people actually participated for decisions to be legitimate.

The system itself was quite complicated as well, which made contributing difficult for some people: "*I'm one of these supposed digital natives because […] I grew up with computers and internet more or less. [But] I find it very hard to find my way around this Liquid Feedback and to find what's discussed at the moment and who is voting for what and why. And, for example, if you delegate your votes, you will never see where your votes land in the end. Of course there are people who are very skilled, who are data mining these things and [who] can see which vote went where and why and who was voting with two hundred votes and things like that. But you have to have real expertise for that. Unless you're a 'normal' member, or maybe a bit older, or you're not so into this, or you don't have the time that I have to research it, then I think it's really difficult. And I don't say that it's a good way of participating, if you only have ten minutes and you can't inform yourself what you're voting on… But that's another question. But even then, it's not really user friendly. It looked like it was programmed by nerds, for nerds, and not for the general public*" (Interview 30, researcher).

7.1.2.4.   Deliberation

As noted earlier, the Liquid Feedback software does not leave much room for discussion, only for alternative proposals. Room for discussion is deliberately excluded from the system of Liquid Feedback

(Paulin 2014). Discussions need to find their way to the PiratePad online platform which provides chatrooms, wikis, mailing lists or other forums that are not related to the party. Our interviewee related to the German Pirate Party claims that this software stimulates constructive decision-making: "*You have quite a dynamic discussion process. You have to propose something, you can't say 'Everything is bad' […]. You have to say: 'I want it this way'.*" This ensures a constructive discussion, according to the interviewed organizer (Interview 29, politician).

The threshold of a minimum support by 10% of party members also effectively obstructs counterproductive contributions, because this threshold makes sure that unsupported views can be ignored without further discussion. "*The only possibility to give feedback in liquid feedback is to do it in a positive and constructive way. […] If you want to change something, then you have to suggest what has to be changed*" (Interview 29, politician). Voting on proposals in Liquid Feedback works through a preference system, in which multiple, prioritised votes can be cast. Participants can thus choose and prioritize several policy options at the same time (Interview 29, politician).

7.1.3. Results

Liquid Feedback makes it possible for political parties to improve the accessibility and transparency of decision-making and the quality of members' participation (Edwards and de Kool 2016). But although direct democracy is an important aim of the German Pirate Party, the results of the Liquid Feedback system is not binding for the party leadership (Paulin 2014). Sometimes the party leaders do make a different consideration than the members (as described in this [news item](#)). This is an unresolved normative conflict in the party. "*Should a parliamentarian act as a trustee, accountable only to his own conscience (a norm constitutionally enshrined in Germany)? Or should the parliamentarian act as a delegate of party members, who can indicate their policy preferences through Internet devices such as Liquid Feedback, thereby implementing the equality between office holder and 'ordinary' members? The representatives in Berlin were most open towards the 'delegate model' and committed themselves to considering the membership position via Liquid Feedback in parliamentary decisions. However, member feedback is considered to be non-binding advice even in this case (Koschmieder 2013, 217)*" (Bolleyer et al. 2015: 173).

7.1.3.1. Transparency and accountability

Because transparency within the decision-making processes is highly valued, in principle members discuss their own standpoints out in the open. That was also the idea of the developers of the software. Edwards and de Kool (2016) see this however as an important dilemma, and a very sensitive issue within the Pirate Party. Being transparent about party members' opinions and decision-making behavior may generate information that those concerned regard as a violation of privacy. The Pirate Party therefore offered an opportunity to participate anonymously. The developers of the software (Jan Behrens, Björn and Andreas Nitsche) distanced themselves from the application of the software by the German Pirate Party in an [open letter](#) subsequently: "*Wir sind der Meinung, dass der Bundesvorstand das System nicht auf angemessene Weise installiert hat. Eine ordentliche Akkreditierung der Piraten – geschweige denn eine zeitnahe Sperrung ausgetretener Mitglieder – findet bis heute nicht statt. Die vielfältigen Forderungen einer möglichst anonymen Beteiligungsmöglichkeit an der installierten LiquidFeedback Plattform führten zu einer derartigen Verkomplizierung der Prozesse, dass in der Praxis niemand eine Übersicht darüber hat, hinter welchen Accounts tatsächlich ein stimmberechtigtes Mitglied steht*". The developers don't think that anonymous votes (with a pseudonym) and an accountable, transparent decision-making process can go together, as described by [Spiegel Online](#).

7.1.3.2. Trust in government

Do not use the Liquid Feedback software for show, warns the interviewee related to the German Pirate Party. Nothing is more frustrating than participating in a process in which ultimately nothing happens with the result – this makes it very hard to motivate people to participate again, he emphasizes. In reaction to the Pirate Party and its use of digital technologies, chancellor Merkel set up the 'Kanzler

Dialog'. "*They set up an Internet website which was thoroughly programmed and which had a voting system. It was just clicks. You opened a new window in your browser and you could vote again. It was with cookies. One topic on this website was legalizing marihuana. What happens? Nothing*" (Interview 29, politician). This can damage the trust people have in politics.

7.1.4. Application at the EU level

Our interviewees had contrasting views on the EU suitability of Liquid Feedback. The interviewee related to the German Pirate party thinks implementing Liquid Feedback at the EU level would be a good idea for certain issues, such as the TTIP free trade agreement, so people can see the difficulty of decision-making. "*Liquid feedback would be one way of getting more people involved to discuss how complicated it is and to show them that politicians don't sit in talkshows every day. […] I think there's always the same prejudice in every country. Politicians are stupid, lazy and they don't want to work. Liquid feedback can show people how complicated politics can be*" (Interview 29, politician). In addition, it can show how many support certain proposals really get: "*It is the way for politicians to see how big a certain group really is. […] a sad point [is] the rise of populism, because these people are not the majority. […] The big problem is that politics and parliament start to listen to the minority*" (Interview 29, politician). Using a tool like Liquid Feedback would show more clearly what the majority thinks, according to the interviewed politician (Interview 29).

Interviewee 30 (researcher) directly opposes this idea; when we asked him whether the tool could be used at the EU level, he answered "*please don't*". Liquid Feedback is mainly an extra tool for the already active citizen or professional (Interview 30, researcher). In addition, the tool does not show which citizens are actually represented by participants; it can be a very homogeneous group. "*And if you install liquid feedback on the [EU] level, then those more influential get another chance to express their will and [parliamentarians] have the impression that it might be the will of the people. Which then makes the members of parliament act. But the reality is, it's not the will of the people, but the will of a very small social group. And I think that's really…it could be dangerous*" (Interview 30, researcher).

The interviewed organizer (Interview 29) sees also another possibility of using Liquid Feedback: for including expert knowledge in the decision-making process for instance. "*I am still completely convinced that you could use liquid feedback not only for decision-making, but also for an expert system to have people participate in decision-making within the parliament*" (Interview 29, politician). Such application in a smaller group of experts might lead to less objections of interviewee 30 (researcher).

Whichever way the software is used, this has to be communicated clearly interviewee 29 (political party) emphasizes: "*I can only recommend that you start to experiment a little bit. But most importantly, if you use something like liquid feedback within a decision-making process, be aware that you have to think about: what is the group of participants and what is the reason why we are doing this? What happens with the result? You have to communicate this to the potential users*" (Interview 29, organizer).

7.2. Five Star Movement Italy

7.2.1. Introduction

The 5 Star Movement (Movimento Cinque Stelle: 5SM) is an Italian movement-come-political-party that was co-founded by Italian comedian Beppe Grillo and Gianroberto Casaleggio, an entrepreneur acquainted with web strategies. The communications company of the latter (Casaleggio Associati Ltd.) is the practical initiator. Today the company also maintains the web platform used by 5SM on the national level. The movement's online presence is essential to its structure. Sæbø et. al. (2014: 244) thus cite movement members who describe the movement as a 'non association' with a 'non statute' and with "its headquarters on the web".

The 5 Star Movement is a self-declared 'populist' movement (IlFattoQuotidiano.ti 2013a) with a "post-ideological" approach, which has emerged from the sidelines to become Italy's 2nd most popular party (Kirchgaessner 2016). The movement today has 17 elected members of the European Parliament, 130 members of the Italian Parliament, and more than 2,000 elected officials at local and regional level in Italy (Interview 31). The adoption by the movement of the populist label indicates – in line with the republican tradition - a positive aspiration to give voice to ordinary 'people' and the negative aim to create stricter mandates of elected and unelected public officials to counteract governmental overreach (see e.g. Bourke and Skinner 2016). While the purpose of this case study is not to discuss the ideology of the movement, it is important to note that the movement's official communications use the 'populist' label in a way that appears to be consistent with the republican tradition and to deviate significantly from the anti-pluralist, authoritarian invocations of '*the* people'; a central theme of Jan-Werner Müller's recently influential critique of populism in the 21st century (Müller 2016).

The aspirations of the movement to give voice and influence to 'people' come together in the movement's championing of 'direct democracy', which for the movement is embodied in its use of a number of different online tools for communication and mobilization. The interviewed platform designer, states about the use of these tools that: "*The strength is certainly the fact of being able to get people involved directly in big numbers in small amounts of time […] This allows a very fast way of getting things solved. And it allows a lot of people to be involved in policy definition and representation definition*" (Interview 31).

7.2.1.1.   How it works

The web platform of the 5SM combines different tools used for a variety of purposes such as debate, knowledge sharing, voting, e-learning, and more. Today, all online tools rest on a common platform named *Rosseau* after the French philosopher. This platform provides the resources for different services. One such resource, *LEX*, provides a space to share documents. Over the years, practices have emerged for how to use this space. These practices are key to how the movement works. One example is that elected officials representing the movement will share all reports that they must respond to with the movement's members well in advance. That way there is the possibility to have an open process about how the movement should react to that report (Interview 31, platform developer). Another perhaps even more central service is the voting function. Here, all registered and eligible members of the movement can announce their candidacies for upcoming elections, and the group of voting members decide who becomes listed as official candidates (Interview 31, platform developer Other services include e-learning modules designed to prepare newly elected candidates to their official duties and the tools at their disposal (Interview 31, platform developer.) as well as facilities for online streaming of official meetings. New services are being added on a regular basis (Interview 31, platform developer).

The use of online tools has been central to the movement from the beginning, but it has developed gradually. Only in recent years have the different tools being used become integrated in a common platform. The movement emerged around Grillo's blog, which he started in in 2005. Here Grillo continued a history of publically sharing anti-establishment views and criticisms as part of his comedy. Once followers of the blog began to identify themselves as a political movement they adopted Meetup (www.meetup.com) as a means of coordinating small meetings among movement supporters. From around 2007, Grillo's blog supplied space for contact and debate within and between these groups (Sæbø et. al. 2014: 245).

This centrality of the blog, which until 2015 was still formally Grillo's, as well as the allegedly in-transparent internal processes of the movement, led to criticism of centralism and even autocratic tendencies in the movement (De Rosa 2013). Conceding the point, the movement in 2015 changed the URL of the blog (to www.movimento5stelle.it) with Grillo stating that "*the 5 Star Movement is mature enough and is preparing to govern Italy, so I believe it's correct not to associate it to a name anymore*" (Beppegrillo.it 2015).

While the movement may thus have its 'headquarters' online, it has combined this virtual structure from early on with 'real world' mobilization of supporters. In this way, according to De Roas (2013b:20) "*the web [is] the connective tissue, the megaphone and the organizing principle behind a campaign that offers seamless movement between different reality spaces (online/offline)*". Meetings and rallies have been central to the movement since its inaugural 'V-day' in 2007 where Grillo began the process of gathering signatures for a proposed change to the Italian electoral law (Beppegillo.it: 2007). At around the same time, a number of the Meetup groups began to organize to run for local elections on civic lists. This turn to local politics culminated in 2016 with the election of 5SM mayors in Rome and Turin. This turn also began the process by which the movement began to turn into a party (Kirchgaessner 2016). The 'non association' furthermore was thus formally founded as an association in 2009 to provide an organizational platform for the coordination of civic lists and to make it legally possible for movement members to run for the Italian parliament and, from 2014, for the European parliamentary elections as well.

7.2.1.2. Legal framework

Regarding the political context of 5SM and its online participatory tools, the choice to seek representation in political institutions has been a crucial milestone for the movement. "The 5SM has started to come to terms with representative democracy, choosing to act from within political institutions" (Bordignon and Ceccarini, 2015: 456). As already noted, this choice has been highly successful with the 5SM now being represented in the European and Italian parliaments as well as many Italian municipalities (ibid.).

Sæbø et. al. (2014) note that while the movement has thus had to make concessions to the 'offline' world of institutions, the statute of the 5SM reiterates that "the Internet plays a crucial role for 5SM", that "the headquarters of the 5SM" is the blog itself", and that the movement uses the Internet to "let citizens enter into the movement for consulting, deliberating, decision-making and electing purposes" as well as "governance" of the association (246). Italian regulations for party associations give extensive leeway to the design of internal processes and thus provide a legal space that the movement has sought to utilize to give as much direct influence to movement members as is possible and feasible (Interview 31, platform designer).

7.2.1.3. Financial sources

The online platform of the 5 Star claims to be funded largely by crowdfunding (IlFattoQuotidiano.it 2013b). The funds received by parliamentarians for support staff are directed back to the organization to support these and other communication efforts (op. cit.).

7.2.2. Participants

As of January 2017, close to 1500 Meetup groups with more than 145.000 members in more than 20 countries have been established (an updated overview is available at https://www.meetup.com/topics/movimento-5-stelle/). In principle, anyone registering to the 5 Star Movement's website can participate in the preparation and discussion of the movement's decisions although they must stick to the debate guidelines. To be able to participate in the different voting activities of the movement (see below), voters must be 18 years of age an eligible to vote in Italy (Interview 31, platform designer). To document their eligibility, subscribers must submit a scanned ID (Federici et. al. 2015, 288). Despite this openness, however, Grillo has been criticized for eliminating online users unilaterally and for using his administrative position to 'blackmail' movement voters into voting according to his own preferences (Sæbø et. al. 2014: 247). These criticisms aside, the participatory functions of the platform are indeed extensive, and with the electoral results achieved by the movement in recent years to the European Parliament, the Italian Parliament, and local and regional Italian governments, the movement claims to have "*one of the most effective platforms in the world*" (Interview 31, platform designer).

7.2.2.1.   Engagement and communication strategy

The 5 Star Movement is in a sense synonymous with its engagement and communication strategy. From the perspective of the movement itself, these members do not *participate* in activities of the movement; they *are* the movement, and the central administration and elected officials merely serve the movement. This high-minded philosophy of radical engagement is implemented in a number of ways as outlined under 'Participatory process' below.

7.2.2.2.   Representativeness of the participants

A central claim of the 5 Star Movement is to be more open and therefore more representative than traditional parties (Federici et. al. 2015: 288). There is no data gathered on the statistical representativeness of the movement's members in relation to the Italian and/or European (Interview 31, platform designer). However, the movement website as of 2015 had 800.000 unregistered 'followers' and around 100.000 certified 'subscribers' – numbers which compare favorably with traditional party membership in Italy, where the most-voted for party (PD) boasted a membership in 2015 of around 240.000 (down from 800.000 in 2009) (Federici et. al. 2015: 288). Up to 30,000-40,000 subscribers usually participate actively in important online discussions (ibid.:294).

While statistical representativeness is neither a goal, nor a point of observation for the movement, the movement's claim to representing 'people' – as long as this is understood in terms of representing a partisan, self-selected part of the population – could on the face of it be on par with traditional parties. De Rosa (2013) documents for the 2012 Italian parliamentary election the group of 5SM candidates – of which only 13% were female and only 10% were below 29 - was in no way sociologically representative of the Italian population. Again, this is noted here with the caveat that the movement does not aim or claim to achieve statistical representativeness among its candidates.

8.1.2   Participatory process

Participation and deliberation are central to the 5SM platform design. All content in the LEX and on the blog is thus open to debate among registered subscribers. Debate activity levels among subscribers are "good" in comparison with similar platforms (Interview 31, platform designer). Movement members, however, have options for participation and co-creation that go beyond debate. These options are outlined here.

A first option is agenda setting. From the outset, the digital platform of 5SM focused on agenda setting. Participants can post about ideas and views and debate posts by participants and party/movement officials. There is also an element of providing input for policy options in that posts can just as well be in the form of policy proposals, and participants can co-create law proposals in wiki-style processes. Results are listed on the main web platforms of 5SM. Subscribers who have participated in debates and/or votes are notified by email about outputs and outcomes.

A second option is voting. A central function of the blog has been as a platform what the movement calls 'digital primaries' (Interview 31, platform designer). Sæbø et. al. (2014) note that this use of the blog has taking various forms, flexibly adapted to each purpose. In one example, digital primaries conforming to direct democracy principles of one user, one vote were held to select candidates for 5SM national parliamentary election lists, while in another example the digital primary took on a more deliberative democratic form when movement members had to decide on which presidential candidate to support (246).

A third option, which as far as we have been able to determine is not yet implement, is assuming direct control of elected officials (proxy voting). Registered blog users may propose legislation and – on the condition of 20% of the online vote – compel the elected officials to put forward the proposal in

parliament (Interview 31, platform designer). This has been a projected goal since the founding, but had until mid-2016 not been implemented, causing some internal criticism (Interview 32, researcher). Such criticism would be natural since the possibility to assume direct control over representatives is at the core of the republican populist tradition, which seems to be the movement's ideological ancestor (see above).

A fourth option is monitoring of elected officials. Adopting what De Rosa (2013b) calls a 'no-confidence stance' to the relationship between the movement's members and its representatives, extensive direct monitoring of the actions of elected officials is possible. The blog thus acts as a hub for transparency with video streaming ensuring the transparency of meetings, also meetings with political allies and opponents (De Rosa 2013, Sæbø et. al. 2014: 247). The funds received by parliamentarians for support staff are directed back to the organization to support these and other communication efforts (op. cit.) while simultaneously 5SM parliamentarians actively use social media to disseminate information about their activities.

7.2.2.3.   Privacy

The fact that subscribers have to submit ID to be confirmed creates a potential privacy threat to subscribers. However, in terms of privacy protection, the statute of the association contains provisions for privacy that prevent the association from sharing personal information with third parties (Federici et al. 2015: 292). Extensive security measures have been put in play to ensure the integrity of the movement's voting results (Interview 31, platform designer).

7.2.3.   Results

The impact of the largely online mobilization and organization efforts of the movement has been very substantial in terms of providing voter support for elected officials (see above). In terms of policy impacts we have no hard data on the relationship between one the one hand the online deliberations among citizens, the proposals produced by citizens, and the proposal votes among registered subscribers, and on the other hand the voting and negotiation behavior on the elected officials of the movement.

7.2.3.1.   Transparency and accountability

As described above (under 'participatory process'), extensive information is made available to movement members to allow them to judge for themselves the correspondence between debate outcomes within the movement and positions taken by elected officials.

7.2.4.   Application at the EU level

There is a strong belief in the movement that the 5SM model represents a viable model for democracy and one – possibly one among others – that will eventually eclipse and replace traditional party structures. De Rosa (2013b) thus documents that 45% of 5SM voters (in the 2012 national elections) believe that political parties will grow ever weaker in the future and that 33% of voters think that parties are "*destined to die*" (De Rosa 2013b: 26). This opinion would apply to EP parties as well. Many questions remain open about the movement's long-term sustainability, its ability to translate members, and its ability to gain influence through policy negotiation. Nevertheless, with 17 elected EP members, the movement represents as a matter of fact a working alternative to traditional policy structures; also at the EU level.

At the same time, in the opinion of the platform designer interviewed for this case study, many of the tools for dialogue, voting, and transparency adopted by the movement (as described above) might well be implemented not only by other EP parties, but also by the EP institution itself (Interview 31, platform designer). In the opinion of the researcher interviewed for the case study, the former (adopting a similar platform in other parties) would probably be more immediately probable than the other (adopting such

a platform in the EP institution) since the entire logic of the platform is structured from a 'movement' rather than an 'institutional' point of view (Interview 32, researcher).

7.3. Podemos

7.3.1. Introduction

Podemos was founded as a political party in March 2014. The different digital participation tools discussed here have been adopted in the time following. The application of these tools is ongoing. Some tools are constantly available for use and participation, while others are used ad hoc in specific political processes.

Following the 2015 elections in Spain, Podemos is represented in both chambers of the Spanish parliament, Cortes Generales. Podemos is also present with 5 seats in the European Parliament, following the party's first election in 2014.

Podemos has made inclusive and transparent decision-making their main asset and indicator of their politics. The basic claim is that direct participation of citizens is indispensable for a system to be democratic and legitimate. One of the main channels for public participation is the Podemos website enabling online voting and decision-making. Also, Podemos has since its 2014 foundation launched several online platforms based on open source software such as Reddit (adapted by Podemos under the name Plaza Podemos), Agora Voting, Loomio, Titanpad, etc. and latest Consul. The latter is the software behind the new platform, to which Plaza Podemos has been moved.

7.3.1.1. Initiators and aims

Generally, use of the different digital tools is initiated and managed by the political party Podemos. Plaza Podemos specifically was initially created as a subreddit by a supporter of the party in 2014. The party later contacted the creator of Plaza Podemos in their search for new digital tools to connect with people. As a result, the page became the official subreddit of the party and the creator joined the managing team (Borge and Santamarina, 2015).

The aim of the digital tools is to organize direct democratic involvement, transparency and accountability through the application of direct democracy ideals in practice. This is done inside the institutional framework of the political party of Podemos. Podemos also seeks bottom-up support as well as crowdfunding and fundraising.

7.3.1.2. Financial sources

Podemos is mainly financed through "*regular citizens' donations and crowdfunding for specific projects. Since transparency and corruption-free politics is one of the party's primary postulates, all the accounts and balances of the party are published online*" (Klimowicz, 2016: 67). The main website of Podemos contains this opportunity to financially support the party's activities directly by donating to the party or its specific activities.

7.3.1.3. Decision-making phase

The combined toolbox used by Podemos lets participants engage in different phases of party decision-making. In setting the agenda, Podemos uses the debate blog platform Osoigo and Plaza Podemos for open as well as focused debates, providing platforms for influencing and deliberating on the political agenda. In providing input for policy options, proposals can be submitted on these same platforms or follow from debates here. Whenever a proposal reaches a certain number of positive votes, the proposal is moved to the Podemos participation portal (participa.podemos.info), where it is processed among registered users as an introductory policy proposal. The user proposals that are succesful enough in gaining support, are turned over in final phases to a work group, which drafts a proposal document to

be put to a vote. This work group consists of officials as well as the initiator(s) of the proposal, giving a very tangible element of co-deciding along with the binding vote that follows.

7.3.2. Participants

The target group of Plaza Podemos users is quite broadly defined. At 14 years of age, you can register in Podemos and gain access to the digital tools. However, the different platforms also contain opportunities to participate without this restriction as well as a great deal of information on ongoing debates and topics of possible relevance to visiting non-members.

In that sense, although there may be some political citizen profile more relevant than others, Podemos and the digital participatory tools of the party address Spanish citizens on a broad scale: "*That was the aim of this party - you know - to reach to la gente, the people… So in that sense, the target group was not, you know, a specific minority group or a specific section of the population, it was the whole society*". (Interview 34, researcher).

This may have contributed to the initial popularity and public interest of Plaza Podemos in particular. Following the launch of the party and Plaza Podemos on Reddit, the novelty of a broadly inclusive and participatory forum for political debate gained media attention: "*Plaza Podemos was very famous in the beginning. When they started in 2014, some traditional mass media (…) were following the debates in Plaza Podemos. It was very extraordinary in the sense that an online platform within a party was given a lot of voice and a lot of echo in mass media.*" (Interview 34, researcher)

This is not the case anymore. Although Podemos has gained great numbers of members and participants - estimated at around 400,000 users (Interview 34, researcher) - media attention as well as participant activity on Plaza Podemos has decreased. It could be simply that the platform has lost its novelty. However, both our interviewees expressed considerations that something else might be at play: "*It's not very lively now… I suppose because [there] was a lot of enthusiasm before, and now people are a little bit fed up because no proposal (…) has achieved to voted on by the whole of the party… It was not accepted by the executives of the party. People, I think, are maybe disappointed in that sense*" (Interview 34, researcher).

Also, Podemos has raised participation barriers as an effect of increasing safety and party control of the census of participants: "*(…) they are becoming more restrictive, and so now this year you have to register as a member of Podemos and then you can participate in Plaza Podemos. But at the beginning, they were so open that it was possible to participate in Plaza Podemos and to have their say, even to vote… With only a nickname and without any restriction*" (Interview 34, researcher).

Participation relies solely on self-selection. Everyone who is registered in Podemos can participate on the online platform. This registration is not the same as membership of the party. Anyone over 14 years of age can register online and obtain a permanent code for voting (Borge and Santamarina, 2015).

Until recently, Plaza Podemos users have all been handled as one census, passive and active members alike. This has caused some internal discussion (Borge and Santamarina, 2015), resulting in a distinction between the census in its entirety and a census of active participants. The point of this distinction was to qualify the group of people contributing to binding decisions inside the party: "*One of the main questions when you take into consideration decision-making mechanism is the census. If you don't have an accurate census, then it is difficult to give to this tool… binding decisions. And that was one of the main problems with Reddit: We didn't control the census*" (Interview 33, politician).

This restriction limits the right to participate in internal votes to only the active census. Problems of primaries being compromised by organized groups of right-wing voters also made necessary a higher level security (Borge and Santamarina, 2015). In practice, the requirement for gaining voting privileges is connected to one's additional participation: "*So, if in the last year you have done anything related to party*

processes(…), you enter into the active census. (…) I think the requirement is to at least have participated electronically or physically once in the last year" (Interview 34, researcher).

7.3.2.1. Representativeness of participants

Being fully dependent on self-selection among participants, there is no mechanism of representative selection, and both our interviewees do believe that it is skewed towards highly educated men: "*In Plaza Podemos, the participants… I think they are not very representative of the whole Spanish population because I think that most of them are men for example, and I think that most of them are high-educated (…) But it is only an illustrative impression that I have*" (Interview 34, researcher).

Also, there is a matter of digital and social divide: "*I must say the majority is men and not all age groups are equally savvy with technology. There is also something about the economic status… The facility to have access to Internet and use it regularly, still nowadays - not only in Spain - depends on your cultural background and economic possibilities*" (Interview 33, politician). In turn, the mechanism of self-selection and the generally flat structure of discussion could give opportunity for minority groups to make themselves heard: "*I think we are a in a way a party full of minority groups with a vocation of being a majority party. If you see data from polls and demographics and so on, we may have the most diverse base of supporters… Including maybe the strongest base of for instance disabled people*" (Interview 33, politician).

7.3.3. Participatory process

Participants provide input in several ways on the platform. First and foremost, participants can submit proposals to the deliberative platforms. Such proposals are subject to commenting and voting up or down by participants. In later phases of the decision-making process, participants can support a given proposal to get it accepted for proposal development by the organization and initiator. The barriers between phases of a proposal on Plaza Podemos are as such:

When a proposal on Plaza Podemos has gained a certain amount of positive votes (equivalent of 0.2 percent of registered users), it is moved to another section on the Participa platform. The former reflects the phase of collecting proposals, and anyone can post one such. Once in the next phase, a proposal must then gain support from 2 percent of members before a notification is sent by email to all registered Podemos members. If the proposal reaches 10 percent support within a set deadline (typically around three months), the proposal reaches the final draft phase. Here, the initiator(s) enter into a work group with party officials to co-draft a final proposal document, which is then voted upon by registered members. If agreement cannot be reached in this phase, two proposals are put to a binding vote on the Agora Voting platform.

Interviewee Miguel Ongil on Agora Voting: "*Agora is the software for online voting. (…) This is the tool that we use for primaries and this will be the tool that we use also for consultations. For instance, it is mandatory to ask our members about any pact or any agreement for instance to get or not into our government. Agora Voting is basically the interface that gathers the data from our census (…) to have online voting anonymously and all these guarantees*"

Recently, the number of channels for participation has been reduced and simplified: "*Apart from Plaza Podemos, they have Appgree… They have ListenToYou (Osoigo), which is a direct channel of citizens [to connect] with parliamentarians. They have these three channels now (…) One year ago, they had like, I don't know, ten different channels… Maybe it is smarter to simplify*" (Interview 34, researcher).

7.3.3.1. Aggregation

In these ways, proposals are aggregated in several phases. Firstly, proposals are voted up or down in order to gather support and progress into the Patricia platform, where only registered members can contribute. This accumulation of support continues in later phases. Succesful proposals are ultimately aggregated - voted upon - in a binding vote.

7.3.3.2. Exchange and diversity of views

But before it comes to a vote, participants can discuss, challenge, counter, qualify etc. proposals. Between participating citizens, the "*two most important proposals discussed [on Plaza Podemos] shows a high level of discourse equality, reciprocity, justification and civility*" (Borge and Santamarina, 2015 p. 33). Generally, proposals often experience substantial discussion, suggesting an active group of participants.

When a proposal is sent to development in a work group, the author(s) of the proposal is included in the group along with officials of the party. Here, participants and party decision-makers can exchange views in the process of developing the proposal. In this way, succesful proposals from the online platform must in this phase see some interaction and deliberation between officials and initiators. Also, the final vote is binding towards the political representatives, by which the aggregated view of participants as such is communicated to decision-makers.

Plaza Podemos is only modestly moderated by officials. The platform, however, does not seem to suffer from too much incivility: "*In Plaza Podemos you can see that without a moderator, the conversation is going fine and there is no incivility and people were being very polite and there was a lot of justification and argumentation*" (Interview 34, researcher). Although views are generally exchanged in a civil manner, the general level of reflexivity among users is low: "(…) *very few users expressed a change of opinion or position. Also, the content of many comments refers to the direction of their vote or to encourage other people to vote but not so much to debate*" (Borge and Santamarine, 2015 p. 33)

7.3.3.3. Information on and during the process

No initial information is given on issues at stake, other than what the initiator submits to his/her proposal. However, information relevant to an issue can often be found because of the structure of the platform. "*The platform is subdivided in different categories and every debate refers to a specific subject, leading a division of large tasks into smaller units, which usually contains relevant information concerning documents, links to explanatory videos or articles*" (Borge and Santamarine, 2015 p. 19). Other than this, participants can refer to documentation on their own in the ongoing debate: "*Information is given basically by the participants. I don't think that it's a question that Podemos does not want to give information (…) But these forums are sort of social forums that are pretty free, so participants they manage and they add information*" (Interview 34, researcher).

Podemos itself merely provides information on the tools and processes, although our interviewee representing the party expresses some concern about leaving documentation entirely to users: "*I think we provide basic information about how to use the tool. I think when it comes [to] raising issues for discussion or for decision, maybe we should be more methodic… Explaining the context, the process, the pros, the cons and so on*" (Interview 33, politician).

7.3.4. Results

Results of the online participation of members contribute to the decision making process in two main ways. Firstly, the deliberation on proposals contributes to the political agenda setting in the party. Secondly, the results of binding votes on proposals contribute to the policy output of decision making processes. This output, however, is to be understood as policy aims of the party. To be implemented as policy, Podemos is still dependent on reaching majorities in relevant parliaments etc.

Whenever a proposal from Plaza Podemos enters into such representative democracy institution, obvious limits are posed to the political output efficiency of participation. Similar considerations are relevant with regard to designing an online platform like that of Podemos. In the words of interviewee Miguel Ongil: "*If you don't give the possibility to have an actual impact on the outcome, then they are not interested in the mid-term… They lose interest, and we need to find ways to make it more binding and meaningful*" (Interview 33, politician).

The interviewed researcher is more critical towards the political efficiency of participation on Plaza Podemos, and in particular the feedback on the influence on policy: "*In an indirect way, [Podemos] are paying attention to the discussion on Plaza Podemos, but it's in a very indirect way. (…) They take decisions without explaining themselves and without entering in Plaza Podemos and saying ' well, you see, we are listening to you'. So the listening is very indirect. It's not that those participatory tools have a direct impact. They have a kind of indirect impact that you can see between the lines in some decisions*" (Interview 34, researcher). Regarding the different thresholds of support and the process of participant proposals, she continues: "*The only way you can monitor [the process], is if the organizers tell you about it*" (Interview 34, researcher).

The researcher of Podemos finds that this seeming lack of political efficacy could be influencing the engagement of members: "*I think that in the case of Podemos, people are very disappointed with these instruments. They were very fond of them at the beginning and now I think that the registered members are kind of… Well, they are abandoning. (…) If you enter in Plaza Podemos you will see that participation is very low. And if you compare this to Plaza Podemos in 2015… That was incredible*" (Interview 34, researcher).

7.3.5. Application at the EU level

However, the interviewed politician does believe that the EU as well as other actors can learn from Podemos: "*I don't think there are ways of meaningful participation in the EU. You have [Citizens' Initiative] and the petitions committee, and both have nearly zero impact on the policy making. There are too many restrictions on which topics you can propose (…) and also always with veto possibility of the EC*" (Interview 33, politician). Apart from the importance of perceived political efficacy (on which he disagrees with the researcher concerning Plaza Podemos), the politician also emphasizes that participation spaces must put ordinary citizens to the center, slaying the EU Citizens' Initiative in this regard: "*I also have my doubts it's really a citizens' initiative, when you realize that the first two citizen initiatives were carried out by unions and the church [laughs]. It's not my comprehension of citizen participation*" (Interview 33, politician).

In conclusion, the interviewed politician points to three issues when initiating online participation on deliberative and policy making platforms like that of Podemos. Keeping an active group of active participants, data security and safety, and accessibility of the tool: "*Actually, even if you have a very fancy participation mechanism, really there are basics that have to be resolved. Again, it's the census and identity validation. And also striking a balance between safety and accessibility*" (Interview 33, politician).

7.4. Participatory budgeting Belo Horizonte

7.4.1. Introduction

In 2006, the Brazilian city of Belo Horizonte took a decisive step forward in moving the Porto Alegre model of participatory budgeting online. Through a platform accessible not only via the internet, but also via voting kiosks and voting by phone, the city managed to engage 10% of the voting population in decisions on budget allocation. The participatory platform, however, was exclusively digital, meaning e.g. voting would only take place online.

7.4.1.1. How it worked

The city has applied participatory budget processes since 1993, but 2006 was the first process to utilize only online tools. The Belo Horizonte municipality is involved in all phases of the digital participatory budgeting (DPB) process. The first application and creation of the tool was initiated by then mayor Fernando Pimentel of the Workers' Party (Partido dos Trabalhadores). City officials are not, however, involved in development or management of the website, which is performed by the communications agency Nitrato (Sampaio et al., 2011).

 In 2006, "*City Hall would invest U$ 11.25 million in its nine regions (U$ 44.2 million budget of offline PB were maintained, meaning that the DPB had a different budget from its face-to-face version). Through the website, any*

citizen with his or her voter's registration number from Belo Horizonte could choose 9 out of 36 projects (being one project per region), pre-selected by the City Hall, and by the associations linked to the PB" (ibid.).

The 2008 DPB was quite different than this first one. Firstly, the process was not related to city regions but to a single issue on a city level. Here, "*voters from Belo Horizonte should choose one among five pre- selected projects. All the options referred to road projects, with the goal to improve Belo Horizonte's traffic*" (ibid.). Again, all project proposals were pre-selected without citizen involvement. To date, later applications of the DPB in Belo Horizonte include processes in 2011 and 2013 (Coleman and Sampaio, 2016). In contrast, the ordinary participatory budget is an annually recurring proces (Sampaio et al., 2011).

7.4.1.2. Financial sources

The Municipality of Belo Horizonte finances both use of the DPB web tool and the implementation of policies following the process. The distribution of funds via the DPB is based on an index created by the municipality in partnership with a local university. The poorer, "*high priority areas receive more funding, in order to stimulate economic growth and social prosperity*" (Sampaio et al., 2011).

7.4.1.3. Legal framework

Being a local government initiative, there are some legal constraints as to what sort of decisions are sourced to the citizens. This, however, is no different than the legal limitations that the ordinary participatory budget of the city functions under: "*the legal framework is kind of important in this sense that (…) there are some limits as to what City Hall can actually do. (…) So people could not vote for, let's say, laws or bills or something like that. (…) As we had the face-to-face PB for several years, I guess it was not a big concern for anyone*" (Interview 36, researcher).

7.4.2. Participants

No selection mechanisms were applied to engage participants in a representative way. Nor were voting results weighed to reflect the demographics etc. of the population. Any citizen of Belo Horizonte with a voter's ID could register (using said voter's ID) to participate. In 2008, participants were required to in addition type in random series of numbers (so-called CAPTCHAs) as a security measure against computer bots. Although thorough registration processes were in place already in 2006, requirements for identification were sharpened by 2011, requiring participants to download a security app, produce two voter ID numbers, submit and confirm their email address and answer questions about their age and gender. These security requirements were introduced by legal officers of the state in response to allegations of corrupt voting practices in the 2006 and 2008 DPBs (Coleman and Sampaio, 2016). In 2011 and 2013, requirements for registration were supplemented by download of a security app, dual voter's ID, email confirmation and questions on age and gender (Coleman and Sampaio, 2016).

The number of participants has varied over the different applications of the DPB tools between 2006 and 2013. In the first DPB in 2006, 172,938 people participated online. This resulted in 192,229 website visits and over 500,000 votes. In later applications, participation has fallen significantly from 124,320 citizens in 2008 to 25,378 in 2011 and 8,900 in 2013 (Coleman and Sampaio 2016: 6). "*It was a huge success in this first edition. I mean, the whole city was commenting about these topics and ideas. And you could see in the streets, people engaging and mobilizing for this case. (…) You have a tipping point after 2008. Because it was considered by everyone as a very good success and now today you the same program with 100,000 less participants. There was a huge failure between 2008 and 2011*" (Interview 36, researcher).

What happened between 2008 and 2011 to explain such a steep decline? The Scientific researcher points to one particularly damaging error: the failure to implement the 2008 winner project: "*In 2008, the framework was just about choosing one single work in the whole city. And in the end, this work was not carried out*" (Interview 36, researcher). In the researcher's view, this meant that citizens, and participants in particular, lost trust in the process: "*When the 2011 process started, people felt very frustrated about the DPB…*

Because they had mobilized, they had, you know, made everything to gain this work, to win this election. And then the work was not carried out. So most people did not want to participate anymore. Even though City Hall tried to explain that it was not its fault, that the work was still to be done, but in the end, people did not trust the process anymore" (Interview 36, researcher).

The general target group of the Belo Horizonte DPB is all adult citizens with a voter's registration ID. This automatically means that participants must be a minimum of 18 years of age. In comparison to the non-digital PB of Belo Horizonte, it has been an aim to broaden participation beyond those already affiliated to the PB, and make participation more inviting to specifically young people and the middle class - both groups that were under-represented in the face-to-face PB processes (Coleman and Sampaio, 2016):

"*We wished both to promote the expansion of popular participation and extend the participatory budget process to segments of the population that usually don't get involved, such as the middle class and youth*" (Veronica Campos Sales, PB coordinator. Personal interview in Coleman and Sampaio 2016: 5). This is supported by interviewee 35, a city official affiliated with the 2006 and 2008 DPB's: "*We were interested in increasing involvement by the population. We had already the presential participatory budget (…). The main target groups [of the DPB] were youth and middle class, who did not take part in the presential process*" (interview 35, city official).

7.4.2.1. Engagement and communication strategy

As is expressed in the above, the application of the online platform was first and foremost an attempt to involve younger citizens and the middleclass, disaffiliated with the participatory budgeting. The main reason for this was the assertion that these groups simply found this participation too extensive and time consuming, and that minimizing this would by automation increase engagement: "*The digital participation, we thought, was already the instrument to bring in the target group* (Interview 35, city official). On this basis, the process was simplified to allow quick and easy voting, although maintaining channels for more extensive participation as well: "*If somebody wanted only to vote, he could vote in 30 seconds, but if he wanted also to participate, to discuss, to give his opinion, to lobby for what he thought was the best option, he had many instruments [online] to discuss with City Hall and also to promote discussion in-between citizens*" (Interview 35, city official). However, no data was collected in these years to support conclusions that the DPB succeeded in engaging citizens of the target groups.

Generally, communication strategies to engage the target group have changed from broad mass media campaigns to advertising mainly on the Internet. In 2006, the mass media campaign using the local printed press, TV and radio was supplemented by the news value of the Belo Horizonte DPB, which created 'free advertising' in local and national mass media. "W*e used also lots of communication, news letters sent to more than 300,000 citizens of the city, chat groups, internet discussions. (…) We [also] had a campaign in television*" (Interview 35, city official). Emails and SMS messages were sent to local citizens to inform them about how and why they could participate in the DPB process. In 2011, 3 million SMS messages were sent to over 1 cell phone numbers (Coleman and Sampaio 2016). In later years, the DPB has lost its novelty and thus has not experienced the same amount of press coverage. In 2011, mass media were not targeted by the campaign (Coleman and Sampaio 2016).

7.4.3. Participatory process

In short, the Belo Horizonte DPB is a process for discussing and voting on pre-selected projects, proposed by City Hall. During the DPB period, participants can post comments in five discussion forums on the DPB website as well as vote on the proposed projects. Each citizen can vote for one project in each of the municipality's administrative regions (Coleman and Sampaio 2016). Voting kiosks were set up to make ICT hardware available to all as well as to provide guidance: "*To minimize problems related to digital divide in the project, the City Hall established several voting kiosks throughout the city. Associations' headquarters, cooperatives and schools were also listed as official voting locations*" (Sampaio et al., 2011).

7.4.3.1.   Deliberation

In 2008, two features for further participation were implemented. One was a chat, where citizens could contact city officials, responsible for the PB. The other feature was a comment-section on each project, where anyone (registered user or not) could submit comments (ibid.).

The five discussion forums make out the foremost platform for exchange of views. In 2006, 1209 messages are posted. A study of two of these forums (including two issues on each forum) indicated that only around 30 percent of messages were dialogical, while around 70 percent were monological (Sampaio et al. 2011). This suggests a somewhat low degree of 'deliberativeness' in the forums.

City officials and incumbents did not participate in these forums to encourage deliberation nor to answer citizens' questions: "*People would address the City Hall in the questions, 'why don't you do this work instead of that?', 'why don't you select works in my region?', and the city hall would just leave these messages unanswered. I felt this very frustrating for people*" (Interview 36, researcher).

7.4.3.2.   Information on the process

The 2006 DPB website provided basic information about each of the projects available. This included information on location and costs as well as pictures. In the 2008 process, which dealt exclusively with city infrastructure projects, background information included visualizations of the roads 'before' and 'after' reconstruction as well as informational videos. Virtual maps were also employed to visualize project locations as well as where to find voting spots around the city (Sampaio et al. 2011).

Public participation enters the decision-making process in the phase of deliberation on predefined projects. Simultaneously, citizens can vote on the website or via the mobile app to choose between the projects. Before this phase, the process (of project pre-selection etc.) is not particularly open. Only selected organizations are invited to provide input to this phase.

Mechanisms of feedback on the decision-making process are scarcely implemented. A somewhat peculiar feature of voting feedback was that "*the voter, after choosing, could know exactly how many votes each pre-selected project had so far*" (Interview 36, researcher). Following the 2006 DPB, the website remained online, although the discussion forums were closed to participation. Messages posted to projects were removed, and only information on winning projects remained (Interview 36, researcher).

However, the public did monitor the implementation of winner projects independently from the DPB platform. The most popular project from the 2008 process received 48,000 votes, but is to date not carried out by the city. This may have been instrumental with regard to declines in feelings of political efficacy among participants. Expressions of external efficacy in posted messages fell from 40 percent in 2008 to 20 percent in 2011 (Coleman and Sampaio 2016). 6,7 percent of messages in 2011 specifically mentioned the 2008 winner project: "*I encouraged many people to vote for this Project of São Vicente Square and where is the work????????????????? It's only deception.... Why should I vote again????????????????????????*" (Participant in discussion forum on 28/11/2011, DPB 2011. Quote from Coleman and Sampaio, 2016: 11) (Sampaio et al. 2011).

7.4.4.   Results

As no mechanisms of influence on policy design are provided to the discussion forums, voting results must be considered the overshadowing result of citizen participation. Citizen deliberations in forums etc. are not merged into projects or given other systematic ways of influencing policy output or outcome. Thus, results of deliberations are merely a bulk of text input that - in an indirect sense - holds potential to influence voting results through discussion with other voters.

Voting, on the other hand, is provided to participants as a means of direct influence, in that policy is determined by the vote. The policy in question relates to projects rather than policy strategies and the

like. In 2006 (and again in 2011), these projects were distributed by city regions, while in 2008 only one project was chosen, this time on city level. In 2006, each citizen could vote once in all nine administrative regions of the city; however, "*usually, citizens did not vote nine times - they voted less because there were regions of the city that they didn't really know or they were not interested about*" (Interview 35, city official).

DPB voting results are intended to become policy. Although this is in most instances true, one never implemented project contradicts the actual compliance with this intention: "*The [only project] voted in 2008 has not yet been finished because there is a problem in terms of land use and land property - it's a legal problem that involves federal government and local government and this has not been [finalized]*" (Interview 35, city official). Although outcome of the process is in this way a disappointment, participants did influence output of decision-making. The failure of delivering this lies in the configuration of the winner project: "*It was not that [the DPB participation] did not influence the decision making… Yes it did influence, but later on, City Hall had administrative and legal problems [in the implementation]*" (Interview 35, city official).

7.4.4.1. User-friendliness

Generally, our interviewees express satisfaction with the user friendliness and efficacy of this tool for online participatory budgeting and dissatisfaction with the scope and ambition that it has been applied with. The technological simplicity of the tool is considered to lure in more participants and make participation more efficient: "*The main strength is that it was easy. Digital democracy platforms can be kind of hard to understand, or even demand too much, especially if it's based on comments - that you have to comment, to read, and to respond - it is not everyone that has the time or the energy to participate. So it was kind of a platform for, let's say, ordinary people who wanted to say what they prefer*" (Interview 36, researcher).

This is a consideration parallel with the initial idea that minimizing the inconvenience of participation would increase participation of the specific target groups. One could also view this in the context of citizen empowerment versus simplicity of use: "*The technology was very, very simple (…), but the empowerment of people, on the other hand, was very high*" (Interview 36, researcher). This seems to mostly be the case concerning the voting process and less so the deliberative processes: "*I think we had a weak participation of citizens in terms of discussing which public works should be voted. This is the weak part of the process*" (Interview 35, city official).

7.4.4.2. Trust in government

In evaluating the methodology of the tool, Ms. Nabuco repeats this view, emphasizing the limitations in political scope of participation in the DPB: "*I think the participatory budget process in Belo Horizonte should change (…) into a process that discusses which city we want. (…) The methodology should discuss largely with citizens what are the public works because actually it is not 'what are the public works' but 'which is the city that we want?'*" (Interview 35, city official).

This in turn leads to her conclusion, that although the digital participatory budget in Belo Horizonte has had positive effects in some ways, it has done little to establish new trust in political actors and institutions: "*I think the tool has not contributed in terms of changing trust of the target group in local politics. I think what they thought before is the same they think after the process*" (Interview 35, city official). Factors that are emphasized as inhibitory in this regard are the focus on city planning projects (rather than policy) and especially the breach of trust that occurred when not implementing the 2008 winner project. To our other interviewee, the latter indeed makes the Belo Horizonte DPB most illustrative as "*an example of what not to do*" (Interview 36, researcher).

7.5. Participatory budgeting Paris

7.5.1. Introduction

In 2014, Paris began a multi-annual process in which Parisians are invited to participate in the distribution of an annually increasing share of the city's budget. In 2014, € 17.7 million was spent on the Participatory Budget; the Parisians were able to vote on 15 projects designed by the City of Paris to spend this budget on (Budget Participatif, 2016a). In 2015, Parisian residents were able to submit proposals themselves. They initially submitted more than 5,000 proposals. A process of pre-selection reduced the number to approximately 600 projects, out of which 8 were selected at the level of the city for a total budget of about € 35 million (Holston, Issarny and Parra 2016: 6). In addition, 181 less expensive projects were selected at the level of Paris' 20 districts for a total budget of about € 59 million (Ibidem).

It is a general purpose of *Budget Participatif* to promote democratic innovation in the city, giving citizens the opportunity to participate in decisions that affect their daily lives. Namely, it should be "*an inclusive device, (…) a tool against social inequalities*" (translated from Mairie de Paris, 2016).

7.5.1.1. How it works

Proposals are divided into a city and an arrondissement level. The processes are similar and can be seen as distinct decision-making processes around pre-set budgets at each level. Both include citizens throughout the decision-making processes. Citizens can be involved in the phases of agenda-setting, giving input for (and co-selecting) policy options, and in deciding by public vote which ideas are to be implemented.

Participants can propose ideas on the Budget Participatif website. When submitted, proposals are available for comment and support by participants. These proposals are divided in ideas for Paris (city level) and ideas for arrondissements (district level). Following a process of pre-selection, feasibility assessment, and information gathering, the remaining proposals are put to a public vote on the Budget Participatif website as well as on paper ballots. Participants have 10 votes, from which they can assign five to city-level proposals and five to district level (Interview 37, organisor). Following the final selection, citizens can monitor the implementation of winning projects on the website.

7.5.1.2. Legal framework

The participatory process is closely tied to the political and administrative institutions of Paris. Firstly, online participation takes place on the city's web platform. The city is obliged to process citizen proposals and to follow the results of voting processes.

Here, the legal framework is especially relevant for the case of Budget Participatif. Following the first participatory budget – presented by Mayor Anne Hidalgo in 2014 - the application of participatory budgeting was approved by the Paris Assembly as a rule of law. This means that the next mayor of Paris cannot reverse the process of participatory budgeting unless the Paris Assembly does so (Napolitano, 2015). In this way, Paris is legally committed to budget participative "*every year until 2020. And if we get a new mayor, the new mayor [must] still ask the council to vote on the cancellation of the participatory budget*" (Interview 37, organisor).

This step, in a way, commits the city to Budget Participatif and depoliticizes the use. As the interviewed journalist points out: "*So now that it's a rule of law, the next mayor cannot just decide to scrap the participatory budgeting. It has to go through the assembly of the city again. (…) Now, it's a thing of the city and not just of the mayor. (…) I think it contributed very positively in this sense*" (Interview 38, journalist).

Generally, procedures and responsibilities are formalized and communicated by the City, often on the website. As Paris is divided in 20 local districts, *arrondissements*, a lot of the ground work to engage the

public is delegated to districts. District mayors are not all of Paris Mayor Anne Hidalgo's Socialist Party and could thus be thought to be less enthusiastic about the participatory budget. The Hidalgo administration solved this by financial motivation: "*We actually made a very interesting deal with them, at the very beginning, which was that any district that would get into the game will have their local budget doubled… So they're all playing the game, and are actually very involved*" (Interview 37, organisor).

7.5.2. Participants

Budget Participatif as a participatory tool targets all residents of Paris. Anyone can participate by way of self-selection – regardless of age and nationality. There seems, however, to be an acceptance that not all citizens have access to the Internet or are comfortable using the platform for one reason or another, as district city halls and some public buildings have offered personal help and/or workshops (Napolitano, 2015).

And Parisians do participate. Around 40,000 citizens participated by voting in 2014 and around 67,000 voted in 2015 (Joignot 2016). This "*is a lot compared to other cities but not that much compared to the entire Parisian population*" (Interview 37, organisor). To put it in perspective, 1,018,280 Parisians registered to vote for the local elections in 2014, of which close to 600,000 voted.

In 2014 and 2015, around 60 percent of voters chose to use the online tool (Napolitano 2015 and Interview 38, journalist). "For me, that's still a lot of people voting offline" (Interview 37, organisor). The backup of an offline voting method, our expert interviewee believes, could have prevented critique on the web solution: "*Probably, if it had been only an online vote, there could have been some kind of [public] discussion, but the fact there was also a paper ballot meant also that the people that didn't feel safe, instead of complaining, they said 'okay I'm just going to vote on paper'*" (Interview 38, journalist).

7.5.2.1. Engagement or communication strategy

The tool is marketed broadly and has seen a lot of media attention, especially in its first year. "*We do have a lot of press, but it's a concept that seems to be hard to explain. So it's not that easy. I think it's surprisingly not that discussed in the media. The first year was very good, but this year… I don't know, like, in the local press, but… Just to say, like, it's the start of the vote*" (Interview 37, organisor).

The advertisement from the city's hand has focused on visibility on city streets and online, as the interviewed organiser points out: "*[We use] big advertisements and posters in the streets. Because that the city controls, so we use it a lot, and it's a big, big budget. That we [put] a lot of effort into. (…) We started to buy some online advertisement which is quite new for the city*" (Interview 37, organisor).

7.5.2.2. Representativeness of the participants

No specific mechanisms have been implemented to ensure representativeness, and it does not seem a primary focus. Instead, the egality of option is highlighted: "*In my perspective, the participants are representative in the view that, like, all those people were allowed to vote and all those people were involved. Of course, I don't know the people who voted… Nobody knows*" (Interview 38, journalist).

Little data is collected to pursue or assess the representativeness of participants, due to legal constraints as well as considerations towards participation barriers: "*Because the French law is very strict, we cannot ask questions about for instance race. (…) it would be interesting to target minorities, but we cannot do that* (Interview 37, organisor). Officials do have some general ideas of socioeconomic and demographic characteristics, although the basis of this is limited: "*You can tell from the part of Paris where they live, what kind of social [level] it is. (…) Where there is more poverty or young people, [people] participate a lot. But surprisingly, the conservative areas and very family working areas are also very involved… Like in the 15th district*" (Interview 37, organisor).

On barriers of participation, the organiser adds: "*We don't want any obstacle on the participation and we know that the more detailed the form is… Like to register to vote… The less votes we're getting*" (Interview 37, organisor). In fact, identification is so limited that "*you just have to declare on your personal honor, when you say that you live in Paris. And you give an address, but it's fully possible to fake it*" (Interview 37, organisor).

It is important to note, that it is an explicit goal of the tool to involve participants beyond the political or participatory elite. And to some extent, it seems to succeed in doing so. Whether this is caused by advertising the process and tool, by design characteristics or other factors is arguable. Some design characteristics can be pointed out, however.

First of all, the parallel process of physical voting and project submission is implemented to prevent a digital divide, which could be of relevance in this regard also. The initiative to offer advice and support could qualify layman participation in comparison to that of elite actors. The same applies to the organization of project workshops. Combined, these and potentially other characteristics seem to lower the barrier of participation, promoting broader involvement - as well as empowerment - of ordinary citizens.

7.5.3. Participatory process

On budgetparticipatif.paris.fr, participants can submit proposals on city-level as well as on arrondissement-level (2014 excluded, where projects were proposed by the City). These proposals are featured on the website, where participants can then offer their comment and/or support. At a set deadline, the City collects the proposals and assesses them with regard to technical and legal feasibility. Participants can vote on all the accepted projects either online or on paper ballots. Ten votes can be cast on city level and arrondissement level: "*You can choose five projects in the whole Paris area and five projects in one particular district that you get to choose, like wherever, where you live you can choose the district where you work…*" (Interview 37, organisor).

The participatory process has changed already in its first years. In 2014, all proposed projects were constructed by the City. A year later, in 2015, the proposals came from the citizens and €10 million was earmarked for project concerning schools. This, however, did not stop participants from narrowing in on another topic: "*one thing we were not happy about last year was that a lot of projects were addressing the same topic. (…) Anything green, which is good, but we have a lot of money already dedicated on green in the regular budget, so it was actually too much*" (Interview 37, organisor).

2015 was the first year where citizens could submit their own ideas. 5,115 proposals came in. Around half of these were rejected due to technical, legal, and social criteria (Budget Participatif, 2016a). 71 percent of these proposals were sent in by individuals and 29 percent by associations, companies, etc. (ibid.). A lot of effort has been put into learning participants the formalities of proposing projects, and the 2016 process has seen greater succesrate in meeting the criteria (Interview 37, organisor). Lessons from the 2015 process may have been illustrative in this regard.

"*One of the main difficulties in (…) involving citizens in the process is that people usually - because it's not their job - don't know about feasibility of projects, they don't know what the city can do, what the local council can do, and also what the city cannot do, because sometimes it's a competence of the county or the region*" (Interview 38, journalist).

7.5.3.1. Aggregation

The input of participants is aggregated in at least two ways. First and foremost, the process of voting is one of aggregating support for citizen projects to decide which to implement. In the phase of project assessment, there is also room for the City to combine, pair and interpret proposals, being another form of weighing and aggregating citizen input.

This phase is by 2016 opened up for citizen involvement: "*we made a big effort to involve citizens into the merging phase and really encouraging them to go together and defend the project together. First of all to have less projects to deal with but also to have more comprehensive projects and finally because we need people to get more involved in the campaign phase*" (Interview 37, organisor).

7.5.3.2. Deliberation

Interaction and exchange of views between participants is encouraged by the design (e.g. comment and support options). Between participants and political decision makers, the exchange of views is of a different sort. Here, the participants' proposals (including qualifying comments, etc.) are given not to the decision makers, but to the broader population of Parisians to vote upon (albeit after being processed by the City Administration). Not until after the vote, the results (representing the aggregated views of the citizenry) are given to the political decision makers, who are obliged to adopt the results as policy under the constraints of the budget (Plesse 2014).

7.5.3.3. Information on the process and outcome

Information is provided by the City of Paris in several phases of the Budget Participative process. Firstly, the website provides a fair share of infographics, FAQs and information, which explain the process of Budget Participative and how to participate. In the proposal submission phase, information regarding the legal framework and support for financial approximations is provided by the administration to the submitting participant(s).

After the submission of proposals, additional information is provided in the sense that the administration assesses the proposals on their technical feasibility. This, at the same time, is a process, which excludes some proposals. After implementation, the winner projects are regularly monitored and information is provided on the website.

Distribution of decision-making responsibilities is clarified in the thorough information material on the website and the different phases of the decision-process are documented on the website. Participants and other interested readers can also monitor winner projects on a devoted section of the Budget Participatif website, where progress is reported.

Throughout the process, participants are given feedback on the result and impact of their contributions. Participants who have submitted proposals are informed by email about acceptance, changes, regrouping, rejections etc. (and the reasoning or regulation behind it) that may be relevant to the proposal (Budget Participatif 2016b).

"*We've done a lot of data visualization, videos, there is this chart where the rules are written… There is a big part of the website doing* pédagogie. (…) *We do a lot of meetings, explanations, drawings and everything*" (Interview 37, organisor).

7.5.4. Results

In the first phase of public participation, citizen input contributes to the base of proposals, from which the acceptable ones (with regards to technical and legal feasibility) are selected and put to a public vote. In this second phase of participation, the actual *result* of the participation - the voting results - fully decide what is to be the political output of the process. Voting results on city level and for the arrondissements are communicated publicly shortly after the vote.

Citizens are not generally involved in the implementation and thus can merely monitor outcomes: "*It's the city that's going to do the projects*" (Interview 38, journalist).

This is also reflected in the distribution of funds to winner projects. The city has pre-set a budget for each project and pre-distributed funds to the different arrondissements dependent on the number of inhabitants (Interview 37, organisor) and on social development: "*They didn't give the same amount of money to every local council, to every arrondissement. They gave more money to the underdeveloped areas, so the richest part, the central part, they get very little money compared*" (Interview 38, journalist). This priority is surely an expression of a social political position, but can also be a means to gain higher effect on development - or incremental value - of public investments.

7.5.4.1. Building trust and promoting transparency

The Budget Participatif is not only thought of as a tool of ideation and voting - another level of abstraction is apparent: "*For us, the participatory budget is just a tool of trust, and a symbol and a demonstration of a new way to do politics. So that is something we don't measure. I mean, we measure the trust people have in [Paris Mayor] Anne Hidalgo and it's working well, but we don't know if it's related to the participatory budget*" (Interview 37, organisor). Thus, institutional and incumbent trust is a key consideration. But the attraction of the process as well as the (digital) tool towards younger citizens is highlighted: "*The main strength for me is transparency and also reaching a new audience for democracy and renew the population, that is a success for sure. If you go to a traditional local meeting with only old people, retired, you compare it to the number of children participating in schools now, it's striking, so that's an amazing success*" (Interview 37, organisor).

7.5.5. Application at the EU level

One of the interviewees, generally supports these views, but also finds that the success of Budget Participatif - and participatory budgeting in general - is tied closely to the local level: "*I think that the strength of participatory budgeting, in general as a process, is the fact that it's very much linked to the local level. So, you are talking about a place that you know, about a need that you have*" (Interview 38, journalist).

Consequently, she argues that scaling of such tools to national and supranational level will not be without difficulties: "*I find it hard to imagine how that can be effective at an EU level, because (…) there is a number of methodology questions, for example how do you weight the vote of countries that have less citizens?*" (Interview 38, journalist). To some extent, the interviewed organisor supports this view, although from another viewpoint. Here, she stresses the importance of extensive groundwork to recruit and engage citizens in sufficient numbers: "*We invest a lot of money and a lot of humans into making sure that the participatory budget i known in every area and everything, so… That's exactly the thing the EU is bad at… Like going to the streets and inform people and get them involved. So that would be the biggest challenge [in scaling the tool to EU level]*" (Interview 37, organisor).

7.6. Participatory budgeting Reykjavik (Betri Reykjavik)

7.6.1. Introduction

Betri Reykjavik (Better Reykjavik) is a website platform for participatory budgeting under the Reykjavik Municipality's budget. It combines deliberative and participatory democracy and gives citizens a space to suggest, debate and vote for budgetary decisions and other communal projects (Participedia.net, 2016).

7.6.1.1. How it works

There are two processes of Betri Reykjavik. One is a monthly agenda-setting process, which translates to *Your Voice at the City Council*, where participants submit ideas, vote, and the top ideas are discussed at City Council meetings and either approved or rejected. Generally, around two thirds of presented ideas are accepted by the City Council as policy. In this way, there is a clear element of providing specific input for policy options. Likewise, the second process allows citizens to submit ideas for new construction projects in the neighborhoods. Here, the city processes the ideas and assigns a cost to the projects. Then people vote in an online process, providing a binding vote for which ideas will be included in the budget

by City Council. This final phase lets participants decide the output after the administration has processed the project proposals, characterizing the participation as co-decision making. Formally, however, the final decision on the process and handling of individual ideas presented on Betri Reykjavik remains in the hands of the city government (Participedia.net, 2016).

Betri Reykjavik is an ongoing process, which commits City Hall to collect proposed ideas and projects every month. This way, the website as a participatory tool is used throughout the ongoing decision-making processes of local government.

7.6.1.2. Initiators and aims

Betri Reykjavik is initiated and maintained by the local not-for-profit organization Citizens Foundation, which devotes its work to improving relations between citizens and administration (citizens.is, 2016).

The overall aim and purpose of Betri Reykjavik is to involve citizens in decision making and to engage them in politics. Specific purposes are (Lackaff et al., 2014):
- to build trust in political institutions and increase legitimacy political decisions;
- to increase political participation and inclusivity in-between elections;
- to educate citizens about city governance.

7.6.1.3. Financial sources

The foundation receives financial support from the Reykjavik municipality to maintain and develop the platform (participedia.net, 2016). Financing of projects is through the municipality's public budget.

7.6.1.4. Legal framework

The processes of participatory budgeting are politically, although not legally, embedded in the political and administrative work in Reykjavik Municipality. The City Council is committed to discussing the 16 most popular citizen ideas every month. Generally, two thirds of these ideas are accepted and submitted for popular vote on the website. The City Council is then committed to implement winner ideas (Bjarnason and Grimsson, 2016).

The possible constraints of legal restrictions have been avoided by the municipality not designing the tool itself. In spite of the political commitment to Betri Reykjavik, the design and maintenance is done by Citizens Foundation. The interviewed scientific researcher explains the process as such: "*One of the things that I think is really interesting about the original Better Reykjavik project, is that the city didn't have to change any policies. So, they wanted to do this project, but they would have had to change a lot of policies to run it themselves, right, and to find the results of it binding and things like that. So they didn't do that at all. They just let this non-profit, the developers, run it and manage it. And they sent someone from the city to gather the top ideas that came out of that every month. And then that person physically put them on the agenda of the individual city boards that would address those ideas. So it was kind of a runaround of the regulatory environment of the city to take advantage of this new type of engagement*" (Interview 40, researcher).

7.6.2. Participants

Since its establishment, Betri Reykjavik has had over 22,800 unique visitors and now has around 2,900 active users. The tool is designed to be broadly applicable and relevant to all citizens of the municipality – be it stakeholders, experts, officials or laymen. "*One of the interesting things about the Better Reykjavik project, especially in its early days, is that they were targeting, I guess, anyone who was literate and had access to a computer*" (Interview 40, researcher). Participants register using their electronic citizen's ID. They do not go through any sort of selection. Voting age is 16. Apart from this, no characteristic qualifies or disqualifies ideas or participants. In other words, the selection of participants is strictly self-selective.

7.6.2.1. Engagement or communication strategy

The website was initially advertised broadly around the city and online, but an appeal to political parties to use the tool also communicated the initiative. "*This was a fairly high-profile project in the city, so there was a lot of discussion in the mass media, so it was in the newspapers, on the radio… Of course, there was a social media campaign. They also did outdoor advertising, I think, so there were posters up. (…) It was a legitimate, serious effort to pull people in, I think*" (Interview 40, researcher).

7.6.2.2. Representativeness

Nor does the tool weigh votes for representativeness. In fact, there has been little consideration regarding representativeness – the focus in this regard has been on mobilizing participants with applicable interest, knowledge, and/or opinion (Interview 39, organiser).

Some thought has gone into assessing representativeness in retrospect, though. "*In our participatory budgeting system, where people have to vote with an electoral ID-card, we get anonymized, demographic-style data. Gender, age groups and things like that*" (Interview 39, organiser). An expectation from the developers that an online tool would automatically attract young citizens was shot down: "*Most problems are with young people. And we thought that after the first year, when we did the participatory budgeting, being an online tool and everything, that we would se a lot of action of like 20-30 year olds*" (Interview 39, organiser). The interviewed organisor finds this difficulty of engaging the youngest age groups almost a law of nature, as they often do not have as active an interest in the neighboorhood: "*When people start to have children, then it seems to be that the near neighborhood (…) becomes certainly a lot more important in people's lives… It's just one of those things, right? (…) You're never going to be able to have someone who's 20 years old, single (…) as interested as a 35-year old who has two children, you know?*" (Interview 39, organiser).

There has been some focus on minority protection and participation on the Betri Reykjavik platform. However, this is to be understood as the minority *view* rather than demographic or the like. This is done through the sorting of arguments rather than the efforts of participant selection or mobilizing. No matter the division of pro and con arguments, the most popular entries in each category are displayed on the same level. Hence, the best argument against is given the same visual weight as the best argument for, thereby protecting the validity and inclusion of the minority view (Interview 39, organiser; Bjarnason and Grimsson, 2016). This is contrasted by the fact that the vast majority of the website is only available in the Icelandic language, making it difficult for some minorities to participate: "*In Icelandic context, I think the biggest issue, the biggest barrier in a lot of cases, is the Icelandic language. So, the immigrant community used English and not everything was necessarily available in a language they could understand*" (Interview 40, researcher).

It is an explicit focus of Betri Reykjavik to make participation in decision-making more egalitarian and inclusive to layman citizens. Designwise, this is evident in "a direct connection with social media networks like Facebook and Twitter [which] reduces barriers to participation while situating policy discussions within the users' real social networks" (Lackaff et al., 2014). Participation is designed to be simple, quick and easy, adopting 'like'-style mechanisms and limiting text contributions to 500 characters (Bjarnason and Grimsson, 2016).

7.6.3. Participatory process

Betri Reykjavik combines two main tools or platforms, tied to the two forms of processes. "Your voice at the City Council" lets participants deliberate on the political agenda by proposing and debating policy ideas. The technology behind this is *Your Priorities*, an open-source idea generation platform. Here, participants can submit ideas in text and graphics, vote ideas up/down and debate ideas using for and against argumentation. The latter is sorted into columns to keep the debate on track and relevant to the proposal. The neighborhood planning process "Better Neighborhoods" lets participants vote following

an introductory process similar to the policy-making process. The voting process is done using Open Active Voting software, which is also open source (Interview 39, organiser).

In short, citizens can participate in a process, which starts with an ideation phase, where projects are submitted. Then, citizens can debate proposed projects in text as well as informal polling up or down. Finally, after the most popular projects are found (10-15 every month), citizens can vote on the projects on the website.

During the online citizen deliberation on project proposals, the diversity of views is managed by allowing equal visual impact to both sides of the debate. The most popular arguments against any proposal are presented at the same level as the most popular arguments for the proposal, regardless the distribution between the two sides (Lackaff et al., 2014): "*What we tried to do was to split the screen in two so people who support the idea can write points for it on the left side of the screen (…), and on the right side of the screen, people who are against the idea can put their points… And almost overnight (…) the quality level of the debate increased a lot*" (Interview 39, organiser).

Thus, views are exchanged between participants strictly by arguing for or against proposals. This minimizes the extent to which a comment can refer to another comment rather than the proposal itself: "*If you see a point, you don't agree with, there's no way to comment on it. You have to write a counterpoint*" (Interview 39, organiser).

Both our interviewees emphasize several advantages to this design:

Firstly, securing that minority views can gain attention: "*We were very concerned about… To make sure that the minority view is heard. When you go to the website you can see the idea, then the best points for the idea are at the same level as the best points against it. Even if there's a thousand people who support the idea and only 10 that don't support it*" (Interview 39, organiser).

Secondly, user-friendliness in the sense of debate overview for newcomers: "*The thing that I like about it is that after a while, when a new participant comes to this particular issue, they can very quickly get a sense of the thinking on it, that's gone on previously*" (Interview 40, researcher).

Thirdly, user-friendliness in the sense of minimizing the time necessary to participate: "*Participants can participate very little or they can participate very much, depending on how interested they are, which I see as a strength*" (Interview 40, researcher)

Lastly, this way of designing the debate module works to qualify ideas "*This has been very helpful to help the city make the ideas better*" (Interview 39, organiser)

It is clearly formalized by the dual platform model which decisions are up to the City Council and which processes are subject to binding online votes. Reports of City Council meetings are publicly available. The public participation processes are public to everyone while ongoing and remain available in the website's archive when finished.

When it comes to information on submitted issues and proposals, participants themselves provide the information. With regards to the neighborhood construction processes, however, the municipal administration does provide additional information and cost estimates before the binding online vote.

7.6.3.1. Information on the process

Participation results contribute (in some cases directly) to output. Citizens are informed about this output via the website platform of Betri Reykjavik and on the municipality's main website. The participants of a specific process are notified by email when there are developments in the decision-making process as

well as implementation and later developments (Bjarnason and Grimsson, 2016): "*If there's an idea that is going into processing, people can track it on the website (…) and each time there's a status update, you now, it goes into a committee and is discussed and there are meeting notes, they are sent to all the participants*" (Interview 39, organiser).

The interviewed organisor is quite insistent on the importance of proper feedback: "(…) *And obviously at the end, when the idea is agreed on or rejected, then everybody gets an email as well. It's super important(…). Otherwise, you're really not respecting people's time*" (Interview 39, organiser).

7.6.3.2.   User-friendliness

As mentioned, both software platforms of Betri Reykjavik are built upon open source technology. This could have some advantages in application and cost-efficiency: "*The development is open source and it's easy to run and it's easy to install. (…) The open-source model is so good for basically making it cost-effective in terms of running those sort of complex systems*" (Interview 39, organiser).

Design, however, is an ongoing process and new versions of both platforms are released on a somewhat regular basis - the main focus of development being enhancing user-friendliness and lowering participation barriers: "*We are always working on simplifying the process, in terms of how to participate. And that, I think, is in general a weakness of participatory processes, that they can be too complicated*" (Interview 39, organiser).

However, the open source software discussed here has been used in several settings throughout Europe, locally as well as nationally (KILDE). In this regard, the interviewed researcher finds it a positive trait that the software facilitates transparent and user-friendly processes for governments as well as citizens: "*There are several cases, examples of using it. And it's technically simple, so it's understandable… Which I think builds trust too*" (Interview 40, researcher).

7.6.4.   Results

With Betri Reykjavik, results of the participatory process contribute directly to the decision-making process. Either by presenting the proposals directly for the City Councils political and administrative handling or even by providing public votes, accepted by the municipality as binding. Of course, the results of binding votes are more directly influential on policy and/or planning output, but the participatory process is nevertheless in all cases directly tied to decision making in City Hall or the municipality administration.

Some reservations, however, should be had towards the genuine political influence of Betri Reykjavik: "*The Reykjavik PB project is expertly focused on kind of small things. So, it's focused on, you know, park benches, parks, and repairs and things… So yes, within this kind of small domain, participants have a very direct impact. But it could also be argued that we're not talking about zoning or infrastructure development or what kind of… Bigger issues, that citizens might also be interested in*"(Interview 40, researcher). In other words, the possibility of affecting city policy on a higher level - or e.g. an overall strategy of 'what kind of city do we want to be' - could be characterized (as by interviewee 40, researcher) as limited.

Here, it is also important to note that even binding votes do leave some room for interpretation of decisions in the implementation hereof: "*The city does have some leeway to interpret the results*" (Interview 40, researcher). Surely, this is even more so the case when it comes to proposals and ideas from the ideation forum *Your Voice…* being presented to City Hall.

Whatever political, strategic or planning level is in question, this tool does – with both our interviewees – seem to qualify City Hall and administration decisions. Being the co-founder of the Citizen's

Foundation, the organiser puts it: "*That's really the biggest strength of using this tool… Better decisions*" (Interview 39, organiser).

7.6.5. Application at the EU level

In many ways similar to Betri Reykjavik, a national platform using the same software goes under the name Betra Ísland. However, "*Better Iceland is not used that much. And it's partially because there's not that close interface to government, but also, I think because citizens think about big national issues differently than they think about neighborhood and city issues. I think level is a really interesting question, and a very important question*" (Interview 40, researcher). The interviewed researcher here points to the relevance of political scale when considering online citizen participation with this kind of software. "*These systems in general seem to work better at smaller scale, and more human scale, that at national scales… For various reasons*" (Interview 40, researcher).

Where Betri Reykjavik stands out is perhaps most in its transparency of processes and committed embedment into political institutions: "*There are many different ways where this could be used on the EU level. But the thing is though, the most complex part of it… For the participation to be meaningful and for people to want to participate in it, how can [processing within the EU] be made something that people both understand and that is actually meaningful to people?*" (Interview 39, organiser).

7.7. Short summary of the non-binding decision making tools

The case studies in this chapter described the online tools applied by three political parties and three cases of online participatory budgeting in municipalities. Underneath the main findings with regard to the contextual factors, the participants, the participatory process and the impact of the participative input on agendas and/or decisions are summarized.

7.7.1. Relevant contextual factors

The Spanish Podemos, the Italian Five Star Movement and the German Pirate Party are three political parties that aim for direct democracy and more transparency. These political parties use online tools to involve their members and interested users in the internal decision-making processes, bringing their ideas to life. The parties have official representatives in politics, and thus - try to – make a combination with direct and representative democracy.

Two of the three participatory budgeting tools we studied are initiated and maintained by local governments, namely the Brazilian city Belo Horizonte and the French capital Paris. Betri Reykjavik is initiated and maintained by the local not-for-profit organization, but financed by the Icelandic municipality Reykjavik. Besides striving for democratic innovation, the three participatory budgeting have explicit goals regarding inclusivity.

7.7.2. Participants

The target groups of the political parties are broad, basically everyone that shares the values of the party. To participate in the online tools of the Five Star Movement you need to prove you are above 18 with your ID. To participate in Podemos' online environment, being 14 years or older is enough. The German Pirate Party restricted the ability to vote in the Liquid Feedback tool for decision-making to members of the party (who pay a membership fee), other tools as the wikis are available for other interested persons as well. To what extent are these broad target groups reached? That is not really known, but the data that is available makes clear that it is difficult to sustainably involve a large and diverse group of people. Podemos and the Pirate Party both experienced a temporary increase in participants because of media attention for their party, but an enormous decrease in participation after a while. Liquid Feedback was controversial within the Pirate Party, moreover, it has been used mainly by people who were also active in the offline meetings. Interestingly, at the moment that a more diverse group of people participated in

Liquid Feedback, problems arose because of a lack of digital skills of new members, behavior that was perceived as unprofessional by the in-crowd, moreover, it appeared difficult to deal with a broader diversity of views. The drop in users of Plaza Podemos can probably be explained by the disappointment of participants, it seemed ineffective to them. No proposal succeeded in reaching the last stage of being voted upon. Also the digital participatory budgeting in Belo Horizonte has experienced an enormous decrease in its participation rate, which is explained by disappointment of participants as well. The project elected in the first round was not implemented. The participation rate in Betri Reykjavik is not that high, as in the participatory budgeting in Paris. At the same time, from 2014 to 2015 the participation rate in Paris almost doubled: an opposite, positive, movement.

7.7.3. Participatory process

The three political parties use all sorts of online tools to enable users to make proposals, discuss these, work together on documents, to vote on proposals and to monitor political processes. To extract the most relevant proposals in Liquid Feedback, a certain number of supporters is needed before they can be voted upon. Also, Podemos uses such a threshold, which makes that unsupported views will be neglected. One phase of the participative process of Podemos includes a working group around a proposal with the initiator as well as party officials. The final vote afterwards will be binding for political representatives of the party. This is not the case for the Pirate Party in Germany. The Five Star Movement has plans for designing such a system, but at the time of research, only an online voting system is applied for digital primaries.

The participatory budgeting in Belo Horizonte concerns projects that are preselected and proposed by the City Hall. Participants can vote online on the projects they prefer. In subsequent years also chats with city officials, and comment sections were introduced. However, the case study also described that city officials failed to answer some pressing questions by participants. Paris started with a comparable approach, having an online vote about projects proposed and preselected by the City Hall. A year after the introduction of the participatory budget, possibilities to propose projects were created. Subsequently, a phase of co-creation including collaborative efforts of initiators and civil servants were added to the process. Betri Reykjavik has two trajectories: one is about idea generation, the other is about small specific project proposals. The ideas most supported are discussed in the City Council. The small project proposals, about park benches for instance, are voted upon and implemented when they are sufficiently supported.

7.7.4. Impact

The three political parties struggle to make a viable and satisfactory connection between the online participatory output and the work representative politicians do on a daily basis. Politicians of Podemos might take the discussions on Plaza Podemos into consideration, but in an indirect way. The representatives do not provide feedback on how they used this as input for their decision, which is probably one of the reasons why participants became disappointed concerning their real actual political impact. Also politicians of the Pirate Party are not obliged to accept the outcomes. Sometimes party leaders made a different consideration, which gives rise to normative disputes within the party that aims for direct democracy. The primaries at the platform of the Five Star Movement have a clear political impact within the party, however, impact of the other tools (and new experiments) are not clear yet.

In the three participatory budget cases the municipal council makes the final official judgement, although this generally means formalizing the elective outcome of the participatory budgeting. One exception was an elected project in Belo Horizonte. That was not implemented due to administrative and legal problems, which led to large dissatisfaction and incomprehension. Besides having impact on the content of municipal decision-making, also process results need to be mentioned, such as that the budgeting process gains in transparency and forms a new way of doing politics. The case studies in this chapter described the online tools applied by three political parties and three cases of online participatory budgeting in minucipalities. Underneath the main findings with regard to the contextual factors, the

participants, the participatory process and the impact of the participative input on agendas and/or decisions are summarized.

8. Case studies: Binding decision-making

8.1. Green Primary

8.1.1. Introduction

During the elections for the European Parliament (EP) in 2014 the aim was to reinforce the link between the European Parliament and the European Commission (see Hobolt 2014). Five European political parties therefore nominated their lead candidate for the position of the Commission President, their so-called Spitzenkandidat. "*The European People's Party, nominated the former Prime Minister of Luxembourg, Jean-Claude Juncker; the centre-left Party of European Socialists confirmed the President of the European Parliament, Martin Schulz, as their nominee; the third-largest grouping, the Alliance of Liberals and Democrats for Europe, nominated the former Belgian Prime Minister Guy Verhofstadt; the Party of the European Left nominated the head of the Greek party SYRIZA, Alexis Tsipras, as their candidate; and the European Green Party nominated two candidates for EU Commission President, both of whom were chosen by citizens in an online open primary: José Bové and Ska Keller*" (Hobolt 2014, 1533). The Alliance of European Conservatives and Reformists and the Movement for a Europe of Liberties and Democracy, did not nominate a candidate.

In this case study, we focus on the nomination of the candidates for the European Green party (EGP), since the EGP had organised an online election; the online Green Primary. Four nominees had been endorsed by the EGP member parties to be the contenders in the open online election: José Bové, Ska Keller, Rebecca Harms and Monica Frassoni. Green Party leader Natalie Bennett argued: "*This primary is an experiment in extending European democracy well beyond its former limits.* […] *It will be the first-ever pan-European primary election, a chance for 16 and 17-year-olds to influence a vote from which they are otherwise excluded, and we hope will provoke a wide debate not just about the contenders but about the possibility of giving citizens a much broader say in European decision-making*" (website, accessed on 31 October 2016). Hence, the purpose of the whole online procedure was to make a visual appeal for EU decision-making that actively involves European citizens. Moreover, the Committee of the European Green Party (2014, 3) also mentioned boosting the – future – campaigns of member parties by creating publicity and increasing capacities through the collection of email addresses of Green-minded voters as a goal. The interviewed academic researcher also described an increase of "*the commitment of the electors to the actual voting as they have their say about the candidates*" as a possible effect of the e-voting procedure (interview 42).

With that goal in mind, the voting was not only accessible for Green party members, but to every EU resident of 16 years or older. The online voting took place at the website www.greenprimary.eu between 10 November 2013 and 28 January 2014 (website, accessed on 31 October 31, 2016). This procedure was more inclusive than the selection procedure of other European parties. As the scholars Put et al. (2016: 17) conclude: "*Self-evidently, this primary election is located at the extreme inclusive end of the inclusiveness–exclusiveness continuum. The other four Europarties each organized party conferences to select the final candidate for EC presidency. These party agencies were composed of party delegates in the cases of PES, ALDE and EL, and additionally high-level intra-party officeholders in the case of EPP. In other words, selectorates of these four parties are situated towards the more exclusive end of the continuum when compared to the EGP procedure.*"

8.1.1.1. How it worked

To vote in the online Green primary, people had to register on the Green primary website and provide an email address and a mobile number. After registration, the participant received an email with an activation link. By clicking on that link, the user name as well as the password (via SMS) was sent to the participant. When the participant logged in with that username and password he or she was able to vote by selecting the two Green leading candidates of their choice (website, accessed on 31 October 2016).

During the Green primary election, offline debates with the contenders were organized in different European cities, which were also accessible online via a livestream. In addition, information was

provided about the process on the website and discussions on social media were facilitated, with active roles for the contenders.

8.1.1.2. Legal framework

Before the Lisbon Treaty, the President of the Commission was appointed on the basis of a consensus decision of European leaders in the European Council. In the Lisbon Treaty this procedure for choosing the President has been modified. In article 17, the Treaty states: "*Taking into account the elections to the European Parliament and after having held the appropriate consultations, the European Council, acting by a qualified majority, shall propose to the European Parliament a candidate for President of the Commission. This candidate shall be elected by the European Parliament by a majority of its component members.*" The role of the European Parliament in the appointment of the President is thus reinforced by the Lisbon Treaty.

The nomination of Spitzenkandidaten within the European political parties was an initiative of the parties in the European Parliament, in order to further strengthen its role in the election of the President (Hobolt 2014). A resolution agreed upon by the European Parliament at November 22, 2012 "*urges the European political parties to nominate candidates for the Presidency of the Commission and expects those candidates to play a leading role in the parliamentary electoral campaign, in particular by personally presenting their programme in all Member States of the Union; stresses the importance of reinforcing the political legitimacy of both Parliament and the Commission by connecting their respective elections more directly to the choice of the voters*"(European Parliament resolution of 22 November 2012 on the elections to the European Parliament in 2014 (2012/2829(RSP)). This makes that a vote for a political party in the European Parliament elections is also a vote for a specific presidential candidate. In March 2013 the European Commission officially supported this approach of the European Parliament by the recommendation: "*European and national political parties should make known, ahead of the elections to the European Parliament, the candidate for the function of the President of the European Commission they support and the candidate's programme*" (Commission recommendation on enhancing the democratic and efficient conduct of the elections to the European Parliament (2013/142/EU), as published in the Official Journal of the European Union.

For the internal election of the Spitzenkandidaten the political parties had different procedures. Within the Green Party, the selection procedure determines that "*any European Green politician with the ambition to run as the leading EGP candidate needs to be nominated by his/her national party and receive the support from at least four to a maximum of eight of the 33 EGP member parties. Moreover, all EU member parties have the right to exclusively support one candidate*"(Put et al. 2016: 16*)*. In the process of determining the lead candidates for the Green Party, two other procedures are of importance:

- in the voting process, every vote counts as one: no weights for member parties or countries were applied in assessing the total amount of votes for a candidate;
- two winning candidates are to be elected, who cannot be of same sex or member state *(*Put et al. 2016: 17*)*.

8.1.2. Participants

As discussed, the target group of the open online primary organized by the Green Party was large. In principle, "*All EU citizens, EGP supporters and sympathizers [>16 years], were invited to take part in this online voting exercise.*" (Put et al. 2016: 16). Participants thus did not have to be a member of the Green Party, but only had to tick a box that they shared green values (website, accessed on 31 October 2016). A total of 22,676 persons voted and they originated from all EU Member States (Put et al. 2016: 16). The committee of the European Green Party (2014) reports that after an initial peek at launch, participation decreased until the last 14 days.

The Committee of EGP also concluded that the accessibility could be improved. The necessity of certain digital skills and usage of a mobile phone appeared to be causing problems for some people, especially for older generations (Committee of EGP 2014: 5).

This final amount of voters is evaluated as disappointing by different media: "*With a total of 375 million voters across the EU, the paltry participation numbers were a flop. The Greens had originally set to mobilize 100,000 participants – a far cry from actual turnout*" (website, accessed on 2 November 2016). But even within the Green Party the goal of 100.000 participants might have been utopian, the National Democratic Institute (2015: 73) argues: "*With EU-wide party membership totalling around 150,000 voters, the EGP's goal for participation was ambitious*".

Because only name, country, postal code, phone number, email address and a conformation of the voter that he or she is above 16 were requested in the online voting, the representativeness of voters cannot be determined on the basis of that data (Interview 41, campaign manager). The only criteria the party had for representation was national participation. "*So the only assessment we did if we had a good representation of countries and yes, we had participants from all over Europe, so this gave us the confidence that this was a pan-European vote*", the campaign manager argued in the interview, but "*there are differences of course between the number of participants between countries and [...] the number of participants were not proportional to the number of citizens from the country and the European Union. And so it was not a perfect representation of course and also the number of participants was not very high in total*" (Interview 41).

Table 5. The participation in the online Green Primary distributed over the different EU countries

Less than 100 participants	Less than 500 participants	Less than 1500 participants	Less than 3000 participants	Less than 5000 participants
Cyprus, Estonia, Latvia, Lithuania, Malta, Portugal, Slovakia	Austria, Bulgaria, Croatia, Denmark, Greece, Hungary, Ireland, Luxembourg, Poland, Romania, Sweden	Czech Republic, Finland, Italy, Netherlands, UK	Belgium, Spain	France, Germany

Based on: committee of the EGP 2014, 5

"*In absolute terms, more votes came from Germany than from any other member state in the primary. However, this was accounted for by the comparatively large overall population and numerical strength of its party membership. In relative terms, other countries had a higher turnout. Some regional European affairs working groups started mobilisation campaigns inside the party, e.g. by demonstrating how and why to vote in local groups*" (Beck, Groizard and Sellier 2014, 94). Voters from Spain formed the third group with the most votes, "*despite a small Green presence*", which might be explained by the popularity of primaries in Spain (Ibid).

8.1.2.1. Engagement or communication strategy

To engage people for the open online primary, offline debates were held around Europe "*to give voters the chance to see the candidates in action*" (website, accessed on 31 October 2016). These meetings were open to anyone and not just aimed at members of the Green Party (website, accessed on 31 October 2016). Moreover, the meetings were also broadcasted online. These debates were not the only instruments in the engagements strategy. The engagement strategy also included:
- PR for the press (as press releases and news reports on the website);
- an online blog that reported on the different steps before and during the online election process and other information on the online voting process on the primary website as well as on the website of the European Greens;
- targeted ads on social media (interview 41, campaign manager);
- through Twitter and the EGP Facebook page people were also invited to ask questions to the contenders; and
- a video about the primary was made (which has been viewed 2.746 times as YouTube registered, accessed on 31 October 2016).

The committee of the European Green Party reported a high amount of mostly positive media coverage for the Green primary. In contrast, political scientist Arzheimer is quite negative in an interview claiming that those who weren't frequent visitors to the Green Party websites, probably didn't know about the e-voting opportunity. "*The Greens need to market it more aggressively, and the media need to report on it more. That would increase participation.*" […] "*The purpose of this measure was to generate attention. That just didn't work*" ([website](#), accessed on 9 January 2017). Both interviewees – the academic researcher and the campaign manager – assessed the effectiveness negatively. The online campaign manager argued: "*the most important factor that led to low participation was that we didn't make enough promotional mobilisation in the national countries on the ground. […] So this [was] a lesson for me, that if you do something like this on a European scale, you need to have very strong committed partners on the national level that mobilise for you in this country; in this specific country. It's very hard to run a campaign on a European level only from Brussels*" (Interview 41).

Beck, Groizard and Sellier (2014, 93-94) - insiders of the European Parliament – also evaluated the engagement strategy in Germany, France and Spain in the Green primary in their article. For Germany they concluded that: "*There was a lack of communication following the Council of the European Green Party of April 2013, when the idea of a Green Primary was first decided, between the delegates who attended and the general party membership. Although this was a useful first experience, it is clear that the procedures for campaigning and voting will have to be started earlier and made technically easier to persuade more people to participate next time.*" For France, they evaluated: "*The media coverage was modest but rather positive in France, probably due to the popularity of candidate and green MEP José Bové. The main difficulty for the Green European Primary was that it took place during the campaigns for local elections which ultimately drew away attention leading to a disappointing turnout.*" In Spain, primaries are popular in the political debate. The relatively high number of Spanish voters in the Green primary is quite a low number in comparison to the total number of votes Podemos had reached in his primary. The overall judgement about the engagement in Spain is therefore also quite negative. However, also a broader public debate about the European elections or Spitzenkandidaten stayed out (Committee of the EGP 2014: 5).

8.1.3. Participatory process

Out of the four contenders, two final figureheads needed to be selected to lead the EGP campaign. It has been already described how that worked. The campaign manager we interviewed rated the system as quite user-friendly, but he admitted: "*sometimes we had to prioritise security over user friendliness or, let's say, easiness. So sending an email and an SMS and basically sending people two passwords, or two ways of identification, or logged in data, let's call it like this, is already…you can say not as user friendly as possible. But we had to compromise with security and anonymity*"(Interview 41). The system counted more registrations than votes, but the number of people they 'lost' on the way is not that high according to the campaign manager: "*It's not that high. […] you could say we lost twenty percent on the way*"(Interview 41). And, as the campaign manager rightly argues also casting a regular vote via a paper ballot involves several barriers for voters along the way. This might be partly explained by one minor technological issue regarding SMS across the different countries in the EU, the campaign manager stated: "W*e were sending out SMS and that means that there was an interaction between our platform and the national phone provider. And with some very small number of national phone providers, this interaction didn't work properly. Because we don't have a European phone provider and it was not that much the fault of our platform or technology, but more of the other end. But this was a minor problem that we observed*"(Interview 41).

Although the main participation consisted of voting for the two Spitzenkandidaten, the process around the Green primary also included other forms of participation such as via the debates in nine countries or Facebook chats with the contenders. On the website of the Green Party updates with the highlights in this campaigning process are provided that give a glance of the public interest in these events. Such as the [post](#): "*First online debate with Green Primary Contenders a huge success: Nearly 600 people [on] our website, and over 800 on the Debating Europe website, tuned into the opening to our series of debates on the Green Primary on Tuesday 19 November.*"

The Facebook chat with one of the contenders, Ska Keller, was summarized as follows: "*The chat, which took place on the EGP Facebook page, was a truly European affair. Questions came from Belgium, Bulgaria, Finland, France, Ireland, Spain and the UK. Ska faced difficult questions about not only her qualifications, but also her views on crucial issues facing Europe today – massive youth unemployment, access to affordable third-level education, migration and refugee rights, the transatlantic trade agreement (TTIP) that's currently being discussed by the EU and US, and the transition to sustainable energy*." Also the chat with another contender, José Bové, was framed as a European one, with questions from Belgium, Croatia, Hungary, Ireland, the Netherlands, Portugal and Spain. The blog sketched a conversation about issues on which Bové has been active before – GMO food, agriculture, shale gas – as well as other areas like EU foreign policy and immigration (website, consulted at October 31, 2016). The committee of the EGP reported that the chats reached an audience of between 4,000 and 10,000 per chat. Daily messages with the hashtag #GreenPrimary were reported on the EGP website during the process. The hashtag has been used almost 15,.000 times (committee of the EGP 2014). The EGP's Facebook page was liked 30,000 times during the online campaign (from 10,000 to 40,000) (Idem).

8.1.4. Results

A total of 22,676 persons voted in the online Green Primary. The election result was as follows: 11,791 votes for Ska Keller; 11,726 for José Bové; 8,170 for Rebecca Harms and 5,851 for Monica Frassoni (Committee of the Green Party 2014). This made Keller and Bové the winning duo, who became the leaders of the Green Party in the European Parliament election and the Green candidates for the President of the European Commission. The turnout in the online elections was somewhat disappointing. In relation to the membership, turnout was around 22 percent. However, in relation to all European citizens – who share Green values – the turnout is of course a much smaller proportion. At the same time, the participation rate for a Green congress is normally "*between two hundred and three hundred*" (Interview 41, campaign manager), with that in mind the participation in the online voting process is much higher. Nonetheless, the campaign manager is not satisfied with the final number of voters: "*the number of participants, 22,000, a little bit more, was not too satisfied for us. It was ok but we hoped for more.*" About the expected 100,000 voters, he replied: "*It was not an official number […] But in terms of participation, we were not totally happy*" (Interview 41).

In the end, with regard to the presidency of the European Commission: Jean-Claude Juncker won the election, since the People's Party won a plurality (29%) in the 2014 elections.

It is hard to evaluate the cost-effectiveness of the online Green Primary. The European Green Party has spent about 200,000 euro on the Green primary (including online voting implementation costs, security and legal advice) and about 250,000 euro for the campaign (for staff, meetings, design of campaign material, publicity and translation) (committee of EGP 2014, 6). Some argue this is certainly too much for a 'flop': "*How were these relatively unknown politicians supposed to lure European voters to the computer? Their strategies for the European elections hardly differed.*" (website, accessed on 9 January 2017). The researcher (Interview 42) reflects on these costs by noting: "*If you have 200,000 divided by 20,000 participants, that makes it 10 euro per vote. That feels to me as a bit too much, right? […] The problem is of course that the fixed costs are enormous.*" Others underline positive achievements in the Green primary. The National Democratic Institute(2015 , 73) for instance: "*Functionally, the Green Primary was successful. The EGP empowered national parties to nominate candidates, constructive debates were held across Europe, citizens could engage the candidates and the online voting period lasted nearly 80 days.*"

In addition, as one of the goals was to boost the campaign of the European Green Party and its member parties it can be seen as a positive result that 39,75% of participants (9.014 voters) subscribed to newsletters. And the green primary has attracted public attention (committee of the EGP 2014; J. Cremers in Put et al. 2016). The committee of the EGP counted 4,000 media reports about the two leading candidates from across Europe. The researcher concluded: "*in terms of awareness and exposure it has of course been an ideal instrument, because it generates much attention and the party mobilizes its own members and*

militants. But it is not without risk, think about Jeremy Corbyn who has been re-elected just by militants who contribute financially, but ultimately not so much fits the profile of the party and so on. And the Greens, no accidents have happen luckily, but this was a possibility of course"(Interview 42; own translation). In the interview the researcher worried that the openness of the election online made the Green Party vulnerable for opponents who can misuse the opportunity to vote, to manipulate the election in their own interest. Which not only leads to failed elections, but also to bad press.

The conclusion of Beck, Groizard and Sellier (2014: 95) might summarize these remarks in an overall judgement: "*The careful framing of the Green Primary as an experiment in European inner-party democracy turned out to be a wise choice. Attempting to involve people in choosing top candidates who were unfamiliar to them proved to be an uphill battle*."

8.1.4.1. Voting for Spitzenkandidaten in the future

Lessons of the online Green Primary are relevant since the process of Spitzenkandidaten will be an official part of the 2019 election campaign. "*On the 11th of November 2015, the European Parliament adopted a text for the reform of the electoral law of the EU, which demonstrates that the Spitzenkandidaten process will become an indispensable aspect of the 2019 election campaign. The Parliament urges the Europarties to nominate their candidates for the EC presidency at least 12 weeks before the elections and to establish democratic and transparent procedures to select the candidates. Furthermore, it encourages the Member States to facilitate the participation of the Europarties and their lead candidates in electoral campaigns and in the media (European Parliament 2015).*" (Put et al. 2016: 18-19; European Parliament 2015).

8.2. Voting for elections in Estonia

8.2.1. Introduction

Several objectives accompanied the introduction of internet voting in Estonia: one aim was to increase the efficiency of the public sector by using digital information and communication technologies, and to enhance user friendliness and effectiveness (Maaten 2004). Another central aim was to increase or at least to stop the decrease in electoral participation rates, to make elections more attractive for young people and to facilitate accessibility for people with disabilities and Estonians living abroad (Maaten 2004; OSCE/ODIHR 2007; Pammett and Goodman 2013). According to Solvak and Vassil (201610) internet voting "*was seen as an additional means to increase the convenience by which citizens can participate in political life and therefore constituted an extension of an already started motion to develop modern e-governance*".

Before introducing internet voting on the national level, several tests on lower levels were carried out. First test trials had been carried out in 2004, and as no problems were identified, the way was cleared for the first binding use of internet voting on the local level in 2005. After those elections were considered successful and secure, no more barriers for internet voting on the national scale for the parliamentary elections in 2007 existed (Trechsel 2007). In 2009, the internet option was offered for the European elections in June, and again for local elections in October. In March 2011, it was possible to cast a vote via the internet for the second time for national parliamentary elections, another online election took place in October 2013 on a local level, another one was in spring 2014 for European elections, and the most recent one for parliamentary elections took place in March 2015.

8.2.1.1. How it works

The kind of internet voting discussed in this case study covers remote voting over the internet without supervision by official authorities. The use of voting machines, either at polling stations or places such as libraries, kiosks, or shopping malls is excluded as these forms of voting rather focus on the increase of the efficiency of the voting process, while remote internet voting mainly aims at a maximum convenience for voters. Internet voting in Estonia is one voting channel out of many and follows the "double envelope

voting method" of offline voting. The following steps exemplify the i-voting process (website, accessed on 12 January 2017):

- Voter inserts ID card into the card reader;
- Opens the I-voting website (www.valimised.ee);
- Downloads and runs voter application;
- Identifies himself/herself by entering PIN1 code;
- the list of candidates of the voter's electoral district shall be displayed;
- Voter makes his/her choice;
- Voter confirms his/her choice by digital signature (by entering PIN2 code);
- Receives a notice that the vote has been accepted.

In general, the principles of internet voting in Estonia are: I-votes can be cast from 10th day until 4th day before Election Day, I-votes can be recast as often as a voter wants as only the last vote counts, an i-vote can always be overwritten by a vote cast in the polling place, and for internet voting the same regularities and election principles account as for regular offline voting (website, accessed on 12 January 2017).

The usual election procedures also apply for the outcome of the internet channel, no difference to the presentation of results of the other voting channels exists. Detailed information about Internet voting, including elections results, is provided online on the homepage of the National Electoral Committee.

In Estonia, the general responsibility for conducting elections lies within different electoral committees, i.e. the National Electoral Committee, county electoral committees and voting district committees. Until 2012, the National Electoral Committee (NEC) had been in charge of overseeing internet elections and ensuring smooth operation. Its role covered the following aspects (OSCE/ODIHR 2011):

- contract the project manager (externally recruited), who is in charge of conducting internet elections;
- possess the necessary keys to decrypt the votes;
- conduct the digital signing of electronic documents.

As a reaction to complaints dealing with the capability of the NEC to deal with internet voting issues appropriately (OSCE/ODIHR 2011), in 2012 a separate Electronic Voting Committee was established and has since been responsible for conducting internet voting. The technical requirements are still established by the NEC, but the system itself is administered by the Electronic Voting Committee.

8.2.1.2.   Legal framework

When the internet option was offered for the first time in 2005, the legislative regulations for e-voting were very brief. In 2012, a large part of the electoral law was revised as the share of e-voters has been steadily increasing and authorities wanted to improve legitimacy and transparency of e-voting (Solvak and Vassil 2016). In general, the regulatory framework consists of several statutes on different political levels, the Local Government Election Act, the Referendum Act, the European Parliament Election Act, the President of the Republic Election Act and the Riigikogu Election Act. Another central legal building block of internet voting is the law that regulates the use of digital signatures as all Estonians have an identification card which includes a digital certificate (signature). The Digital Signature Act (DSA) of 2002 allows individuals to use the identification card together with a unique personal identification number (PIN) to authenticate themselves in online transactions, including e-government transactions and remote e-voting.

However, all those regulations have not been adopted without contestation: Concerns about the secrecy of the vote were raised, but rejected with reference to the possibility of overwriting the vote and casting a ballot as often as the voter wants (Drechsler and Madise 2004). In 2005, the Estonian Supreme Court decided that the possibility of casting a vote as many times as the voter likes appropriately balances all electoral principles (Constitutional Judgment, accessed on 12 October 2016).

8.2.1.3. The decision making phase: decide

Estonia is a parliamentary democracy with a Prime Minister as head of government, and as internet voting is offered for local elections, parliamentary elections and European elections, the decision making phase in which internet voting is applied is "decide".

8.2.1.4. Initiators

The idea of introducing internet voting surfaced around 2000, and was supported by politics and the public administration from the beginning. The initial proposals for internet voting were made by the Estonian Prime Minister (Mart Laar) and the minister of justice (Märt Rask) at the time. Their initiative provided high level support and helped to overcome initial hurdles for implementing internet voting. Nevertheless, not all parties were or are in favour of internet voting, opposition always existed (Pammett and Goodman 2013). At the time the first drafts of the revised election acts were discussed in parliament, several points of discussion came up (Drechsler 2003): for instance, issues of unconstitutionality, fraud proneness or possible inequalities resulting from digital divides were raised.

8.2.1.5. Financial sources

Currently the National Electoral Committee finances internet voting with a part of its budget. They are not part of the executive branch, but formally a committee from the national parliament. "*[The e-voting system] does need funds on a continuous basis. But with the system, we can save other costs related to paper voting, because we don't need as many polling places any more. […] The allocated budget for e-voting remained the same for many years.*" (interview 43, administrator). The costs saved resulting from the closure of polling stations are immediately reinvested in the e-voting system.

8.2.2. Participants

The target group of Estonian internet voting covers the Estonian electorate of about one million citizens. In fact, the size of the electorate varies depending on the kind of elections, for instance non-citizens are not allowed to vote in national elections (Solvak and Vassil 2016). In order to vote, a person must be at least 18 years of age and have an address entered in the population register, as that involves an entry in the list of voters.

8.2.2.1. Representativeness of the participants

In general, the tool is accessible to every member of the target group. The central requirements that have to be fulfilled are to possess a digital ID, to have internet access and to have a computer. Having a digital ID is compulsory for all Estonian citizens and internet access is widely available in public as well as computers, which can be used in a public institution, e.g. a library. The only minor potential obstacle for the voters in terms of user friendliness might be that the usual browser cannot be used for online voting, instead a particular application has to be downloaded and installed. "*With regard to this procedure there might be room for improvement, but as we cannot trust the browsers, it is necessary for security reasons*" (interview 43, administrator).

While in the beginnings of internet voting the e-voters indeed showed particular characteristics with regard to socio demographic, attitudinal and behavioral factors, meanwhile internet voters are non-distinguishable from other voters (Solvak and Vassil 2016). Vassil (2015: 2) states that „*since 2011 we cannot talk about a typical e-voter because chances of online voting are the same for the young and old, educated and less educated, PC-literate and less PC-literate. In other words, internet voting has diffused*". In addition, Vassil et al. (2016) state that "*technology has the potential to bridge societal divisions and ease political participation, not only for the already connected and resourceful, but also for the less privileged, who have fewer resources and remain at the periphery of rising modern technologies*" and that "*the potential enabling effects did not surface immediately in the electoral realm after the introduction of the new voting technology, but required a period of at least three elections to appear*". According to one interviewee, "*internet voters had slightly higher educational status, a bit more*

Estonians than Russians who live here, a bit more urban than rural voters. But after three elections, these tendencies faded. […] Therefore we cannot say who the e-voter is, it is rather a normal voter, who is just using it." (interview 43, administrator).

8.2.2.2.   Engagement or communication strategy

In the early beginnings, the introduction of internet voting was accompanied by a communication and engagement strategy in order to spread knowledge about the system in place and the additional voting channel. As awareness of the system is very high after eight internet elections, no particular strategy is in place anymore (interview 43, administrator).

8.2.3. Participatory process

For the case of e-voting the participatory process as such can be equated with the voting process. With regard to the sort of input participants can give, this is in fact the ballot that is cast by the voter through the internet. Citizens can e-vote in local, European and national elections. If one chooses to vote online, a particular voting application has to be downloaded to the computer. By using the digital ID and a PIN, the voter identifies him- or herself. In case the voter is eligible, the ballot can be cast and a second pin code is used to confirm the voters' choice (Solvak and Vassil 2016). The votes are aggregated and on this basis candidates get elected. The e-vote is deleted if a citizen for some reason casts a paper ballot later on.

8.2.3.1.   Privacy and security

Debates about the secrecy of e-voting in Estonia emerge on a regular basis: for instance, in 2011 a student claimed that it would be easy to manipulate the system and sought nullification of election results (which was then rejected by the Constitutional Review Chamber, because fraud has not been detected and the possibility to manipulate is not reason enough to nullify) (Sivonen 2011). The elections of 2014 were accompanied by a debate about security issues as well and in fact, one main challenge for internet voting is to guarantee secrecy of the vote and transparency of the voting process at the same time. The democratic principles of equal, free, direct, secret and universal suffrage account for internet voting as they do for paper based voting. Asked about his opinion regarding security aspects of internet voting in Estonia, one interviewee states the following: *"We can never be 100 percent secure. No one can ever be 100 percent secure. But we are ready to work with the problems. Before and after every election we conduct several procedures. We don't use the same system as in 2003, we update it before and after each election. We keep up with the times. [...] We are not 100 percent secure, because you can never be 100 percent secure, but we are pretty confident that everything works out."* (interview 43, administrator). Privacy and data protection issues in particular are addressed by *"public-private key-pair crypto and full anonymization according to electoral provisions […], additional features such as end-to-end verifiability are being developed"* (interview 43, administrator).

8.2.4. Results

In the case of internet voting, the relation between the citizens' contribution and the outcome of the decision making process is rather obvious as the votes are aggregated and define the election outcome together with non-internet votes. Since the introduction of e-voting, Estonia has conducted eight elections in which the entire electorate could use internet voting as an additional voting method. The first election with the option to vote via internet took place in October 2005, was for local offices and resulted in an overall voter turnout of 47.4% ([website](), accessed on 21 November 2016 (also the other statistics in this section are cited from this source)). Back then, only 1.9% of the voters made use of the option to vote online. The turnout of the 2007 national elections was approx. 62%, a figure reportedly higher than in the previous two elections held in 2003 (58%) and 1999 (57%). The percentage of voters making use of the internet option in this election had increased to 5.5%. The third occasion, where internet voting was an option, was offered in the election of the European Parliament in June 2009. Then, 43.9% of all Estonians participated, compared to approx. 27% in the 2004 election of the European Parliament. In the European

election in 2009, almost 15% of all voters voted online. The local elections in 2009 showed a voter turnout of approx. 60%, of which almost 16% used the internet option. In the national elections in March 2011, 63.5% of eligible voters participated, of which 24.3% voted online. The local elections in 2013 showed a voter turnout of 58% and a share of 21.2% internet voters. In the European Parliament Election in 2014, 31.3% of all participating voters used the internet option (turnout was 36.5%). In the most recent parliamentary election in Estonia in 2015, where the internet option was offered, the share of internet voters among participating voters was 30.5%. Regarding the use of internet voting by Estonians living abroad, it can be observed that about 90% of the Estonian votes from abroad are meanwhile cast online (Solvak/Vassil 2016).

Assuming that the system has not been hacked and election fraud has not taken place, the results the online votes represent the will of the online voters just as it is the case for offline voters.

Regarding the question if internet voting has the potential to increase participation, looking back to a long history of Estonian internet voting on different elections levels, there are no clear indications for an increase of voter turnout. What can be seen though is that by trend an increasing share of voters made use of internet voting over time (Goos et al. 2016). Interviewee (43, administrator) states that *"after 10 years we can say, [Internet voting] keeps the level of voter turnout. It does not increase automatically or drastically. But what we can say now is that it leads to an increase of some percentage points for the people who stay outside of Estonia, the expats. […] And those people who have used it once, will use it again. So we should see it differently: if we discontinued internet voting, we would lose a lot of people. Therefore we can say it has an effect of about 3-4 percent. But it does not particularly contribute to an increase as there are so many other impacts on voter turnout, such as conflicts in politics or policy."*

8.2.4.1.   Transparency

Compared to traditional voting, e-voting lacks the possibility of counting the votes in public as the inner mechanisms of cryptographic procedures and information technology are hidden. To offer a certain degree of transparency, the e-elections in Estonia are accompanied by public ceremonies, where everyone who is interested can participate and observe the procedures: *"We have conducted eight internet elections so far, and we had eight ceremonies. Not to the extent as it was the case in Norway; but yes, everything is done openly, everything can be observed. We have a particular program for observers, particularly the Estonian observers can learn everything in advance and can participate in all the processes. […] We even go further with a new framework to come, by bringing in more mathematics in order to bring in more trust in the system. You cannot just look into a server, but you can still present files and data sets to show what happens in the server and how the server works"* *[…] We think it is very important to do everything very transparent and open to the public. "* (interview 43, administrator). Another mechanism is the reports of the auditors who monitor the whole internet voting procedure.

8.2.4.2.   Trust

According to (interview 43, administrator), in Estonia, the internet voting system has to be seen in the context of the Estonian e-government system and the wide spread use of the electronic ID in general. Many Estonian citizens use e-government tools, such as electronic tax declaration, and generally have confidence in ICT solutions for democratic measures. *"If the people like that and trust it, they will also trust the elections. If they don't trust the system, they can go to the polling station. […] Much is dependent on the e-ID, we have the ID card since 2000, and it is trustworthy. That is the basis we need. If we talk about Germany for instance or other countries, where an e-ID does not exist, it would be very difficult to build up this kind of trust. That cannot be separated. "* (interview 43, administrator).

8.2.5.   Application at the EU level

For the use of e-voting at the EU level it is indispensable, as it is the case for every use of internet voting, that basic democratic principles are fulfilled. Therefore, general prerequisites are an adequate legal framework and technological solutions which guarantee a secure electronic transmission of votes.

Besides, the variety of national contexts, for instance regarding trust in the government, citizens' access to the internet, election frameworks or how internet savvy the respective citizens are, have to be taken into account. Interviewee (43, administrator) from the Estonian context states that "*[internet voting] is surely suitable [for the EU level], but there has to be a basic context for implementation (namely trustworthy eID and trust in eGov solutions)*".

8.3. Voting for elections/referenda in Switzerland

8.3.1. Introduction

The main reasons for the introduction of internet voting, a project called *vote électronique* in Switzerland, were to speed up vote counting, to reduce the amount of invalid votes and to facilitate voting for Swiss people living abroad and for disabled people (Braun et al. 2003). Another rationale can also be found in the endeavor to play a leading role in the race to digital leadership in electronic democracy. In addition, "*the political institutions want to get ready for a potential future within a digital society*" (interview 44, administrator).

In Switzerland e-voting has been offered for many years, and both at the beginning and in the course of its application it sometimes came along with contention. While in Neuchâtel for instance political resistance has never existed, in Zurich the political opposition strongly voiced its doubts regarding costs and cost efficiency on a regular basis. Geneva suspended e-voting for a while, but then reintroduced it after a referendum on e-voting, where it was confirmed with an approval of 70%. Switzerland considers itself as still being in the test phase – as the motto is "safety before speed" ([Federal Chancellery](#), accessed on 13 January 2017), a slow and careful introduction is followed.

8.3.1.1. How it works

The Confederation defines the framework and requirements for e-voting, and the cantons are responsible for the operational level. Hence, provisions for e-voting are adopted on the Federal level, and the cantons decide on their own if and with what kind of system they want to introduce e-voting. Furthermore, "*there are these external audits and companies who have nothing to do with it, have a look at it and write their reports. Based on [these reports] the Federal Chancellery decides, because it is the responsible authority for the approval [of an e-voting system] [...]*" (interview 45, researcher).

First trials in the three cantons Neuchâtel, Geneva and Zurich were conducted between 2004 and 2005 for Swiss people living in Switzerland. In a second round of trials between 2007 and 2010, some cantons included Swiss citizens living abroad. While until 2011 e-voting was only offered for referenda on the local, regional and federal level, in October 2011, it was used for Federal elections for the first time (Goos et al. 2016). In 2015, out-of-country voters were able to vote online for the second time in Federal elections, in-country voters for the first time.

Today, two different e-voting systems are in place: First, the "Geneva system" CHVote, which is the result of a cooperation between the State Chancellery and the General Directorate of Information Systems of the canton and therefore developed and hosted by Geneva. Other cantons can and do use this system, but it is remotely operated from Geneva. The second e-voting system in Switzerland has been developed by the Swiss Post and the private company Scytl and is in place since 2016 (Der Bundesrat 2017). A third system, the so called consortium system, originally developed for the pilot canton Zurich, has been abandoned in 2015 after an external audit discovered security vulnerabilities with regard to the secrecy of the vote.

In order to vote, one has to be entitled to vote, and needs access to a computer. No particular software is needed, the voter just gets an individual ID number and with this number, one verifies himself at the election web page. Then the ballot is cast and in order to confirm the vote another individual code is

required which has been sent in advance. During the actual voting process, depending on the system in place, the voters can cast their online ballot between 2,5 and 3,5 weeks prior to the day before the actual election day. (This outlined how the Geneva system works, other systems work slightly different, but are generally quite similar.)

8.3.1.2.   Financial sources

In the pilot phase the Confederation provided funds, particularly costs related to the security architecture. For the long term operation of the *vote electronique*, the Confederation decided to cover the costs of the coordination of the project on the Federal level. The cantons have to carry the costs for the introduction of e-voting by themselves. "*In the beginning, there was a start-up financing. The Confederation covered two thirds of these costs. That was only for the pilot phase and now the cantons have to carry the costs by themselves. And that is an issue. They have to go to the Parliaments and have to get their loans for the next four years of internet voting.*" (Interview 45, researcher).

According to interviewee (45, researcher), resulting from the legal provisions, e-voting in Switzerland can be potentially offered to a maximum of 90,000 eligible voters of the electorate. Consequently, the cost-benefit ratio can be perceived as questionable; so far it is not cost-efficient, but rather associated with high costs. However, in Switzerland, this fact seems to be well accepted and the responsible authorities are aware of it and willing to take this financial burden, as it is perceived as an investment in the future.

8.3.1.3.   Legal framework

In Switzerland, a gradual approach to the implementation of internet voting is followed, and its legal basis was defined by the Swiss Federal Council and the Parliament in the Federal Act on Political Rights (*Bundesgesetz über die politischen Rechte, BPR*) (Art. 8a), the Regulation on Political Rights (*Verordnung über die politischen Rechte, VPR*) (Art. 27a) and in the Regulation of the Federal Chancellery on electronic voting (*Verordnung der Bundeskanzlei über die elektronische Stimmabgabe, VEleS*). For instance, the Federal Act on Political Rights defines the minimum standards, e.g. that it is only allowed to conduct internet voting trials as long as they are limited in scope and time. Furthermore, it is stated that the eligibility to vote, the secrecy of the vote and the elimination of misuse need particular attention. The VPR goes into more detail and specifically regulates the prerequisites for the conduct of internet voting trials; for instance it is clearly defined how and under what conditions a canton is granted the permission to implement internet voting. The legal framework for e-voting is adjusted on a regular basis, for instance in 2013 with a special focus on verifiability and certification of the e-voting systems in place.

8.3.1.4.   The decision making phase: decide

The decision making phase in which e-voting is applied is "decide". It is used in Federal elections and referenda about the constitution (obligatory referendums); about other legislation (referendums requested by at least 50.000 signatures); or about citizen initiatives (referendums about (minor) changes in the constitution).

8.3.1.5.   Initiators

In the early 2000s, e-voting in Switzerland was especially promoted by the chancellor of Geneva, who then built a coalition with Zurich and Neuchâtel. One of our interviewees (interview 45, researcher) characterizes the chancellor at the time of Geneva as a "*policy entrepreneur, […] an individual who strongly pushed internet voting […]. We want to be modern, we want to push it. Particularly because we have so many referenda in Switzerland*".

Though initiated by the cantons, the introduction of internet voting in Switzerland was also embedded in a broader Federal strategy, the "Strategy for an Information Society in Switzerland", from the beginning. In cooperation with the Federal Council of Switzerland, three e-voting pilot projects were launched in 2004 and 2005. These three cantons were particularly suitable for an introduction of e-voting

because of the organisation of their political rights: Geneva has a centralised electoral register, Zurich a decentralised system, and Neuchâtel already had an e-government portal. After these pilots have been declared successful, the Federal Council decided on the gradual introduction of internet voting for local, cantonal and national referenda.

Until the referendum in June 2015 the number of participating cantons was continuously increasing to 14 cantons, after that it dropped and currently only 5 cantons offer internet voting (Federal Chancellery 2016). One reason for this is that some cantons discontinued trials because of financial reasons, other consortia of cantons did not receive approval from the Federal Council for their voting system. This development underlines the fact that Switzerland is still in a trial phase.

8.3.2. Participants

As every canton has its own citizens' rights which define who is entitled to vote, the target groups for e-voting differ respectively. During the pilots, the focus was placed on a selection of Swiss people living in Switzerland, however, this focus shifted to expatriates who have registered in the home canton and disabled people. Meanwhile, the long term objective is the nationwide introduction of internet voting for out-of-country voters and ultimately for the entire electorate (OSCE/ODIHR 2012). The reason for this *"is clearly the cost-value ratio. The idea was from the beginning on to offer the vote electronique for the whole population. The target groups 'people with disabilities' and 'Swiss people living abroad' were clearly defined groups which strongly benefit from electronic voting and were also suitable for a trial phase."* (interview 44, administrator). When exactly this is supposed to happen is not clear though, as the implementation plans are adapted regularly. While once the medium-term aim was to allow internet voting for all Swiss citizens living abroad for the national elections in 2015 (Schweizerischer Bundesrat 2013), this date was updated to 2017 and has just recently been postponed again. *"These goals and dates have changed constantly. If you read the e-government roadmaps, the e-government strategy, it has been adapted continuously"* (interview 45, researcher). The current (not binding) aim is that two thirds of the cantons offer e-voting for out-of-country voters until 2019 for national elections, as the cantons are autonomous in their decisions to implement e-voting and also if so, for whom they offer it, their strategies are in a constant state of flux and it is not foreseeable what the future of e-voting will look like. In sum, currently a maximum of three percent of those entitled to vote have the possibility to vote online. *"At the moment we follow some kind of step-by-step implementation. We have defined several requirements and if these requirements are fulfilled, up to 30 percent of those entitled to vote within a canton, respectively 10 percent of the whole Swiss electorate, are allowed to vote online. In case further requirements are fulfilled, up to 50 percent are allowed, and if even further requirements are fulfilled, the limits will be cancelled."* (interview 44, administrator).

8.3.2.1. Representativeness of participants

Several studies show that younger voters tend to use internet voting in Switzerland more often than older voters, particularly the age cohort 30-39 years (Serdült et al. 2015). However, age loses its significance when controlled by ICT variables such as internet usage and skills. Furthermore, education seems to be positively correlated with internet voting – the higher the education attainment, the higher the probability that someone votes online. Serdült et al. (2015:130ff) conclude that *"Swiss voters' socio-demographic profile points to the conclusion that internet voting has, at least to date, primarily been a service to the young and privileged […]"*, but also *"that it is not these variables per se that make voters more likely to vote online, but rather their relationship with ICT variables, such as the frequency of internet usage and trust in internet transactions"* (Serdült et al. 2015:131).

With regard to a potential increase of voter turnout, studies in Switzerland show that there is no indication that internet voting has any impact. What has been found out though by analyzing the electoral register is that a substitution effect between postal voters and internet voters does exist. *"We see a substitution effect, from postal voters. […] We were able to verify this by analyzing data of voter registries. So this is not based on surveys, but we can say quite certainly which age groups, which sex, in which community,*

which people use the internet. And we can say that some [voters] completely move to the internet channel, but the largest part switches between internet vote and postal vote." (interview 45, researcher).

A requirement for voting online is to belong to the target group and, for expatriates, to be registered in one of the respective home regions. Out-of-country voters have to register themselves in any case, no matter if they want to vote online or by mail. A potential obstacle for actually using this voting channel may be the absence of a computer. Besides that, according to one of the interviewees, surveys show that user friendliness of the e-voting process is perceived to be very high. In order to acquaint with the online voting process, test websites were installed and in case any problems occur during the voting process, a hotline is available.

8.3.2.2.   Engagement or communication strategy

As e-voting in Switzerland has a rather long history, meanwhile it can be assumed that the fact that this voting channel is offered is well known. At the beginning, the regular practice of sending the voting documents automatically to the whole electorate by mail was used to reach and inform the target group about e-voting. "*[In Switzerland], everything is sent via mail to the home of everyone. I.e., every man and every woman can see it in the letterbox. If you live in a municipality where internet voting is offered, you will realise it. In addition, there was an active information strategy of the cantons, information events were organised, flyers were distributed at market places, in shopping centres.*" (interview 45, researcher).

8.3.3.   Participatory process

The input participants can give are votes in elections and referenda. Votes are counted, representatives are chosen in elections. Legislation can be reaffirmed or rejected in referendums.

8.3.3.1.   Privacy and security

Internet voting requires particular security measures because the stakes are high, as voting is an essential element of democracy, fraud could lead to a severe impairment of an election. The requirement of anonymity of the vote while guaranteeing that voters vote only once poses particular challenges. Therefore issues of security and privacy are discussed since the early beginnings of internet voting. In (interview 45, researcher), the interviewee states the following: "*I think, 100 percent security is never possible. You hear that quite often. On the one hand, we have IT specialists, the leading internet security and computer specialists from the US, who say 'hands off', 'there will never be enough security!'. And in Europe the attitude is rather [...], 'we have an operational security, which is very high'. It is never 100 percent, but the effort and the necessary know-how to control all elements and the server is really difficult. And then one really has to decrypt the virtual ballot box. The encryption is so strong; this is almost impossible at the moment. We know it would take years to accomplish that [...]. Maybe one can decrypt the current data in 10,15,20 years. That is a risk we accept at the moment [...].*" Another interviewee also agrees that "*100 percent security does not exist. Not in the case of postal voting. Not in the case of paper voting. And not in the case of electronic voting. What is relevant for electronic voting is that if it is possible to manipulate one vote, it is possible to manipulate all votes. The scale of manipulation is very central. Therefore the requirements for electronic voting are much higher than for postal voting or paper voting.[...] It is important to take the right measures to keep the risks as low as possible.*" (interview 44, administrator).

8.3.4.   Results

In the case of internet voting, the relation between the citizens' contribution and the outcome of the decision making process is rather obvious as the votes are aggregated and define the election or referendum outcome together with non-internet votes. Communication about the results of the e-votes does not differ from the usual election procedures. In general, the Federal Chancellery presents the results of the e-voting trials and other related material on its website (Federal Chancellery 2016).

Due to the various provisions with regard to e-voting, a comparatively low amount of citizens of the Swiss electorate can potentially vote online. Legal provisions and the step by step implementation process which is followed led to relatively high standards. Accordingly, absolute numbers per canton are comparatively low as well. For instance in the referendum in September 2016, 5.3 million citizens were entitled to vote, and the turnout in absolute numbers was approximately two million votes (Federal Statistical Office 2016). The whole online electorate consisted of 153,838 eligible voters (102,036 Swiss people living in Switzerland, 51,802 out-of-country voters), of which in sum 22,752 voters decided to vote online (Federal Chancellery 2016).

8.3.4.1. Transparency

An inherent challenge of internet voting is that the inner mechanisms of the computer based voting process are not observable. Compared to traditional voting, e-voting lacks the possibility of counting the votes in public, as it is practiced in Switzerland, because the cryptographic procedures and information technology are hidden. "*In Switzerland, the votes are traditionally counted in the communities. In the big cities, such as Geneva, this is not the case, but usually lay persons and representatives of political parties count the votes by themselves or watch others count.[…] There you have direct control, you see every paper that is counted. That is omitted [in the case of Internet voting]. […] That is the big question, how will it work in the future, when you cannot see anything? The technical solution actually […] lies in universal and individual verification*" (interview 45, researcher). Individual verification allows the voters to verify if their votes have been transmitted correctly. Universal verification allows the voters to verify if their votes have been registered and tallied correctly. In the future, through the use of encrypted vote transmission and a public bulletin board, where all encrypted votes are displayed and everyone can check if the vote has been cast as intended, a technical solution can be used to make the whole voting process transparent. One of our interviewees (interview 45, researcher) classifies this as a "*technical substitution for the missing transparency*", though he also admits that trust in the system is a basic requirement for using it and it is still a challenge to make the e-voting process comprehensible for lay persons. One measure to build up trust is that "*at election day, when the ballot box is decrypted, a ceremony takes place*" (interview [administrator]). In addition, "*[a commission, as representation of the electorate,] supervises all processes and looks if all procedures are correctly followed.*" (interview 44, administrator).

8.3.4.2. Trust

One of our interviewees thinks that as trust in authorities in Switzerland is high, trust in e-voting is positively affected. E-voting also benefits from the fact that voting by mail is very popular because around 90 percent of voters use this voting option. Authorities are well aware that if a major flaw would occur with regard to e-voting, confidence in the system would decrease and also affect voting by mail. "*Trust is decisive. In fact, those who trust it, participate.*" (interview 45, researcher).

8.3.5. Application at the EU level

One of the interviewees states that using e-voting at the EU level is "*probably the only way to improve EU-wide democracy in the sense of taking formal political processes such as elections and referendum votes to the EU level*" (interview 45, researcher). Regarding its potential to contribute to a European public sphere, its limits have to be acknowledged as it is mainly a functional tool, and not a technological quick-fix to any democratic issues. Though there are still substantial arguments against the introduction of e-voting, particularly concerning questions of security, its potential as a tool to be used on a larger scale in a variety of contexts should not be neglected. Essential further developments are though necessary and the continuous challenge of improving the e-voting systems still has to be tackled. Another important step is to slowly build up trust in this voting channel by allowing citizens to use internet voting on lower levels. In this regard, a gradual implementation strategy, as it is pursued by Switzerland, could be one possible approach.

8.4. Short summary of the binding decision-making tools

The case studies of the Green Primary, voting in Estonia and voting in Switzerland describe different practices of online ballots. Underneath the main findings with regard to the contextual factors, the voters, the voting process and the results are summarized.

8.4.1. Relevant contextual factors

The Online Green Primary, from November 2013 till January 2014, can be seen as a first pan-European online voting opportunity. The election of the Spitzenkandidaten for the European Green Party (EGP) was a solely online ballot, which was open for all Europeans of 16 years or above who share the party values. The online election was part of the mobilization strategy of the EGP. In Estonia and Switzerland e-voting opportunities are offered for reasons of efficiency, user friendliness, to stimulate turn out and to increase the accessibility of the ballot particularly for people with disabilities and for people living abroad. Also, wanting to play a leading role in digital democracy technology is one of the intentions behind the online ballots. In Estonia first trials were initiated in 2004. First local elections with online voting opportunities were in 2005, national elections offered these in 2007 and the European elections in 2014. Switzerland sees itself as still in the test phase. The Confederation defines the framework and requirements for e-voting, and the cantons decide on their own if and with what kind of system they want to introduce e-voting. Different trials are held in 2004 and 2005, and a second round of trials in 2007-2010. Interestingly, in Geneva e-voting is re-introduced after a referendum in which 70% voted in favor of online ballots. In 2011 people living abroad were enabled to vote digitally during federal elections. In 2015 in-country voters were able to vote electronically as well.

8.4.2. Participants

Voters for the Spitzenkandidaten of the EGP came from all over Europe, although the voters are not evenly distributed over the countries. In total more than 22 thousand people voted. In comparison to the potential voters in Europe (about 375 million) this does not seem as a lot. However, in comparison to a congressional election, this online election was much more inclusive. Besides the country they live in, other information about the voters is unfortunately not available. In Switzerland the different trials with e-voting concern varying target groups - Swiss people living abroad, disabled people, Swiss people living in Switzerland. Ultimately, the aim is a nationwide introduction of internet voting for the entire electorate. In this phase internet voters are people that score more positively on internet usage and skills, often young people (particularly 30-39) and with a high educational status. For Estonia, it turned out that in the beginnings of internet voting the e-voters showed particular characteristics as having a higher educational background, Estonia as motherland and an urban habitat. Interestingly, after three elections internet voters are non-distinguishable from other voters.

8.4.3. Participatory process

In the three cases, it becomes clear that e-voting does require different steps, in order to strengthen the security and privacy of the online ballot. To vote in the online Green primary, people had to register on the Green primary website. After registration, the participant received an email with an activation link. By clicking on that link, the user name as well as the password was sent to the participant via SMS. With that username and password a vote could be casted at the Green primary website. The organizer stated 20% of the people who registered did not cast a vote eventually. The different steps might have been a hurdle for some people, but some minor technological problems arose with sending SMS across the different countries in the EU might explain this loss as well. The Estonian e-voting system requires an ID card, to be identified by a card reader connected to a computer; the specific voting application; and the PIN1 code of the user to log in and PIN2 code to confirm the vote. I-votes

can be cast from 10th day until 4th day before Election Day, I-votes can be recast as often as a voter wants as only the last vote counts. In Switzerland two different e-voting systems are in place. A third system has been abandoned in 2015 after an external audit discovered security vulnerabilities with regard to the secrecy of the vote. No particular software is needed, the voter just has to verify himself with an individual ID number at the election web page. To confirm the vote another individual code is required which has been sent in advance.

8.4.4. Impact

These e-voting in the cases concern elections (and in Switzerland referenda in addition). This means that the voting result equals the final outcome, in contrast to the other cases in which representative authorities make the final decisions. The calculation of this elective outcome online is however less transparent as votes are not counted in public. In the future, a public bulletin board, where all encrypted votes are displayed and everyone can check if the vote has been cast as intended, can be a technical solution to overcome this loss in transparency. The e-elections in Estonia are accompanied by public ceremonies, where everyone who is interested can participate and observe the procedures. Moreover, auditors monitor the voting procedure.

Additional impact of online voting opportunities could be an increase in voter turnout. After ten year of online ballots in Estonia, no clear indications exists for such an increase. What can be seen is that by trend an increasing share of voters made use of internet voting over time (Goos et al. 2016). For people living abroad the opportunity to vote online seems to be much more vital, as 90% of them casts their vote online. With regard to a potential increase of voter turnout, studies in Switzerland show that there is no indication that internet voting has any impact. A substitution effect between postal voters and internet voters was found. The EGP used the online election also to mobilize people for the upcoming elections. In this regard, it was seen as a success that almost 40% of the voters subscribed to the newsletters of the EGP.

9. Qualitative Comparative Analysis of the case studies

In this research we apply the Crisp-Set Qualitative Comparative Analysis (csQCA). This was also the approach that Pratchett et al. (2009) used to compare different cases of e-participation (i.e. e-fora and e-petitions) in relation to the empowerment of communities influencing local decision-making. The foundation of csQCA lies in Boolean algebra. Hence, the scores of the cases on the different conditions and the outcome will be dichotomized in the course of the procedure.

The number of conditions included in the QCA needs to be relatively low, because the number of possible logical set-combinations quickly exceeds the number of cases (Berg-Schlosser and De Meur 2009). In other words, the empirically observed cases will occupy only a tiny proportion of the potential 'logical space' (3 conditions result in 8 possible logical combinations, 6 conditions already lead to 64 possible combinations). Moreover, the fewer the number of 'causes' we need to explain an outcome, the closer we come to the core elements of causal mechanisms. Having a large number of conditions tends to individualize each case, which makes it difficult to find any regularity or any synthetic explanation of the outcome across the cases. In our intermediate-N research design, working with a number of 4-7 conditions is advised in the literature (Berg-Schlosser and De Meur 2009, 28). The ideal balance between the number of cases and the number of conditions is found through trial and error.

Hence, the list of conditions we researched in our case studies is larger than the list of conditions that form the configurations later on. The final conditions and outcome 'variables' can only be formulated in the last stage of the research, during which the variation of conditions and the outcome among the different cases is determined. At least one-third of the scores on a condition must be a one or a zero; when conditions or outcome scores do not show enough variation among the cases, they will be excluded or adjusted (Berg-Schlosser and De Meur 2009, 45). When a condition or outcome is difficult to score in too many cases (for example because of a lack of information, contradictory statements in the literature or from two interviewees on one case), it also cannot be used for further analysis.

We based the scoring of the conditions and outcomes on the case studies. The data for the case studies was collected from (grey) literature about the case, and both a standardized questionnaire and a semi-structured interview with two respondents per case. According to the design of the study, the two respondents are usually (1) a professional who is involved in the process of the case (i.e. organiser) and (2) an expert who studied the case (i.e. academic researcher). Most of the conditions and outcomes have matching questions in the questionnaires (see annex II, annex III for questionnaires).

Guide to the main findings
The csQCA leads to two type of findings. First, the comparison of the cases on all conditions studied. The assessment of the extensive list of conditions and outcomes can be found in section 9.1-9.4. In these sections section we introduce the conceptualization of each condition and provide a short analysis of how the condition is scored amongst the 22 cases. If possible, we will explain some of the underlying mechanisms of the conditions: why the condition is relevant in digital participation trajectories.

The conditions are grouped in the categories:
- Characteristics of the tool (and organization) (section 9.1);
- Information and engagement strategy (section 9.2);
- Participatory process (section 9.3), and
- Results (section 9.4).

This second part of the analysis identifies the conditions under which digital tools can successfully facilitate different forms of citizen involvement in decision-making processes, which answers the main research question. The configurations that lead to positive outcomes are discussed in section 9.5. We

analyse the configurations leading to impact on decisions (section 9.5.1) as well as configurations that lead to agenda setting (section 9.5.3). We distract a 'minimazation formula,' as it is called. We conclude both sections on with what can be learned from the descriptive formulas.

9.1. Characteristics of the tool (and organization)

9.1.1. Condition A: Government initiative

This condition reflects whether the tool is owned by a government body, or a more grass root community led initiative. Of the 22 cases studied, a majority of 13 cases are initiatives of the government. 9 of the 22 online tools in the cases are initiated by non-profit organisations: theyworkforyou.com (MySociety), abgeordnetenwatch.de (Mehr Demokratie), Open Ministry (Avoin Ministerio), Betri Reykjavik (Citizens Foundation), e-petities.nl and the tools of the political parties (Podemos, the German Pirate Party, the Five Star Movement, Green Primary).

In one case different initiators were identified for the different stages of the participatory process. The constitutional crowdsourcing process in Iceland started off with a national forum to discuss the future of Iceland (after the economic meltdown in 2008). It was organised by different grass root organizations which called themselves 'The Anthill'. Later on, it was the prime minister who sent a constitutional act to the parliament to start the actual constitutional revision process, which began with the appointment of a constitutional parliamentary committee.

9.1.1.1. Relevance

According to the literature, the type of ownership is often considered to matter concerning e-participation. For example, in a study of Van Dijk (2012), in which he strikes a balance after 25 years of e-democracy, he concludes that bottom-up e-participation is usually more successful than the top-down initiatives from government. He refers to e-petitions, online voting guides, and online control and monitoring sites for complaints against wrong or badly executed government policy or to warn drivers by informing them about the exact location for speed cameras. According to Van Dijk the difference might be explained by the perceived problem of lack of trust and legitimacy in the relation between government and citizens. Another explanation he offers is: "*The trouble governments and public administrations have with the incorporation of the initiatives and results of e-participation in their regular operations and modes of governance.*" (Van Dijk, 2010).

In this context Van Dijk defines success in terms of attracting a lot of participants. In our study the monitoring sites which are both run by civilian organizations do attract quite a few visitors each month. The same can be said for the Dutch e-petition site owned by a foundation. When we compare the four cases of participatory budgeting in our study the hypothesis is not confirmed either. Betri Reykjavik is a bottom-up initiated tool, but the participation rate is not that much higher than the governmental participatory budget tools in Paris, Belo Horizonte or Berlin-Lichtenberg. The participation rates varied in different years, but at best Betri Reykjavik attracted about 2,4% of the total population of Reykjavik, Paris about 1,8%, Belo Horizonte about 7,2% and Berlin-Lichtenberg about 3,9%. It has to be noted that actual participation rates are somewhat higher, as only citizens above 16/18 years can participate.

The other bottom-up initiated tools in this study are the political parties – Podemos, Five Star Movement, Pirate Party and Green Party. Their success in involving their own members (or even European citizens in case of the Green Primary, the online election for a European Green Party (EGP) candidate for the Commission President) to participate in direct democracy has been varying. The turnout for the EGP candidate election was around 22 percent of the members. However, in relation to all European citizens - who share green values - the turnout is of course a much smaller proportion. Podemos and the German Pirate Party had difficulty to keep their participation rate up. The German Pirate Party shows relatively

low member commitment in participation despite the aims of the party of participatory decision making. Only 28 percent of members on the national level pay their fees and have full voting rights (in 2014), and the group that actually participates online is much smaller. There have been two sharp increases in participation in 2009 and 2012, but the Pirate Party did not succeed in making this a sustainable increase in participation. In the beginning (2015) Podemos gained a great number of members and participants: about 400,000 users of Plaza Podemos, their online discussion forum. At the moment the media attention as well as participant activity on Plaza Podemos have decreased. The website of the Five Star Movement had around 100,000 certified subscribers and 800,000 unregistrated 'followers' in 2015. This is a number which compares favourably with traditional party membership in Italy, where the most-voted for party (PD) boasted membership of around 240,000 people in 2015 (Federici et. al. 2015: 288). Up to 30,000-40,000 subscribers usually participate actively in important online discussions (ibid.:294).

9.1.2. Condition B: Combination of online and offline participation

This condition evaluates whether the tool offers the opportunity to participate not only online, but offline as well ('hybrid or blended format'). In total 14 of the 22 cases give participants the possibility to participate online and/or offline. The case of Wiki Melbourne, the crowdsourcing of a new constitution in Iceland but also the case of the European Citizens' Consultation (ECC) are classical examples of how digital instruments can contribute to democratic processes next to offline participatory events. Both have been extensive and long-lasting participation processes consisting of different online and offline phases. In other cases like Futurium and Berlin-Lichtenberg, offline meetings like workshops, public events, community meetings, etc. also feed the online discussion and vice versa. In the political parties Podemos, the Pirate Party and the Five Star Movement offline meetings also play a vital role in the decision-making processes. Additionally, in several cases it was possible to vote online as well as offline; (Paris, e-voting in Switzerland and Estonia) or to sign a proposal online or offline (European Citizens' Initiative, voting in Estonia, voting in Switzerland, Open Ministry – at least, for the Finnish Citizens' Initiative –).

9.1.2.1. Relevance

This condition can be expected to have an effect on the outcomes since offering both online and offline possibilities encourage inclusion of citizens. The train of thought by initiators usually is here: everybody should be able to participate in principle, even if they do not have online access or do not have sufficient digital skills. Or as one of the interviewees on the participatory budgeting case in Berlin-Lichtenberg said: "*Because not everyone is comfortable with just one way [of participating].*" Other considerations to combine online with offline activities are:

- Deliberation works better offline than online. The founder of petities.nl online stated: "*The moral of the [online] medium is that you can endlessly 'fork' as we call it. If you do not agree, you move on to another website, another Whatsapp group, etc. Online there is no scarcity of space.*". This is confirmed by Kersting (2013: 278-279) who is an advocate for a "*blended democracy combining online and offline instruments*", because online spaces lead to self-affirmation and ingroup bonding.
- Online activities that build on existing offline networks are more effective in mobilizing 'real world' participation (Gibson and McAllister 2013: 21). In the Wiki Melbourne case existing offline networks have been used (and created) and perfectly integrated in the online process. Firstly, meetings with different stakeholders were organized to draw up a draft plan. This draft was then published as a wiki webpage, to which changes could be made online (although not yet by the public). A stakeholder consultation of two weeks was held in which changes in the document were made by specific stakeholders. A few weeks later, a month of public consultation was organized, in which the wiki was open for anyone to edit. Various meetings and events were organised to gather input for the document, making the project a combination of on- and offline community activity.

However, online and offline participatory activities do not always have to complement each other. In cases of petitioning (petities.nl) or contacting politicians (theyworkforyou.com) the activities can substitute one another (see Gibson and Cantijoch 2013).

9.1.3. Condition C: Link to the formal policy or political process

This condition reflects the official status of the digital tool. In the majority of the cases (18 out of 22) there is an actual link to the formal policy cycle. Different possibilities to link the online participatory process to the formal agenda and/or decision-making process are identified:

1. legal embeddedness;
2. a policy framework prescribing the e-participatory process;
3. political representation.

An example of legal embeddedness has been found in the case of the Open Ministry in Finland. The possibility to write a law proposal is rooted in the amendment to the Constitution which allows citizens' initiatives to be submitted to Parliament. This amendment prescribes that an initiative must be supported by at least 50,000 Finnish citizens who are eligible to vote. The same goes for the crowdsourcing initiative in Iceland where there was a constitutional Act which was accepted by the Iceland House of Representatives (Althingi) in June 2010 ordering a complete modernization of the old constitution dated 1944. Also, the European Citizens' Initiative is embedded in the Lisbon treaty, the Treaty on the European Union (TEU): article 11, paragraph 4. As a local initiative, application of participatory budgeting in Paris is also legally embedded; it has been approved by the Paris Assembly as a rule of law. Hence, the next mayor of Paris cannot reverse the process of participatory budgeting unless the Paris Assembly does so; this creates a legal commitment of Paris to perform participating budgeting every year until 2020.

The second method to link the participatory process to the formal decision making process is through a policy framework, as with Your Voice in Europe. This tool is specifically mentioned in *Communication from the European Commission, the Action Plan to Improve Communicating Europe by the Commission* (CEC 2005, EUR-Lex 2007a). Also, the Dutch e-consultation is prescribed in policy. "*Since 2009, internet consultation forms a 'structural' part of the legislative process, which means: internet consultation is applied within all departments, unless it can be properly validated why not*", as stated in cabinet policy (own translation, Kamerstuk II, 2010-2011, 29 279, nr. 121). The participatory budgeting case of Berlin-Lichtenberg is embedded in the district budgeting process by – what is called – the 'Rahmenkonzeption zum Bürgerhaushalt,' where all procedural rules are described as well as in German municipal law (that excludes the transfer of direct decision-making powers to citizens).

Another link to the official decision-making process is created by Podemos, the Five Star Movement and the German Pirate Party. These political parties form their link to the official decision-making process through political representation.

9.1.3.1. Relevance

A link to the formal decision-making process might be of vital importance for the actual impact of the participatory input. The idea behind including this condition in our QCA analysis is that the embeddedness in a legal or policy framework can be significant to whether or not a proposal, request, or in general input from citizens are politically taken up and have an impact on the formal decision-making process.

A legal or policy framework does not always guarantee a political uptake of the results. Take for example the case of e-petitions. In all Member States of the European Union, citizens have the right to petition government, parliament or other public bodies. This is codified in the constitution and often in specific national laws and regulations.

Sometimes the political uptake is prescribed in specific policy or regulation. As in Slovenia: proposals in Predlagam have to get an official response from the competent authority of the government of the Republic of Slovenia, if at least 3 percent of the users active in the last 30 days voted in favour of the proposal, and if there are more votes in favour of than opposed. Official responses are also required in

the cases of the Finnish and European Citizens' Initiatives, as already discussed. And Badouard (2010) argues referring to the case of Your Voice of Europe that obligations to provide adequate feedback create some pressure on the decisions to be taken as well as it entails the acknowledgment of the participants as legitimate political actors.

A link to the formal decision-making process does not always signify that the outcomes of the e-participation initiative are legally binding. In fact generally this is not the case. Going back to the Berlin-Lichtenberg case, it is literally written in the 'Rahmenkonzeption' that citizens can suggest and discuss how public money should be spent, but that politicians decide which suggestion will be included in the budget plan (Bezirksamt Lichtenberg von Berlin 2008).

9.1.3.2. Sufficient variation

However, this conceptualization of a link to the formal policy or political process appeared to be too broad: almost all cases have some sort of link to the formal policy or political process (18 out of 22 cases). To be able to compare the cases properly different type of links had to be distinguished. We therefore discerned two types of links, on the basis of their different roles in the policy cycle:
a)   link to a formal currently existing agenda-setting process (10 of the 22 cases score positively);
b)   link to a formal currently existing policy or political decision-making process (15 of the 22 cases score positively).
The cases score positively on either of these two conditions when the tool facilitates the input of the participants to be taken up in one or both of these phases of the policy cycle.

The cases that score negatively on the condition C/a, are cases like the Dutch e-petition case or the Slovenian Predlagam case or the European cases ECI and ECC09 where participants generate ideas for new policy measures off the cuff which do not necessarily end up on an existing policy or political agenda. Positive scores are assigned to participatory budgeting cases (established link to existing political discussions about budgets) and political parties cases (established link to the political agenda of the parties in question).

There are more cases that score positively on the condition C/b than on C/a. This is because some of the tools are in fact not agenda-setting tools, like the e-voting cases and Belo Horizonte.

9.1.4.   Condition D: Sustainability

Sustainability of a digital participation tool means to characterize whether or not provisions for the future like maintenance and improvement or expansion of the tool are taken. For example, were user experiences used to improve the tool? The majority of the cases – 14 of the 22 cases - have scored positively on this condition.

Cases of tools which have not been used repeatedly, score negatively. For instance, the European Citizen's Consultation (ECC09) or the Iceland constitutional crowdsourcing case. One interviewee is quite critical of the lack of sustainability of the ECC. "*They [European Union] are aware that we need to try to find new ways of involving citizens. So that's why they have been spending all this money. But then they are doing a one shot experiment and they don't include it into the decision making process. That is a problem. They don't think of a long term solution for implementing citizen participation at the EU level. So it cannot work. Then it's better to do nothing.*"

Sometimes tools which have existed for a longer period of time were not or only marginally improved, and are scored negatively on the sustainability condition as well. Such an example is the Dutch e-consultation website internetconsultatie.nl or – at least until more recent times – the European Citizens' Initiative. While the European Citizens' Initiative has been making notable efforts to improve their engagement and communication strategy, transparency of results and online collection systems, among

other things, it can be argued that these endeavors will be met with limited success as long as they are confined to improving measures and there are no revisions of the underlying Regulation. Although there have been critical evaluations on both tools, not much has been changed over the years. This might be explained by a lack of political urgency or willingness. Other reasons for a lack of sustainability can be a lack of funding (in case of the Open Ministry in Finland) which caused the downfall of the Open Ministry as a crowdsourcing service platform.

9.1.4.1.   Relevance

This condition is taken from a study by Panopoulou et al. (2014) where they attempt to determine what the success factors for e-participatory projects are. The study is based on reviewed literature on e-government and e-participation success, and on a survey of practitioners across Europe. Sustainability was seen as a success factor in the literature as well as by the practitioners. There are different reasons why sustainability of a tool is important for success, an important one being the attempt to improve the user friendliness of the tool. Or, as one of the developers of the Betri Reykjavik tool said: "*We are always working on simplifying the process, in terms of how to participate. And that, I think, is in general a weakness of participatory processes, that they can be too complicated.*" In other cases improvements have been made over time to increase positive responses from government authorities. Like in the case of Predlagam, where they successfully did so by endorsing five or six proposals on a monthly basis (before there was no lower limit) to the competent authorities. The idea being that they now carry more weight and are more likely to succeed.

9.2.   Information and engagement strategy

9.2.1.   Condition E: Communication or engagement strategy

This condition reflects on the communication or engagement strategies used to mobilize participants. Questions raised are: Has the possibility to participate been effectively communicated to the target group? Have different strategies been used to attract different target groups? Has the strategy succeeded in mobilizing different groups of citizens to use the tool? Some of the tools have facilitated different e-participation trajectories, like the Dutch e-consultation website, Futurium, Your Voice in Europe and the ECI. In those cases there is quite a lot of variation between the different trajectories. To assess the score for the communication and engagement strategy of these tools we therefore particularly took into account to what extent the tool/platform itself is well-known.

In half of the cases (11 of the 22) an effective communication or engagement strategy has been in place. Remarkable is that mass media are an important mediator in several cases. The attention of the mass media for the tool and the participatory process is generally important to mobilize participants. As in the case of abgeordnetwatch.de; the annual report of the monitoring website states media partners serve as important crowd-pullers. One-third of the visitors found the platform through media. This can be seen in other cases as well, like the Pirate Party Germany, Podemos and the Five Star Movement. Also two of the participatory budgeting cases got a lot of media attention (Belo Horizonte and Paris), although this was only the case for their first year. However, in these five cases media attention has not been constant. The attention has been steadily decreasing after the first year for the participatory budget cases. Podemos has had the same experience. After the launch of the party and Plaza Podemos on Reddit, the novelty of a broadly inclusive and participatory forum for political debate gained substantial media attention. The media followed and echoed the online debates, but their attention regressed after a while. A similar picture could be seen for Slovenia's Predlagam, which enjoyed a media buzz during its introduction, but is now no longer prominently featured.

Different target groups require different engagement strategies. In order to reach a high diversity of participants, it can be important to have an offline communication strategy as well. This might be feasible

only for local initiatives like the participatory budgeting case Berlin-Lichtenberg. The interviewed researcher and administrator on this case stated that the decentralised meetings in community centres were an important way for community workers to reach new people every year and to get them involved in the participatory budgeting for the district.

In the other half of the cases the general public is not familiar with the tool and lay citizens are not mobilized. This is the case for Predlagam, the Dutch e-consultation, theyworkforyou.com, Wiki Melbourne, Open Ministry. In the Dutch e-consultation case the interviewed researcher noted that some civil servants do not have a problem at all with the tool being unknown to the general public; they do not want too many responses in the consultations, but they only want a few people who know the ins and outs to react. Remarkably, also all European cases score low on their engagement strategy: the Green Primary, Futurium, ECI, Your Voice in Europe and ECC. In the European cases not much effort is invested in gaining a broader reputation among target groups other than the usual suspects (civil society organisations at European level). The Green primary did involve a variety of engagement strategies, using social media, debates in different European cities (which were also livestreamed), press releases etc. However, what was missing in this campaign was commitment of partners on the national level that could have mobilised participants in the different countries. In the case of the ECI, one can see divergences between Member States concerning knowledge about the instrument. While efforts are currently made online as well as offline to raise awareness of the ECI instrument itself, events such as the ECI Day appear to remain centred around Brussels. Additionally, organisers of initiatives typically have their own campaign websites and engagement strategies for their individual initiatives and need not be accessed through the ECI homepage. Similarly, consultation pages listed of Your Voice in Europe can also be reached online through other paths than the Your Voice in Europe site, and promotion of consultation lies in the hands of the DGs. The focus of the engagement strategy lies on communicating the individual consultations rather than Your Voice in Europe itself, seeing as it is already fairly established and merely a page linking to all consultations.

Sometimes an active largescale engagement strategy is not needed in order to mobilize participants. The Dutch e-petition site gets about 2 million visitors per month without having to spend one euro on it. It gets its name and fame mostly through a snowball effect via social media and – according to the founder – more importantly e-mail as well. The low threshold of this tool – sign a petition by entering your name and e-mail address – plays an important role here, as well as easy ways to share e-petitions via social media and e-mail.

9.2.1.1. Relevance

In the earlier mentioned study of Panapoulou et al (2014) a 'promotion plan' has been mentioned as one of the success factors for designing e-participation initiatives. They define it in terms of utilizing the most appropriate promotional activities for each stakeholder group. The engagement and communication strategy can thus be very significant in predicting the outcomes of the e-participation process. A lack of diversity among participant and/or low representativeness of the participants can result in a decreasing interest from policy- and decision makers in the input and therefore in lower impact.

Mobilization has proven to be one of the great challenges of participatory projects in general. One of the explanations is that citizens have low confidence that their input in such projects will have any real weight in decision making processes. This scepticism appears to be well founded when it comes to e-participation at the EU level, as is made clear in the literature review. Deliberative civic engagement tend not to be embedded in political decision-making, often making them short-lived, temporary and focused on single particular issues. Or they even lack the support and engagement of decision-makers. Other barriers preventing mobilization are language problems and low interest in European level matters (see part 1 section 3.5.5).

9.2.2. Condition F: User-friendliness

User-friendliness has different dimensions but in in essence it is about the accessibility and comprehensibility of the tool for different target groups. Many tools have a user-friendly design: 16 out of the 22 tool studies score positively on – at least two of - these dimensions.

The dimensions on which we have scored the different cases on user-friendliness are threefold:

- Is the design of the system appealing, yet simple and easy to use?
  The tool should be well structured and easy to navigate. Predlagam, but especially the participatory budgeting case in Belo Horizonte, have set a very good example. As one of the interviewees said on Belo Horizonte: "*The main strength is that it was easy. Digital democracy platforms can be kind of hard to understand, or even demand too much, especially if it's based on comments - that you have to comment, to read, and to respond - it is not everyone that has the time or the energy to participate. So it was a kind of a platform for, let's say, ordinary people who wanted to say what they prefer.*" Another good practice of user-friendliness worth mentioning here, is the online design of the 'Traffic light system' in the case of participatory budgeting in Berlin-Lichtenberg to indicate the status of the proposal.

  Sometimes the tool can be too technical to be used by lay citizens. This was the case with the tool Liquid Democracy of the Pirate Party. But also with the case of Wiki Melbourne, it turned out that citizens indicated that they wished to have had more experience in using and editing wikis. Training programs were offered, but for many participants it takes too much of their time to attend those. One other solution is – as the Open Ministry in Finland did – that citizens can choose their level of participation: "*If you're really an expert on something then you can suggest...look at the graphs and suggest specific improvements and changes. And otherwise if you're not, you can just wait until they finish launch and it's collecting signatures and then you can decide if you want to support it or not.*"

  Another important aspect is that there shouldn't be too many (technical or bureaucratic) barriers to participation. A well-known example of a bad practice here is, the European Citizens' Initiative. In order to sign, a lot of information is required from citizens, which entails a strong discouraging effect, particularly in combination with low expectations concerning the potential impact and security concerns. Having too many barriers to participate can result in a decrease in the participation. In the case of the ECI this problem stems from its multinational nature, seeing as the personal data required from citizens to support an initiative is decided on by each Member State individually, with harmonisation and simplification remaining problematic. The online Green Primary scored positively on the user-friendliness, but it experienced a decrease in participation. The system behind counted twenty percent more registrations than votes. Twenty percent of participants did not succeed in using the passwords sent via SMS and email to vote.

- Is the content comprehensible for the target group?
  Is the content clear and understandable? In some cases the content in the participatory process is too technical, making it difficult to grasp for ordinary citizens. Often the studied e-participation processes aim to include the general public, but they fail to do so because the participation process is not designed for laymen. The information provided on the websites of the Dutch e-consultation website, Futurium or Your Voice in Europe is quite technical. And also the surveys offered by Your Voice in Europe presuppose a lot of knowledge about the European decision making process. Attempts to alleviate this problem include restructuring the questionnaires to allow respondents to first answer more general and basic questions before getting to more technical sections.

- Are different channels used to reach the target group or is the design appropriate for the target participants?
  Some cases make use of a multi-channel approach in order to include as many different participants in their process. In the Iceland crowdsourcing case, for example, social media like Twitter and

Facebook, were used next to the official website of the Council to encourage citizens to engage in the drafting of the new constitution. But also phone numbers of the Council members were given on the website. Also in the Berlin-Lichtenberg case, they used a combination of online tools, face-to-face meetings and possibilities to write a letter to reach out to the citizens of Berlin-Lichtenberg.

However, it is important not to have too many different channels, according to one of the interviewees on the Podemos case: "*Apart from Plaza Podemos, they have Appgree… They have ListenToYou (Osoigo), which is a direct channel of citizens [to connect] with parliamentarians. They have these three channels now (…) One year ago, they had like, I don't know, ten different channels… Maybe it is smarter to simplify.*"

9.2.2.1.   Relevance

User-friendliness is related to inclusiveness, as the former condition 'engagement and communication strategies'. Our conception of user-friendliness shows a lot of similarities with one of the largest success factors for designing e-participation initiatives 'meeting user needs and expectations' in the study of Panopoulou et al. (2014).

If a tool is not user-friendly enough, it is more difficult to reach the intended target groups. A tool that is too complicated in its use or with regard to its content might increase the dominance of participants with a higher education or a professional background. This might not be problematic in all cases, but it is problematic if the tool aims to involve the general public. And when the online participation involves too many different steps, you might lose participants on the way, as the Green Party experienced during the online green primary.

From the different cases it seems that experimenting with new ways to engage people might always help to make the tool more inclusive. Especially further exploration of possibilities to integrate e-participative designs with external "third places", i.e. social media platforms, seems worth considering according to the literature review (part 1 section 3.4.5.3). However, one should consider that political deliberation and discussions on social media can have negative effects on a person's willingness to engage in similar dialogues in the future, when people are confronted with political opinions which differ from their own. This can lower their political interest and engagement (part 1 section 3.5.5).

9.2.3.   Condition G: Information provided on the issue

This condition scores positively if the tool provides any information on the issue at stake. In ten cases, information on the topic was provided within the tool itself. This can be factsheet, expert opinions, references to (academic) literature or other websites, etc.

Wiki Melbourne sets a good example in providing sufficient information on the topic for the participants. The Future Melbourne Wiki team of City officers answered questions by participants, corrected factual errors in edits made, linked citizens to relevant documents and updated participants on events and developments concerning the project. Also the Dutch e-consultation website provides a good share of information on the consultation. In about one to two pages the aims of the legislative proposal, the target group(s), the expected effects, the aims of the consultation, the procedure of the online consultation, a link to the proposal and sometimes links to additional information on the subject (such as policy documents, parliamentary documents or even media articles) are provided.

Interestingly, Futurium makes an effort of providing information on the different e-consultations but also asks their users to provide more information themselves. In fact, it has the explicit goal to combine the opinions of the crowd with (scientific) evidence. Participants can therefore either add their ideas and comments but also evidence to support their contributions (e.g. a bibliographic link, statistical data, etc.).

9.2.3.1. Relevance

Providing information on the topic might be significant when it comes to mobilizing participants but also for the quality of the outcome of the participation process. If participants are not informed well enough, they might refrain from participating. This was the case with the tool Liquid Democracy of the Pirate Party: On complex matters the tool did not provide enough information to enable sufficient participation, according to the interviewed researcher.

If participants are well informed, from different perspectives, the quality of their contributions and appreciation for them in the final decision making process might be better and higher. On the other hand, providing information might be hard to combine with a neutral position. Moreover, as information can often be easily found in other ways, it might not be a decisive condition. For instance, petities.nl does not give much information on the different topics of the petitions, but many times there is a link to a website – like a Facebook page or an actual campaign website – where participants can find more information.

9.3. Participatory process

9.3.1. Condition H: Representativeness

Representativeness concerns the extent to which the participants (statistically) represent the target group(s) of the participatory tool. It turned out that in many cases not enough data was available to determine the representativeness of the participants and the extent to which minorities were included (e-petities, PB Berlin-Lichtenberg, Your Voice, Five Star Movement, Belo Horizonte, PB Paris, Betri Reykjavik, the Green Party primary and Futurium). In other cases representativeness was fundamentally different in the various phases of the process (Iceland, ECC).

Indications do point to a lack of statistical representation of the target group. This has to do with the principle of self-selection; in general participants register themselves to participate (instead of being randomly selected from the target group or being actively approached). In some cases random selection is utilized, but only in the offline phases of the participatory process, as during the Iceland constitutional crowdsourcing process, the surveys of the participatory budgeting process in Berlin Lichtenberg, and the European Citizens' Consultation 2009. The cases for which user research is available show that the participating public is skewed towards highly educated men with a higher than average interest in politics. In short, the actual group of participants often seems to be skewed towards what some might call 'the participation elite'. This is not a surprise since in the literature review it has been made clear that this is very common in participatory projects. "[...]*a vast amount of research shows that the costs and benefits of participation are generally skewed in favor of those with higher socio-economic status (SES) and education levels. While other factors, such as membership in civic and political organizations and various social networks, can mitigate the impacts of SES and education, it is clear that unless practitioners take corrective measures, participation of all varieties will be skewed*" (Ryfe and Stalsburg 2012: 1). At the same time, the online participation tools might attract more young people than other participatory tools, as the case around the Finnish Citizens' Initiative (Open Ministry) indicates. Although an overrepresentation of the 21-40 age group, males, university graduates and urban residents in comparison to the general population is measured among the researched group of participants, the interviewed researcher claims: "*actually the strongest finding that we have is that it appeals to young people. That young people are very interested and very active in using these tools. So in that sense it's actually reaching a group that is often considered to be problematic from a democracy perspective, young people often don't want to participate.*"

9.3.1.1. Relevance

How important representativeness of the participants is as a condition depends on the normative view of democracy. Some views of democracy put their main emphasis on a high degree of representativeness,

others promote the protection of fundamental rights and freedoms, and others strive for inclusive and comprehensive involvement of the citizens (Schmidt 2008, 236f).

A lack of statistical representativeness "*does not necessarily mean poverty of views, information and arguments and low quality deliberation.*" (Aitamurto and Landemore 2016: 2). Some interviewees therefore express a low interest in representativeness: "*In fact, there has been little consideration regarding representativeness – the focus in this regard has been on mobilizing participants with appropiate interest, knowledge, and/or opinion*" (interviewed organiser of Betri Reykjavik). On the other hand, we ascertained in the literature review that a lack of diversity and representativeness of participatory projects inevitably results in decreasing interest from policy- and decision-makers and therefore in lower impact.

It also depends on the type of participation process. Is the participation process aiming for the collection of ideas? Representativeness of participants is not a necessary prerequisite for the overall quality of such participatory input, nonetheless, a diversity of views is expected to result in a rich collection of ideas. However, when participatory input is quantitatively aggregated by votes or signatures, representativeness becomes more important. Quantified views of participants are more easily generalised to the general public, to a larger base of social support, which cannot be justified with a self-selected group of participants.

Due to the lack of data we could not include the condition of representativeness in the further steps of the QCA.

9.3.2. Condition I: Involvement of organised groups and/or professionals

The target group of many e-participation tools are ordinary citizens. But in several cases either professionals (like civil servants or lobbyists) or organised groups like civil society organisations (CSOs) are heavily involved. The condition 'involvement of organised groups and/or professionals' is meant to score the extent to which both groups are involved, on which eleven cases score positively.

In the four cases at the EU level we studied, the heavy involvement of organised groups is common practice. In case of the European Citizens' Initiative (ECI), ordinary citizens are at a disadvantage, because the organisers of an initiative need to possess both human and financial resources, networks, alliances as well as coalitions with civil society, media and NGOs in order to gather the promotion and awareness needed for success (Sangsari 2013). In the case of ECC09, an overabundance of organized group presence was noticed during the online phase. Many participants just registered to vote for the proposals of their own organizations. This resulted in proposals promoting Esperanto as a common work language in the EU and proposals to legalize cannabis; proposals that are not broadly supported by EU citizens. Also in the e-consultations of Your Voice in Europe empirical research shows that more than 45 percent of the replies were made by civil society organisations (Badouard 2010, 2013).

In the other cases (outside the EU) which scored positively on this condition, not only the CSOs made up a large part of the participants, but also professionals and companies. Like in the case of Wiki Melbourne most edits were made not by the public, but by City of Melbourne officers, although the bulk of that was editing and incorporating input from the offline meetings. In the case of the Dutch consultation website some law proposals attract many reactions, because a particular professional organization has made prototype letters with a link to the internet consultation. In addition, professionals from relevant organizations are part of the target groups of the Dutch e-consultation. In two participatory budget cases (Paris and Betri Reykjavik) the percentage of associations and companies is also substantial, also because these are part of the target group.

9.3.2.1. Relevance

It is a common critique – especially concerning e-petitions – that they are channelled by established political actors (parties, associations or movements) and that they only occasionally rise from ad hoc and informal collective action (Panagiotopoulos et al., 2011; Alathur et al, 2012; Schmitter and Trechsel, 2004). At the EU level, art. 11 of the TEU contains a number of provisions complementing the principle of representative democracy, which make a difference between the role of citizens and of CSOs. In clause 1, citizens and associations are given a right to voice their views. And clause 2 requires the institutions to "*maintain an open, transparent and regular dialogue with representative associations and civil society.*" Comparing the two provisions, citizen involvement is explicitly defined as voice and consultation and remains rather noncommittal. This gives citizens less rights in decision-making processes compared to civil society organisations (CSOs) which receive a formal guarantee to be heard and involved in dialogue (Fischer-Hotzel 2010: 340). This gives citizens less rights compared to civil society organisations which receive a formal guarantee to be heard and involved in dialogue. Against this background and taking into account the debate, Fischer-Hotzel (2010: 339) points out that for many "*participatory democracy*" at the EU level actually means "*associative democracy*" and the sole inclusion of CSOs in the processes of decision-making. Some even argue that the involvement of CSOs at the EU level deepen the democratic deficit even more because CSOs in the Brussels area often serve as substitutes for the voices of European citizens, creating a civil order without credible levels of public engagement (Bennett et al. 2015).

9.3.3. Condition J: Clarity on the process

This condition reflects how clearly the participation process has been organized (for participants) and to what extent expectations about the process are managed properly. Is it clear to participants, from the outset, what the goals of the process are? How far does their influence reach? What will be done with their input? Is it clear to participants which actors have responsibilities in the decision-making process? In 15 out of 22 cases enough clarity for participants has been delivered on the participatory process.

The City of Paris provides quite some information about the participatory budgeting process. Firstly, the website provides a fair share of infographics, FAQs and information, which explain the process of Budget Participative and how to participate. In the proposal submission phase, information regarding the legal framework and support on financial aspects is provided by the administration to the submitting participant(s). Also in the case of Melbourne, as well as in the case of participatory budgeting in Berlin, the expectations on the process were well managed, online as well as offline. The organisers in Melbourne were clear that: "*There is no guarantee that all suggestions can be incorporated into the Future Melbourne draft plan. A number of the recommendations fall outside the City of Melbourne's areas of responsibility.*" This kind of transparency did not seem to discourage participants.

When there is no clarity on the participation process, a tool for citizen participation can contribute to cynicism of citizens about the political system, rather than appreciation for it. One of the interviewees on Predlagam argued: "*The policy process is very complex. And citizens should be aware how complex it is. I don't think that they should be fooled. And in this case, in the case of this tool, I think they are being fooled, because there are still a lot of proposals and they are just going into a blackbox where nothing happens with them.*"

In some cases there is at least clarity on the participation process but not on the decision-making process. Take for instance, the European Citizens' Consultation 2009: "*So the process in itself was clearly presented and well communicated but the organisers were unable to say what would be the impact.*" And there are more cases like this. In European Citizens' Initiative and Podemos the official steps in the participation process are clear, but almost no proposal reaches the final stage. Politicians from Podemos claim to incorporate input from the online discussions in their considerations, but it's not clear how this indirect influence of participants works in practice.

9.3.3.1. Relevance

Clarity on the process is supposed to encourage and empower participants and in the end it prevents disappointment of participants. Disappointment can be found in several cases. Beside the Podemos case, the digital budgeting case in Belo Horizonte is probably most striking. The winning project in 2008 has not been finished yet, because there is a problem in terms of land use and land property. After this disappointment participation has fallen significantly: from 124,320 citizens in 2008 to 25,378 in 2011 and 8,900 in 2013. Trust is hard to gain but easy to lose. In the case of the crowdsourcing of the constitution in Iceland, the transparency of the participation process seems to have created a lot of public appreciation and even a sense of co-ownership with the participants, according to one of the interviewees. An actual impact on decision-making might be easier to achieve if it is clear beforehand how exactly the participatory process will contribute to the final decisions.

9.3.4. Condition K: Possibility to interact with other participants

We were interested in how the diversity of views is managed in the tool. Does the tool offer the possibility to deliberate? Deliberation is broadly defined here as the opportunity for participants to exchange views within the digital tool(s) available in the case. In 13 cases it was possible to interact with other participants in the online tool.

The cases in which crowdsourcing is used to co-create a proposal, the tools facilitate deliberation between participants: Open Ministry in Finland, the constitutional crowdsourcing process in Iceland, Wiki Melbourne and Predlagam. Also registered users of the political parties aiming for collaborative decision-making (Pirate Party, Podemos and Five Star Movement) have several tools at their disposal to debate issues.

The four participatory budgeting tools include the possibility to comment on proposals to spend the municipal budget. This worked particularly well in the case of Betri Reykjavik where the most popular arguments against the proposal are presented next to the most popular arguments in favour of the proposal. One of the interviewees mentions that structuring the debate this way – views are exchanged strictly by arguing for or against proposals – really helped to improve its quality: "*What we tried to do was to split the screen in two so people who support the idea can write points for it on the left side of the screen (…), and on the right side of the screen, people who are against the idea can put their points… And almost overnight (…) the quality level of the debate increased a lot.*" It minimizes the extent to which a comment can refer to another comment rather than the proposal itself: "*If you see a point, you don't agree with, there's no way to comment on it. You have to write a counterpoint.*"

The possibility to interact does not equal deliberative quality. In some cases were interaction between participants was facilitated, like the PB in Berlin-Lichtenberg, the diversity of views on the different proposals appeared to be limited, only a few reactions could be found online. In the case of European Citizens' Consultation (ECC09), the deliberation online varied a lot between countries.

9.3.4.1. Relevance

The need for deliberative possibilities in e-participation projects is debated in the literature.
On the one hand, deliberation is supposed to enhance input quality when it comes to e-consultation (Albrecht 2012). In fact, Albrecht even advocates a model of deliberative e-consultations, which not only consists of collecting comments on a policy proposal but also allows for discussions on these among the participants and with representatives of the EU institutions concerned (see next condition). Organ (2014) points out that even if no legal outcomes of e-participation are achieved, the legitimacy of the policy agenda can be increased through the act of deliberation. In the case studies of Wiki Melbourne and the Pirate Party the exchange of ideas was seen as stimulating a more constructive mind-set of participants than just approving or disapproving ideas.

On the other hand, deliberative civic engagement seems to be of a temporary nature, being employed for singular issues and spanning only across a short amount of time (Leighninger 2012). Kersting criticizes the quality of online deliberative instruments, which appear to be "[…] *more oriented towards the construction of identity and community building than towards political dialogue and deliberation*." (Kersting 2013: 270). He also observes that web forums on the internet are low in deliberative quality, meaning that "[…] *they are not argumentatively-respectful and consensus-oriented, but are often pure monologues and frequently aggressive*" (Kersting 2013: 277). A study of two of the forums for the PB in Belo Horizonte (including two issues on each forum) indicated that only around 30 percent of messages were dialogical, while around 70 percent were monological (Sampaio et al. 2011). This indeed suggests a somewhat low degree of 'deliberativeness' in the forums. Another interesting argument against deliberation, but pro voting or signing, was made by a researcher who studied petities.nl: "*You can only sign or not sign. You cannot co-edit a text for example. At the same time, your voice is not lost as happens often in deliberative settings where a participant can take part in a discussion but where in the end it is difficult to ascertain where and how one's input has been used. With petitions, your voice just counts.*"

9.3.5. Condition L: Possibility to interact with decision-makers

This condition reflects whether the tool offers the possibility to deliberate with decision-makers. As with the former condition, deliberation in this context means the opportunity to ask questions and/or exchange views. Decision-makers can be administrators as well as politicians. Do they participate in the online tool?

In eight cases there is some form of interaction between the participants and the decision-makers. In five cases this interaction takes place between participants and politicians, obviously in the four cases of the political parties (Five Star Movement, Podemos, Pirate Party and – only in incidental Facebook chats – in the online Green primary) and in the case of abgeordnetenwatch.de, where Q&A's between politicians and citizens are moderated. In the other three cases public servants are involved. For example, Wiki Melbourne where a team of City officers answered questions by participants, correcting factual errors made in edits, linking citizens to relevant documents and updating participants on events and developments concerning the project. Also in the participatory budgeting cases of Berlin-Lichtenberg and Paris, policy officers interacted with citizens about proposals.

9.3.5.1. Relevance

The reason we included this condition was because in the case of ECC09, a survey was done with the involved Members of European Parliament (MEPs). Although the response rate was rather low, the outcome was interesting: the responding MEPs expressed dissatisfaction with the content of the recommendations and the issues the citizens highlighted. Karlsson (2013) explains the dissatisfaction of the MEPs by participants not understanding what sort of input was desired by MEPs. The researcher therefore claims that the form of communication between MEPs and citizens as well as its management should have been considered more carefully. Karlsson recommends a meet and greet between the MEPs and the participants at an earlier stage. That way they could have exchanged perspectives and knowledge before the content of the proposals was decided upon. So the interaction between participants and decision-makers would improve the quality of the output (i.e. closer to political reality), and therefore most probably the impact on the decision-making process.

This same argument was made by the researcher who studied Predlagam, he claimed the tool to be too open, and recommends it should provide more information on what kind of input the government wants from citizens and provide more such structures in its design. Also the initiator of Open Ministry proposes as an improvement of the participatory process around citizens' initiatives that citizens should work together with the parliamentary committee. That stimulates a discussion on the content of the proposal between citizens and politicians to increase mutual understanding and in the end it might help to improve the legal quality of the law proposal.

The recommendation here is to facilitate debate between decision-makers and participants more often in order to aim for a better match between the needs of decision-makers and citizens' input and/or for an increase of the quality of the input. The question remains, however, to what extent final outcomes can still be considered a result of citizens' participation if decision-makers are heavily involved in shaping these outcomes.

9.3.6. Condition M: Moderation

This condition scores the extent the participatory input is moderated. Moderation is not only relevant in relation to the online interactions between participants or between participants and decision-makers, but also in relation to, for example, e-petitions (is the petition edited by a moderator before it is put online?).

Interestingly, there are not many cases in which substantive moderation takes place. Only in four cases, namely: abgeordenetwatch.de, Wiki Melbourne, European Citizens' Consultation (ECC09) and Predlagam. In the case of abgeordenetwatch.de, all questions of citizens are moderated before they are sent to the representatives. And the moderators only post contributions that are identified as questions or requests for statements on particular issues. In the Wiki Melbourne case the contributions are also heavily moderated, both automatically and by hand. Machine monitoring flagged inappropriate words or activity (but none were detected), and new additions were reviewed by City of Melbourne staff three times a day. At the website of Predlagam, the suggestions of users are not published immediately. Moderators help initiators improve their proposals, for example by applying keywords. The moderators also judge the adequacy of the response of the competent authority. Comments are also moderated, by checking whether the comments comply with the terms of use. Such substantive moderation takes up a lot of time. In the case of abgeordenetwatch.de all questions and answers are monitored by a group of twenty volunteers. And in Melbourne, the entire task of moderation, such as responding to questions and making suggestions, kept an equivalent of two people occupied continuously.

In the other cases, there is only little or no moderation. Sometimes there are community managers or moderators present but they only check for uncivil content. In most cases, it appeared that posts with uncivil content are actually quite rare (Futurium, Open Ministry Finland, PB Berlin-Lichtenberg, Podemos, Your Voice in Europe). For example, the interviewed Council member of the crowdsourcing experiment in Iceland said the concerns they had in the beginning turned out to be unfounded: "*We were concerned that maybe this would be abused by too many people; that our website might sort of be filled by people writing rubbish as you see on many newspaper websites. But that did not happen.*"

In other cases organisers were just very hesitant to moderate the content or discussion, mostly for two reasons. In the first place, they are afraid that they might steer the discussion in a certain direction; can moderation be done neutrally? As was the case for the administrators that manage the Dutch e-consultation platform. The same line of argument is given by the initiator of petities.nl. He only edits the petitions on spelling mistakes. He never removes a petition for content related reasons, because this would damage the democratic quality and inclusiveness of the website. In the second place, there is often just not enough time and money to spend on moderation efforts. An interesting counter-example here is, as discussed earlier, the design of Betri Reykjavik in which participants automatically insert an argument in the category 'in favour' or 'opposing'. This can be seen as a light form of moderation that is already implemented in the design of the tool.

9.3.6.1. Relevance

Like with deliberation, there are two sides to moderation. On the one hand, "*moderation is generally to be considered to be significant (and positive) in shaping the quality and usefulness of online debates*" (Wright, 2006: 551). Moderation helps to avoid aggressive or offensive behaviour online and it can help structure the debate and thus improve the deliberative quality. On the other hand, moderation can be seen as a way

to intentionally or unintentionally influence the process or as a form of censorship or even manipulation of the process, for example to make sure that some topics are put on the agenda.

9.3.7. Condition N: Quantitative aggregation

We just discussed different conditions about the exchange of different views via deliberation and moderation. The diversity in views of participants can also be managed quantitatively, by collecting votes or signatures. Remarkably, the majority of the cases apply these quantitative aggregation methods: in 17 of the 22 cases. Online many votes or signatures can easily be collected. Van Hulst et al. (2016) claim it is an advantage of particularly online participation practices to combine deliberative processes – like co-creating proposals – with voting processes. It is therefore interesting to expand a little more on how quantitative aggregation is used exactly in the different cases.

There are different ways in which the quantitative aggregation takes place:
- voting on/signing citizens' proposals (constitution Iceland, European Citizen Initiative, Finnish Citizens' Initiative (Open Ministry), Predlagam, Betri Reykjavik, PB Berlin-Lichtenberg, Podemos, Pirate Party Germany, ECC09, petities.nl, PB Paris);
- voting on governmental proposals (digital PB Belo Horizonte);
- voting for election candidates (M5S, Podemos, Pirate Party Germany, Green Party, e-voting in Estonia and Switzerland);
- voting through polls which are proposed by either the community manager or a participant (Futurium).

An interesting feature which only the tool LiquidFeedback of the Pirate Party had, was the delegation of votes. The software allows for votes to be delegated to other voters on three levels: On the global level, meaning that all initiatives can be voted for by the delegate on behalf of the delegating user; on the area level, so that delegations are restricted on an area; or on the issue level. The actions of every voter are recorded and public, allowing the control of delegates at the expense of non-secret votes. However, the non-secrecy of contributions and votes was controversial within the party.

9.3.7.1. Relevance

The advantage of the combination of deliberation and voting is that it indicates whether participative input is supported more broadly. This indication is relevant for decision-makers in considering the proposal and might enlarge the impact on the outcome of the decision-making process. However, political willingness should be there. The crowdsourced constitution in Iceland gained the support of 67 percent of the voters during a referendum (voter turnout was 49 percent), but still the constitution is not voted upon by the parliament due to political unwillingness. In the Betri Reykjavik case the top ideas with most votes are discussed at City Council meetings and either approved or rejected. Generally, around two thirds of the presented top ideas are approved by the City Council. In some cases the aggregation and voting process is multi-layered, like in Berlin where different strategies to aggregate and weigh the proposals were combined. Participants made a list of the project proposals in an order of priority within public meetings organized in the 13 neighbourhoods. The next step was that the lists with the five priorities of the 13 neighbourhood meetings and the top ten from the internet 'vote' were sent as a survey to a representative sample of the population (50.000 randomly selected households). These respondents were then asked to make their own list of five projects that they perceive to have most priority.

In other cases quantitative aggregation creates a threshold for entering the decision-making process to begin with. Take for instance Predlagam, where a proposal is submitted to the competent authority of the government of the Republic of Slovenia for an official response, if at least 3 percent of users active in the last 30 days vote in favour of the proposal, and if there are more votes in favour of than opposed.

Also Podemos and the German Pirate Party have comparable procedures for individual ideas; they need to reach a certain level of support before the proposals are taken into further consideration.

However, one should be careful of giving too much weight and meaning to the voting results in the digital tools when the representativeness of the participants is low (which might be true for many cases).

9.3.7.2. Suffucient variation

Many cases use some form of quantitative aggregation. To be able to make an appropriate comparison, we further specified this condition. We distinguished:

- voting on (or signing for) proposals with the aim to reach a certain threshold (6 of the 22 cases); and
- voting on proposals in order to prioritize individual proposals or decide on elections/referenda (11 of the 22 cases).

An example of the first kind of voting is Predlagam, where – as said before – at least 3 percent of users have to be active in the last 30 days and have voted in favour of the proposal. Or the Open Ministry in Finland or the European Citizens' Initiative where 50,000 and 1,000,000 signatures are needed respectively, in order to oblige the parliament to discuss the proposal and vote on it (Finland) or to oblige the European Commission to examine the proposal for legislation and decide *whether or not the initiative warrants legislative steps to be taken.*

An example of the second kind of voting is Berlin-Lichtenberg where different budget proposals are voted upon by participants online resulting in a top ten. Another example is the ECC09 where 88 recommendations from the national consultations were presented at each national website and all 1,635 participants were asked to vote online or by mail for 15 recommendations that they wanted to become the final result of the ECC.

9.3.8. Condition O: Room for officials to make their own judgement

This condition reflects the room officials – the actual decision-makers – have to deviate from the results of the e-participation processes and make their own considerations. The most important accompanying question being: Are the results of the e-participation process binding or not?

It turns out that in most cases, 17 of 20 (in 2 of the 22 cases it was not completely clear), officials can make their own decision in the end. The three obvious cases in which the participatory results were binding, are the e-voting cases of the Green Party, Switzerland and Estonia (which implies there is not enough variation to use the condition in the further steps of the QCA).

9.3.8.1. Relevance

There are two ways to look at this discretionary space of decision-makers. A positive view on the fact that most officials are still able to make their own judgement is that there is still room for decision-makers to make a deviating judgement, warranting the overall public interest(s). Representative politicians would be more able to think through the public values as well as the interests of minorities. This 'representative check' or 'representative ultimatum' is especially appropriate taking into account that it seem to be that often the participation elite dominates the online tools. However, in the case where the officials choose to make a different consideration, it is very important that they give proper feedback to the participants about the reasons why the final results of the e-participation process are not implemented by them (and this feedback is not always provided, as the next section describes). A negative view on the fact that most officials can still make their own decisions is that it contributes to a possible distrust of participants in the participatory process and in the political process as a whole, especially when no feedback to participants is provided.

9.3.9. Condition P: Feedback to participants

This condition reflects the extent to which participants get feedback from the organisers and/or the addressees, like administrators or politicians, on a) their contributions and b) on the final decisions (i.e. do they get informed about the way their contributions have been used?) This condition is part of the output legitimacy of the process which is – next to the effectiveness of the results – about responsiveness to the argument and proposals of citizens (Cohen 1989) and accountability on the process towards the citizens.

In 14 cases such feedback was actually given. These were the cases: abgeordenetewatch.de, Predlagam, Open Ministry in Finland, constitutional crowdsourcing in Iceland, Wiki Melbourne, Berlin-Lichtenberg, Futurium, Five Star Movement, PB Belo Horizonte, PB Paris, Betri Reykjavik and the three e-voting cases.

The extent to which feedback was given differs amongst the cases. Some of them can be considered best practices when it comes to providing feedback. Digital tools can actually be very supportive in providing transparency about the participatory outcomes and final decisions. For example, Wiki Melbourne where the wiki tool was really an instrument to maximum transparency. All contributions throughout the process and outcomes of offline activities were fed back into this wiki by City of Melbourne officers. The wiki tool manages revisions and shows participants what has happened with their contributions. Also in the case of Betri Reykjavik, the website forum, the municipality website and emails are used to inform citizens about developments in the decision-making process as well as implementation and later developments (Bjarnason and Grimsson, 2016): "*If there's an idea that is going into processing, people can track it on the website (…) and each time there's a status update, you now, it goes into a committee and is discussed and there are meeting notes, they are sent to all the participants*" (Interview 39, organiser)." In the case of Predlagam, the feedback to participants is organized in two ways. In the first place, the website is quite extensively moderated. For example, moderators – administrators of the Slovenian government - give feedback to participants on their proposals in order to approve them. In the second place, there is a legal obligation for governmental departments and agencies to respond to proposals submitted to them within 20 days. Badouard (2013) argues that obligations to provide adequate feedback also create some pressure on the decisions to be taken and the recognition as a policy instrument together with institutional accountability brings the government to acknowledge the participants as legitimate political actors.

When we look at the cases which score negatively on providing feedback to participants, it is striking that especially the tools at the EU level often fail to provide proper feedback: ECI, Your Voice in Europe and ECC09. From the literature review, however, the website portal for petitions of the European Parliament, has improved itself on this point. In November 2014 a new petitions web portal was introduced, possessing more feedback features on the status of petitions (next to more information on the Parliament's areas of competence). In the case of ECI, the information supplied by the website itself is generally very good with exceptions in the area of result feedback. There is a lack of clear organiser feedback to supporting citizens due to a gap in existing OCS (online collection system). With Your Voice in Europe, a synopsis report on the outcomes of an e-consultation is required but in many cases not provided (yet). And in the case of ECC09, no feedback was given on the final outcomes of the process, since the proposals were actually not taken up by politics and politicians.

9.3.9.1. Relevance

This condition is significant because it relates to the trust participants have in the process and the political system. The interviewed organiser of Wiki Melbourne phrases it as follows: "*It is almost like you extend the respect to people as if they were sitting in a room talking to you. You would expect to have to respond to them. Otherwise it's just plain rude, right? And so that is the same sort of thing we advocate online. […]If you take that mind-set, you just leave a comment: 'I just moved this over to this section, because it seemed more appropriate over here' or 'Sorry, that point, we're not legally able to change that part of the law, so I had to delete it. But I'll point*

you to the state government body who is responsible for that.' It is those types of contributions and changes that maintain the trust during the process."

Importantly, it is noted by some interviewees that it is not only positive feedback that increases the trust participants have in the tool. That same organiser of Wiki Melbourne adds on this: "*Participants readily accept the role that government must play when it is done openly and responsively.*" Also feedback, even if the message is that the participants' input is not going to be used, can increase the democratic value of the tool: "*It is more about participating in a democratic process. To me, a petition is also a success when the answer of a recipient is: 'sorry, that is not going to happen, for this and this reason.' After which the signatories might even agree,*" according to the initiator of petitie.nl.

The interviewed organiser of Betri Reykjavik is also very insistent on the importance of proper feedback, also in terms of common courtesy like the organiser of Wiki Melbourne already stated. "*And obviously at the end, when the idea is agreed on or rejected, then everybody gets an email as well. It's super important(…). Otherwise, you're really not respecting people's time.*" From the perspective of the participants, this is confirmed in a survey amongst participants of the Dutch e-consultation case that participants indicate that participation should be rewarded, for example by ensuring that responses are published on the site without delay. Also in the case of Predlagam, it turns out that – despite the high amount of negative responses – users appreciate the feedback the ministry provides, as it shows the ministry is giving adequate consideration to their suggestions. In cases where responses are perceived by participants to be standardized, however, cynicism is increased.

9.4. Outcome factors

Beside the different conditions, we measured outcomes of e-participatory processes in which the digital tools where used. An obvious option for the outcome variable would be 'a positive result' which can be operationalized in very different ways. A common critique on e-participation practices at the EU-level is that they are a successful civic instrument but not a convincing policy instrument (as Kies et al. 2013: 24, with regard to ECC). It seems to be an ongoing theme that e-participative projects might provide added personal value for participants and community capacity, but suffer from a lack of direct, or even indirect, political impact. An actual impact on the policy or political agenda or on the final decisions made have therefore been the focus of our research.

This study identified two key outcome factors defining a positive result of the different e-participation tools:
- actual impact on the final decisions;
- actual impact on the political agenda setting.

9.4.1. Outcome A: Actual impact on final decisions

This outcome measure reflects the extent to which the results of e-participation initiatives were taken-up by the policy-makers and/or politicians and actually influenced their final decisions. Van Dijk (2012) calls the outcome 'influence on political decisions': "*The decisive touchstone of eParticipation in terms of democracy*". The most relevant question we asked ourselves was: Is the majority of the input suggested by the participants recognisably incorporated (in law proposals, policy documents like EU Communications, political party programmes, election results, etc.) and/or implemented in municipal budgets, etc.? Did the participatory input have a substantive and/or repeated impact on decisions made?

In some cases, the participatory input entail many different proposals/consultations like for instance with Predlagam, Open Ministry, the Dutch e-consultation and Your Voice in Europe. In those cases we have scored whether the majority of the input has had an actual impact. We also have to note that in some cases it was difficult to exactly determine the actual impact on final decision-making, because it has

not been reported well. However, on the basis of the desk research, the questionnaires and interviews we were able to make to make the assessment that twelve of the twenty-two cases scored a positive result (and 9 out of 20 with the exception of the three e-voting cases).

That half of the cases show impact on decision-making is a quite positive result overall, since in the literature it is generally concluded that few decisions of government, political representatives and civil servants have changed on account of the input of citizens in e-participation. Van Dijk (2010) concluded that "*scarcely any influence of eParticipation on institutional policy and politics can be observed yet*" (Van Dijk, 2010). Or Millard et al (2008: 76) writing: "*Most administrations do not (yet) have mechanisms and capacities in place to cope with a significant increase in participation.*" This share of positive outcomes within our cases might be explained by the case selection. Many cases were individually requested in the project specifications defined by STOA in order to learn from the cases how to strengthen participatory and direct democracy.

The cases which score positively on 'impact on final decisions' are: Wiki Melbourne, Berlin- Lichtenberg, Your Voice in Europe, Pirate Party Germany, Five Star Movement, PB Belo Horizonte, PB Paris, Betri Reykjavik, the Green Primary and e-voting in Estonia and Switzerland. It is interesting to note that all the e-voting cases and the participatory budgeting cases have – without an exception – an impact on the final decisions. For the e-voting cases this may not be that surprising, since voting is a legal right with actual impact. The literature review already foretold that the area of e-budgeting, at this point in time, has produced some of the strongest results when it comes to influencing decision-making.

Box 4. Factors hindering actual impact on decisions

> On the basis of the case descriptions stipulate possible causes for a lack of impact can be stipulated:
> - *No link to the official decision-making process*. Out of the eight cases which had no impact on final decisions, no less than 5 were not embedded in any formal decision-making process. For instance, with ECC09, according to the interviewees, the most important reason of the absence of any impact on the final decisions was that there was no official link between the consultation and the decision-making process. The European institutions were not obliged to provide feedback on the recommendations to the participants or give an official response for example. The ECC recommendations did not have any political mandate (Karlsson 2012c).
> - *The input from participants is collected late in the decision making process*. For instance, in the case of the Dutch e-consultation, the majority administrators evaluated the contribution to the quality improvement of legislation as generally positive, but at the same time indicate that often little room exists to manoeuvre: not much can be done with the input of participants since the law proposals are already seen as almost finalized.
> - *The participatory input does not match the needs of policymakers or politicians.* Proposals in a completely open process can be difficult to achieve, already in process or lacking in (legal) quality. At least, that is the reply of many policy-makers and politicians. This is especially true for petities.nl (and e-petitions in general) and for Predlagam. In the latter case, according to an evaluation report of rtvslo.si, half of the 1,748 proposals were rejected on the basis of the proposed solution already being (or having been) in the process of implementation and many of the proposals turned out to be difficult to achieve (including more unusual examples including the enactment of polygamy, the relocation of ministries in Slovenia, etc.) In the case of Open Ministry in Finland, Parliamentary committees have rejected the law proposed due to legal issues.
> - *The absence of political willingness to take up the results of the e-participation process.* This is not an accusation to politicians per se. In a representative democracy, politicians have a mandate from their electorate to make their own ideologically driven consideration. On the other hand, it can contribute to distrust among participants when the participative results are not taken up by politicians, especially when this decision is not explained any further. The participation around the Iceland constitution is a significant example of the tension that can arise between representative democracy and participative democracy. In

the end parliament never took up the proposed constitution, it was never brought to vote, and it never went into effect.

- *Bureaucratic hurdles can complicate and delay implementation.* For example, if implementation requires only a minor change in law, it may be decided to wait for additional or larger issues to come up and initiate the process of the law being amended in order to then also add the minor change. This has been the case for some proposals in Predlagam, at times delaying implementation for as much as years after receiving a positive response.

9.4.2. Outcome B: Actual impact on the policy or political agenda

This outcome factor is related to the outcome factor of 'actual impact on final decisions', but focused on another part of the policy cycle: the agenda setting phase (before the decision-making). Did the input in the online participation process have a substantive and/or repeated effect on the policy or political agenda? From the literature review (see part 1 section 3.5.5), we know that well-designed e-participation processes with transparent processing and appreciation of inputs contribute to heightened legitimacy of policy agendas.

Impact on the agenda concerns the effects of the contributions from e-participation on the political or policy debate, without influencing the actual decision-making process per se. For instance, in the case of the Open Ministry in Finland, they were involved in 6 of the 15 legislative proposals by citizens which actually reached the threshold of 50,000 signatures to be debated in parliament. The 15 proposals were submitted to parliament and handled properly: initiators are heard by committees, and these committee hearings were open to all MP and to media (which was a novelty on itself). However, up till now, only one of these citizens' initiatives have led to changes in the law: the gender neutral marriage legislation. So the input of citizens in the form of legislative proposals did have a significant and repeated impact on the political agenda, but the actual impact on final decisions lags behind. The Iceland case also scores positively on 'agenda-setting' while not having actual impact on the final decisions. The Constitutional Council of 25 citizens presented its draft to Althingi, the House of Representatives in Iceland, where it was discussed. However, the draft met quite some resistance from politicians which led to troubled parliamentary deliberations. A referendum on the draft constitution followed, with a positive outcome. However, the impact on the decision-making process remained zero, since in the end parliament never took up the proposed constitution, it was never brought to vote, and it never went into effect.

Not all the cases studied aim for agenda-setting. The websites abgeordenetenwatch.de and theyworkforyou.com are aimed at monitoring politics and the e-voting cases (including the Green Primary) and PB Belo Horizonte are exclusively aimed at the decision-making phase of the policy cycle. These cases are therefore excluded from the analysis on the outcome on actual impact on the agenda. Of the rest of the sixteen cases, eleven score positively on the outcome factor 'actual impact on agenda-setting'. Two positive cases were already mentioned: Open Ministry Finland, Iceland constitutional crowdsourcing. The other cases are: the Dutch e-consultation, Wiki Melbourne, Futurium, participatory budgeting in Berlin, Paris and Reykjavik and the collective decision-making tools of the Pirate Party and Five Star Movement.

Box 5. Factors hindering actual impact on agenda-setting

The reasons behind the negative scores of five cases on the outcome factor 'actual impact on agenda-setting' seem to be quite different. Important to note here is that four of these five tools (Podemos, petities.nl, Predlagam, ECI, and ECC09) are actually agenda-setting tools, designed to contribute to the legitimacy of political or policy agendas, but in the end fail to have a significant and/or repeated impact. Most of the cases score negatively because only a small portion of the participant's proposals – being petitions, policy proposals,

comments on law proposals – manage to reach the political or policy agenda. Amongst the given reasons of an absence of impact on the agenda-setting are:

- *No link to a concrete political or policy agenda*. Petities.nl is a political agenda-setting tool, but, according to the initiator of petities.nl, most petitioners fail to present their petition when there is a 'policy window' and 'policy entrepreneurs' can be fed effectively with an opportunistic petition idea. In case of ECC09, the topic and the outputs were too broad and generic, as Kies et al (2013: 64) describe: *"The question of the social and economic future of Europe in a globalized world is indeed likely to attract almost an infinite number of opinions and critics on what should be done and how it should be implemented. Moreover there is also a risk that the proposals that are elaborated in the end of the process will tend to be too general to serve the decision-makers and to attract the attention of the media."* The participation process therefore lacked the connection with the political reality, according to some MPs: *"This consultation is good to have a feeling of what people feel about that. But this is not serious political material."*
- *Rules or a formal system on how to integrate the results into the agenda-setting process are lacking*. This was particularly clear for the ECC09 case. For the Dutch petitions website one could argue that a good working parliamentary petition system like in Scotland and Wales could provide better formal procedures, enhancing the impact of the petitions. In both Scotland and Wales all the petitions are discussed through a parliamentary committee which offer all kinds of services to the petitioners to improve the quality of the petition.
- *Rules for providing input are too complex and require too much effort from participants*. Especially the European Citizens' Initiative (ECI) has been criticised for it. But also the case of Podemos, where debate blog platforms are used to generate bottom-up ideas for the political agenda of the party, no proposal has achieved to be voted upon by the party members.

Organisers of Predlagam recently aimed to increase the impact on the agenda setting by changing the process. The Slovenian government therefore committed itself to endorse a minimum of five or six proposals on a monthly basis. These proposals are now submitted to the competent authorities; with this change a tailored link to formal decision-making processes is provided and makes that proposals are more likely to succeed. Interestingly, so far not only the success rate of endorsed proposals was raised through this method, but that of all proposals in general, indicating that the importance of the entire tool was raised in the eyes of the ministry.

9.5. Analysis of configurations

Qualitative Comparative Analysis enables systematic analysis of the conditions that are necessary and/or sufficient to produce the outcome. In the previous sector the data collected is explored, scores are assigned, and the cases are compared for the different conditions. The data will now be minimized by grouping the cases that have exactly the same scores on relevant conditions and the outcome. The resulting tables in which the cases that show similar configurations are clustered are called *truth tables*. By these steps, similarities and differences between cases on the conditions and outcome values come to light systematically. The different paths towards the outcome 'impact on final decision' and 'impact on political or policy agenda' are assessed in the final steps of the csQCA.

9.5.1. Impact on decision-making

Two cases are eliminated for the analysis of configurations for the outcome impact on final decisions. The two monitoring websites do not aim for impact on final decisions and are therefore not included in this truth table. Six conditions are included in the truth table with configurations associated with the outcome 'final impact on decision making'. These six conditions appeared to have a stronger connection with the outcome than other conditions; these conditions showed frequent presence in combination with the positive outcome (and non-presence in relation to the negative outcome).

Table 6. Truth table with configurations for 'impact on final decisions'

	Link to formal decision-making	Sustainability	Mobilization and engagement strategy	Participatory process and goals are clarified	Feedback to participants	Voting to consult/ decide	Impact on final decision
PB Paris **PB Berlin–Lichtenberg** **PB Belo Horizonte** **Betri Reykjavik** **E- voting Estonia** **E-voting Switzerland** **Five Star Movement**	1	1	1	1	1	1	**1**
German Pirate Party	1	0	1	1	0	1	**1**
Your voice in Europe	1	1	0	1	0	0	**1**
Futurium	1	1	0	0	1	0	**1**
Wiki Melbourne	1	0	0	1	1	0	**1**
Green Primary Constitution Iceland	1	0	0	1	1	1	**C**
Podemos	1	1	1	0	0	0	**0**
Open Ministry	0	0	0	1	1	0	**0**
Dutch e-petitions	0	1	1	0	0	0	**0**
Predlagam	0	1	0	0	1	0	**0**
European Citizens' Consultation	0	0	0	0	0	1	**0**
E-consultation	1	0	0	0	0	0	**0**
European Citizens' Initiative	0	0	0	0	0	0	**0**

Out of the twenty cases in this truth table, twelve cases show significant impact on final decisions. Seven of these twelve cases score positive on all six conditions. These are the cases of Participatory Budgeting (PB) in Paris, PB in Berlin-Lichtenberg, PB in Belo Horizonte, Betri Reykjavik, e-voting in Estonia, e-voting in Switzerland and the Five Star Movement. This finding suggests that having impact on final decisions, involves:

1. Creating a link to the formal decision-making (in these cases via embeddedness in the policy process, elections/referenda and official political representation)
2. A digital tool that has been there for a while and in which several alterations are made for improvement of the participatory process (sustainability);
3. Having an active mobilization and engagement strategy;
4. Being clear on the participatory process and its contribution to the overall decision-making process from the start (for the participants);
5. Providing feedback to participants; and
6. Including an option where participants vote in order to decide on prioritizing proposals or on elections/referenda.

The other cases show that not all these six conditions are *necessary* to produce the outcome. The Pirate Party in Germany is positively rated on the link to formal decision making (1), the mobilization strategy (3), the clarification of the participatory process (4), and the possibility to vote to (co-)decide (6). But Liquid Feedback - the backbone of online decision-making processes in the German Pirate Party – appeared not to be sustainable and insufficient feedback to participants was provided. Your Voice in Europe has positive scores on the link to formal decision making (1), on the sustainability of the tool (2)

and the participatory process and clarity for participants on the participatory process (4), but not on the other three conditions. Futurium is linked to formal decision making as well (1) and is also sustainable as a tool (2) and it also provides feedback to participants (5). The path of Wiki Melbourne also includes a link to the formal decision-making process (1), as well as a clearly communicated participatory process (4) and in addition feedback is provided to participants (5).

One of the configurations is inconsistent: the same combination of conditions corresponds with a positive as well as a negative outcome. This is the combination of (1) a link to formal decision-making; (4) a clearly communicated participation process; and (6) the possibility to vote. These conditions are positively scored in the Green Primary case as well as in the case of the Iceland constitution.

The contradictory configurations can be explained by a difference in type of links to formal decision-making. Although the cases both have a link to the formal decision-making process, in the case of the Iceland constitution the link still leaves a lot of room to the actual decision-makers in the Icelandic parliament. The link entails a first parliamentary constitutional committee initiated the Constitutional Council with 25 member citizens from Iceland. And another governmental committee later on to prepare further decision-making about the new constitution. This committee published a provisional report in the spring of 2014 in which they identified the Constitutional Council's draft as one of several possible alternatives for a new constitution. And thereby leaving the draft constitution on ice. In the Green Primary the online voting result is directly translated in the election of two 'Spitzenkandidaten' (top-ranked candidates), which leaves no room to make a different decision.

This comparison of cases makes clear that different paths exist that end in impact on the final decision; different combinations of conditions lead to the same outcome. The path with six positive conditions shows consistency and explains seven cases; that makes it an empirically stronger result than the five individual paths in which two or three of the conditions are lacking, and of which one path is inconsistent. The minimization of the configurations, without logical remainders (unobserved cases), leads to the following formula:

Table 7. Minimization formula for 'impact on final decisions'

LINK*SUSTAIN*MOBIL* + CLARIF*FEEDBA*VOTE	**LINK*sustain*MOBIL* + CLARIF*feedba*VOTE**	**LINK*SUSTAIN*mobil* + CLARIF*feedba*vote**
PB Paris, PB Berlin-Lichtenberg, Betri Reykjavik, Belo Horizonte, e-voting Estionia, e-voting Switserland, Five Star Movement	Pirate Party Germany	Your voice in Europe
LINK*SUSTAIN*mobil* + clarif*FEEDBA*vote	**LINK*sustain*mobil* + CLARIF*FEEDBA*vote**	**LINK*sustain*mobil* CLARIF*FEEDBA*VOTE**
Futurium	Wiki Melbourne	Green Primary

The first row of the table is followed by →**IMPACT ON FINAL DECISIONS**

LINK { SUSTAIN MOBIL CLARIF FEEDBA VOTE → **IMPACT ON FINAL DECISIONS**

The link to the formal decision-making is present in all configurations with a positive outcome. The minimization thus clearly shows that it is *necessary* to establish a link to the formal decision-making that

organisers the potential uptake of the participatory input. Eleven of the twelve figurations also include the condition that participatory process and its aims are sufficiently clarified from the start. Strictly speaking this is thus not a necessary condition. The importance of a clarified process is however supported by the fact that none of the cases that have a negative outcome score positively on both of the conditions 'link to formal decision' and 'participatory process clarified' (excluding the case of the Iceland constitution; this contradiction was discussed before). To emphasize its importance even more: in only one other case with a negative outcome – Open Ministry - the participatory process and its aims are clarified.

The link to formal decision-making, even in combination the clarification of the participatory process, is however not *sufficient* to produce the outcome. To create impact on final decisions it also helps to have a sustainable tool, which has been improved over time (in 9 of the 12 cases); to have an active mobilization and engagement strategy (in 8 of the 12 cases); to provide feedback to participants (in 10 of the 12 cases); and to include a possibility to vote (in 9 of the 12 cases).

9.5.2. Conclusions

What do we learn from this descriptive formula? The six conditions included in the configurations for impact on decision-making mostly have to do with a clearly organized participation process in which expectations of participants and decision-makers are well-managed from the beginning. Interesting to note is that three of the six conditions are in fact easier to meet by using *online* participation tools. For example, digital tools are very useful in creating transparency and accountability, providing a) clarity on the participatory process and b) feedback on the results. Furthermore, it is an advantage of online participation practices to combine deliberative processes with c) voting processes.

This study is aimed at drawing lessons from the comparative analysis for the EU level specifically. Are the observed factors that contribute to impact to decision making present in the EU cases? If not, could the factors be realised at EU level or do particular challenges arise at the EU level? We discuss the different factors underneath, ranked via their frequency.

- Starting off with what we identified as the necessary condition: <u>a link to a specific formal decision-making process</u>. Two observed EU cases – Your Voice in Europe and Futurium – have such link established. The more recent consultations like eGovernment4EU and Digital4Science are linked respectively to the eGovernment Action Plan (2016-2020) and the future Horizon2020 Work Programme (2018-20). The earlier consultation Digital Futures was linked to the European Strategy and Policy Analysis System (ESPAS) and the Horizon 2020's strategic programming exercise 2016-18. In Your Voice in Europe participants are asked to deliver input through questionnaires for specific policy proposals, which are regularly influenced by the online input. In contrast, the Europeans' Citizens Initiative scored negatively, since the ECI facilitates new ideas to be raised by participants, which do not necessarily relate to a specific existing formal policy. Also, the European Citizens Consultation was very broad in scope and not linked to a specific policy or political process either, which makes it more difficult to create actual impact in policy or politics. Proposals that are too general do not match the needs of decision-makers, as we saw in different cases (as Predlagam, Open Ministry, ECC). Moreover, without a link to a formal decision-making process, it is not clear who is responsible for processing the input in the decision-making process.

- Second most important condition is the <u>clarity on the participatory process</u> and its contribution to the overall decision-making process from the start, particularly from the perspective of participants. This indicates that the participation process should be well-embedded from the start in the decision-making process and participants and decision-makers have to know what to expect. At the EU level it can be challenging to offer clarity on the overall decision-making process since it can be very complex, involving many different actors. Moreover, European citizens are less knowledgeable about

EU decision-making processes than they are about national or local processes. From the four observed cases only Your Voice in Europe scores positively on this condition. And we must say that Futurium has recently improved this clarity for its more recent consultations considerably. However, the process of Digital Futures that we were able to score from beginning to end did not show this clarity. Your Voice in Europe clearly has made an effort to explain the consultation process and its aims in an accessible way. Accessibility, however, does not imply that the process should be oversimplified. Oversimplification works counter-effective, as in the case of Predlagam. Because Predlagam does not show attention for the overall, complex decision-making processes, it might – in the words of one our respondents – 'fool' people and will inevitably lead to disappointment of participants. In contrast, Wiki Melbourne and Berlin-Lichtenberg are best practices in being clear about the expectations participants can have. These platforms are also explicit in that there is no guarantee that each proposal will be implemented. The case of participatory budgeting in Paris shows how the use of infographics can help to clarify the participation process and its contribution to the final decisions ([website](), accessed on 23 February 2017).

- A third important condition in the observed cases that succeeded in having actual impact on policy or political decisions is providing feedback to participants. Providing feedback is again a sign of a well-organized process in which it is clear how exactly the participatory input has contributed to the decisions made. In addition, feedback to participants is a form of accountability. To make participation processes rewarding for citizens, their proposals should be given adequate consideration. Otherwise, it will lead to distrust in the participatory process itself, but also in the political system as a whole. This is thus all the more important in the European context, given the democratic deficit and the negative public discourse around the EU.

  Yet, from the four observed European cases only in the Futurium case considerable feedback is provided to participants. Every participant in the Digital Futures consultation got an email with the final report. The eGovernment4EU project that is now running on the Futurium platform will not only provide information about its progress and results on the platform, participants (i.e. proposers) will also be notified about the decisions on the platform and how the actions will be implemented.

  The other three EU cases in this study however lack feedback mechanisms to the participants (ECI, ECC09 and Your Voice of Europe). One solution at the EU level might be – as is the case in Predlagam for example – might be the obligation for government or political authorities to provide feedback. This can create pressure on the actions to be taken and acknowledges participants as legitimate political actors. However, procedure alone are not enough as the Your Voice in Europe case and the Dutch e-consultation case illustrate. And such an obligation should not result in standardized answers to citizens about their contributions and their impact. It further requires time investment (to make an accessible report or to create another form of feedback) and it might help to implement feedback options in the design of the tool. An inspiring example is the Participatory Budgeting site of Berlin-Lichtenberg in which decisions on proposals are motivated in short messages and in a 'traffic light-format' (green for accepted proposals, orange for proposals in process and red for rejected proposals).

- A fourth condition that contributes to impact on final decision is sustainability. It takes time to organise a digital participation process properly and to have it run smoothly; that often implies several adjustment over time. In Futurium the tool has been made more user-friendly during the first project Digital Futures and on the basis of new experiences. DG CONNECT has also organized three public workshops in 2015 to collect best practices, ideas and feedback on how to engage with stakeholders online, especially through Futurium. With regard to the Your Voice in Europe tool the aim is to unify the separate consultation pages to improve the process. This leads to a central management of the page internally. In addition, YVIE strives for a simpler visual guidance and explanation of where a particular initiative currently is in the policy-making process. In contrast, the European Citizens' Initiative has not made considerable improvement up till now, although several

evaluations have made suggestions. The one-time experiment of the European Citizen Consultation is problematic, it was not implemented in existing decision-making processes well, and this could not be revised in the course of time. Time to learn and improve the digital tool are important to bear in mind in order to create impact. Experiments are more risky and have less chance of success through having an actual impact on decision-making.

- The possibility to <u>vote</u> was present in nine of the twelve cases in which an actual impact on decisions made was detected. It is a particular advantage of online participation practices that votes can be easily collected and even combined with deliberative processes. The advantage of the combination of deliberation and voting is that it can show if the participative input is supported broadly or not. The European Citizens' Consultation included such an option. The national consultations had resulted in 88 recommendations. Subsequently, participants were asked to vote for 15 recommendations they wanted to be part of the final result of the ECC. However, because there was no link to a specific policy or political process, the results barely had any impact. The European Citizens' Initiative does include the option to sign a proposal, which indicates the support for a proposal as well. But this sort of quantitative aggregation seems to have no significant impact, as also other cases in our study illustrate (as the Finnish Citizens' Initiative (Open Ministry) and Dutch e-petitions case). This lack of impact can probably be explained by the link to the decision-making process: the signatures are collected in order to put a proposal on the agenda and leave all further interpretation to decision-makers.

- The last condition, an effective <u>mobilization and engagement strategy</u>, is probably one of the greatest challenges of e-participation, especially for the EU institutions. All the cases on the EU level, including the Green primary, score low on the condition of an effective mobilization and engagement strategy. The challenge to mobilize and engage EU citizens is even larger than it is to mobilize citizens on the national or local level, since:
    - EU citizens form a very large and diverse group of people, who generally do not share a sense of European citizenship;
    - mass media form in several cases on the national and local level an important mediator in mobilizing the general public, but they cannot be expected to play a comparable role at the EU level (for instance due to the negative discourse about the EU and the different national foci on EU decision-making, related to the national interests)

A lesson from the primaries of the European Green Party is that it might help to create commitment of partners at the national level, who can help mobilize the national publics. Another important point to note here is that different target groups require various mobilization and engagement strategies, for which serious investments are needed. The possibilities that transnational social media offer could also be further explored in this regard.

9.5.3. Agenda setting

Only sixteen from the total scope of twenty-two cases are included in the truth table on agenda setting. The websites abgeordenetenwatch.de and theyworkforyou.com are aimed at monitoring politics, the e-voting cases (including the Green Primary) and PB Belo Horizonte are aimed at making final decisions. These six cases are therefore excluded from this analysis.

In the analysis of configurations for agenda setting five conditions are included. It appeared that these six conditions have a stronger connection with agenda setting than the other conditions measured in this study.

Table 8. Truth table with configurations for 'agenda setting'

	Combination of online and offline (participants contribution)	Link to specific existing formal agenda in policy/politics	Possibility to interact with participants	Possibility to interact with decision-makers	Clarity on participatory process and goals for the participants	Political/ policy agenda setting
PB Paris **PB Berlin-Lichtenberg** **Five Star Movement** **German Pirate Party** **Wiki Melbourne**	1	1	1	1	1	**1**
Constitution Iceland	1	1	1	0	1	**1**
Futurium	1	1	1	0	0	**1**
Betri Reykjavik	0	0	1	0	1	**1**
Open Ministry	1	0	1	0	1	**1**
Your Voice in Europe	0	1	0	0	1	**1**
E-consultation	0	1	0	0	0	**1**
European Citizen Consultation	1	0	1	0	0	**0**
Podemos	1	1	1	1	0	**0**
Predlagam	0	0	1	0	0	**0**
Dutch e-petitions	0	0	0	0	0	**0**
European Citizens' Initiative	1	0	0	0	0	**0**

Eleven cases scored positively on the outcome agenda setting. For five of these cases – Participatory Budgeting in Paris, Participatory Budgeting in Berlin-Lichtenberg, the Five Star Movement, the Pirate Party Germany and Wiki Melbourne – the path towards agenda setting involved:

1. the possibility to not only participate online, but also offline;
2. a link to a specific existing formal agenda in policy or politics;
3. the possibility within the tool to interact with other participants;
4. the possibility within the tool to interact with decision-makers; and
5. being clear on the participatory process and its goals from the start (for the participants)

Other cases that succeeded in setting the agenda did not check all these boxes. The case of Betri Reykjavik, Your Voice in Europe and the Dutch ministerial e-consultation did not include the possibility to participate offline. In Betri Reykjavik and Open ministry new ideas are raised by participants that not necessarily relate to a specific existing formal agenda in policy or politics. In Your Voice in Europe and the Dutch e-consultation case interaction between participants is not facilitated by the tool. The tools of Open Ministry, the Iceland constitution process, Betri Reykjavik, Futurium and the Dutch e-consultation so not offer the possibility to interact with decision-makers online. In the case of Futurium and the e-consultation in the Netherland it is not sufficiently made clear in the tool how the participation works and/or how the participatory input contributes to the decision-making process. information on the participatory process and its aims for participants.

As this comparison demonstrates: in the truth table more unique pathways are identified for agenda setting processes than for impact on decision-making processes. The observed cases showed more variety in the paths towards political agenda setting. The case of the Dutch e-consultation deserves our attention particularly, because this case only scores positively on the link to the formal decision-making process. The official policy around the ministerial e-consultation is that unless there is a valid reason that e-consultation does not suit the legislative process, it must be applied. Procedures also prescribe a report on the results of the e-consultation. That naturally facilitates an agenda setting effect. However, we have to say it is only a modest impact on the policy agenda, which is not significant in all e-consultations. In

some cases no input is collected to begin with. And in many cases civil servants acknowledge they do not have much room to manoeuvre, not much room to deviate from the law proposal that is already negotiated. Yet, in other instances knowledge from specialists or tacit knowledge is very valuable for policy makers to improve the legislative proposal. Civil servants argue that in the majority of the cases e-consultation improves the quality of legislative proposals that are subsequently discussed in parliamentary debate. Both interviewees in the case study argue the e-consultation is an obligatory step, that many civil servants are just doing their duty; that actually explains why the link to formal policy agenda is such a decisive condition in this case. However, other non-observed conditions might contribute to the agenda setting effect of e-consultation as well, like the available knowledge at the ministry on the subject and the quality of the contributions.

The minimization of the configurations, without logical remainders, leads to the following formulas for agenda setting:

Table 9. Minimization formula for 'agenda setting'

ON/OFFLINE*LINK* + INT-PART*INT-DEC*CLARIF PB Paris, PB Berlin-Lichtenberg, Five Star Movement, Pirate Party Germany, Wiki Melbourne	**ON/OFFLINE*LINK* + INT-PART*int-dec*CLARIF** Constitution Iceland	**ON/OFFLINE* LINK + * INT-PART*int-dec*clarif** Futurium
		→AGENDA SETTING
on/offline*LINK* + int-part*int-dec*CLARIF Your Voice in Europe	**on/offline*LINK* + int-part*int-dec*clarif** E-consultation	**OR**
on/offline*link* + INT-PART*int-dec*CLARIF Betri Reykjavik	**ON/OFFLINE* link * INT-PART*int-dec*CLARIF** Open Ministry	

LINK	ON/OFFLINE INT-PART OR INT-DEC CLARIF	**INT-PART*CLARIF**	**→AGENDA SETTING**

The minimization results in two different formulas. The first formula represents nine cases and has therefore a stronger empirical basis than the second formula which stands for two cases. The first formula indicates that it is *necessary* to create a link to a specific existing formal policy or political agenda. The links have many different forms in the cases. Links are established that connect the digital participatory input through official municipal budgeting processes (PB Paris, PB Berlin-Lichtenberg, Betri Rekjavik). Other links are created through official political representation (Pirate Party Germany, Five Star Movement, Betri Reykjavik), via a law on Citizens' Initiatives to parliamentary debate (Open Ministry), and via consultation in official policy-making processes (Wiki Melbourne, Dutch e-consultation, Your Voice in Europe, Futurium). However, in most cases more conditions need to be met in order to set the agenda. This is also clear from the cases with a negative outcome; in four of these six cases a link to the formal decision-making process is there, but that's certainly not enough to substantially or repeatedly affect the political or policy agenda. The second formula describes the combination of interaction between participants and a clarified participative process as necessary conditions to succeed in setting the agenda. This combination of conditions is not present in any of the cases with a negative outcome.

In nine of the eleven cases in which an agenda setting effect is measured, interactions between participants are facilitated in the online tools. Deliberation might increase the quality of proposals and/or shows the social support for proposals. To the substantial or repeated effect on the political or policy agenda clarified goals and procedures contributed in nine of the eleven observed cases, as well as a combination of on- and offline participation tools (in 8 of the 11 cases). A last interesting finding is that interactions between decision-makers and participants within the digital participatory process is facilitated in five of the eleven cases with an agenda setting effect, while this was only facilitated in one case without an agenda-setting effect.

9.5.4. Conclusions

What do we learn from this descriptive formula, even though the outcome of this csQCA is less clear-cut? The five conditions included in the configurations that show an effect on the policy or political agenda, mostly have to do with how the participation process is organized and the type of participation that is facilitated. Just as with the outcome of the actual impact on final decisions, also for agenda setting a link to an existing policy or political process is an important factor as well as the clarity of the participation process. Additionally three other factors appear to contribute to an impact on agenda setting. In the section underneath, we therefore address the following questions: Are these three factors present in the EU cases? And if not, could the factors be realised at EU level or do particular challenges arise at the EU level? We discuss the three factors below:

- Firstly, the possibility within the tool to <u>interact with other participants</u>. In the literature there is an unresolved debate about the need for deliberation in online participatory processes. In this QCA configuration the possibility to interact with participants seems to contribute to an actual effect on the political or policy agenda. Deliberation could enhance the quality of the input and better proposals more easily find their way to the political or policy agenda. Deliberation between participants is facilitated in both Futurium and in the European Citizens' Consultation, but not in the Your Voice in Europe or ECI. The different consultations at the Futurium platform have an interactive design and participants can react to each other's input. According to the interviewed developer it resembles a social network more than anything else. During the online first phase of the ECC, participants had the opportunity to discuss each other's contribution. It differed per national website how much deliberation actually took place. Deliberation between participants from different EU countries was not possible, an often heard critique on the ECC. This draws attention to a challenge that arises at the EU level: deliberation between participants from different EU countries is difficult to organise, particularly because of language barriers. Technological measures, as translation software, are not yet able to overcome this barrier. Futurium uses English as the common language, which suits a professional target group, but excludes many European citizens.

- A second important condition is the possibility to not only participate <u>online, but also offline</u>. A combination of online and offline participation improves the inclusiveness of the tool. Any method to improve inclusiveness is important at the EU level, since most EU citizens feel detached from the EU and generally there is a low level of interest in matters at European level. Also, combining online and offline participant is important to overcome the digital divide which is significantly present in various EU countries. Although, with regard to access to basic broadband they no longer map onto the underlying divides between richer and poorer regions of Europe (Negreiro 2015). Three of the EU tools already provide offline participation possibilities. Futurium encompasses many 'engagement activities', including offline meetings as workshops that feed the online discussions and vice versa. ECC started off with an online phase to collect as many proposals as possible which in their turn formed input to the national offline consultations. And ECI offers the opportunity to sign an initiative offline (alongside the online collection system certified by national authorities in Member States).

- A third condition is the possibility within the tool to <u>interact with decision-makers</u>. A good connection between the input from participants and the political reality would enlarge the chance of citizen's input being incorporated in the political or policy agenda. Interaction between participants and decision-makers can enhance this connection, and can be realised online. Good practices in this regard are the Wiki Melbourne case, in which a vision document was co-created between citizens and officials, and the PB Paris case. In the phase of project assessment, there is room for the Paris municipality to combine, pair and interpret proposals of citizens. This phase is in 2016 opened up for citizen involvement: "W*e made a big effort to involve citizens into the merging phase and really encouraging them to go together and defend the project together. First of all to have less projects to deal with but also to have more comprehensive projects and finally because we need people to get more involved in the campaign phase*", the interviewed organiser explained. The four observed digital participation tools at the EU level lack the possibility to interact with decision-makers. This might be less problematic in the e-consultations of Your Voice in Europe or Futurium, where participants' input is later on interpreted by officials related to the specific policy. However, in relation to the more open tools of ECI and ECC, interaction between participants and decision-makers would contribute to make a better match between citizens' input and political or policy reality. And last but not least, online interaction can also contribute to an increase in transparency and accountability.

10. General conclusions

A long-standing and continuing democratic deficit of the European Union is detected in public and scholarly debate. This democratic deficit is explained by the complex and mutually reinforcing mix of institutional design features of the EU and it is held to contribute to a lacking sense of European citizenship and the negative and national-oriented public discourse around the EU.

It is still believed by many that the perceived democratic deficit of the European Union indicates the need for fostering a European public sphere as a space of debate across national public spheres. Moreover, there is a consensus that the new modes of political communication and participation via the internet can play a role in that respect. Redressing the democratic deficit is obviously a daunting task which cannot be accomplished through the introduction of e-participation tools alone. Far-reaching expectations of a fundamental reform of modern democracy through the application of online participatory tools are vanishing after two decades of e-democracy. However, if properly designed and implemented, e-participation has the potential to contribute to accountability and transparency, trans-nationalisation and politicisation of public debates, and the improvement of exchanges and interactions between EU decision-making and European citizens.

A common critique on e-participation practices at the EU-level is that they are a successful civic instrument but not a convincing policy instrument. It seems to be an ongoing theme that e-participative projects might provide added personal value for participants and community building, but suffer from a lack of direct, or even indirect, political or policy impact. In our comparative case study we therefore focus on the factors within e-participation practices that contribute to an actual impact on the political or policy agenda or on the final decisions made. Subsequently, we assessed how digital tools for citizen involvement, and particularly the conditions which make them succeed in having impact or enhance the legitimacy in other ways, could be transferred to the EU level.

10.1. Conditions that contribute to an impact of e-participation on decision-making and agenda-setting processes

A link to a concrete formal decision-making process appears to be the most decisive condition in the qualitative comparative analyses. Two observed EU cases – Your Voice in Europe and Futurium – have such an established link to existing formal policy processes. Even though some of the online participation tools were legally embedded (such as the ECI and ECC), they usually did not create any actual impact as long as these were not linked to a specific policy process. The online participation processes are of low significance when topics are too broad and the outputs too general. Such outputs fail to match the needs of decision-makers. When rules on how exactly to integrate outputs into the policy process are lacking, it also remains unclear which officials are responsible for further processing the outputs. The link between the input from participants and political reality could be intensified by facilitating online interaction between participants and decision-makers in order to enhance the connection between the participative input and the political/policy reality and enable co-creation. Online interaction can also contribute to an increase in transparency and accountability of the policy process.

It is also important that the design of the participatory process and the contribution of its outputs to the overall decision-making process are clearly explained to the participants from the start, so that participants and decision-makers may both know what to expect. Being clear on the participation process also means that it is made explicit if there is no guarantee of each proposal being implemented and that authorities are permitted to make the final judgement. Some of the cases show that visualisations like the use of infographics or a simple 'traffic light system' indicating the status of the citizens' proposal can certainly help to clarify the participation process and its contribution to the final decisions to participants.

A third condition observed in those cases that succeeded in having actual impact on policy or political decisions, is feedback to the participants about what has been done with their contributions. Providing feedback is again a sign of a well-organized process in which it is clear how exactly the participatory input has contributed to the decisions made. In addition, feedback to participants is an important form of accountability, especially since in the majority of cases authorities had the possibility to make their own considerations on how or to what extent to use the contributions. The participation processes in the majority of cases observed were non-binding. This is not necessarily problematic: participation processes are rewarding for citizens when their proposals are given adequate consideration. However, if this is not the case, it can lead to distrust not only in the participatory process itself, but also in the political system as a whole. Providing information for participants about what has been done with their contributions is therefore all the more important in the European context, given the democratic deficit and the often negative public discourse around the EU. It is thus a quite problematical finding that, from the four observed European cases, appropriate feedback to participants is only provided in the Futurium case.

A fourth condition that contributes to impact on final decision is sustainability. A participative process should not be limited to one single (or even experimental) event (like in the case of ECC09). It takes time to organise a digital participation process properly and to have it run smoothly; this often implies several adjustments over time. In Futurium and Your Voice in Europe adjustments have been or are being made to enhance the user-friendliness. In contrast, the European Citizens' Initiative has not made substantial enough improvements to date, although several evaluations have made some drastic suggestions.

It is a particular advantage of online participation practices that votes can easily be collected. Logically, quantitative aggregation is applied in a majority of the observed cases. However, voting on or signing proposals with the aim to reach a certain threshold in order to set the formal agenda did not significantly contribute to an actual substantive impact. This lack of impact can possibly be explained by a weak link to the decision-making process: the signatures are collected in order to put a proposal on the political or policy agenda but leave all further interpretation and implementation to decision-makers. Quantitative aggregation is more influential if used to vote on proposals in order to prioritize these or – obviously – when applied in elections or referenda. It might be particularly interesting to further explore voting in combination with deliberative processes. Deliberation could enhance the quality of the input and the subsequent votes give an indication if the participative input is broadly supported or not. However, we have to note that deliberation between participants from different EU countries is quite challenging to organise, particularly because of language barriers.

The last condition contributing to actual impact (and to a legitimate participation process) is an effective mobilization and engagement strategy, involving communication instruments tailored for different target groups. This is probably one of the greatest challenges of e-participation, especially for the EU institutions, since EU citizens form a very large and diverse group of people. Mass media clearly function as important mediators in mobilizing the general public in several e-participation cases on the national and local level. Due to the lack of a transnational European mass media public and the often restricted awareness of national media of European issues this is a particular challenge for European e-democracy formats. A specific media strategy targeted towards national publics of the Member States might be needed to induce awareness of e-participation formats offered by EU institutions and it might help to promote commitment of partners like Civil Society Organisations (CSOs) at the national level, who can help to mobilize the national publics.

11. References

For the complete literature list, see part 1 of the report: literature review.

12. Annexes

12.1. Table 10 Conceptualization and scoring per conditions and outcome

Nr.	Factor	Conceptualisation	Dichotomization	Related question(s) from questionnaire
CONDITIONS ON CHARACTERISTICS OF THE TOOL (AND ORGANISATION)				
A	Governmental initiative	Is the tool initiated by a governmental body or by others (civil society, citizens, etc.)?	Governmental initiative (1) versus non-governmental initiative (0)	- No question
B	Combination of online and offline participation	Is it possible to contribute through offline methods?	Combination on and offline (1) versus only online participation (0)	- In what ways were the participants able to contribute?
C	Link to formal policy or political process	Is there a link between the tool and a formal or political process?	Presence of link (1) versus absence of link (0)	- Which legal frameworks are applied or proved relevant in the participation process?
D	Sustainability	Did the tool allow for improvements and development due to repeated use or long duration of the process/tool?	The tool has proved to be sustainable (1) versus the tool had not been proved to be sustainable (0)	- In your opinion, what are possibilities for improvement of the digital tool (if any)?
CONDITIONS ON THE INFORMATION AND ENGAGEMENT STRATEGY				
E	Communication and engagement strategy	Has the possibility to participate been effectively communicated to the target group? Have different strategies been used to attract different target groups? Has the strategy succeeded in mobilizing different groups of citizens to use the tool?	Effective strategy (1) versus no or insufficient strategy (0)	- To what extent has the possibility to participate been effectively communicated to the target group?
F	User-friendliness	Is the tool the accessible and comprehensible for different target groups?	User-friendly (1) versus not user-friendly (0)	- To what extent do you perceive the tool to be user friendly? - To what extent is the content in general comprehensible for every member in the target group?
G	Information provided on the issue	Is information on the issue at stake provided in the tool?	Information provided (1) versus information not provided (0)	- To what extent does the tool provide information on the issue(s) at stake?
CONDITIONS ON THE PARTICIPATORY PROCESS				
H	Representativeness	Are the participants (statistically) representative for the target group(s) of the tool?	Representative (1) versus not representative (0)	- to what extent are the people who actually participated in the tool representative for the target group?
I	Organized group involvement	Are organized groups (like civil society organisations) and/or professionals (like	Organized group and/or professionals substantially involved (1) versus no organized	- What is the approximate share of professionals in the group of participants?

		civil servants or lobbyists) substantially involved?	groups and/or professionals substantially involved	
J	Clarity on participatory process and goals for the participants	Is it clear to participants, from the outset, what the goals of the process are, e.g. how far their input reaches and what will be done with it? Are expectations of process and possible outcomes managed? Is it clear to participants where responsibilities lie in the decision-making process?	Clarity (1) versus no clarity (0)	- To what extent does the tool provide information on the decision-making process? - To what extent is the target group informed about who is responsible for what action in the decision making process?
K	Possibility to interact with other participants	Does the tool enable interaction between participants?	Possibility of interaction (1) versus no possibility of interaction (0)	- To what extent does the tool facilitate the exchange of arguments between participants?
L	Possibility to interact with decision-makers	Does the tool enable interaction and/or deliberation between participants and decision-makers?	Possibility of interaction (1) versus no possibility of interaction (0)	- To what extent does the tool facilitate the exchange of arguments between participants and decision makers?
M	Moderation	To what extent is the participatory input substantively moderated?	Moderation (1) versus no moderation (0)	- To what extent is the input of and/or conversation between participants moderated?
N	Quantitative aggregation	Is the diversity in views of participants managed quantitatively, by collecting votes or signatures?	Aggregation (1) versus no aggregation (0)	- Is the input of participants aggregated? If so, how is it aggregated?
O	Room for officials to make their own judgements	Can officials (i.e. decision-makers) deviate from the results of the e-participation processes and make their own considerations? Are the results of the process binding or not?	Room for officials (1) versus no room for officials (0)	- To what extent is there room for officials to make their own judgement (i.e. to deviate from the input from the participants)?
P	Feedback to participants	Do participants get feedback from the organisers and/or the addressees (administrators or politicians) on their contributions and how they have influenced the final decisions or not?	Feedback (1) versus no feedback (0)	- How are the participants informed about what has been done with their contributions?
OUTCOME FACTORS				
A	Actual impact on final decisions	Is the majority of the input suggested by the participants recognisably incorporated (in law proposals, policy	Presence of actual impact on final decision (1) versus absence of actual impact on final decisions (0)	- To what extent has the input of the participants had an actual effect on the policy/political agenda?

		documents like EU Communications, political party programmes, election results, etc.) and/or implemented in municipal budgets, etc.? Did the participatory input have a substantive and/or repeated impact on final decisions made by policy makers and/or politicians?		
B	Actual impact on the policy or political agenda setting	Did the input in the online participation process have a substantive and/or repeated effect on the policy or political agenda?	Presence of actual impact on agenda setting (1) versus absence of actual impact on agenda setting (0)	- To what extent did the results of the citizen participation have an impact on the final decision(s)?

12.2. Questionnaire about e-democracy tools

"Dear interviewee,

Thank you for taking part in this survey. We will use the results in our study *Technology options and systems to strengthen participatory and direct democracy* for the STOA panel of the European Parliament. The panel is interested in best practices of local and national e-democracy tools and if and how they can be used at the EU level.

Please mark the answer you find most appropriate. It might be possible that you do not know the answer to one or more of the questions; please skip these. The answers to the open questions will be run through with you by the interviewer.

Thank you very much in advance,

The project team"

1. **Who is the target group of the tool?** (For example, regarding participatory budgeting in Milan: "Everyone above 14 years old who lives and works in Milan")

2. **On a scale from 0 to 10, to what extent are the people who actually participated in the tool representative for the target group?**

Not representative   *Fully representative for*
at all   *the target group*
00   01   02   03   04   05   06   07   08   09   10

3. **On a scale from 0 to 10, to what extent are minority groups represented in the group of participants?**

Not at all   *All minority groups*
00   01   02   03   04   05   06   07   08   09   10

4. **What is the approximate share of professionals in the group of participants?** (professionals can be civil servants or professionals working for political pressure or lobby groups)

No professionals   *All professionals*
(0%)   *(100%)*
00   01   02   03   04   05   06   07   08   09   10

5. **What technologies and/or software are used?** (For example, for the German Pirate Party: "PiratePad, a collaborative text editor and Liquid Feedback platform, ...")

6. **In what ways were the participants able to contribute?** (For example, for the Dutch e-petition website: "to start, file or sign a petition, offer (financial or other) support to get political attention for the e-petition".)

7. **In what ways were the possibilities to participate communicated?**

8. **On a scale from 0 to 10, how satisfied are you overall with the ways in which participants were able to contribute ?**

Extremely   *Extremely*
dissatisfied   *satisfied*
     00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

9. **On a scale from 0 to 10, to what extent has the possibility to participate been effectively communicated to the target group?**

No-one knows   *Everyone*
the tool(s)   *knows the tool(s)*
     00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

10. **On a scale from 0 to 10, to what extent do you perceive the tool to be user friendly?**

                                                                                              Extremely user friendly
     (inclusive of individuals
Extremely complicated   *with hearing or visual*
     impairments)
     00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

11. **On a scale from 0 to 10, to what extent do you perceive the tool to be safe (against misuse of data and hacking)?**

Extremely   *Extremely*
insecure   *secure*
     00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

12. **How are privacy and data protection issues addressed in the design of the tool (if applicable)?**

13. **On a scale from 0 to 10, to what extent is the content in general comprehensible for every member in the target group?**

Only comprehensible   *Easy to comprehend*
for the highly-educated   *for everyone*
or experts
     00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

14. **On a scale from 0 to 10, to what extent has the input of the participants had an actual effect on the policy/political agenda?**

                                                       The input is completely
No effect   *incorporated in the agenda*
     00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

15. **Which legal frameworks are applied or proved relevant in the participation process (if any)?** (For example, the (constitutional) right to petition, data protection regulation, rights and obligations of MPs, etc.)

16. On a scale from 0 to 10, to what extent did the legal frameworks contribute positively or negatively to the participation process and its outcomes?

Very negatively   *Very positively*
     00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

17. Would you propose any adjustments to the legal framework(s)?

18. On a scale from 0 to 10, to what extent does the tool provide information on the decision-making process (including how the citizen participation is part of this decision-making process)?

No information   *Extensive information*
     00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

19. On a scale from 0 to 10, to what extent does the tool provide information on the issue(s) at stake?

No information   *Extensive information*
     00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

20. On a scale from 0 to 10, to what extent does the tool facilitate the exchange of arguments between participants?

No exchange   *Exchange of arguments*
of arguments possible   *considerably   stimulated*
                                                           by design
     00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

21. On a scale from 0 to 10, to what extent does the tool facilitate the exchange of arguments between participants and decision makers?

No exchange   *Exchange of arguments*
of arguments possible   *considerably*
                                                         stimulated by design
      00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

22. On a scale from 0 to 10, to what extent is the input of and/or conversation between participants moderated?

No moderation   *Heavy moderation*
     00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

23. Is the input of participants aggregated?
- o   Yes
- o   No

24. If so, how is it aggregated(multiple choices are possible):
- o   Weighed by organizers/decision makers
- o   Interpreted by the organizers/decision makers
- o   Voted upon by other participants
- o   Other: [type your answer]

On a scale from 0 to 10, to what extent did the input of participants contribute to the decision-making process?

No contribution
at all   *The contribution*
                                                                                                                     was fully incorporated
      00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

25. On a scale from 0 to 10, to what extent did the results of the citizen participation have an impact on the final decision(s)?

No impact
at all   *The final decision is*
                                                                                                                     the same as the results
      00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

26. On a scale from 0 to 10, to what extent does the tool contribute to a public debate on the issue(s) at stake?

No contribution
at all   *The tool was essential*
                                                                                                                     for the public debate
      00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

27. On a scale from 0 to 10, to what extent is the target group informed about who is responsible for what action in the decision making process?

No information   *Fully informed*
      00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

28. On a scale from 0 to 10, to what extent are the participants informed about the final decision(s)?

No information   *Fully informed*
      00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

29. On a scale from 0 to 10, to what extent are the participants informed about what has been done with their contributions?

No information   *Fully informed*
      00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

30. On a scale from 0 to 10, to what extent does the tool contribute to the trust the target group has in government and/or politics?

No contribution
at all   *The tool has*
                                                                                                                     considerably contri-buted
                                                                                                                     to more trust
      00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

31. On a scale from 0 to 10, to what extent do you consider the tool to be cost-effective?

Extremely cost ineffective   *Extremely cost effective*
      00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

32. On a scale from 0 to 10, to what extent is there room for officials to make their own judgment (i.e. to deviate from the input from the participants)?

No room   *Considerable room*   *00*
      01   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

33. On a scale from 0 to 10, to what extent is the tool suitable to be used at the EU level (if not already so)?

Not suitable at all   *Very suitable*
    00   01   02   03   04   05   06   07   08   09   *10*

34. Why do you think the tool is suitable to be used at the EU level (if not already so)?

35. In your opinion, what are the main strengths of digital participation process using this tool?

36. In your opinion, what are the main weaknesses of digital participation process using this tool?

37. In your opinion, what are possibilities for improvement of the digital tool (if any)?

12.3. Questionnaire about e-democracy tools

 "Dear interviewee,

Thank you for taking part in this survey. We will use the results in our study *Technology options and systems to strengthen participatory and direct democracy* for the STOA panel of the European Parliament. The panel is interested in best practices of local and national e-voting tools and if and how they can be used at the EU level.

Please mark the answer you find most appropriate. It might be possible that you do not know the answer to one or more of the questions; please skip these. The answers to the open questions will be run through with you by the interviewer.

Thank you very much in advance,

The project team"

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1. What is the target group of the tool (i.e. who is entitled to e-vote)?

2. On a scale from 1 to 10, to what extent are the participants representative for the target group?

Not representative   *Representative for*
at all   *the target group*
          00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

3. On a scale from 1 to 10, to what extent are minority groups represented in the group of participants?

Not
at all   *All minority groups*
          00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

4. On a scale from 1 to 10, is the e-voting tool accessible for every member of the target group?

Not   *Accessible for every*
at all   *member of the target*
                                                                                     group
          00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

5. On a scale from 1 to 10, to what extent does the possibility to vote online help to increase turnout?

Not at all   *Increases maximum turnout*
          00   *01*   *02*   *03*   *04*   *05*   *06*   *07*   *08*   *09*   *10*

6. What technologies and/or software are used?

7. **On a scale from 1 to 10, how satisfied are you overall with the ways in which participants were able to participate in the e-voting process?**

Extremely
dissatisfied

00	01	02	03	04	05	06	07	08	09	10

Extremely
satisfied

8. **On a scale from 1 to 10, to what extent has the possibility to participate been effectively communicated to the target group?**

No-one knows
the tool(s)

00	01	02	03	04	05	06	07	08	09	10

Everyone
knows the tool(s)

9. **On a scale from 0 to 10, to what extent do you perceive the tool to be user friendly?**

Extremely complicated

Extremely user friendly
(inclusive of individuals
with hearing or visual
impairments)

00	01	02	03	04	05	06	07	08	09	10

10. **On a scale from 1 to 10, to what extent do you perceive the tool to be safe (against misuse of data and hacking)?**

Extremely
insecure

00	01	02	03	04	05	06	07	08	09	10

Extremely
secure

11. **How are privacy and data protection issues addressed in the design of the tool (if applicable)?**

12. **On a scale from 1 to 10, to what extent do you perceive the e-voting process as transparent?**

Extremely
intransparent

00	01	02	03	04	05	06	07	08	09	10

Extremely
transparent

13. **On a scale from 1 to 10, to what extent is the tool able to guarantee the anonymity of the vote?**

Able to guarantee
anonymity

00	01	02	03	04	05	06	07	08	09	10

Not able at all
to guarantee
anonymity

14. **Which legal frameworks did apply or proved relevant in the e-voting process (if any)?**

15. **On a scale from 1 to 10, to what extent did the legal frameworks contribute positively or negatively to the e-voting process?**

Very negatively

00	01	02	03	04	05	06	07	08	09	10

Very positively

16. Would you propose any adjustments in the legal framework(s)?

17. What kind of possible effects (intended and unintended) can e-voting have on elections or election outcomes (in comparison to more traditional voting methods)?

18. On a scale from 1 to 10, how well informed is the target group about the e-voting process?

No information   *Fully informed*
    00   01   02   03   04   05   06   07   08   09   **10**

19. On a scale from 1 to 10, to what extent is the target group informed about who is responsible for what action in the e-voting process?

No information   *Fully informed*
    00   01   02   03   04   05   06   07   08   09   *10*

20. On a scale from 0 to 10, to what extent does the tool contribute to the trust the target group has in government and/or politics?

No contribution   *The tool has*
at all   *considerably contribute to*
                                                                            more trust
    00   01   02   03   04   05   06   07   08   09   *10*

21. On a scale from 1 to 10, to what extent do you consider the tool to be cost-effective?

Extremely   *Extremely*
cost ineffective   *cost effective*
    00   01   02   03   04   05   06   07   08   09   *10*

22. On a scale from 1 to 10, to what extent is the tool suitable to be used at the EU level (if not already so)?

Not suitable   *Very suitable*
    00   01   02   03   04   05   06   07   08   09   *10*

23. Why do you think the tool is suitable to be used at the EU level (if not already so)?

24. To your opinion, what are the main strengths of the e-voting process using this tool?

25. To your opinion, what are the main weaknesses of the e-voting process using this tool?

26. To your opinion, what are possibilities for improvement of the e-voting process using this tool (if any)?

The most important factors for successful e-participation identified in the comparison of 22 case studies are: a close and clear link of e-participation processes to a concrete formal decision-making process; the participatory process and the contribution of its outputs to the overall decision-making process have to be clarified to participants from the start; feedback to the participants about what has been done with their contributions is an indispensable feature of the process; a participative process should not be limited to one event but should be imbedded in an institutional 'culture of participation'; and e-participation must be accompanied by an effective mobilisation and engagement strategy, involving communication instruments tailored for different target groups.