

PART 2: INPUTS

Institutionalizing new forms of citizen voice

‘Formal rules are not enough without good democratic practice’.
– Amartya Sen, *Development as Freedom*, 1999.¹

Introduction to Part two for the discussion forum

So far we have established that declining political trust is best understood by most citizens not as the product of a careful and considered calculation but rather as a constituent element of a wider sense of political disenchantment with democratic practice. Lack of political trust is tied to experiences of politics that tell you that powerful interests dominate other than your own, that governments and governors do not perform to your satisfaction and that political engagement seems a rather pointless activity.

But what is the answer to the multi-dimensional problem of declining political trust? We argue in this part of the book that bridging the trust divide between government and citizen requires improving the framing of political demands so that new forms of citizen voice are institutionalized and embedded in the practices of democratic governance. A key mechanism for achieving this is through the establishment of participatory governance systems that reconnect citizens with their democracy through various modes of governance or forms of public participation that enable active citizenship.²

Public participation is difficult to define because it means different things to different people and organisations. In a political sense, defining participation in decision-making is straightforward if it refers purely to whether the people decide. If not, then they don't participate meaningfully. A key feature of distrust in the political class is the public perception that the rhetoric of policy-makers so often emphasizes the importance of citizen participation when in practice they really mean consultation between decision-maker and citizen. Indeed the idea of sharing the process of decision-making itself is still unpalatable to most policy-makers. This is why one of the key challenges in contemporary governance is the problem of sharing power whether with citizens, stakeholders or other jurisdictions of governments in a meaningful sense. Moreover, the purposes of participation are increasingly diverse in the contemporary age. The purpose may be to educate the citizenry or government, to market test a new intervention, facilitate feedback on the quality of public service provision or generate ideas about future governance. This enlightenment function of participation is no less valid.

But what would this look like in design terms? Suffice to say that while the path to renewal would need to be culturally defined, there are four design principles that should guide the language of reform with the principle of integrating representative and participatory modes of governance as our starting point.

1. Recognizing the intrinsic value of public participation

Participatory democratic reforms are required to rebuild and maintain the trust of the citizenry as they speak directly to some of the negative impacts of the lack of political trust: they can provide new and different opportunities for engagement for those who have been turned off by mainstream politics; the experience of engaging in a participatory governance initiative could easily persuade citizens to think more generally about being better citizens and make them likely to do their civic duty; and, participatory democratic innovations provide ways in which long-term issues neglected by mainstream politics can be addressed and public support developed for tough policy decisions. Participatory reforms also potentially provide a buttress to the representative system of government through enhancing the power of citizen oversight, and the testing of policy judgments.³ Citizens want more of a say as they become more challenging and critical; having a say in a decision increases the prospects of trust.

Over the past two decades the number of social researchers and institutions arguing that public participation is essential for good policy-making has been on the increase.⁴ This literature can crudely be organised around normative and instrumental justifications for extending public participation into policy and operational delivery. A normative lens understands participation as an essential ingredient of a liberal democratic way of life. From this perspective there is more to democracy than exercising a vote every three, four or five years. Citizens' increasingly expect to be included and an ongoing role in policy-making and delivery is viewed as an important method for generating legitimacy and social ownership of government interventions. Certain authors also argue that it can be used as a tool for enhancing trust and confidence in public institutions; for as Marc Hethrington puts it, "people need to trust the government to support more government".⁵

The value of participation in policy-making can also be conceptualised through an instrumental lens – it is worth having as an instrument for achieving better public policy outcomes. Many practitioners, for example, do not see participation as having anything to do with politics or democracy but see it simply as a more efficient and effective way of developing and implementing projects and programmes. Public participation can assist in: collating the best available evidence and provide opportunities for technocrats to be better informed about the consequences of different options hence reducing uncertainty and risk.⁶ Public participation may also assist in leveraging resources by creating opportunities for finding partners that can support the implementation of policy solutions.⁷

Technological advances and mature consumerism should also make participatory decision-making more feasible and help: with problems of information overload through the intelligent filtering of information and disaggregation of preferences; provide basic information about rights and responsibilities of citizenship; inform and educate about politics and about issues of public concern; help voters to make up their mind about candidates, parties and issues in election processes; promote opportunities for citizens to deliberate on public issues, on draft (in preparation) laws, social problems; provide opportunities for communication between citizens and politicians; and, guide citizens through the growing jungle of publicly available government and other official information to combat truth decay. Public participation in policy-making may also be seen as a tool to resolve the complex or wicked problems faced by public administrators from climate change and energy conservation, to social inclusion and sustainable growth. The term wicked means resistant to resolution because of incomplete, contradictory, and changing requirements.⁸

2. A multi-dimensional problem requires multiple solutions – integrating representative and participatory democracy

There is a tendency in both democratic theory and practice to emphasise the importance of either representative or participatory roads to renewal in a zero-sum or binary game.⁹ This neglects three important factors: (1) that the involvement of politicians is integral to the long-term sustainability and legitimacy of participatory governance systems; (2) that the evidence suggests that it is easier, not to mention more efficient, to build reform on stable, respected representative institutions;¹⁰ and (3) that the recent rise of populism is in part a product of the inability of mainstream political institutions and actors to reach out and empower disaffected citizens.¹¹ Hence the importance of building participatory governance systems that place communication at the heart of political practice, move beyond the zero-sum road to renewal and see participatory modes of democracy as a methodology for reinforcing the quality of representative democracy appears a sensible way forward.¹²

In more recent times, a growing band of academics and practitioners have developed hybrid justifications for public participation which argue that effective public participation is important in both normative and instrumental terms. For example, deliberative theorists couch this observation in the context of the notion of deliberative systems that link deliberative mini-publics to a wider deliberative system.¹³ In contrast, we prefer the looser concept of participatory governance systems as it doesn't make sense to confine citizen engagement to deliberation as a range of other engagement methods are needed to make sense of the diversity of public policy questions confronting policy-makers, citizens and communities. In sum, a multi-dimensional problem requires multiple solutions

How you tackle the present democratic malaise depends on how you define the problem and our data demonstrates that the problem is multi-dimensional requiring a broad range of responses. Participatory governance systems shouldn't just focus on developing deliberative spaces, such as the use of various forms of mini-public or deliberative polls but should also embrace direct forms of democracy, as well as new methods for deepening the quality of democratic engagement.¹⁴ For example, certain methods of direct democracy (e.g. referenda or community-driven development) or processes of policy learning with citizens (e.g. gamification) are not necessarily deliberative in a formal sense but have proved effective in unlocking divided government and societies.

3. Solutions can be compromised by the way they are practiced

Although participation has become an essential ingredient in public policy decision-making, delivery and learning, the problems of participation in practice are not widely understood. The conclusion from much of the academic and practice-based literature is not that more participation is needed but that better participation is needed. The various solutions to the trust divide offered here – whether for example, more participation or a stronger focus on government performance – if poorly practiced can become a way of reinforcing problems rather than resolving them. For example, a commitment to public participation that in reality is tokenistic and unwilling to share power can ultimately generate more cynicism and negativity among citizens.¹⁵

4. The importance of matching engagement methods to engagement purposes

For at least half a century, public policy thinkers have developed various taxonomies of engagement to explain different degrees of citizen engagement in public policy-making.¹⁶ Few of these taxonomies have been devised to match different engagement methods to different engagement purposes never mind the domain of decision-making most appropriate to the task.¹⁷ While such taxonomy may be useful for determining what form of engagement may be necessary in different circumstances, policy-makers also need to identify where citizen engagement can be useful at different decision points in the policy process.

Table P.1 illustrates the possibilities, understanding good policy-making as a process of continuous learning which involves the integration of strategy, policy and delivery and the absorption of citizen knowledge and expertise into various different decision points in the policy process.

There are three main justifications for adopting such an approach. The first is that all that we do in policy and delivery requires co-production with and adaptive behaviour from citizens and stakeholders. Secondly, policy is made and remade in the process of implementation and is largely a product of inheritance rather than choice hence we will only know what people need and desire through an ongoing process of engagement; and, thirdly, joining up policy and delivery through a process of strategic learning with those most affected ensures the best possible conditions for successful outcomes.

There are at least four formal decision points in the policy process that potentially benefit from citizen's involvement: 1) strategic decision-making; 2) policy design; 3) policy delivery; and 4), policy learning (see Figure P.1). We have sub divided strategic decision-making to recognize citizen involvement via direct democratic engagement such as referenda and citizen involvement via deliberative democratic engagement. The former refers to the role of direct democracy in allowing citizens to propose constitutional amendments, propose and vote on laws or advise on laws depending on its constitutional role in different nation states. As Matt Qvortrup observes: "It addresses the legislature's 'sins of omission' rather merely its 'sins of commission'."¹⁸

Deliberative democratic engagement refers to 'decision-making by discussion among free and equal citizens...that democracy revolves around the transformation rather simply the aggregation of preferences'.¹⁹ This can involve citizens deliberating in various forms of mini-publics on spending priorities in big City participatory budgeting,²⁰ or on wicked problems such as the 2019 French Citizens' Convention for the Climate or the 2020 UK Climate Assembly.²¹

The second and third sites of decision-making relate to the direct involvement of citizens in the design and delivery of policy. Here the use of consensus dialogues and citizen panels has gained in adherents within government in recent years.²²

The fourth site of decision-making involves the generation of knowledge from citizens about public sector performance, public attitudes on specific issues or long-term thinking: '...shifting foresight from a traditionally elite occupation to a process of creating collective intelligence that is shared and used by many' (NESTA 2019: 15).

Table P.1. Participatory governance systems

Spectrum of participation²³	Purpose	Method	Governance domain
Inform	<i>To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions</i>	<ul style="list-style-type: none"> • Digital information platforms • Gamification • Action learning 	<ul style="list-style-type: none"> • Policy learning • Program and service design and delivery
Consult	<i>To obtain public feedback on analysis, alternatives and/or decisions</i>	<ul style="list-style-type: none"> • Open space technology • Govhacks • Gamification • Planning cells • Citizen juries • Action learning 	<ul style="list-style-type: none"> • Policy design • Policy learning • Program and service delivery
Involve	<i>To work directly with the public throughout the policy process to ensure that public concerns and aspirations are consistently understood and considered</i>	<ul style="list-style-type: none"> • Appreciative Inquiry • Community power networks • User simulation labs • Action learning 	<ul style="list-style-type: none"> • Policy, program and service design
Collaborate	<i>To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution</i>	<ul style="list-style-type: none"> • Co-design, consensus conferences/dialogues, deliberative mapping • Action learning 	<ul style="list-style-type: none"> • Strategic decision-making • Policy design • Policy learning • Program and service delivery
Empower	<i>To directly place decision-making in the hands of the public</i>	<ul style="list-style-type: none"> • Direct democratic mechanisms such as referenda, the power of recall, community-driven development • Deliberative democratic mechanisms such as mini-publics (citizen assemblies, citizen juries, deliberative polls, participatory appraisal) depending on how consequential outcomes • Action learning 	<ul style="list-style-type: none"> • Strategic decision-making • Policy design • Policy learning • Program and service delivery
Self-empowerment	<i>Citizen-led initiatives</i>	<ul style="list-style-type: none"> • Everyday makers 	<ul style="list-style-type: none"> • Civic action

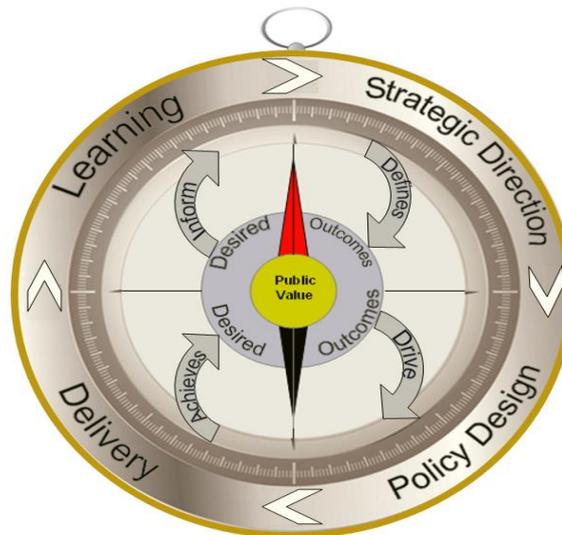


Figure P.1. Formal spaces for citizen engagement

There is, of course, a fifth site of decision-making that can impact on the formal policy process but is best understood as an informal political domain. This is the domain of civic action in which everyday citizens seek to solve local problems often because of the absence of government support or action.²⁴

It is noteworthy that decision points 1, 2, 3 and 5 involve greater decision-making competency for citizens and are by implication the most controversial as they challenge dominant conceptions of representative democracy and the traditional role of elected representatives. They also tend to involve a plurality of different forms of mini-publics or engagement methods and there is an inevitable overlap in the methodological choices available.

What does a participatory governance system look like in practice?

An ideal-type participatory governance system would be one where a variety of participatory methods are used to solve a governance problem to address deficiencies within the representative system of government and bolster the legitimacy of public policy-making. Box P.1 provides an illustration from the Irish context where a participatory governance system was established to inform deliberation on the termination of pregnancy. Ireland has been a trailblazer in the use of deliberative mini-publics to discuss important topics of constitutional reform at a time when the Irish Parliament was too divided to make a change. The Constitutional Convention (ICC) of 2012-14 and the Citizens' Assembly (ICA) of 2016-18 were established by the Irish government and tasked with considering a series of constitutional reform proposals.

Membership of the mini-publics in both cases comprised random selections of regular citizens; however, in the case of the ICC one third of the members were professional politicians representing all the political parties in the national parliament. Successful referendums on marriage equality in 2015 and abortion in 2018 suggest how democracies can bring citizens into the heart of discussions over constitutional and political reform through combining representative and participatory modes of governance that enhance the quality of decision-making and provide deep legitimacy of the process of change.

The structure of part two

Part two is organized into three chapters, each representing a mode of governance for framing political demands, and, institutionalizing and embedding new forms of citizen voice into the practices of democratic governance. This includes direct democracy in Chapter four and, deliberative democracy and digital democracy in chapters five and six. The three chapters review the most common engagement methods used in different sites of decision-making (noting that they are applicable to more than one site) through the review of a range of case study illustrations that illustrate the methods in action. These examples have been selected on the basis of the following criteria:

- Evidence-based – *the case has been evaluated through the use of credible theory and method.*
- Place – *the case is deemed successful from the perspective of the country's democratic history.*
- Novelty – *the case demonstrates a leap of creativity from existing democratic practice.*
- Significance – *the case successfully addresses an important democratic problem of 'public' concern.*
- Utility – *the innovation strengthens democratic practice.*
- Effectiveness – *the case achieved tangible results for the citizenry.*
- Longevity – *the case looks set to achieve results over time.*
- Transferability – *the case, or aspects of it, shows promise of inspiring successful replication by other liberal democracies.*

The examples are drawn from practices in the United States, three European states representing very different political cultures: the United Kingdom (Western Europe), Denmark (Northern Europe), Switzerland (Central Europe), and Mexico and Australia.²⁵

2016-2017: Citizens' Assembly

In 2016, the government set up a Citizens' Assembly to debate the need for another referendum on the 8th Amendment, among other constitutional issues. The Assembly was made up of 99 randomly-selected people from across the country and chaired by a Supreme Court judge. This group's job was to consider the issue and recommend to the government whether to keep, change or remove the 8th Amendment.

The results of the Citizens' Assembly, published in April 2017, were as follows:

- 87 per cent of the members voted that Article 40.3.3 (the 8th Amendment) of the constitution should not be retained in full.
- 56 per cent of the members voted that Article 40.3.3 (the 8th Amendment) should be amended or replaced.
- 57 per cent of the members recommended that Article 40.3.3 (the 8th Amendment) be replaced with a Constitutional provision explicitly allowing the Oireachtas to legislate on the issue of abortion.

20 December 2017: Joint Committee on the Eighth Amendment of the Constitution

Following the Citizens' Assembly, the Assembly's report was referred to a Joint Committee in the Oireachtas for consideration. The Committee brought together T.D.s and Senators from different political parties, as well as independents, to consider the report from the Citizens' Assembly and make a recommendation to the Dáil.

The recommendations made by the Committee included that:

- Article 40.3.3 of the Constitution should be repealed.
- Termination of pregnancy, with no restriction as to reason, should be allowed with a gestational limit of 12 weeks.
- Termination of pregnancy should be allowed where there is a fatal foetal abnormality, that is likely to result in death before or shortly after birth, with no gestational limit.²⁶

29 January 2018: Announcement of referendum

It was announced on Monday 29 January 2018 that the government is to hold a referendum to remove Article 40.3.3. from the constitution and replace it.

A Yes vote in the referendum would allow for the removal of the 8th Amendment from the constitution, and the introduction of an 'enabling clause' which would allow the Oireachtas to legislate for abortion in Ireland - something they are restricted in doing now because of the 8th Amendment.

26 May 2018: Irish referendum on the termination of pregnancy

The Irish people responded to the referendum question: *Do you approve of the proposal to amend the constitution? The amended text would read: "Provision may be made by law for the regulation of termination of pregnancy"*.

66.4 per cent voted for yes to 33.6 per cent for no and on a record turnout of 64.51 per cent, to repeal the eighth amendment of its constitution, which since 1983 has effectively prohibited abortion in all but exceptional circumstances.

The Irish taoiseach, Leo Varadkar, who had campaigned for repeal, welcomed the result. "What we have seen today is the culmination of a quiet revolution [that has been taking place] for the past 10 or 20 years."

It was signed into law by the Irish President Michael D. Higgins on 18 September 2018.

Institutionalising citizen voice through direct democracy

The “people” who exercise the power are not always the same people with those over whom it is exercised; and the “self-government” spoken of is not the government of each by himself, but of each by all the rest. (...) The people (...) consequently may desire to oppress a part of their number; and precautions are as much needed against this as against any other abuse of power.

– John Stuart Mill, *On Liberty*, 1859.

Introduction

We argued previously that direct democracy can be a useful component of a broader participatory governance system but can be mad, bad and dangerous for democracy when either used in isolation from deliberative institutions or without the enactment of certain prudential conditions. It is also a more effective decision-making tool when the issue under consideration is succinct, knowable and unsusceptible to political manipulation. We also know that there is significant public support for direct democracy. A recent 38-nation Pew Research Center survey found that 66 per cent of respondents polled considered direct democracy a “very” or “somewhat” good way to govern their country;²⁷ second only to representative democracy (78 per cent), providing further evidence of support for the participatory governance system approach (see Table 4.1).

Direct democracy should neither be seen as panacea for all our political problems and an alternative to representative democracy, nor should it be rejected out of hand as inherently populist. The merits of direct democracy are rooted in where sovereignty lies within a liberal democracy. Does it lie with the *demos*—the people— or the *kratos*—the constituent power or source of sovereign decision-making in a nation state?

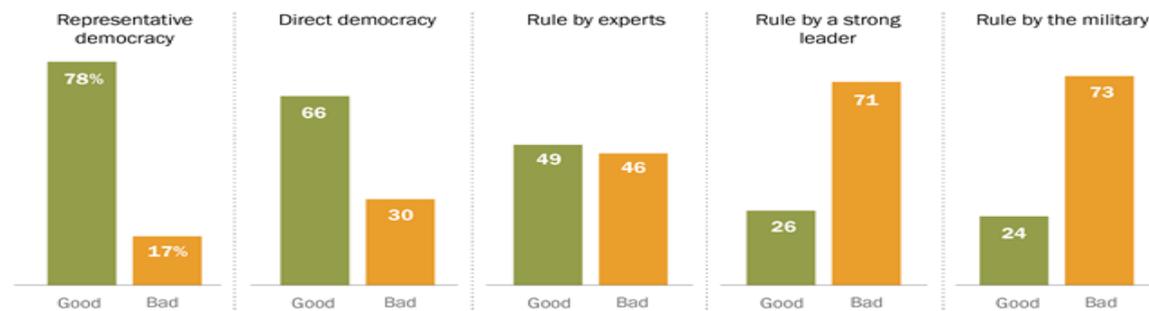
This chapter presents a range of comparative evidence that suggests that at its worst direct democracy is a dangerous tool of what the Nobel laureate Danny Kahneman refers to as fast thinking but at its best is an effective method for making highly politicised legislation more robust and legitimate.²⁸ Kahneman and cognitive scientists in general distinguish between two processes of decision-making. Type 1 decision processes such as joining a queue or following traffic signage are deemed “fast” and not requiring conscious thought, and Type 2 decision processes such as buying a house or a car are seen as “slower” and more careful tasks; requiring time and effort to be put into evidence collecting, reflection and deliberation. We argue that history-making decisions through referenda require citizens to “think” slowly but this self-evident empiric observation is often ignored at the detriment of social progress.²⁹ A set of prudential conditions are then presented for judicious application to complex problems noting that this is contingent on the model of democracy in operation in a particular country.

A broad range of instruments of direct democracy have also emerged at the local level over the past century to promote local democracy and offset the power of local and national elites or ensure more effective delivery of public policy through principles of subsidiarity and participatory localism. We will consider some of these devices in the penultimate section of this chapter.

Table 4.1. Public attitudes towards different models of political organization in 38 countries

Widespread support for representative and direct democracy, but many are also open to nondemocratic alternatives

Would ___ be a good or bad way of governing our country?



Note: Percentages are global medians based on 38 countries. Full question wordings for political systems: Representative democracy, "A democratic system where representatives elected by citizens decide what becomes law"; Direct democracy, "A democratic system where citizens, not elected officials, vote directly on major national issues to decide what becomes law"; Rule by experts, "Experts, not elected officials, make decisions according to what they think is best for the country"; Rule by a strong leader, "A system in which a strong leader can make decisions without interference from parliament or the courts"; Rule by the military, "The military rules the country."
Source: Spring 2017 Global Attitudes Survey, Q29a-e.

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1. Origins and purpose

The main policy instrument of direct democracy – that the will of the people be expressed through a public vote – is the referendum.³⁰ The name and use of the “referendum” is thought to have originated in the Swiss canton of Graubünden as early as the 16th century and was modelled on the ancient tradition of *Landsgemeinde*, annual open-air meetings where all the men of the canton would engage in direct decision-making on local matters.³¹ Since the end of the 18th century, hundreds of national referendums have been held around the world. Unsurprisingly, Switzerland has been the greatest consumer, with almost 600 national votes being held since its inauguration as a modern state in 1848.³² The term ‘plebiscite’ has a similar meaning and derives from the Latin *plebiscita*, which originally meant a decree of the *Concilium Plebis* (Plebeian Council), the popular assembly of the Roman Republic and ironically, Italy ranks second to Switzerland as a consumer of direct democracy with 72 national referendums.

Citizen initiatives and referendum serve both to moderate and check the political legislative process. A citizen’s initiative works like a compass. It “guides” the direction that future laws take through the collection of a sufficient amount of signatures triggering a ballot. In contrast, a referendum stops the drafting of a law by the legislative body. Direct democracy impacts the legislature in two ways. First, initiatives and referenda can override decisions taken by the political class. Second, the threat of citizens taking up a ballot ensures that the political class enact laws in the interest of the people. It is a corrective mechanism for representative democracy to ensure popular control of the political class.

Referenda have often been used by both democratic and autocratic regimes, to confirm newly written constitutions by what many constitutions regard as the ultimate sovereign—the people. History-making examples include the 1958 French constitutional referendum and subsequent 1969 referenda that led to the resignation of President de Gaulle, the 1992 South African Apartheid referendum, the 1993 Malawian democracy referendum, or most recently, the 2019 Cuban constitutional referendum.³³

2. Practice

In recent times, governments around the world have appeared increasingly willing to submit issues to voters and let them have a greater input in key decision-making processes. At the same time that Donald Trump was elected to the US presidency in November 2016, 154 state-wide ballot measures were certified in 35 states.³⁴ Of these measures, 76 were put on the ballot by citizens through signature petitions, rather than by state legislatures.³⁵

Arizona voters, for example, rejected marijuana legalization, but voters in California, Nevada, Maine and Massachusetts approved it. Medical marijuana measures were approved in Arkansas, Florida, and North Dakota, and the program in Montana was expanded by removing the three-patient limit for providers. The minimum wage was increased in Arizona, Colorado, Maine and Washington but voters in South Dakota overturned the state legislature's attempt to decrease the minimum wage for those under 18. Gun control expansion was defeated in Maine but approved in California, Nevada and Washington and attempts to repeal the death penalty were rejected in California and Oklahoma. Over 205 million US residents were affected by the results of ballot measure elections in November 2016.

A referendum can be binding or advisory but voting in referenda is compulsory because they have constitutional authority. Plebiscites are always “advisory referendums” because the government does not have to act upon its decision. Nor do plebiscites deal with history-making, constitutional questions but focus on issues where a government seeks approval to act. A referendum usually offers the electorate a choice of accepting or rejecting a proposal, but not always. Some referendums give voters the choice among multiple choices and some use transferable voting.

3. Controversies

The most contested aspect of referendums tends to be around the level of public support required to force constitutional or legislative change. It seems reasonable, as He Beogang notes, that “if the approval rate of a referendum is too low, it ought to be discredited. A nearly simple majority does not provide sufficient legitimacy”.³⁶ This has proved the main source of acrimony surrounding the June 2016 Brexit referendum on European Union (EU) membership, in which 51.9 per cent of Britons voted to leave. In contrast, the condition of a supermajority requirement, albeit a small one, was used in 2006 in Montenegro. The law stipulated that independence would be approved if supported by 55 per cent of those eligible to vote. The total turnout of the referendum was 86 per cent. 55.5 per cent voted in favour and 44.5 per cent were against breaking the state union with Serbia.

Arnesen's empirical work on conditional legitimacy governing referendums observes that:

Its' perceived legitimacy in the eyes of the public heavily depends upon the level of turnout, the size of the majority, and the outcome of the specific referendum in question.

*Thus, whether a referendum legitimizes a political decision in the eyes of the public is conditional upon these three dimensions.*³⁷

The use of referenda has a checkered history, for as David Altman notes, ‘the list of nondemocratic regimes that abuse plebiscites is pathetically high’.³⁸ Daniel Lewis further argues that the empirical evidence demonstrates that direct democracy (ballot measures and traditional legislation) “endangers the rights of minorities and perpetuates a tyranny of majority”. Although this, of course, depends on whether the majority oppose minority rights and there are examples of majorities both extending and limiting minority rights as the cases of same-sex marriage across US states, ethnic minorities in California, and naturalization in Switzerland amply demonstrate.³⁹

What is certain is that referenda of history-making proportions should always be measured against the highest measures of legitimacy and certainly benefits from the establishment of a participatory governance system such as the one noted above in Ireland to inform deliberation on the termination of pregnancy. Direct democracy is dangerous unless public sentiments are refined by filtration through deliberative institutions. The Brexit decision by the United Kingdom government provides ample evidence of its fragilities.

A June 2016 referendum endorsed exiting the EU. However, implementing the decision became much messier than anyone, especially the public, anticipated. This was largely because a narrow popular majority was confronted by a larger percentage of MPs that wished to remain in the EU, creating a classic stand-off between parliament and the people. A year later, with a ‘Brexit’ plan nowhere in sight, former Prime Minister David Cameron stated that “the lack of a referendum was poisoning British politics,” and that he had “put it right.”⁴⁰ Following a year of deadlocked negotiations over a Brexit deal, large parts of the British public then demanded a second People’s Vote.⁴¹

Taking stock of the fact that Brexit was supposed to happen by will of the people, but had not, *The Economist* diagnosed a constitutional crisis, stating that the referendum has brought into light the question of where sovereignty lies in the UK.⁴² As Donald Tusk, the former president of the European Council put it in February 2019: “I’ve been wondering what the special place in hell looks like... for those who promoted Brexit without even a sketch of a plan of how to carry it safely”.

Significantly then, Brexit was not a citizens-led initiative. It originated in the positions taken by two Prime Ministers. David Cameron said that he was bound to hold a referendum because that commitment had been contained in the Conservative Party manifesto for the 2015 General Election. Theresa May said that she was bound to give effect to the outcome of the 2016 referendum because it had expressed the will of the people. The bedrock principle of representative government is that “the people” do not decide issues, they decide who shall decide. And once a legislature abrogates its responsibility and resorts to a referendum on the doubtful premise that the simple way to find out what people want is to ask them, it is difficult to avoid political sclerosis.

Remarkably, in 2017, University College London’s Constitution Unit ran a Brexit citizens’ assembly. It was representative of the UK electorate, with more “leavers” than “remainers” and in a “soft Brexit” versus “no-deal” trade-off, its members favoured staying in the single market and customs union, and seven in 10 thought free movement of people should continue.⁴³ This illustration demonstrates the power of deliberation in enhancing the knowledge base for

decisions that require slower, reflective thinking. Hence deliberative democracy can provide safeguards against emotional “fast” decision-making.

4. Prudential guidance for the use of direct democracy

The Brexit process demonstrates that the use of direct democratic institutions for political decision-making processes is controversial and suggests that at the very least nine prudential measures should be introduced to guide their use.⁴⁴

- 1) Process design with a clear intervention logic mindful of consequences of action is critical to achieving a legitimate and credible outcome.
- 2) Given that referenda are a check on representative government they should be initiated by citizens through petition. The power of petition should be knowable and accessible to all citizens eligible to petition. Allowing parliament or executive government to decide on what matters citizens should have a say on is inconsistent with the notion of a sovereign people. It automatically heightens the potential for either the abuse of power (as in the case of the recent introduction of constitutional amendments in Turkey)⁴⁵ or in political sclerosis (as in the case of Brexit). If confidence in the executive government depends on approval of a proposition by the voters, referenda are likely to be used as a political tool.
- 3) Power asymmetries between parliaments, executives and citizens need to be eliminated to reduce the likelihood of abuse. Referendums called by the executive or legislative body, give ruling politicians additional power over citizens. The fact that such plebiscites are often not legally binding but consultative reinforces power asymmetries.
- 4) All popular decisions should be considered fallible and reversible. As Habermas observes, “A political vote is not final, but rather an interim result of an on-going process of deliberation.”⁴⁶
- 5) Referenda require political literacy so it makes sense to encourage the use of direct democracy at the sub national and local government levels. This also allows for comparison and the progressive diffusion of innovations across territory.
- 6) The core elements of referendum or initiative law should be enshrined constitutionally or through the highest source of law in a country to avoid risk of short-term manipulation through amendments that would favour a certain interest group or sectional interest.
- 7) For direct democracy to be credible and legitimate, voters should be able to voice their opinion and make decisions in an authentic way free from constraints. The historic evidence suggests that this requires that the proposed legislation should deal with one subject only to allow the voter to form and express their opinion with clarity. In other words, if a proposed legislation includes several substantive questions, the voter’s capacity to make a free choice may be severely constrained.
- 8) Referenda should not undermine minority rights. Any potential conflicts with existing rights should be explicitly declared prior to the vote. Newly proposed legislation may be in contradiction with existing public laws and human rights protected by the

constitution or through international law. The easiest way to address this is would be to include a rebuttable presumption that assumes that newly formulated initiatives intend to respect existing fundamental rights.

- 9) The validity of a ballot proposition should be considered a legal matter decided by a legal rather than a political authority and confirmed as legitimate prior to the ballot.

5. Direct democracy as a tool of localism

The strength of free peoples resides in the local community. Local institutions are to liberty what primary schools are to science; they put it within the people's reach; they teach people to appreciate its peaceful enjoyment and accustom them to make use of it.

– Alexis De Tocqueville, *Democracy in America*, 1835.

It is almost impossible to conceive of a strong liberal democratic system without a vibrant system of local democracy augmented through various localism strategies. Although a contested term, for the purposes of this chapter we would define localism as an umbrella concept which refers to the devolution of power and/or functions and/or resources away from central control and towards front-line managers, local democratic structures, local institutions and local communities, within an agreed framework of minimum standards (see Box 4.1).⁴⁷

Simply put, different central governments in different nation states deploy different strategies of localism to deliver different tasks. We can normally identify three strategies of localism at work – managerial, representative and participatory community localism – reflecting different degrees of community involvement in decision-making. While all three forms of localism have always existed, representative localism was always first amongst equals at least in terms of its political dominance. This is no longer the case; in an era of governance it is the mix that matters and the balance between the three will differ from jurisdiction to jurisdiction.

Managerial localism involves the conditional devolution of delegated decision-making or delivery functions from the centre to the locality based on achieving agreed objectives. Policy is decided at the centre but policy settings and delivery functions are devolved to the locality under a strict regulatory framework. Success is evaluated on the basis of their ability to meet centrally derived performance targets. In representative localism, powers and responsibility for specific governance tasks are devolved directly to elected local government (e.g. rates, roads and rubbish). Success is evaluated on the basis of re-election. In the context of collaborative governance (initiatives augmented by either central, or state, provincial or regional government), the role of local government would focus around its community leadership role and its ability to harness the resources of the community (including private and civil society organizations) more than a traditional direct service provider role. In practice, however, a top-down managerial tradition has tended to dominate in most countries in which devolution of functions occurs but not devolution of power or resources.⁴⁸

Box 4.1. Three strategies of localism

	Managerial localism	Representative localism	Participatory localism
Defining mechanism	Conditional devolution of decision-making based on achieving agreed objectives	Provision of powers and responsibility to local government elected on universal suffrage	Rights and support given to citizens in communities to directly engage in decisions and action
Delivery mechanisms	Intergovernmental networks	Hierarchical delivery networks	Community network governance, direct and deliberative democratic initiatives
Metrics for judging success	Targets and evidence	Electoral triumph or failure	Cohesiveness and capacity of network arrangements. Attainment of network goals and fairness of process
Strengths	Makes sense in the context of multi-level governance and complexity	Delivers clear identification of responsibility and accountability and capacity to meet localised needs	Delivers ownership, local knowledge and engagement by citizens in defining problems and supporting solutions
Weaknesses	Can be too ‘top-down’, lack of downward accountability, associated with a ‘government knows-best narrative for change’, ignores locally derived sources of knowledge. Focus in the end is on externally imposed objectives rather than local choices	Resource issues (both financial and technical) may undermine delivery; accountability in practice may be weak	Potential for network capture by local elite interests persists. Uneven distribution of capacity among communities to respond leads to engagement of some but not all. Accountability structures can be opaque with weak democratic control. Minority voices can be silent

In contrast, participatory localism involves the devolution of rights and support directly to citizens in communities to allow them to engage in decisions and action. This is underpinned by a participatory view of democracy which is based on the notion that legitimate governance requires ongoing engagement with the citizenry and their inclusion within certain realms of decision-making.⁴⁹

In times of instability, such as the Coronavirus pandemic, participatory localism becomes more important in delivering national as well as local goals. Crucially, however, there is increasing evidence to suggest that the top-down managerial approach to localism does not work.⁵⁰ The reason for this is not new or surprising. In an era of governance, citizens’ engagement in policy and delivery has become crucial to the achievement of social progress. Not least because all that public organisations do requires co-production and adaptive behaviours from citizens and

often stakeholders. Moreover, the critical challenges confronting policy-makers in a complex, fragmented world require the most adaptive form of power to enable local interests to blend their capacities to achieve common purpose. This is called soft power or *the power to persuade*. Localism is a key policy instrument for achieving soft power.⁵¹

In theory, localism provides central and local authorities with a range of strategies (managerial, representative and participatory) for inputting citizen preferences into formal decision processes which shape the development of local communities. The arguments in support of localism can be organized into three categories: capacity development benefits; political benefits; and, operational delivery benefits. The potential benefits of localism for local institutional capacity development crystallize around issues of political and policy education, and, training in political leadership for local leaders. Political education teaches local populations about the role of political debate, the selection of representatives and the nature of policy-making, planning, and budgetary processes. While training in political leadership creates fertile ground for prospective political leaders to develop skills in policy-making, political party operations, and budgeting, with the result that the quality of national politicians is enhanced.⁵²

Several sources of political capital can be derived from localism strategies. Political stability is secured by enhancing public participation in formal politics, through voting, local party activism and deliberative and direct democratic initiatives. This strengthens trust in government and fosters community solidarity.⁵³

In addition, new institutional venues are created to give expression to local identities. The achievement of political equality through institutional processes that afford greater political participation reduces the likelihood of the concentration of power. Localism strategies can distribute political power more broadly, thus becoming a mechanism that can, in theory at least, meet the needs of the most disadvantaged. Public accountability can also be enhanced because local representatives are more accessible to the public and can thus be held more easily accountable for their actions than distant national leaders. Moreover, the existence of cyclical elections provides local electors with a mechanism for voicing grievances or satisfaction with the performance of local representatives.⁵⁴

In sum, direct democratic instruments can be used as key tools for establishing participatory localism as the traditional arguments against direct democracy wither away at the local scale given the acceleration of technological change. For example, it is no longer possible to make the argument that direct democracy will inevitably lead to information overload and ungovernability when we have the technology to enable local citizens to directly input preferences online through various digital platforms.⁵⁵ Digital era governance, as we will see in Chapter 5, brings direct democracy within easy reach of government and citizen. Whether this is appropriate in all areas of decision-making is a different matter. As we have noted on frequent occasions, digital democracy only makes sense in the context of a broader participatory governance system; in this case, as a tool of localism. Moreover, if democracy is about getting what you want all the time then all politics is on a hiding to nothing; but perhaps citizens merely want to have a say over decisions that directly affect them? Can we use direct democratic instruments to help aid such ambitions? Let's look at three practices that can help bolster the legitimacy of representative democracy at the local scale: the right of recall; consultative and binding referenda; and, community-driven development.

The right to recall MPs as an instrument of direct democracy

The right of local citizens to directly recall their local member is linked to the application of the concept of the mandate in representative parliamentary democracies. A mandate is the authority granted by a constituency to act as its representative as a consequence of winning a fair democratic election. It is normally derived from an election manifesto that sets out the case for election. The power of recall is largely used for the removal of MPs who engage in corrupt practices or personal misconduct such as the use and abuse by members of Parliament of their expense allowances or taking bribes from special interests to ask questions in parliament or congress or allocating grants or procurement projects without reference to due process.⁵⁶ But it has also been used to remove MPs for political or policy purposes such as deviating from election commitments or failing to respond to community policy perspectives.^{57 58}

The key problem with the power of recall lies in the clash between local and national interests. This issue is extremely well illustrated in the following excerpt from a June 2012 report from the UK House of Commons Political and Constitutional Reform Committee report into the recall process:

...a system of full recall may deter MPs from taking decisions that are unpopular locally or unpopular in the short-term, but which are in the long-term national interest...[w]e note that expulsion would not prevent the person concerned standing in the resulting by-election. We recommend that the Government abandon its plans to introduce a power of recall... We have not seen enough evidence to support the suggestion that it will increase public confidence in politics, and fear that the restricted form of recall proposed could even reduce confidence by creating expectations that are not fulfilled.⁵⁹

The British Parliament introduced a Recall of MPs Act 2015 on the 26 March of that year. The empowering idea of electorates being able to recall their representatives through petition does have significant risks involved which would need to be addressed. As Anne Twomey observes:

The rationale for introducing the recall needs to be clear as does its intended consequences. A system that allows the rich to buy a new election or political parties to harass each other is unlikely to satisfy the wishes of voters. Consideration also needs to be given to the existing political and constitutional system and how a system of recall could be accommodated within it, rather than clashing fundamentally with it.⁶⁰

On balance, however, the guidance provided appears to miss the mark. Why should MPs be a law unto themselves and subject to dismissal only through electoral defeat? Everyday citizens are subject to modern working practices – ongoing performance review, monitoring and evaluation, capability development – why are politicians treated as a different species? The power of recall ensures that MPs both adhere to codes of conduct and are responsive and accountable to their constituents (“we the people”).

Consultative and binding referenda

At the local level, consultative and binding referenda, subject to the prudential conditions outlined above, can play an important role in cementing the legitimacy of representative democracy. For example, in the aftermath of the Global Financial Crisis when confronted with deep cuts to local government budgets, many English local authorities created participatory budgeting processes to ensure broader community ownership of priority investments. In an

evaluation of 34 of these initiatives in 2011, commissioned by the Department for Communities and Local Government, participatory budgeting— directly involving local people in making spending priorities for a defined public budget – was deemed most effective “as part of a package of community engagement and empowerment” and was viewed to be a successful instrument for building community trust, confidence and knowledge.⁶¹ This involves a combination of deliberative and direct democratic processes. Residents and community groups that are representative of all parts of the community are brought together to discuss spending priorities, and develop spending proposals. A set of options are then voted on by the community as a whole. A representative group of citizens will then be deployed to scrutinise and monitor the arising budgetary processes.⁶²

In this context, direct democracy applied to formal decision-making liberates representative institutions from bearing full responsibility for high impact decisions. Direct and participatory democratic initiatives both concern non-elected citizen involvement in decision-making, or their participation in decision-making processes outside the main elected local government institutions such as local councils or the formal committee system. It should be noted that in developing democracies the demand for direct democracy in local government is related to previous experiences with inefficient and nondemocratic forms of local government which prevailed under previous regimes. Some developing democracies in Eastern Europe (for example, Hungary, Bulgaria, and Slovakia) make it obligatory to hold local referenda on specified local matters such as cadastral changes, the amalgamation of communes, or the sale of land. In Russia and Albania legislation requires referenda on unspecified but important local issues. Most states also allow local initiatives to hold referenda. Local self-governments in Slovenia are obliged to hold referenda if requested by more than 10 per cent of local voters. The results of local referenda may be binding if they satisfy certain conditions (such as a greater than 30 per cent participation rate in Poland and 50 per cent in Macedonia).

The local referendum is probably the best and most widely recognised instrument of direct democracy at the local scale. Although, the growing number of countries with directly elected mayors (replacing election of mayors within the local council) does reflect a shift in response to pressure for direct democracy to enhance local democracy.⁶³

Community development councils

The feasibility of all decisions being directly approved by a citizens’ assembly composed of all local citizens, for a limitless range of local matters (as happens in some Swiss cantons now) is rarely applicable to the current size of local government units, with the exception of very small communities of parish or village size, that sometimes exist below the main structures of local government. Some of the best examples of this can be found in countries emerging from conflict such as Community Development Councils in Afghanistan, Angola, Colombia and Indonesia, often supported by international and local non-governmental organizations.⁶⁴ For example, the National Solidarity Programme in Afghanistan consists of 22,500 directly elected Community Development Councils (CDC’s) established across rural Afghanistan that develop their own community plans, prioritize initiatives through whole of community direct decision-making, make bids centrally for development funding and manage and deliver their own development projects.⁶⁵

The Islamic Republic of Afghanistan’s National Solidarity Programme (NSP) was created in 2003 by Dr Ashraf Ghani, the current co-President of Afghanistan and Hanif Atmar, former Minister of Rural Rehabilitation and Development (MRRD) and financed by a consortium of

international donors coordinated by the World Bank. It was designed to reduce poverty by empowering communities through improved governance, and social, human, and economic capital. The establishment of directly elected CDC's lies at the heart of this strategy; putting communities in charge of their own development process and providing them with technical support and resources to deliver co-designed projects that matter to them. Today, the NSP forms the central component of an architecture of national programmes managed by the MRRD, designed both to help the Afghan people to rebuild their lives and nation, and to demonstrate that the Afghan government, with technical assistance, is able to develop the inclusive governance structures required to sustain a stable state.⁶⁶

As described in the founding document of the NSP, the goal of the Programme is to reduce poverty through empowering communities to pursue two main objectives: to lay the foundations for a strengthening of community-level governance, and, to support community-managed sub-projects comprising reconstruction and development that improve the access of rural communities to social and productive infrastructure and services. The implementation strategy of the NSP consists of four core elements:

1. facilitation at the community level to assist communities in their establishment of CDC's through elections, reaching consensus on priorities through community priority-setting processes, co-designing proposals that comply with NSP appraisal criteria, and implementing approved sub-projects;
2. provision of direct grant transfers to support rehabilitation and development activities planned and implemented by the elected CDCs;
3. delivery of capacity building activities to enhance the competence of members of CDCs (both men and women) in terms of financial management, procurement, technical skills, and transparency; and,
4. coordination activities to connect-up local institutions to government administration and aid agencies with available services and resources.⁶⁷

The MRRD recognizes that the quality of the implementation process of the NSP is essential for the long-term sustainability of community investments and for the overall success of the Programme. As such, at the community level the identification of priorities and the planning of sub-projects are based on principles of participatory planning through inclusive community meetings, directed elected development councils, direct democratic decision-making on development options, community contributions to capital costs and operation and maintenance; and, continuous project transparency and accountability to the community.

To help the MRRD achieve its targets, an Oversight Consultant (GTZ/IS) was contracted to oversee the overall management and supervision of the NSP. In addition, the MRRD contracted 22 NGOs (both national and international) and UNHABITAT to co-design and facilitate the delivery of the NSP in selected districts, across all the provinces of Afghanistan. These non-governmental organizations are termed Facilitating Partners (FPs), and their role is to facilitate community participation in the planning, implementation and management of subprojects financed by the NSP Block Grants and ensure that these projects are genuinely co-designed with the community.

Evaluation data suggests that the NSP has been a great success.⁶⁸ Although the NSP has struggled in meeting its economic recovery objective at the community level its impact on community governance has been far-reaching. First, it has (re)built community governance by encouraging more accountable and direct forms of decision-making and representation through

genuine processes of co-design with FPs. Second, it has enhanced the role of the government in planning and delivering recovery and development and strengthened capacities among some of the main Ministries and their line departments. Third, it has led to increased dialogue between informal and formal institutions, thereby building the legitimacy of the fledgling state. As a fourth impact, in attempting to fill some of the critical gaps in the state structure at the sub-national level, the NSP has directly and indirectly created new coordinating bodies and has thus played a crucial role in joining-up state institutions.

Since its inception in September 2003 the programme has reached 22,500 rural communities, accounting for 10.5 million people — half Afghanistan’s population — in 175 out of 364 rural districts across all 34 provinces in Afghanistan. There is significant evidence of increased trust in the system of government, improved community relations and the empowerment of CDCs. Eighty-six per cent of CDC participants think that it has brought greater unity and national solidarity and 77 per cent considered the government to be interested in their community, compared to 26 per cent of those not involved in the NSP. As one respondent put it:

...the NSP unites communities, bringing us together to solve our problems and plan for our future; for the first time the government has shown that it cares about us so we must now show our loyalty to our government.

In conclusion – direct democracy as an instrument of democratic symmetry

Direct democracy is an important component of a participatory governance system but it is crucial to understand the pitfalls of direct democratic decision making processes and how this powerful tool can be implemented in a safe and effective way to strengthen the broader democratic system.

The single most important quality of direct democracy is that it provides the powerful with a constant reminder that the legitimation of political power emanates from the people. As the British parliamentarian Tony Benn put it in his farewell speech to the House of Commons, in which he talked widely on his view of the role of parliament and the wider question of democracy:

In the course of my life I have developed five little democratic questions. If one meets a powerful person – Adolf Hitler, Joe Stalin or Bill Gates – ask them five questions: “What power have you got? Where did you get it from? In whose interests do you exercise it? To whom are you accountable? And how can we get rid of you?” If you cannot get rid of the people who govern you, you do not live in a democratic system.⁶⁹

In short, liberal democracy is not sustainable in the long run if we fail to win the war of ideas on the centrality of democratic values generation by generation. Moreover, the championing of democratic values is a safeguard against the complacency that takes the value of individual rights, checks and balances and the rule of law as self-evident. It is a constant reminder that democracy is fragile.

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5

Institutionalising citizen voice through deliberative democracy

Deliberative democracy is a field of political inquiry that is concerned with improving collective decision-making. It emphasizes the right, opportunity, and capacity of anyone who is subject to a collective decision to participate (or have their representatives participate) in consequential deliberation about that decision. “Consequential” means deliberation must have some influence.
– John Dryzek and Simon Niemeyer, *Centre for deliberative democracy and Global Governance*, 2012.⁷⁰

Introduction

We argue in this chapter that deliberative democracy can play an essential role in a broader participatory governance system. The key debate around the merits of deliberative democracy does not focus on its intrinsic value but on whether it has a specific domain of utility. As noted previously, we prefer the looser concept of participatory governance systems as it doesn’t make sense to confine citizen engagement to deliberation as a range of other engagement methods are needed to make sense of the diversity of public opinion on public policy questions. For example, Box 5.1 refers to the case of creating a new constitution for Mexico City through the establishment of an appropriate participatory governance system. It reveals that a range of engagement methods in addition to deliberation were necessary in achieving a legitimate outcome including digital methods of direct democracy and processes of policy learning with citizens and technocrats. These were not necessarily deliberative in a formal sense but proved effective in unlocking a highly politicized policy environment. Deliberative democracy makes room for many other forms of decision-making such as bargaining politics.⁷¹

Box 5.1: Creating a constitution for Mexico City through a participatory governance system

Context and opportunity

The population of Mexico City had for decades been politically disenfranchised because, like many federal districts, it had no status as a state and citizens were not given the opportunity to vote for local representatives.

Response

Laboratorio Para La Ciudad, the experimental arm of the city government, was tasked with developing a public engagement process for the development of the new constitution. This included: a writing platform co-developed with MIT Media Lab; an online petition system, which generated 342 petitions and gathered 278,000 signatures; a process for facilitating citizen-driven encounters (over 20); and the Imagine Your City project, which gathered over 34,000 effective surveys. Public engagement spanned residents of poor neighborhoods engaged by local survey brigades, concerned citizens using online petitioning and committees of legal experts co-drafting documents.

Outcome

The participatory nature of the process and guarantees for including issues and ideas with strong support meant that a diversity of progressive issues entered into the constitution, which became law in September 2018.

For further information see: citiesofservice.org/resource/crowdsourcing-a-constitution-mexico-city

It should also be noted, once again, that without good practice, deliberative methods can be subject to politicization and manipulation.⁷² We will assess what this notion of better practice might look like in the concluding section of the chapter.

Our discussion of deliberative democracy is organized into four sections. In section one we review the guiding principles of deliberative democracy. Sections two, three and four evaluate the role of deliberative democracy in: strategic decision-making; policy, programme and public service design; and policy learning. In conclusion, we identify six ingredients of better practice to guide deliberative practice.

1. What is deliberative democracy?

At its essence, deliberative democracy establishes the argument that there is more to democracy than voting. There is a need through democratic governance to justify decisions made by citizens and their representatives.⁷³ It has four key features. The first and probably most important characteristic is its public reason-giving requirement. Citizens should not be treated as subjects of the political class, and passive subjects to be ruled, but as autonomous agents with the critical capacity to take part in the governance of their own society.

A second characteristic of deliberative democracy is that the reasons giving rise to the deliberative process should be accessible to all citizens affected by the decision. The issue should not be the preserve of an imprisoned zone of decision-making.

The third characteristic of deliberative democracy is that its process should aim at producing a decision that is binding for a period but considered fallible and debated on an ongoing basis. This notion of the continuation of debate illustrates the fourth characteristic of deliberative democracy—its process is dynamic. Democracy is a living thing and needs to be fostered and renewed through deliberation.

2. Deliberation and strategic decision-making

A variety of deliberative democratic methods have been used to integrate citizen input into strategic decision-making largely focusing on the use of various forms of mini-publics. America-speaks deliberative design, founded by Carolyn Lukensmeyer in 1997 and operating until 2014, has been emulated throughout the world (see the case of the UK European Citizens Consultation in Box 5.2). This involves the recreation of ‘21st century Town Meetings’ in one day events involving between 500 and 5,000 people deliberating on a specific issue. Selection procedures vary but there is normally an attempt to establish a degree of representativeness. They operate through moderated small group discussions at demographically mixed tables of representatives of 10 to 12 people. Feedback from these tables is pooled via networked computers and filtered by the organizers to form the basis for subsequent discussions. Large video screens present data, themes and information in real time over the course of the deliberations: as themes emerge and votes are taken, recommendations gel. Key stakeholders

produce background materials and, together with public authorities, typically attend the events.⁷⁴

America-speaks deliberative design methodology has been effective in engaging citizens: in shaping New Orleans' recovery plan after Hurricane Katrina;⁷⁵ developing participatory budgets in Washington through neighbourhood action (later emulated in Chicago and New York); and healthcare priority setting in California.⁷⁶ America-speaks was also instrumental in influencing the establishment of President Barack Obama's Open Government Initiative in 2009 but he was arguably more successful in ensuring access to open data than extending public participation.⁷⁷

Box 5.2: The 2007 European Citizen's Deliberative Poll

Context and opportunity

This deliberative process was held in the aftermath of the European Union's abortive attempts to establish a European Constitution. All European Union member states were instructed by the Council of Europe to: a) engage a non-governmental organisation to facilitate a deliberative engagement with a representative sample of 300 citizens using state of the art interactive technologies; b) the deliberation would be held over a weekend and focus on developing policy statements on four key issues confronting the European Union – defence, immigration, economic development and climate change. The case study illustrates the key challenges confronting engagement specialists when designing a large-scale national deliberation drawing on international better practice guidelines.

Response

The European Citizens' Consultations provided the first-ever opportunity for members of the public from all member states to debate the future of the EU across the boundaries of geography and language. The deliberative format of the events ensured that every voice was heard through a combination of professional facilitation and instant transfer of information by interactive technology. The agenda was entirely citizen-led as the main topic areas to be discussed were defined by citizens of all EU member states at an Agenda-Setting Event held in Brussels in October 2006. The whole process was structured towards allowing the participants to refine their own views and define their highest priorities, asking them 'What Europe do we want?' The key topics chosen were: Energy and the Environment; Family and Social Welfare; the EU's Global Role and Immigration.

In design terms, the European Citizen's Consultation combined elements of thinking derived from America Speaks approaches with Deliberative Polling. A deliberative poll measures what the public would think about an issue if they had an adequate chance to reflect on the questions at hand by observing the evolution of a test group of citizens' views, as they learn more about a topic. Deliberative polls are more statistically representative than many other approaches due to their large scale. Deliberative Polls gather a random sample of between 150 and 300 citizens to deliberate on specific policy questions. They hear evidence from experts, break up into smaller groups (up to 15 in each) to frame questions to put to experts, reassemble in plenary sessions to pose those questions to panels of experts. Before and after surveys of participants are taken to measure the existing knowledge base of citizens and attitudinal change over the period of deliberation. The results of a Deliberative Poll are partly prescriptive; pointing to what an informed and reflective citizenry might want policy-makers to do.

Outcomes

While the consultation was evaluated as successful in design terms its impact has been negligible in terms of shaping policy outcomes due to the role of the Council of Ministers in the area of decision competency. However, the deliberation has subsequently been repeated on a bi-annual basis which suggests its significance as a learning opportunity for policy-makers.

3. Deliberation and policy, program and service design

This section explores innovative examples of policy, program and service design using deliberative input from citizens. Here we focus on two types of mini-public – the role of consensus conferences, and the use of citizen panels.

Consensus dialogues

The Danish Board of Technology Foundation (DBTF) is internationally renowned for its work on public participation.⁷⁸ It was formerly the Danish Board of Technology – an independent counseling institution connected to the Danish Ministry of Science, Innovation and Higher Education.⁷⁹ It employs a variety of methods for engaging citizens. These include: cafe seminars; citizens’ and parliamentary hearings; citizens’ juries and summits; future panels; and voting conferences. Perhaps the most well-known method of associated with the DBTF is the consensus conference or dialogue.⁸⁰ In Denmark, there is an expectation (although no formal legal requirement) for Parliament and political parties to respond explicitly to the recommendations of Consensus Conferences organized by the DBTF. Consensus Conferences originally began in 1987 and have received much attention for their role in engaging citizens in pre-decision-making processes.⁸¹ They involve a small group of up to 15 lay citizens who hold two weekend long preparatory meetings to set the agenda for a four day public forum at which experts give testimony and are questioned and the lay panel retires to write a paper. The paper is then presented to a press conference. In Denmark, the public forum is followed by a series of local debates.^{82 83} Box 5.3 presents a recent example from the US.

Box 5.3: University of Michigan consensus dialogue on autonomous vehicles

Context and opportunity

In December 2016, Michigan passed the most “permissive” autonomous vehicle (AV) laws in the US, allowing cars on public roads without safety drivers or steering wheels. Washtenaw County roads are expected to be early hosts of AVs. Thus far, industry and academic experts have driven the conversation and policy development. Missing though, are the critical perspectives and values of the community. The conference was therefore organized as an opportunity for community members to learn about and voice their opinions on a potentially society altering technology— autonomous vehicles (AVs). The event was designed to enable the public to contribute to the discussion around technologies that impact their lives. The event looked beyond industry experts to those who will be most impacted; community members themselves.

Response

Eleven citizens were selected to represent Washtenaw County in a consensus dialogue using the methodology outlined above and convened three times throughout the process to learn more about AV technology, engage with experts, and make recommendations.

Outcome

Overall the citizens viewed AVs as an opportunity to not only reduce traffic accidents but also as a technology that could potentially address some of the social injustice issues facing Southeast Michigan, including providing access to communities that lack mass transit access. They also viewed the rise of a new industry (AV testing facilities and development) as a chance for job creation and believe that strengthening the education pipeline to ensure that residents of Southeast Michigan are competitive for new jobs should be a top priority. The citizen’s concerns, however, are that these opportunities may not be realized if industry leaders are the only voice in the policy making process.

The auto industry's primary objective will be to sell AVs, and thus it is up to citizens and their representatives to direct the advancement and "roll-out" of these vehicles in a way that is safe, transparent and equitable. The findings were accepted by the local municipal government as an advisory paper to inform local policy development.

For further information see: <https://deepblue.lib.umich.edu/handle/2027.42/146527>

Citizen experience of public services

A citizens' experience panel is a large, demographically representative group of citizens' used to assess public preferences and opinions. Citizens' panels are made up of a representative sample of a local population and are used by statutory agencies, especially local authorities, to identify local issues and consult service users and non-users. Potential participants are generally recruited through random sampling of the electoral roll or door-to-door recruitment. They are then selected so that membership is made up of a representative profile of the local population in terms of age and gender. Once they agree to participate, panel members, or sections of it, participate in surveys at intervals over the course of their membership and, where appropriate, in further in-depth research such as Focus Groups.

Citizens' panels have evolved from opinion polling and market research and can be used to assess service needs, identify delivery issues and determine the appropriateness of service design. Large panels can also be used to target specific groups for their views on issues. Citizens' panels measure the views of a large body of people over a period of time, thereby assessing the impact of developments. Here deliberative mapping tools are used to discern differences in perspective between citizens and technocrats. Participants rate different policy options against a set of defined criteria. The citizen and expert participants are divided into panels (often according to gender and socio-economic background to ensure that people are comfortable voicing their views). The citizens' panels and the experts consider the issue both separately from one another and at a joint workshop. This allows both groups to learn from each other without the experts dominating. The emphasis of the process is not on integrating expert and public voices but understanding the different insights each offer the policy process. The groups themselves determine which criteria they will use to score the options against, thereby limiting any structural bias, and arrive at a ranking. Deliberative mapping incorporates both quantitative and qualitative methods and participants work both individually and as a group.

4. Deliberation and policy learning

Methods for exploring new policy directions and long-term policy thinking have been a feature of many mature liberal democracies for over two decades. Policy learning involves the ongoing engagement of citizens in the monitoring and evaluation of public policies or services and in horizon or future scanning of alternatives. This is often explored using a set of similar devices for either getting feedback on performance or identifying social attitudes on specific problems or initiatives. Here we will explore the role of citizens' assemblies and juries in policy learning.

Citizens' assemblies and wicked problems

The use of citizens' assemblies is very much in vogue in policy arenas featured by political sclerosis. As noted above, Ireland became a trailblazer in the use of deliberative mini-publics to discuss important topics of constitutional reform at a time when the Irish Parliament was too divided to breakthrough and make a change. In the context of high-risk political management, the Constitutional Convention (ICC) of 2012 to 2014 and the Citizens' Assembly (ICA) of 2016 to 2018 were catalytic deliberative events that made action on historically contested constitutional reform proposals possible. Citizen assemblies are a particularly useful device for making progress on wicked problems, issues that are 'ill-defined, ambiguous and associated with strong moral, political and professional issues. Since they are strongly stakeholder dependent, there is often little consensus about what the problem *is*, let alone how to resolve it'.⁸⁴

A recent Ipsos poll conducted in 14 countries found that two-thirds of citizens consider the climate crisis as serious as COVID-19, and want their governments to prioritize climate action in the process of economic recovery.⁸⁵ Two of the highest profile citizen assemblies of recent times were established just prior to the COVID-19 outbreak in the United Kingdom and France to make progress. The UK citizen assembly – Climate Assembly UK – was sponsored by the House of Commons via six parliamentary committees with the remit of evaluating how the UK should respond to the climate emergency and what policies they would like to see implemented to meet the target of net-zero carbon emissions by 2050, already enshrined in UK law.⁸⁶ The 110-person assembly was chosen by sortition and convened by MPs (see Box 5.4.).⁸⁷

Box 5.4. How sortition or a civic lottery works: the case of Climate Assembly UK

- From 6 November 2019, 30,000 letters were sent to citizens across the UK inviting them to take part in Climate Assembly UK.
- To ensure the most representative sample, 80% of those receiving an invitation were randomly selected from every UK household address in Royal Mail's Postcode Address File.
- The remaining 20% were randomly selected from the most deprived areas within the Royal Mail's Postcode Address File, simply because response rates are estimated to be lower from these postcodes.
- People receiving an invitation could RSVP by phone or online. This created a pool of potential participants free on the relevant dates.
- *Climate Assembly UK* used random stratified sampling (also termed sortition), undertaken by a computer, to select the 110 participants who together are representative of the UK population aged 16 years and over in terms of age, gender, educational background, ethnicity, location, urban/rural and attitudes to climate change.

In contrast, the French government is yet to legislate on emissions targets. France's citizens' assembly was launched following 'yellow vest' protests ignited by a 2018 hike in fuel tax. It was empowered by President Emmanuel Macron to generate measures to reduce the country's carbon emissions by 40 per cent by 2030 from 1990 levels "in a spirit of social justice". Macron has guaranteed that their proposals will then be put to parliament "unfiltered", "transformed into executive decrees" or even used as the basis for a referendum.

Both assemblies were suspended then moved online to continue their work in response to social distancing restrictions to contain the spread of the virus.⁸⁸ Notably both assemblies have adapted their agendas to ensure that climate action is linked to post-COVID-19 recovery.⁸⁹

Citizens assemblies and policy learning

Citizens' juries are engagement events similar to citizens' assemblies but on a smaller scale. Initially introduced in the United States by Ned Crosby and the Jefferson Center, juries have been used sporadically in different countries to provide feedback on initiatives or scope new issues. They are called citizens' juries, as they are similar to juries in criminal trials. A typical design for a citizen jury would involve 12 to 24 citizens, selected by stratified sampling to promote demographic representativeness deliberate for two to four days to provide advice on a specific policy issue. The jury receives information, hears evidence, cross-examines witnesses and deliberates on the issue at hand (see Box 5.5. for an illustrative case study).⁹⁰ Citizen juries have increasingly become recognised for their capacity to deliver outcomes that are trusted by the broader community.

Box 5.5. The Democracy in Geelong Citizen's Jury Project

Context and opportunity

Following the dismissal of the City of Greater Geelong Council in Australia in April 2016, the Victorian Government decided to engage with the community on the structure of its future local council. It was decided to create a citizens jury.

Response

MosaicLab⁹¹ was engaged by Local Government Victoria and DemocracyCo to design and facilitate discussions and activities for both the online and face to face components of the process, which asked 100 randomly selected and descriptively representative Geelong residents to deliberate on the following question: *'Our council was dismissed. How do we want to be democratically represented by a future council?'*

The Geelong Citizen's Jury was drawn representatively from the City of Greater Geelong. Over an intensive period of face to face and online forum work the Jury developed recommendations for the Victoria Minister and Cabinet to consider for the 2017 Geelong Council Election and beyond.

Outcome

The jury recommended: a bi-annually elected mayor and deputy mayor; greater emphasis on community engagement in decision-making through the use of citizens juries and committees; the use of four wards (with 11 or preferably 15 councillors); and the establishment of a Geelong on-line Portal, a Junior Council and a Junior Mayor.

The Democracy in Geelong project was a ground-breaking engagement process given that no other community in Australian had ever had the chance to design its own council's structure.

For further information see: <https://www.mosaiclab.com.au/news-all-posts/2016/12/7/case-study-geelong-citizen-jury>

In conclusion – what does better deliberative practice look like?

There is considerable evidence to support the observation that deliberative methods can

enhance the quality of participation and decision-making and provide for greater legitimacy.⁹² Mini-publics are useful in: generating a representative view of what the public considered; identifying what deliberated opinion might look like; enhancing the political literacy of participants; increasing public understanding of an issue through broadcasting or streaming the event on-line; and, they often include people that would not normally be chosen to be involved (the ‘silent’ majority).

A systematic review of best practice in participatory engagement by Nicole Moore highlights six principles of engagement that may well hold the key to their success.⁹³ The research involved a review of 33 case studies and 36 theoretical studies across both approaches. The principles of engagement are:

Inclusive representation of affected people and professionals

It is not possible to involve all people in every decision-making process. What is important is to ensure that those most affected by the issue, along with those who will ultimately be responsible for implementing solutions, are represented in the process. Affected people and professionals offer unique insights that collectively ensure solutions respond to the real-world contexts in which issues arise.

Autonomy and equality of participants

The freedom to form and transform views on a particular issue is an indication that participants are engaging with autonomy and not constrained by fixed ideas or coerced by higher power interests. Without autonomy, participants can’t genuinely consider the viewpoints of others in order to be open to new possibilities. Autonomy and equality go hand in hand since power imbalances must be addressed and participants must feel listened to and respected to contribute equally to engagement processes.

Plurality of viewpoints and engagement methods

It is important to ensure a range of viewpoints are considered when making decisions on matters of public interest. Modern societies, however, are diverse and not everyone will engage in the same way. Offering multiple engagement methods can increase the range of perspectives that contribute to public sector decisions and enhance the quality of potential solutions.

Quality process design and facilitation

High quality engagements recognise that participants are experts in their own experiences with valuable insights to share. This requires a shift in thinking from being the experts on a particular topic to being facilitators with expertise shared between participants. Public engagements must carefully balance the need for respectful collaboration between diverse ‘experts’ with the ability to provoke different opinions in order to enable innovation. Often this involves mixed methods that allow people to contribute individually, in small groups, and in large group discussions.

Transmission of citizen engagement outcomes to formal decision-making bodies

Engagement processes usually occur in informal public spaces rather than through formally constituted decision-making bodies, hence requiring some form of transmission to take effect.

Transmission can, however, be impacted by whether or not citizen generated recommendations are transferred indirectly via other stakeholder groups, or directly, to those with the power to make decisions. When recommendations are transferred via stakeholder groups, it is important to ensure the original intent of the recommendations are retained.

Citizen participation as an accepted democratic value

Political support for citizen participation has the power to increase the legitimacy and acceptance of public sector decisions. Committing to accepting, at least in-principle, the solutions offered by citizens recognises the value that their participation makes to identifying workable solutions. While it is likely to be unfeasible (and perhaps unwise) to agree in full to solutions before knowing what they are, the level of commitment should be made known before citizens agree to give up their time to participate in the first place. This includes making clear the boundaries and constraints that are not open to discussion and providing a clear remit or guiding question to focus their involvement.

As public service organisations increasingly strive to enhance public trust and improve the legitimacy of decision-making, effective engagement that represents those most affected by the decision is crucial. It is not sufficient that public sector organisations seek the views of those most vocal in their communities (the “noisy minority”) or the technocratic elite. Representation must be inclusive, equal, and diverse and give voice to the “quiet” citizens. Participants must be autonomous and supported by quality processes that allow them to be active contributors. And both governments and public sector organisations must value the input of citizens as democratic agents and commit to integrating their views and recommendations in decision-making.

6

Institutionalising citizen voice through design-led digital democracy

Government 2.0 is not a new kind of government; it is government stripped down to its core, rediscovered and reimagined as if for the first time. And in that reimagining, this...idea...becomes clear: government is...a mechanism for collective action. We band together, make laws, pay taxes, and build the institutions of government to manage problems that are too large for us individually and whose solution is in our common interest. Government 2.0, then, is the use of technology—especially the collaborative technologies at the heart of Web 2.0—to better solve collective problems at a city, state, national, and international level.

– Tim O’Reilly, *Government as a Platform*, 2010.⁹⁴

Introduction

The disconnection between the way in which citizens go about their daily lives and the ways in which democracy is practiced is no more clearly illustrated than in the area of digital democracy. Democratic institutions around the world, with few exceptions, continue to go about their business in remarkably traditional ways and have hardly been affected by new technologies. Parliamentary debates continue to require the physical presence of speakers and members to discipline and conclude proceedings and limited use is made of digital information management systems to underpin parliamentary debate. Moreover, the fundamentals of an enabling IT infrastructure in a contemporary working environment are often conspicuous by their absence. Public organisations are better resourced in this regard but operations still tend to be shrouded in secret and are largely contained within closed governmental systems. While citizens want to engage with open public services, in the main contemporary governance systems continue to operate in a world with secrets. Hence early proclamations that digital democracy would lead to “a democratic revolution in politics and public governance” or a “technological fix for basic problems of political activity and the trust of citizens in government” have thus far proved shallow.⁹⁵

Nonetheless, digital media remains a fundamental tool of participatory governance that can be used by governments and citizens alike to enhance public participation in formal politics and strengthen democratic practice. This chapter uses the concepts E-democracy, eParticipation, digital democracy and internet democracy interchangeably to describe the impact real and potential of digital media on democratic practice.⁹⁶ We can observe two digital domains where progress has been made: firstly, state directed digital governance; and, secondly, citizen directed digital politics. In regard to the former, digital governance is generally perceived as integral to central government operations in all advanced industrial states, albeit with a “culture lag” compared with certain private sector and civil society adaptations. The evidence suggests that progress is occurring in the design of public service provision but is less apparent in other areas of policy formulation and learning. This is largely due to the failure of digital governance to institutionalise citizen input into various decision-making points in the policy process and establish authentic deep participation.⁹⁷

Digital media has been deployed successfully by citizen-led initiatives and some new digital parties as a mobilization tool for enhancing *e*Participation in civic action.⁹⁸ Indeed citizen-led applications in *e*Participation appear to have been more successful than governmental-led ones. However, in the main, these too have ultimately fallen short because of their failure to impact successfully on formal political arenas of decision-making.⁹⁹ We therefore argue that the core democratic puzzle to be solved is how we can connect-up the domain of civic action with the formal political domain through digital governance in a way that strengthens democratic practice. The COVID-19 response is providing some exciting illustrations in this regard and early evidence suggests a renewed global interest in digital democracy is emerging.

The chapter is organised into four parts. Part one examines the rise of digital governance. Part two explores the contribution of design thinking to on-line citizen experience of public service provision. In part three, we review specific innovative examples of where citizen voice has been digitally embedded in formal decision processes focusing on service design, artificial intelligence, Big data analytics, and gamification. In part four, we evaluate the impact of digitisation for the enablement of civic action and identify lessons for enhancing the quality of digital governance from the COVID-19 response. Part five maps out a framework for connecting-up the domain of civic action with the domain of digital governance.

1. The rise of state-directed digital governance

Digital change made feasible by internet and web-based technologies and applications is beginning to move to centre stage in most countries around the world although progress appears to be contingent on the country's state of development and levels of public and private investment. Most countries in the world are currently undergoing a historic shift towards the establishment of Digital Era Governance (DEG) supported through Government 2.0 technology.¹⁰⁰ This process of change often challenges the established ways in which policy is made and public services are delivered, monitored and evaluated. Most significantly, it questions dominant public sector cultures and (sometimes), values and provides evidence of the differences in adaptive capacity experienced by different public services in response to new governance realities. We now live in a digital era, where public organisations are playing catch-up in respond to rapid and disruptive change in societal behaviour and industrial and economic patterns.

Table 6. 1 presents a heuristic framework that organises the key features of IT/digital creation over the past two decades into four models of public management reflecting different uses and trajectories of IT/digital governance deployed in advanced and certain developing societies. We can use this heuristic to map the trajectory of DEG across the world.

Table 6.1: Four models of bureaucracy and the role of IT and digital technology

Model	Service Architecture	Role of IT/ Digital Technology
New Public Management focus on managerial control through economy, efficiency and effectiveness and assumes <i>a world with secrets</i>	Managerial modernization focusing on disaggregation, competition and incentivization	<i>Peripheral</i> – initial tokenistic IT adoption for better service, but strong oligopolistic IT markets, weak e-Gov, no citizen/consumer role
Digital Era Governance 1 deploys new technology to enhance government’s nodality obligation at the epicentre of society’s information networks	Reintegration through shared services; digitalization of paper/phone-based systems, basic nodality; some system integration and user design	<i>Central</i> – First wave transactional e-services and static Web sites, portals – still at periphery
Digital Era Governance 2 Assumes <i>a world without secrets</i> and embraces the internet of things to enhance nodality	Acceptance of Moore’s Law (digital services reduce costs) and cost containment strengthens reintegration; proactive systems integration; more nodality; user design by default	<i>Core</i> – social media, rich media, co-production, cloud/utility IT, early ‘time-stream’ starts
DNG Digital Native Governance <i>Services co-designed with and for digital natives</i>	Inherently digital-by-design services, free or low cost scalable services displacing legacy models. Intelligent centre/devolved delivery architectures; state bureaucracy is the key nodal actor in the societal time-stream	

New Public Management (NPM) with its focus on managerial control through instruments of economy, efficiency and effectiveness provide the base-line for patterns of IT organization. NPM marginalized technological changes in favour of a managerial emphasis on organizational arrangements and strong corporate leadership. This reflects a long-running tendency of public administration to downgrade technological factors; a view that some experts have argued is being fundamentally reappraised.¹⁰¹

Digital Era Governance 1 (DEG1) interventions use technology to ‘join up’ governmental activity across departments or tiers of government, or involve attempts to create client focused agencies driven by ‘end to end’ user focused redesign of services or the development of digital platforms for the electronic delivery of services. In 2018, Denmark was ranked first with a near-perfect E-Government Development Index (EGDI) rating of 0.9150 (see Table 5.2). The EGDI assesses e-government development at a national level and is based on three components: online service index, telecommunication infrastructure index and the human capital index. These key performance indicators largely correspond with the implementation of DEG1 interventions. The highest performing countries have five features in common: high investment in on-line technologies; user design by default; digital first targets for the delivery of core transactional public services; a whole of government approach with coordination across the public service; the existence of digital coordination and design agencies; and, certain countries such as Denmark and Singapore even mandate that most of their citizens use public services online and receive email, rather than postal mail, from the government.

Table 6.2: 2018 United Nations E-government survey

Denmark	0.92
Australia	0.91
Republic of Korea	0.90
United Kingdom	0.90
Sweden	0.89
Finland	0.88
Singapore	0.88
New Zealand	0.88
France	0.88
Japan	0.88
United States	0.88
Germany	0.88

Source: UN E-Government surveys¹⁰²

Digital Era Governance 2 (DEG2) interventions both build on Digital 2.0 technologies and embrace the ‘internet of things’ exploiting opportunities afforded by the social web. In many ways, DEG2 interventions are driven by the need for government to catch-up with patterns of consumer behavior. Most citizens expect to transact with government digitally and online in the same ways that they transact with their internet or telecommunications provider. Moreover, increasing volumes of digital information relevant for public policy-making are now generated in society.¹⁰³ The distinguishing feature of DEG2 is that it assumes a world without secrets and embraces the “internet of things” to maintain the nodality of government information within domestic information networks.

Digital Native Governance (DNG) suggests the next destination of future digital governance in which government services are co-designed with and for digital natives. DNG emphasizes the central role of citizen-centric design thinking in digital governance.

2. Citizen-centred design

Public sector leaders around the world are facing a common set of challenges to meet the increased expectations of their ‘customers’, ‘consumers’, ‘clients’, or ‘citizens’ in an era of declining public trust. The core challenge faced by every organisation (public and private) is how to service its citizens and businesses, better and at a sustainable cost. To address this, public organisations need to find ways of improving the efficiency and effectiveness of their service delivery functions. This means providing value for money by improving quality of service (accessibility for all and satisfactory citizen experiences and outcomes), and where possible and appropriate, reducing the costs involved in providing those services. We argue in this chapter that digital public services can be a critical space for trust-building between government and citizen but this requires the development of citizen-centric service models that place the language of the citizen at the centre of service culture, design and delivery and embrace the mantra – “Citizens not customers – keep it simple, do what you say and say what you do”. “Citizens and not customers”, because the notion of citizenship engenders trust through an informal social contract based on rights and obligations. It helps establish a trust system between government and citizen that is based on parity of esteem and creates common ground for transactions to take place. In contrast, given imperfect access to resources, customers are inherently unequal and potentially a force for distrust.

Meeting citizen expectations inevitably requires both a better understanding of the service needs and aspirations of an increasingly segmented citizenry and a service culture that sees like a citizen and not a customer. This is why design thinking and especially co-design has moved centre stage in public sector production around the world for both on-line and off-line citizen interactions.

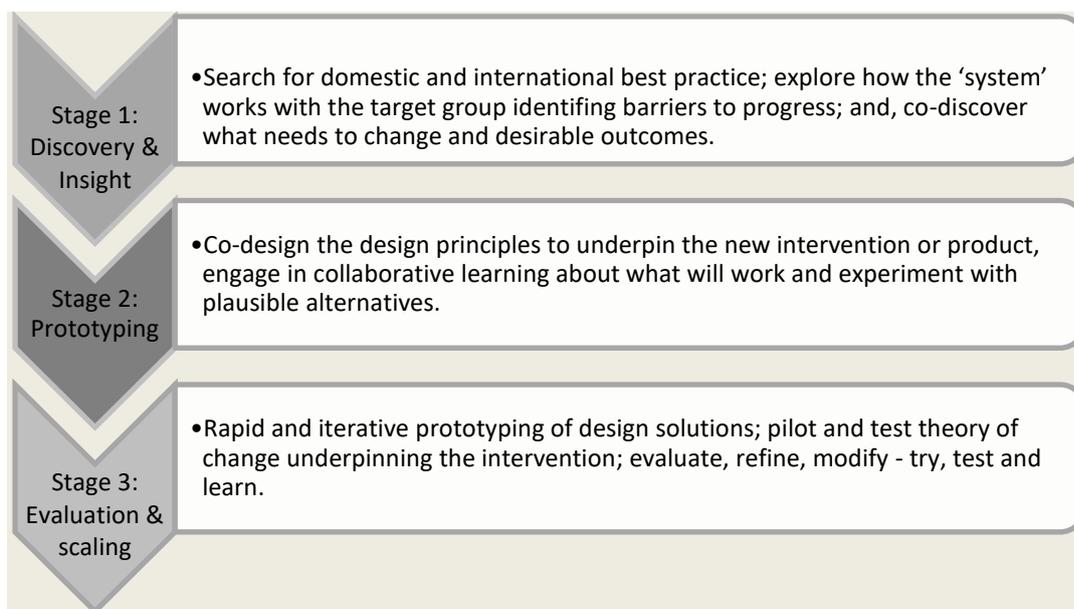
What is co-design?

Co-design is a methodology of research and professional reflection that supports inclusive problem solving in policy formulation, project development, and service design. It places the citizen, or the expert stakeholder at the centre of a planned process of collaborative learning which focuses on the achievement of very specific outcomes; such as a fit for purpose action plan or digital service.

It draws on ways of working that are commonplace in product design and formulates interventions through understanding the lives of others. Co-design has been widely used in the development of on-line services, interventions to combat various forms of marginalisation, new governance practices or policy innovation.¹⁰⁴ In sum, design thinking has become a fundamental tool of public policy design and analysis and, as we will see in the next section, is now commonplace in DEG1 public service delivery.

Co-design tends to involve three ideal-type agile stages of learning; all of which are iterative and require engagement and re-engagement between researchers, practitioners and citizens. These include: (1) discovery and insight; (2) prototyping and (3) evaluating and scaling co-design interventions. Figure 5.1 provides an illustration of an ideal-type agile co-design process used in the design of digital interventions.

Figure 6.1: Agile service design



As Richard Buchanan observes:

*One of the most significant developments of system thinking is the recognition that human beings can never see or experience a system, yet we know that our lives are strongly influenced by systems and environments of our own making and by those that nature provides. By definition, a system is the totality of all that is contained, has been contained, and may yet be contained within it. We can never see or experience this totality. We can only experience our personal pathway through a system.*¹⁰⁵

The first stage of learning involves establishing a shared representation of concerns and problems with the target group; it draws on evidence that is synthesized and tested for its robustness but it also generates a broad range of perspectives on an issue as seen by different citizens. This requires creating a learning environment that allows citizens to tell their own stories, rather than making assumptions about their preferences. This is based on the observation that citizens never experience the delivery system as a whole; just pathways through the system. We therefore seek to understand the problem through the eyes of the user. It doesn't require big numbers unlike a statistically significant survey but it does require spending quality time with a small number of participants, mapping their journeys, identifying obstacles and developing mitigating strategies.

The second stage is about creating a safe space where participants can imagine and progress towards a future rather than becoming trapped in past models or ways of thinking. It uses a creative design dynamic to encourage new ways of thinking. Some of the techniques that can be used here include getting practitioners to experience the world from the perspective of others, getting citizens to draw or capture in non-written form their perceptions of a better future and generally trying to encourage emancipation from past certainties and developing a space where creativity and learning, and taking risks, is encouraged. Beyond these process elements this stage also involves a large-scale search for alternatives, options and innovations that address the issue in focus.

The second phase of learning focuses on developing prototype interventions based on a joint commitment with key partners and developing appropriate rapid feedback research methods to support that dynamic. Here the logic is of a design experiment.¹⁰⁶ The experiment focuses on the design of an intervention as the core research problem. The techniques used at this stage will be contingent on the amount of time available to the project team. For example, the ideal type experiment would allow sufficient time to observe and manipulate the intervention over a period usually in one location, until acceptable results emerge. The experiment would progress through a series of design-redesign cycles with ongoing engagement with core participants to ensure that the intervention adjusts to the local context. The design experiment claims to provide an evidence base about 'what works' in the early stages of the development of an intervention; in addition, it may provide a staging post for a broader and more generalisable test in the future.

The third stage then reverts to a more traditional evaluation phase where collaborative options analysis takes place on the basis of assessing pilot interventions through the use of Randomised Controlled Trials¹⁰⁷ or other robust forms of evaluation such as qualitative comparative analysis.¹⁰⁸ In addition, enlightened practitioners would seek to evaluate the quality of their practice throughout the process of learning. This would include: 1) pre-engagement surveys in live cases to determine participant characteristics and the diversity of viewpoints represented in each process (note: these measures can be collected through post-engagement surveys for

completed cases); 2) post-engagement surveys to assess participant experiences, perceptions and agreement on the recommended solutions; and, 3) targeted interviews with a small number of participants or key stakeholders to unpack survey findings using reflective questioning.¹⁰⁹

3. Citizen-centric digital innovation

In a recent survey of IT thought leaders in Westminster-style democracies, informants were asked their views on which countries were trailblazing in citizen-centric DEG1 and 2 innovations and which were playing catch-up.¹¹⁰ Most informants were skeptical about international league tables, observing that data was provided by governments without any regard for the quality of implementation. The majority agreed that different countries excelled in different aspects of digital innovation. Anglophone countries, for example, have particular areas of expertise such as the Australian Tax Office’s *My Tax*, and, New Zealand’s *Integrated Data Infrastructure*.¹¹¹ And those impacted most profoundly by the Global Financial Crisis appear to have embraced digital-first service delivery such as New Zealand and the UK. Stand-out countries also tend to have a unified vision for change and invest in technical centres of excellence using design methods and behavioural science (see Table 6.3).

Table 6.3: Most frequently mentioned government exemplars

Area of innovation	Exemplar	Methods
Unified digital vision	<i>ICT Vision (Estonia)</i> <i>eGov2015 and Smart Nation Initiative (Singapore)</i> <i>Digital Strategy 2016-2020 (Denmark)</i>	<i>Design-led, whole of government, citizen-centred, behavioural insights</i>
Governance enablers (institutional mechanisms to enable and exploit digitisation)	<i>Digital Transformation Agency (Australia, www.dta.gov.au/),</i> <i>Digital Service Standards Agency (Singapore, www.tech.gov.sg/digital-service-standards/)</i> <i>Agency for Digitisation (Denmark, https://en.digst.dk/)</i>	<i>Big Data analytics, design labs with users, random control trials, small scale experiments</i>
Digital Era Governance 1 Enablers digital by default on-line services, reintegration through shared services	<i>UK’s Government Digital Service; Australian Tax Office’s My Tax; New Zealand’s Integrated Data Infrastructure; and, The US government’s data.gov.</i>	<i>User and stakeholder design, small scale experiments</i>
Digital Era Governance 2 Enablers via “The Internet of Things” and high tech defence enablers that fully exploit the opportunities afforded by the social web or build capability in Big Data analytics or Artificial Intelligence	<i>Big Data generated via satellite and drone technology (Australian GeoScience Data cube)¹¹² in areas such as environmental protection (e.g. eBird.org), and transport planning; co-production of public health interventions (e.g. Singapore’s “TraceTogether”), and for futures thinking, gamification (e.g. “Magnetic South”, New Zealand).</i>	<i>Drone, satellite and robot technologies; Big Data analytics; Co-production; and, gamification.</i>

As Box 6.1 illustrates, Singapore's *eGov2015* initiative which now forms part of the *Smart Nation Initiative* is a case in point. The unifying vision of change (*eGov2015*) became a disruptive force for affecting public sector reform stimulating cross-agency collaboration, whole of government data integration and procurement; and, outcomes-driven reform in the design and delivery of citizen-centric public services.¹¹³

Box 6.1: Digital vision – the case of eGov2015 Singapore

The challenge

The Government of Singapore has been a leader in providing digital services to its citizens for over two decades successfully tapping into advances in information and communications technology (ICT) but until recently this was generally a one-way process with limited government-citizen interaction predominantly focused on delivering information to the public.

The intervention

Singapore's "eGov2015" aimed at shifting a "government-to-you" approach to a "government-with-you" approach in its delivery of e-government services. This DEG1 vision of collaborative government is featured by high levels of co-creation and user design and significant interactions between government, citizens and the private sector.

Critical success factors

The intervention has greatly improved the citizen service delivery experience largely due to the inculcation of a citizen-centric service culture that leverages multichannel and cross-government service systems, deploys proactive communications through the use of social media, and underpins its vision with public programs to enhance IT literacy.

The public impact

Citizens and businesses in Singapore can access more than 1,600 online services and more than 300 mobile services provided by the government. Levels of citizen satisfaction and public trust have increased with the level of service maturity.

Limits of the example

Singapore is a City State featured by limited democracy and strong executive government. Few significant checks and balances constrain the operations of the executive regarding balancing privacy, cyber security and data use. Singapore citizenship is limited regarding the exercise of freedom of expression and association (see: <https://www.hrw.org/world-report/2019/country-chapters/singapore>).

For further information see: <https://www.mof.gov.sg/Portals/0/About%20Us/eGovBOOK.pdf>

There are four promising streams of DEG2 innovation for enabling digital citizen-centric governance – Robotic Process Automation (RPA) and Artificial Intelligence, 'Big Data' enabled decision-making, digitally enabled co-production of services and gamification for deepening E-participation.

Robotic process automation (RPA) and artificial intelligence

The Nadia project developed in the former Commonwealth Department of Human Services in Australia is in many ways a benchmark for measuring the degree of digital transformation occurring in mature democracies (see Box 5.2). This bold Government venture into the use of

artificial intelligence for delivering critical services to people with disability was in many a litmus test for gauging the digital imagination of one of the world's leading public service's. It was deemed high risk not because Nadia was unable to support the needs of Australians with disability but because it came in the wake of two high profile public relations disasters the on-line Census managed by the Australian Bureau of Statistics and Centrelink's 'robo-debt' debacle.¹¹⁴

It is also noteworthy that the successful deployment of Nadia would lead to the closure of call centres in key marginal constituencies in an election year! Nadia was thus stalled due to political pressure. But think of the potential role of machine learning informed assistive technologies such as Nadia in other areas of democratic governance. If we wanted to, we could create virtual direct democratic assemblies with our own personal avatars in attendance advancing our individual preferences compiled through machine learning. Deliberative processes such as citizens' juries, assemblies, and parliaments could work in a similar way. Of course, the X, Y and millennial generations familiar with popular culture are wise to the potential pitfalls of allowing robots, avatars or international corporations (e.g. the fictitious Skynet) take-over the management of our democratic processes. Nonetheless, there is an urgent need for national and international conversations to take place on the ethical questions underpinning the role of technology in democratic advance to prevent democratic backsliding.

Box 6.2: Robotic process automation and artificial intelligence—the case of NADIA

The challenge

The National Disability Insurance Scheme (NDIS) was introduced by the Gillard Labor Government in Australia on 1 July 2013. It is being progressively rolled out and is not due to be completed until 2020. It represents a major reform of disability support in Australia and emerged from years of heated debate about problems with existing disability support arrangements. Under the NDIS, people with disability and their families and carers co-design a plan of supports which is developed and tailored to their individual needs. The NDIS is thus viewed as an empowering social policy. However, as a consequence of early piloting of the scheme it became evident that participants would require significant assistance to help them navigate the complex information landscape in the disability space. The "Nadia project" was therefore established to help people navigate the NDIS with the help of a virtual assistant ("Nadia") – a highly advanced artificially intelligent communication system.

The intervention

NADIA is an avatar – an artificially intelligent public servant who works for the National Disability Insurance Agency (NDIA). She was created by Dr Mark Sagar from the University of Auckland, creator of Baby; an Oscar winner well known for his CGI work on Avatar, King Kong and Spider Man 2. Nadia possesses qualities of emotional intelligence co-designed with a group of Australians experiencing various forms of disability and their carers. Oscar winner Cate Blanchett is the voice of Nadia.

Critical success factors

This was a classic example of the integration of design thinking with the latest cognitive technology developed by the then IBM Watson team.

The public impact

Despite outstanding success in pilots and the approval for roll-out from the NDIA Board, the programme has been frozen. Sources close to the project suggest that a combination of fear for a repeat of the ABS Census and Centrelink's 'robo-debt' debacles have stymied Government's appetite for risk in an election year.

For further information see: <https://www.themandarin.com.au/106473-nadia-the-curious-case-of-the-digital-missing-person/>

‘Big Data’ and better decision-making

The US government has been one of the most active in leveraging Big Data to support government decision making. In 2009, it gave open data a legal and privacy framework that led to the creation of data.gov, a repository of government tools, resources, and information on a broad range of policy-oriented data.¹¹⁵ In all, more than 200,000 data sets are available to help businesses, knowledge institutions and private citizens conduct research, develop web and mobile apps, and create design visualizations. Data.gov’s tenth anniversary in May 2019 coincided with the Open Government Data Act, which as part of the Foundations for Evidence Based Policymaking Act, became law.¹¹⁶ The Open Government Data Act requires federal agencies to publish their information online as open data, with their metadata included in the Data.gov catalog. Competitions, such as *Apps for America* and *Apps for Democracy*, have also been established to attract talented developers to build applications that use government data. Most mature democracies are following suit.

Digitally enabled co-production of programmes and services

New technologies are proving highly effective in enabling the co-production of programmes and services with citizens in a broad range of areas from environmental protection to public health. For example, citizen science is an invaluable part of ornithology, as the regular collaboration between the public and science helps scientists map the distribution and movements of birds across the world. Bird watchers around the world record their observations in the eBird database and application informing the creation of new maps showing the expected flying range of each species.¹¹⁷

In the social sciences, Volunteer Science Inc, is a C-corporation originally developed out of Northeastern University with the mission to “make online methods of behavioral research widely available to researchers and engage people all over the world in behavioral science”. It provides an on-line platform enabling anyone to participate in social science research and in particular, Massively Open Online Social Experiments (“MOOSEs”).¹¹⁸ A good example of a MOOSE, in this case a social survey, was launched at Imperial College London in April 2020 and posed two key questions.¹¹⁹ What impact has the lockdown in response to COVID 19 had on our mental health, and what determines how people cope with isolation? These questions form part of a crowd-sourced project, *The Great British Wellbeing Survey*. The work builds on the success of the *Great British Intelligence Test*, a collaborative project with BBC Horizon that assesses the nation’s intelligence and wellbeing. The results for the project, were based on online tests and a detailed questionnaire, completed by more than 330,000 people in the UK since late December 2019.

The impact of digitally enabled technologies for co-producing services has been particular evident in the sphere of public health. Prior to the invention of the Kardia basic electrocardiogram (ECG) application for iPhones, iPads, or the iWatch, ECG analysis, required an attending GP, a hospital room with a large ECG machine, full-time technicians to operate and maintain the machines, and appointments were made days in advance. ECG applications

for iPhones, iPads, or the iWatch now allow for daily (or more frequent), convenient heart rate and pattern monitoring with auto-uploads of results to the Cloud and via email to physicians.

Possibly the highest profile current example of a digitally enabled technology for co-producing a public health intervention are contact tracing applications used to combat the spread of the COVID-19 virus. Many countries have either developed their own applications (e.g. Australia's, "COVIDSafe", Hong Kong's "StayHomeSafe", India's "Aarogya Setu", Israel's "The Shield" or Singapore's "TraceTogether"), retrospectively analyse GPS location data from those that later test positive (e.g. China, South Korea and Taiwan) or utilise Bluetooth Google-Apple technology (e.g. Germany and the UK).

Gamification

Gamification can be used to strengthen citizen participation in on-line engagement of different kinds – policy deliberation, futures thinking, service design – through amusement or fun deploying game mechanics or game-design elements in nongame contexts.¹²⁰ Through games, participants can experiment, explore options and evaluate trade-offs in a safe, pressure-free environment. Play builds greater knowledge of the problem from both the perspective of designers and citizens and allows for a more targeted approach that fits the behavioural features of a segmented audience.¹²¹ Gamification can include multiplayer computer games involving large, diverse audiences, or single player computer games for a small target audience. Gamification does not have to be hi-tech. It can also include more traditional board games or role plays.¹²² Box 6.3 provides examples of different forms of gamification.

Box 6.3. Examples of gamification

Massive multi-player games

Magnetic South was one of a series of Christchurch City Council-supported public engagement activities following the major earthquakes in Christchurch, New Zealand, which destroyed much of the city. The project used the Foresight Engine, a MMORPG (Massive Multiplayer Online Role-Playing Game), run by the Institute of the Future and played with almost a thousand people over a two day period. Players generated cards, ideas and strategies for rebuilding the city, with 8,889 micro forecasts. See: https://www.researchgate.net/publication/255711601_Foresight_20_-_Definition_overview_evaluation

Single player games

Viewpoint ACASI (audio computer assisted self-interviewing) is a web based method that engages vulnerable children and young people in a gaming environment and helps them communicate difficult views, opinions, wishes and feelings. Viewpoint Interactive uses graphics, speech, and animated assistants. Game breaks occur to maintain interest in the topic for discussion. It is particularly useful in gaining the insights of marginalised groups into the quality of the social inclusion programs that they receive or in family futures mapping. See: <https://www.vpthub.com>

Traditional games

Democracy 100 is a board game designed by Democracy 2025 and ThinkPlace to help a target audience (in this case 100 members of various Australian elite networks) design a Charter for Champions of Australian Democracy. Participants were organised into groups of 10 and provided with a deck of 35 democracy playing cards in three different colour sets corresponding with three

national survey questions: what do you think are Australia's most important democratic values? What should the responsibilities of champions of democracy be? What could be done to strengthen our democracy? Each card represented one of the top 10 most frequently mentioned responses to national survey questions. Five wild cards were also provided so that participants could write in their own preferred answers if they could think of something better. Each table deliberated on each of the questions and compiled a Charter for Democracy Board from their responses to the questions. Table responses were then aggregated and distilled into one Charter representing the views of the deliberative forum as a whole. *See: democracy2025.gov.au.*

4. Citizen-led digital democracy

We noted at the outset of this chapter that digital media has been deployed successfully by citizen-led initiatives and some new digital parties as a mobilization tool for enhancing eParticipation in civic action.¹²³ Indeed, there is significant evidence that citizen-led applications in eParticipation appear to have been more successful than governmental-led ones.¹²⁴ Two prominent examples are worthy of detailed examination here –digital parties and on-line national issue forums.

The rise of the digital parties

The concept of the 'digital party' has over the last decade become a new blueprint for political party organization and has been behind the success of the Pirate Parties in Northern Europe, Podemos in Spain, France Insoumise in France and the 5-Star Movement in Italy. The digital parties or "digital populist" parties, coined because of their integration of populist rhetoric with digital campaigning techniques, began as on-line protest movements and transitioned into political parties due to their ability to capture the political imagination of young activists due to the promise of political transformation. As Paolo Gerbaudo, author of *The Digital Party* (2019) observes traditional forms of party organization based on delegate democracy and the establishment of mass party memberships are slowly giving way to digital movements in which we find younger political activists who have been politicized by events such as the 2010 student protests and the Occupy movement:

These people tend to be suspicious of delegate democracy, of the heavy intermediation that it involves, and of the cadres who carry out these tasks. They are less keen on endless physical meetings, when compared to older and more ideological militants, and believe that all members should be empowered to participate directly in important decisions whenever possible.¹²⁵

Digital parties have developed on-line platforms or "participation portals" to engage directly with their activists such as *LiquidFeedback* for Pirate parties in Northern Europe, *Rousseau* in the Five Star Movement in Italy, and *Participa* in Podemos in Spain. These platforms allow party members to make decisions on party leadership, candidates and policies; create and join local groups; donate to the movement; download campaign material and attend online training sessions for activists and prospective candidates. These mobilization tools are available via mobile applications, allowing easy access from any point and at any time:

...participatory platforms such as the ones listed above have become the 'digital heart' of new political organisations: the space in which the digital assembly of members is periodically summoned to discuss and decide on important issues affecting their

organisation. In this context, the platform comes to substitute the multi-tier bureaucratic structure of mass party of the industrial era, which in present digital times is perceived to be too heavy and convoluted to allow for effective organisation and mobilisation.

It is noticeable, however, that the most successful digital parties have only been able to link-up arenas of digital politics with formal political arenas of decision-making where they have had significant electoral success.

National issues forums

National Issues Forums were established by the Kettering Foundation in the United States in the mid-1990s.¹ The Foundation convenes an annual US-wide network of over 3,000 locally sponsored public forums of varying sizes and selection procedures to discuss selected issues. The Foundation then collates papers on the findings which it distributes to elected officials. The UK sought to emulate this device in June 2003 with the ‘GM Nation’ Public Debate. This was organized at arms-length by government as part of a national consultation on genetically modified foods involving 675 open community meetings. Organizers also convened ten ‘narrow but deep’ deliberative groups a fortnight apart generating views on issues that arose in the meetings.

There are a number of digital methods currently in use globally to facilitate on-line deliberation, ranging from the simple use of websites for information-giving to more interactive processes that allow citizens or stakeholders to ‘converse’ online or participate in processes that emulate conventional participative processes. The two participative processes most commonly used are Online Forums and Structured Templates or Open Space Technology. Open Space Technology is often referred to as “Open Space” for short. This is a meeting framework that allows unlimited numbers of participants to form their own discussions around a central theme. The method is highly dynamic and effective at generating enthusiasm, as well as commitment to action. These types of initiatives can be used: to monitor public opinion on key issues; as a source for participants for more in-depth processes, such as focus groups; and, engaging the public in the development of new policy areas. Nonetheless, there remains a systemic skepticism about the merits of on-line deliberation in contrast with face-to face deliberation with most leading deliberative practitioners confining on-line engagement to building the knowledge of participants and general monitoring and evaluation processes.² It will be interesting to see whether the increasing use of digital conferencing applications throughout the COVID 19 outbreak breaks the orthodoxy of deliberative democracy.

¹ Retrieved 17 December 2019 from <https://www.nifi.org/>.

² See, for example, Healthy Democracy pioneers of the Citizens’ Initiative Review process, retrieved 19 May 2020 from: <https://healthydemocracy.org/cir/>.

In conclusion – connecting-up civic action with digital governance

As we noted above, digital media has been deployed successfully by citizen-led initiatives and some new digital parties as a mobilization tool for enhancing eParticipation in civic action.¹²⁶ Indeed citizen-led applications in eParticipation appear to have been more successful than governmental-led ones. However, in the main, many of these too have ultimately fallen short because of their failure to impact successfully on formal political arenas of decision-making. This final section draws on an exemplar case study of a government-led participatory intervention prompted by citizen pressure that led to the creation of a vibrant, multi-dimensional e-participation initiative – “Decide Madrid”. This will help us to establish some key lessons for how we can connect-up civic action with digital governance which has particular resonance in a post-COVID 19 world. Box 6.4 presents the key features of the case in terms of the innovation challenge, the multi-faceted intervention, critical success factors, public impact and the limits of the example.

“Decide Madrid” is a particularly instructive case study given that it emerged from citizen pressure for greater participation to ensure the integrity of the representative system of government. It is also an example of a government co-creating an on-line deliberative system to maximise participation in different areas of decision-making (policy and service design,

Box 6.4: The City Council of Madrid’s Decide Madrid

The challenge

Austerity measures following the Global Financial Crisis, combined with high profile instances of political corruption combined to exacerbate low levels of citizen trust in traditional politics, politicians and political institutions. This created the space for the emergence of new movements such as the “15M movement” committed to challenging the established political order, cleaning up politics and introducing participatory governance. The success of this movement led to the rise of new political parties such as “Podemos” which formed a coalition with other political parties under the banner “Ahora Madrid”, won the election and governed the city of Madrid from May 2015 to May 2019.

The intervention

“Ahora Madrid”, included a commitment to “encourage the participation of citizens in the management of the city, involving them in the generation of innovative and viable ideas and proposals, in order to improve their quality of life” (“Decide Madrid”).¹²⁷ This aim manifested in the creation of an e-Participation system with five channels of participation (debates, proposals, polls, processes and participatory budgeting) allowing for citizen impact in agenda-setting, policy analysis and preparation and policy formulation and monitoring.

Critical success factors

In Spain, the right to direct citizen participation is recognized in the 1978 Constitution (articles 23 and 29) and Law 40/2015 provides for online petitions with 10 per cent public support. “Decide Madrid” also enjoys strong political support; high rates of broadband connectivity (91.7%); robust technical capability; and, a culture of co-production of public services through vibrant neighbourhood associations. “Decide Madrid” also utilised open source software, Consul, which has been successful operated in more than 100 organisations around the world and drew rational lessons from the award winning on-line consultation forum *Better Reykjavik*.¹²⁸

The public impact

In a forensic evaluation of “Decide Madrid”, significant impacts were achieved in terms of internet penetration, platform accessibility, guidelines and procedures, increased on-line capability and citizen influence on decision-making for proposals and participatory budgets.¹²⁹

Limits of the example

Limitations were also identified in terms of sustaining citizen interest, transparency, facilitation of and feedback on certain initiatives and the security of the platform.¹³⁰

For further information see: <https://www.mdpi.com/2071-1050/12/4/1674>

monitoring and evaluation). So what particular lessons can we draw from the case study for connecting-up civic action with digital governance. These include technical and design issues.

Technical lessons*Functional technology*

On-line engagement needs to be based on principles of citizen centred design with a “mobile first approach” given its reach – intuitive, accessible in multiple ways (via search engines or while browsing through the website), reflecting different citizen journeys at different entry and exit points with jargon-free communication of information. Machine learning should be used to assess interventions with the highest levels of “quality” participation. Landing page design must be easily navigable with linear flow of content and clear signposting for citizens to the next piece of content to read.

Intuitive content

Citizens want access to information that is seamless and easily accessible – i.e. it should not mirror the fragmented nature of government internal structures and content should not be dispersed across multiple agencies, platforms and technologies (e.g. various applications and websites). To achieve this aim jurisdictions should have a single portal for public participation; a trusted, one-stop-shop that is accessible from all devices, in one location. Citizens want the language and tone of the content to connect at the individual level – “talk to me as a citizen not as a consumer”. Content should be communicated in plain English and not bureau speak. Designers should be encouraged to think differently about how they can use content and different mediums to encourage engagement and enhance political literacy through, for example, uploading compelling case studies that illustrate the citizen story from idea to action and developing “packaged content” that is easily sharable.

Channels of communication

The platform and its content needs to be promoted through a targeted and integrated marketing strategy which includes: relevant social media channels; email marketing; referrals from trusted intermediaries; and, referrals in the form of direct links on other government websites. Potential collaborations include educational and research institutions, industry associations, professional registration bodies and leveraging off existing networks from relevant jurisdictions of government.

The website needs to continue to monitor and optimise its search ranking so that it can easily be found in search engines such as Google. Citizens “don’t know what they don’t know” and often turn to Google first, when searching for answers. Attracting citizens to the site through relevant Google searches is an excellent way to attract citizens for information and looking to participate. This needs to be continually monitored and optimised, to ensure the website is keeping up with search engine algorithm changes.

Design issues

Successful digital engagement requires the establishment of on-line systems that are:

- clear in scope and purpose
- deploy appropriate engagement methods that work for the target group
- are representative in composition with co-designed processes
- underpinned by evidence-based outputs and clearly articulated outcomes to guide process and decision-making
- professionally moderated
- sensitive to context
- responsive to participants through ongoing engagement that demonstrates the value of their participation; and
- subject to ongoing evaluation and review, to ensure continuous improvement.

This final observation is particularly important. Quality participation requires more understanding of the difficulties of working with citizens to change the ways decisions are made and implemented. Despite the enormous growth of digital participatory practice and theory, there is still little shared understanding among all those involved; particularly government.

Digital practice has emerged from many disciplines and in many sectors, often quite separate from each other, and the lack of effective communication across these disciplines and communities of practice has limited the opportunities for shared learning and the effective development of theory and practice. However, there is significant evidence in this chapter that developments in design thinking can provide public managers with a unique opportunity to establish a community of practice in digital citizen-centric governance devoted to the creation and delivery of public value.

In sum then, digital public participation which recognizes the importance of design and the need to share power can radically improve the quality of life. It can contribute to creating more active citizens, help in the management of complex problems in public service design and delivery, foster new collaborative relationships required for 21st century governance, and develop political literacy, skills, confidence, and ambition in the citizenry.

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Conclusion to Part two: Towards quality participation

Public participation is not a panacea for all our democratic problems. Given the flourishing of participatory methods around the world, particular in the US, the key question that arises is why are they having so little impact on the body politic? The main conclusion from this section is not that more participation is needed but that quality participation is needed aimed at integrating citizen input into policy-making processes, building active citizenship and ensuring public trust. This requires the establishment of participatory governance systems that are:

- clear in scope and purpose
- deploy appropriate engagement methods
- inclusive in composition with co-designed processes
- underpinned by evidence-based outputs and clearly articulated outcomes to guide decision-making and operational delivery
- sensitive to context
- responsive to participants through ongoing engagement that demonstrates the value of their participation; and
- subject to ongoing evaluation and review, to ensure continuous improvement.

This final observation is particularly important. Quality participation requires more understanding of the difficulties of working with citizens to change the ways decisions are made and implemented. Despite the enormous growth of participatory practice and theory though, there is still little shared understanding among all those involved; particularly government.

Participatory practice has emerged from many disciplines and in many sectors, often quite separate from each other, and the lack of effective communication across these disciplines and communities of practice has limited the opportunities for shared learning and the effective development of theory and practice. However, there is significant evidence in chapters five and six that developments in design thinking can provide public managers with a unique opportunity to establish a community of practice in citizen-centric governance devoted to the creation and delivery of public value.

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- ¹ Amartya Sen (1999), *Development as Freedom*, Oxford, Oxford University Press.
- ² For a detailed assessment see Merkel and Kneip, eds., 2019.
- ³ See: Rosanvallon, 2008 and Merkel and Kneip eds., 2019.
- ⁴ See: European Institute for Public Participation, 2009; Involve, 2005; Parkinson, 2004 and Nesta, 2019.
- ⁵ Hetherington and Husser, 2012, p. 312. Jocelyn Bourgon (2009) notes that trust in government has been declining since World War Two. Indeed, Rowe and Frewer (2000), Abelson *et al.* (2003), and Leighninger (2010), all argue that increased public engagement in policy-making can be seen as a response to a loss of faith in government institutions.
- ⁶ See John Parkinson, 2018 for a detailed exposition.
- ⁷ See Graham Smith, 2003 for the seminal account.
- ⁸ See Brian Head (2008), ‘Wicked Problems in Public Policy’, *Public Policy*, 3, 2, pp. 101-118.
- ⁹ See: Held, 2006 and Beetham et al, 2002 and 2008.
- ¹⁰ See: Goodin, 2008; Smith, 2009; Hendriks, 2011; Ercan and Dryzek, 2015; and, Ercan et al, 2017.
- ¹¹ For a detailed exposition of this argument see: Claudia Chwalisz, ‘The populist signal’, policy network, retrieved 17 December 2019 from <http://policy-network.net/publications/4918/The-Populist-Signal>; David Van Reybrouck, ‘Why elections are bad for democracy’, retrieved 7 August 2020 from: <https://www.theguardian.com/politics/2016/jun/29/why-elections-are-bad-for-democracy>; and, Tim Dunlop, ‘Voting undermines the will of the people – it’s time to replace it with sortition’, retrieved 7 August 2020 from: <https://www.theguardian.com/australia-news/2018/oct/14/voting-undermines-the-will-of-the-people-its-time-to-replace-it-with-sortition>.
- ¹² Rosanvallon’s (2008) counter democracy presents a detailed theorisation of how to integrate representative and participatory forms of democracy.
- ¹³ See, for example: Felicetti, A., Niemeyer, S. & Curato, N., (2016), ‘Improving Deliberative Participation: Connecting Mini-Publics to Deliberative Systems’, *European Political Science Review*, 8, 3, pp. 427-448 and Parkinson, J. (2018), *Deliberative Systems* in Andre Bächtiger, John S. Dryzek, Jane Mansbridge, and Mark Warren, eds., *The Oxford Handbook of Deliberative Democracy*, Oxford University Press.
- ¹⁴ For a review of three decades of research and practice see Carole Pateman (2012), ‘Participatory democracy revisited’. *Perspectives on Politics* 10 (1): 7–19. For work on the varieties of democratic innovation that are available see Graham Smith (2009), *Democratic Innovations* Cambridge, Cambridge University Press.
- ¹⁵ For a detailed account of different methods of public participation see: Involve Organisation (UK), (2005), ‘People and Participation. How to put the citizens at the heart of decision-making’, London, Involve. Retrieved 9 April 2020 from: <https://www.involve.org.uk/resources/publications/practical-guidance/people-and-participation>; and, Nesta (2019), *Our futures, by the people, for the people*. Retrieved 9 April 2020 from: https://media.nesta.org.uk/documents/Our_futures_by_the_people_for_the_people_WEB_v5.pdf#page=1&zoo=auto,-107,842
- ¹⁶ See, for example, Arnstein’s eight ladder of citizen participation (1969, p. 217) developed in 1969.
- ¹⁷ See the International Association for Public Participation (IAP2) as an exception in this regard at <https://www.iap2.org>.
- ¹⁸ Matt Qvortrup, 2013, p. 9.
- ¹⁹ Jon Elster, ed. (1999), *Deliberative Democracy*, Cambridge, Cambridge University Press, p. 1.
- ²⁰ See Nelson Dias (2018), *Hope for Democracy: 30 years of participatory budgeting worldwide*, Oficina. Retrieved 7 August 2020 from: <https://www.oficina.org.pt/hopefordemocracy.html#>
- ²¹ See: <https://www.conventioncitoyennepourleclimat.fr/> and <https://www.climateassembly.uk/>. Retrieved 7 August 2020.
- ²² See Mark Evans and Nina Terrey (2017), ‘Co-design with citizens and stakeholders’ in Gerry Stoker and Mark Evans (eds) (2016) *Evidence-based policymaking in the social sciences: Methods that matter*. Bristol: Policy Press, pp. 243-262 and John Boddy and Nina Terrey (2019), *Design for a Better Future: A guide to designing in complex systems*, Routledge.
- ²³ Adapted from IAP2 at <https://www.iap2.org>.
- ²⁴ See, for example, ChangeFest at: <https://changeifest.com.au/> Retrieved 16 December 2019.
- ²⁵ There are many outstanding resources for evaluating participatory modes of governance in practice but two are particularly useful. The *Participedia* project (see: <https://participedia.net/>) led from the University of British Columbia and the Ash Center for Democratic Governance and Innovation at Harvard crowdsource, catalogue and compare participatory political processes around the world contributing to public understanding of what works in democratic practice. Healthy Democracy (see: <https://healthydemocracy.org/>) is a US-based nonpartisan nonprofit organization that designs and coordinates innovative deliberative democracy programs. Healthy Democracy pioneered the Citizens’ Initiative Review process.

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- ²⁶ For the full report see:
https://data.oireachtas.ie/ie/oireachtas/committee/dail/32/joint_committee_on_the_eighth_amendment_of_the_constitution/reports/2017/2017-12-20_report-of-the-joint-committee-on-the-eighth-amendment-of-the-constitution_en.pdf. Retrieved 7 August 2020
- ²⁷ Retrieved 7 August 2020 from: <https://www.pewresearch.org/global/2017/10/16/globally-broad-support-for-representative-and-direct-democracy/>
- ²⁸ See Danny Kahneman's (2011), *Thinking Fast and Slow*, Penguin books.
- ²⁹ See Richard H. Thaler and Cass R. Sunstein's (2008), *Nudge: Improving Decisions About Health, Wealth, and Happiness*, Yale University Press.
- ³⁰ John Haskell, 2001.
- ³¹ Daniel Lewis, 2013, p. 3.
- ³² David Altman, 2011.
- ³³ See David Altman's *Direct democracy worldwide* (2011) and Matt Qvortrup's *Direct democracy* (2013), for two broad ranging accounts of the recent use of referenda.
- ³⁴ The following data is sourced from Ballotpedia. Retrieved 7 August 2020 from: https://ballotpedia.org/2016_ballot_measures.
- ³⁵ An initiative, also known as a popular or citizens' initiative, is a means by which a petition signed by a certain minimum number of registered voters can force a government to choose to introduce a law or hold a vote in parliament in what is called an indirect initiative. The proposal is immediately put to a plebiscite or referendum. In an indirect initiative, a measure is first referred to the legislature, and then put to a popular vote only if not enacted by the legislature. In a direct initiative, a measure is put directly to a referendum.
- ³⁶ He Beogang 2002, p. 77.
- ³⁷ Arnesen, S., Broderstad, T. S., Johannesson, M. P., & Linde, J. (2019), 'Conditional legitimacy: How turnout, majority size, and outcome affect perceptions of legitimacy in European Union membership referendums'. *European Union Politics*, 20(2), 176–197. Retrieved 7 August 2020 from: <https://doi.org/10.1177/1465116518820163>
- ³⁸ David Altman, 2011, p. 89.
- ³⁹ See Gregg Strauss, 2016, 'The positive right to marry'.
- ⁴⁰ See: Retrieved 27 February 2020 from: <https://www.independent.co.uk/news/uk/politics/david-ferguson-eu-referendum-poisoning-british-politics-theresa-may-brexite-trump-travel-ban-a7704131.html>
- ⁴¹ See: Retrieved 27 February 2020 from: https://peoplesvote-in.nationbuilder.com/forms/user_sessions/new
- ⁴² See: Retrieved 27 February 2020 from: <https://www.economist.com/briefing/2019/05/30/the-brexite-referendum-and-the-british-constitution>
- ⁴³ See: University College London, Constitution Unit (2019), 'Citizens' Assembly on Brexit'. Retrieved 27 February 2020 from: <https://www.ucl.ac.uk/constitution-unit/research/deliberative-democracy/citizens-assembly-brexite>.
- ⁴⁴ For an alternative approach see: Retrieved 27 February 2020 from: <https://www.cgdev.org/blog/8-principles-direct-democracy>
- ⁴⁵ See Michael J. Koplow, "After Erdogan's Referendum Victory Turkey's Polarization Will Only Deepen" *Foreign Affairs*, April 16, 2017. Retrieved 30 March 2020 from: <https://www.foreignaffairs.com/articles/turkey/2017-04-16/after-erdogans-referendum-victory> and Matt Qvortrup's, "The Rise of Referendums: Demystifying Direct Democracy", *Journal of Democracy*, 28, 3, July 2017: 141-152.
- ⁴⁶ See: Retrieved 27 February 2020 from: https://www.suhrkamp.de/buecher/faktizitaet_und_geltung-juergen_habermas_58126.html
- ⁴⁷ This definition encompasses and develops various strategies of localism described by Hildreth (2011) and further developed by Evans, Marsh and Stoker, 2013.
- ⁴⁸ Hildreth, 2011.
- ⁴⁹ Stoker, 2004.
- ⁵⁰ Penny, 2017.
- ⁵¹ Nye, 2004.
- ⁵² Stoker, 2004.
- ⁵³ Evans, 2013 in Evans et al., eds., 2013.
- ⁵⁴ Ibid.
- ⁵⁵ For ungovernability and political overload arguments see Beer, 1977, King 1996, Parsons 1982 and Moran, 2018.
- ⁵⁶ In the aftermath of the United Kingdom parliamentary expenses scandal, a number of Members of Parliament involved in wrongdoing resigned as MPs following related court cases—for example, Eric Illsley, whose resignation caused the Barnsley Central by-election, 2011, and Denis MacShane, who caused the Rotherham by-election, 2012, were cases brought up by supporters of recall to allow voters to "sack" MPs who break the

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- rules. See: United Kingdom, Parliamentary Debates, House of Commons, 25 May 2010, vol 510, col 32; United Kingdom, Parliamentary Debates, House of Commons, 1 March 2011, vol 524, cols 145–7.
- ⁵⁷ This is distinct from the use of ‘collective recall’, a form of citizens’ initiated election used in Switzerland, Germany and Japan.
- ⁵⁸ We are not focussing here on the removal of members of Parliament by way of an early general election. For this, see Twomey, A. ‘The recall of members of parliament and citizens’ initiated elections’, *UNSW Law Journal Volume 34*, 1: 41-70.
- ⁵⁹ UK House of Commons, PRC (2012), “Right to Recall MPs” PCRC Report June, 2012. Retrieved 8 April 2020 from: <https://publications.parliament.uk/pa/cm201213/cmselect/cmpolcon/373/373.pdf>
- ⁶⁰ Twomey, p.70.
- ⁶¹ Department for Communities and Local Government (2011), *Communities in the driving seat: a study of Participatory Budgeting in England Final report*, DCLG Publications. Retrieved 8 April 2020 from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/6152/19932231.pdf
- ⁶² For insights into the participatory budgets in England during the global financial crisis and their problems see: <https://www.involve.org.uk/sites/default/files/field/attachemnt/Participatory-budgeting-and-t...-for-Arts-Council-England.pdf>; and, <https://www.theguardian.com/local-government-network/2011/aug/12/participatory-budgeting-localism-big-society>
- ⁶³ See: Larsen H.O. (2002), *Directly Elected Mayors — Democratic Renewal or Constitutional Confusion?* In: Caulfield J., Larsen H.O. (eds), *Local Government at the Millenium*. Urban Research International. VS Verlag für Sozialwissenschaften, Wiesbaden. https://doi.org/10.1007/978-3-663-10679-1_6
- ⁶⁴ Independent Evaluation Group (2005), ‘The Effectiveness of World Bank Support for Community-based and –Driven Development’, Washington, World Bank, available on-line at: <http://www.worldbank.org/ieg/cbdcdd/> (accessed 20 June 2019).
- ⁶⁵ See Barakat ed., 2005; Barakat and Evans, 2012.
- ⁶⁶ See Evans, Barakat, Strand and Brown, 2006.
- ⁶⁷ Ibid.
- ⁶⁸ Ibid.
- ⁶⁹ Tony Benn MP, Farewell speech in the UK House of Commons, Hansard, 22 March 2001, retrieved 7 April 2020 from: <https://publications.parliament.uk/pa/cm200001/cmhansrd/vo010322/debtext/10322-13.htm>
- ⁷⁰ John Dryzek and Simon Niemeyer (2012), *What is deliberative democracy?* Centre for deliberative democracy and global governance. Retrieved 17 December 2019 from <https://deldem.weblogs.anu.edu.au/2012/02/15/what-is-deliberative-democracy/>
- ⁷¹ See Andrea Felicetti, Simon Niemeyer and Nicole Curato 2016 for a full assessment.
- ⁷² This issue is addressed by Carolyn Hendriks and John Dryzek 2007 and Carolyn Hendriks 2011.
- ⁷³ See Selen Ercan 2014 for a detailed appraisal.
- ⁷⁴ For further detail on America Speaks methodology see: <http://ncdd.org/rc/item/tag/21st-century-town-meeting/>. Retrieved 17 December 2019.
- ⁷⁵ See: <https://www.democracyfund.org/blog/entry/farewell-to-americaspeaks>. Retrieved 17 December 2019. <http://www.fisherwilliamson.com/downloads/APPAM.UNOP%20Paper.pdf>.
- ⁷⁶ See the following insightful blog by Joe Goldman for an overview of America Speaks achievements. Retrieved 17 December 2019 from: <https://www.democracyfund.org/blog/entry/farewell-to-americaspeaks>.
- ⁷⁷ “*My administration is committed to creating an unprecedented level of openness in Government. We will work together to ensure the public trust and establish a system of transparency, public participation, and collaboration. Openness will strengthen our democracy and promote efficiency and effectiveness in Government*” (President Obama, 21 January 2009). Retrieved 7 August 2020 from the Obama Archives at <https://obamawhitehouse.archives.gov/open>.
- ⁷⁸ Retrieved 7 August 2020 from <http://www.tekno.dk/about-dbt-foundation/?lang=en>
- ⁷⁹ As an independent body of government the DBT received an annual subsidy from the Danish Parliament to allow them to carry out their research (DBT, 2012a). In addition to this, ‘[t]he Ministry of Research is the supervising authority for the Board and the Parliament’s Research Committee is the Board’s steady liaison to the Parliament’ (DBT, 2012a). As part of its work, the DBT submits an annual paper to Parliament (DBT, 2012a). As these ties demonstrate, the Foundation primarily influences policy debate through its direct relationship with the Parliament and the government.
- ⁸⁰ For a detailed assessment see: Einsiedel et al., 2001 and Dryzek and Tucker, 2008.
- ⁸¹ See for example Blok: 2007; Dryzek and Tucker: 2008; Einsiedel et al.: 2001; Goodin and Dryzek: 2006; and, Hendriks et al., 2007.
- ⁸² In 2010, the Danish Board of Technology won the Jim Creighton Award which is awarded by the International Association for Public Participation (IAP2) (DBT, 2012d).

- ⁸³ Appreciative Inquiry (AI) is a similar approach for creating a vision and planning to achieve it. AI does this through understanding and appreciating the past, as a basis for imagining the future. See Fung, 2006.
- ⁸⁴ Richey 2011, p. 2. For a discussion, see Martin Carcasson (2016), ‘Tackling wicked problems through deliberative engagement’, *National Civic Review*, 105, 1, pp. 44-47.
- ⁸⁵ Retrieved 7 August 2020 from: <https://www.ipsos.com/en/two-thirds-citizens-around-world-agree-climate-change-serious-crisis-coronavirus>
- ⁸⁶ Since 2018, the UK has initiated citizens assemblies in recent years on: how adult social care in England should be funded long-term (UK Parliament, 2018); the future of Scotland (Scottish Government, 2019-2020) and Wales (National Assembly for Wales, 2019); Congestion, and, air quality and public transport (Greater Cambridge Partnership, 2019), amongst many others. Retrieved 7 August 2020 from: <https://www.climateassembly.uk/about/citizens-assemblies/>
- ⁸⁷ Retrieved 7 August 2020 from: <https://www.climateassembly.uk/> and <https://www.theguardian.com/environment/2019/nov/02/thousands-britons-invited-take-part-climate-crisis-citizens-assembly>
- ⁸⁸ See Graham Smith, ‘Citizens assemblies: how to bring the wisdom of the public to bear on the climate emergency’, *The Conversation* 27 June 2020. Retrieved 7 August 2020 from: <https://theconversation.com/citizens-assemblies-how-to-bring-the-wisdom-of-the-public-to-bear-on-the-climate-emergency-119117>.
- ⁸⁹ Retrieved 7 August 2020 from: <https://www.climateassembly.uk/news/interim-briefing-covid-19-recovery-and-path-net-zero-be-published-tomorrow/> and <https://www.wri.org/blog/2020/05/sustainable-recovery-french-citizens-assembly>.
- ⁹⁰ Planning Cells in Germany operate in a broadly similar way with a number of deliberating groups running in parallel in a longer, multiple stage process. See P. Dienel, 2005.
- ⁹¹ For further details of the work of Mosaiclab see <https://www.mosaiclab.com.au> retrieved 17 December 2019.
- ⁹² See: Robert Goodin and John Dryzek 2006; Andre Bächtiger, John Dryzek, Jane Mansbridge, and Mark Warren, eds., 2018.
- ⁹³ Nicole Moore, *Co-design and deliberative engagement: what works*, Democracy 2025 Report No.3, retrieved 7 August 2020 from <https://www.democracy2025.gov.au/documents/Democracy2025-report3.pdf>
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- ⁹⁵ See, for example: H. Rheingold (1993), *The Virtual Community*, Reading MA, Addison Welsey and in critique: M. Hindman (2008), *The Myth of Digital Democracy*, Princeton, Princeton University Press and J. van Dijk (2012), ‘Digital democracy: vision and reality’, in I. Snellen and W. van de Donk, eds., *Public Administration in the Information Age Revisited*, Amsterdam, IOS books, p. 49 (49-62).
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- ⁹⁸ The seminal book in this regard is W.L. Bennett and A. Segerberg (2013), *The logic of connective action: Digital media and the personalization of contentious politics*, Cambridge, Cambridge University Press.
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