Response to Request for Research
12/8/2006

Parliamentary e-Participation
A comparative analysis of parliamentary use of Internet technology to interact with citizens.

Owen Witesman
Parliamentary Development Project for Ukraine
Indiana University, 410A SPEA
Bloomington, IN 47405
(812) 855-9744
owitesma@indiana.edu
## Table of Contents

Table of Contents ........................................................................................................ 2  
Executive Summary .................................................................................................... 3  
Introduction ................................................................................................................. 4  
E-Mail ......................................................................................................................... 6  
E-Petitioning ............................................................................................................... 8  
E-Consultation .......................................................................................................... 13  
Conclusion ................................................................................................................ 14  
Appendix A: Important Websites ............................................................................. 15  
Appendix B: Enabling Legislation ......................................................................... 17  
  Scotland ................................................................................................................. 17  
  Germany ................................................................................................................ 17  
  Estonia ................................................................................................................... 17  
Works Cited .............................................................................................................. 19
Executive Summary

Many legislative bodies around the world have been experimenting with ways of using Internet technology to increase citizen participation. This movement uses various names such as e-Consultation, e-Democracy, e-Participation, and e-Petitioning, depending on the particular technology employed. In general, these technologies are still at a rudimentary stage and few projects have progressed beyond being experiments. The core of two-way electronic communication between citizens and legislatures continues to be email. In a few locations e-Petitioning systems, which mimic and augment existing paper petitioning practices have also met with success.

Integrating email into existing practices for communication between legislators and the public appears to have occurred without significant difficulty. In most cases statutes regarding legislators’ and public officials’ responsibilities to respond to public inquiries and petitions have simply been altered to include email in the list of official methods of communication. In countries with strong petitioning systems, where there is often a parliamentary committee devoted entirely to handling petitions, Internet-based e-Petitioning systems have met with enthusiastic acceptance.

E-Democracy collaboration systems in which citizens discuss and debate with each other and government representatives about legislative issues have not yet reached a level of sophistication that many governments have integrated such a system into the policy making process.

Given the current state of e-Participation, investments in this area beyond the enhanced use of email and perhaps e-Petitioning should be considered experimental.

All of the projects reviewed in this report are parliament-level initiatives.
**Introduction**

For this report over a dozen European and North American legislative websites were reviewed, in addition to relevant academic and government research publications, in order to evaluate the current state of electronic means of communication between legislative bodies and the public. Many legislative bodies around the world have been experimenting with ways of using Internet technology to increase citizen participation in the legislative process. This movement uses various names such as e-Consultation, e-Democracy, e-Participation, and e-Petitioning depending on the particular technology employed. In this report, ‘e-Participation’ will be used as a general term to refer to all electronic means of participation in the legislative process.

In general, e-Participation technologies are still at a rudimentary stage and few projects have progressed beyond being experiments. The core of two-way electronic communication between citizens and legislatures continues to be email. In a few locations such as Scotland, Germany, and Estonia, e-Petitioning systems, which mimic and augment existing paper petitioning practices have also met with success (OECD 2001a). Some progress has been made with e-Consultation in the UK. E-Consultation refers to a government soliciting comments from the public using electronic means (e.g. electronic “notice and comment”).

Integrating e-Participation mechanisms such as email and e-Petitioning into existing practices for communication between legislators and the public appears to have occurred without significant difficulty. In most cases statutes regarding legislators’ and public officials’ responsibilities to respond to public inquiries and petitions have simply
been altered to included electronic means in the list of official methods of communication.

Given the current state of e-Participation, investments in this area beyond the enhanced use of email and perhaps e-Petitioning should be (and generally are) considered strictly experimental (Macintosh 2004). It remains difficult to evaluate the success of e-Participation projects in the absence of established theoretical frameworks, not to mention the issue of cost-effectiveness (Macintosh 2004). Critical factors for success by any measure include integrating e-Participation into established processes, commitment by key political leaders, and avoiding untested technologies (OECD 2004; Mahrer 2005). As with other information technology projects, it is important to approach e-Participation cautiously, making sure that political leadership is combined with technical expertise to make sure that projects are both desirable and feasible (Cats-Baril 1995; Barber 2001; OECD 2001b). Attention should also be paid to so-called “digital divide” issues, since disparities between the access of different groups of citizens to Internet resources has significant ramifications for the representativeness of any political activity engaged in online (Krueger, Jr et al. 1998; Compaine 2001; Norris 2001; Gant, Gant et al. 2002; Jaeger 2004; OECD 2004).

It should be noted that this report focuses only on national-level projects. The landscape of e-Participation projects at other levels of government (local, county, international) is very different, with some of the more interesting projects being at the local level. In addition, non-legislative projects have not been considered. Executive branch and individual agency initiatives have not been considered.
E-Mail

This survey revealed the wide-spread use of email to facilitate communication between legislators and citizens. The most common way this is implemented is by posting email addresses for each legislator on the parliamentary website. Additionally, parliamentary committees generally have a central email address posted on the parliament website. Emails are generally reviewed by assistants and committee staff before receiving attention by legislators. This appears to vary depending on the size of the nation. In smaller nations it is more likely that a legislator will review his or her email personally.

Some nations, such as Estonia, require government bodies other than individual legislators to respond to all citizen inquiries in some fashion within 30 days. Other than this case, it appears that few legislators or committees are under statutory requirements to respond to all inquiries or comments made by the public.

In some instances where parliamentarians represent their local constituencies rather than the populace at large, for example in the United States House of Representatives, citizens are encouraged to contact their own representatives rather than committees.

Parliaments also generally offer a central information service. Inquiries can be made by phone, post, or email about the general operations of the parliament and current events. However, these information services generally do not accept inquiries or petitions about pending legislation. In cases where citizens contact central information offices about these matters, they are referred on to the appropriate committee or legislator, or often to a portion of the parliament's website.
In nations with a strong petitioning framework, such as the UK, Scotland,\(^1\) and Germany, the petitions committee functions to some extent as a general clearinghouse for citizen input regarding existing legislation. Petitions are accepted by a variety of means, now including email, fax, and e-Petitioning, and then forwarded to other appropriate committees if the petition is deemed to be of sufficient merit.

There are a number of important technical issues related to the use of email communication between parliamentarians and the public. First, posting email addresses on websites invites spam email (i.e. unsolicited junk email). Spam is often accompanied by dangerous computer viruses and even dealing with otherwise harmless junk email takes up precious time and computing resources. Computer programs known variously as “spambots”, “spybots”, or simply “bots” automatically scour the Internet looking for email addresses to add to spam mailing lists.

Every effort should be made to eliminate spam email before it starts. There are two primary methods for combating this phenomenon before it begins. Email addresses can be “cloaked” so that even though a human user sees a normal email address on the screen, the actual computer code that a spambot would read only contains an encrypted version of the email address. Another approach is to not actually post email addresses, but to provide a link to an email form, which allows the user to enter his or her message using the parliamentary website itself. This second approach is used relatively frequently on parliamentary websites. The previous approach, while common elsewhere on the Internet, is not common on parliamentary websites. There is no good technical reason for

---

\(^1\) Although a part of the UK, the Scottish parliament has somewhat different requirements for citizen petitioning of the parliament. In Scotland it is much easier to file a petition, due to the legalistic language required for all-UK petitions (see Hansard (2006). Tellparliament.net Interim Evaluation Report. R. Ferguson. London, Hansard Society.).
not using cloaking to protect email addresses; this process can be automated in any advanced Content Management System (CMS) if it is not handled out of the box.

Spam email can also be intercepted when it is received by the parliament’s email server and before it is delivered. This is common practice around the world. Content analysis algorithms are constantly updated to detect possible spam messages and virus protection software scans emails to remove dangerous attachments. Problems are not uncommon with server-side scanning of this type flagging innocuous messages as dangerous, but if industry standards are followed and server software is kept up to date, the benefits far outweigh the costs. An additional level of email filtering observed during this study was found in the UK, where any email sent to parliament is rejected if it is addressed to more than one recipient in the parliament. This appears to be an attempt to require people to correspond directly with single individuals and departments rather than broadcasting inquiries to many people at once, which can end up wasting time as multiple people are forced to address the same inquiry at once.

**E-Petitioning**

In nations with strong public petitioning mechanisms, electronic petitioning may be a viable means of increasing public participation in policymaking. This study found that Estonia, Germany, and Scotland have all set up successful e-Petitioning services that have received enthusiastic participation by the citizenry. Like other “e” services, successful e-Petitioning is founded on successful traditional petitioning mechanisms (see Appendix B: Enabling Legislation). Taking petitioning online adds an additional opportunity for citizens to voice their opinions who may or may not have participated in traditional petitions. The main advantage of e-Petitions over traditional petitions is that
access to the petition is based on access to the Internet, not physical contact with those initiating the petition. This allows petition organizers to reach geographically separated groups of people without large investments in advertising or volunteer canvassing. The downside is that only citizens who are online will be reached, and even then it is unclear how people will get word of new petitions unless they happen to look at the e-Petition website.

Since 1999 the Scottish parliament has been working with British Telecom and the International Teledemocracy Centre and Napier University in Scotland to develop an electronic petitioning system for the Public Petitions Committee of the parliament. The tool developed, e-Petitioner\(^2\), has been in use by the parliament since at least 2002 and the ITC’s contract was recently renewed. E-Petitioner has received an eGovernment good practice label and was selected as a finalist for an eEurope award for eGovernment in 2005. In 2005 it was also adopted by the German Bundestag.\(^3\) E-Petitioner is a parliament-level project, although strong support by the Public Petitions Committee was critical for it to succeed.

The e-Petitioner system allows citizens to create petitions requesting revisions to laws or suggesting new laws. Other citizens are then able to engage in discussions about the proposed petitions online and electronically sign their names to the petition if they so wish. Once the set period for the petition has passed (usually 4-6 weeks), the petition is forwarded with all gathered signatures to the Public Petitions Committee, which then processes it like any other petition. The current rate of petitions submitted through e-Petitioner is between 1 and 5 per month, which appears to be a significant portion of all

\(^2\) http://epetitions.scottish.parliament.uk/
\(^3\) http://itc.napier.ac.uk/e-Petition/bundestag/
petitions submitted. The German version of e-Petitioner appears to operate in a similar fashion. The interface is identical to that used in Scotland. This is a good example of a government reducing risk in information technology development by borrowing a proven system from another nation.

Estonia has developed a somewhat different strategy to e-Petitioning due to differences in the Estonian constitutional context. Although the Estonian parliament has been active in using their website to interact with the public, there is no strong right to petition parliament in Estonia similar to that found in Germany and Scotland. However, citizens do have the right under the Response to Petitions Act to make petitions and requests for information to government officials. The text of the Act appears to allow petitions to be addressed to the Parliament, but not to individual members of parliament. In practice, however, it appears that petitions are generally directed to agencies of the executive, not the legislature. Proposals for changes to law resulting from successful petitions are made by the government to the parliament. In 2001 the Response to Petitions Act was amended by section 60 of the Public Information Act to allow for electronic delivery and signature of petitions.

To facilitate the electronic submission of petitions to the government, the State Chancellery of Estonia commissioned Inversion Software to build an e-Petitioning system now named “Täna Otsustan Mina (TOM)” [Today I Decide]. This system functions much like e-Petitioner, although with some additional democratic elements.

---

4 The Estonian parliament’s website has a relatively unique feature that allows users to ask questions of the information service, which are then posted online. This means that once one person has asked a question, other visitors to the website can also see the answer. See Appendix A: Important Websites.
5 https://www.riigiteataja.ee/ert/act.jsp?id=820158 (in Estonian)
6 http://www.esis.ee/ist2004/106.html (in English)
7 http://www.inversion.ee/
8 https://www.eesti.ee/tom (in Estonian)
Once a citizen creates a new petition, 10 days are allowed for debate. Then the author has 3 days to modify the petition based on comments received. 3 more days are then allowed for registered users to vote on the petition. If the petition receives a majority of positive responses, it is then sent to the State Chancellery to be forwarded to appropriate ministry. This departs from the Scottish model, where all petitions are forwarded on regardless of the level of support for them among the system users. The addressee then has 30 days to respond. Responses are posted on the TOM website. One technological difference in the TOM website is that the system is integrated with the national smart ID card system, thus allowing easy verification of user identities. Traditional registration is still possible using an online form, but the clear direction in Estonia is towards integration of identity databases. It appears that in the past two years over 100 petitions have been successfully submitted and received responses from the government using TOM.

Not much is yet known about how best to organize and manage e-Petitioning. However, some general best practices have begun to emerge from the research and evaluation literature. First, innovative efforts must be made to publicize the system. One of the primary obstacles to effective e-Participation in any form is informing the public that the systems exist. Simply putting a website online does not alert anyone to its existence. Links to e-Participation platforms from parliamentary websites are certainly important, but will only reach people who happen to visit the website and happen to notice the link. It is important that any e-Participation initiatives be publicized through as many channels as possible. Channels that do not require large budgets include the following: mentioning initiatives in interviews, issuing press releases, partnering with representative organizations, email lists, leaflets and posters, holding launch events that
will draw media attention, and asking members of parliament to mention initiatives when speaking to constituent groups (OECD 2004; Hansard 2006). More resource-intensive advertising campaigns may include online banner ads on e.g. newspaper websites or search portals, cinema advertisements, television advertisements, or billboards. This class of advertising will likely be most cost-effective if used to publicize large-scale e-democracy platforms that will host debates or petitions regarding many different topics.

Another emerging best practice is that online debate forums must have clear “rules of engagement” (Macintosh 2004). It is important that forums have clear rules about the type of language, level of civility, etc. that will be acceptable. Along with this, some level of moderation/enforcement must be present. Moderation is more important in more open forums, but it is always necessary that at the very least users can report the offensive or inappropriate behavior of other users (Coleman and Gøtze 2002). Issues of censorship can arise, which makes it key to lay out clear guidelines for civility initially. It is also preferable that anonymous users not be allowed to post messages in forums or submit petitions. Anonymous users should only be able to read forum posts and petitions.

Experience has shown that online consultations must be moderated in some way; Otherwise they become “free-for-alls” in which not only civility is lacking, but no conclusions or consensus ever emerge (Coleman and Gøtze 2002; Hansard 2006). Moderators can take many roles, including hosts, discussion facilitators, arbitrators, and information sources. Above all, each participant should feel that his or her contributions are respected and that the debate is fair and open (Coleman and Gøtze 2002).
E-Consultation

One of the more successful e-Consultation projects currently in use is the UK’s TellParliament.net. Like email inquiries and e-Petitioning, e-Consultation in the UK is simply an electronic version of an existing practice and thus required no significant new legislation. In the UK, public consultation or comment is not required on legislative acts under consideration by parliament, but it is generally possible for citizens or groups to submit opinions on matters before committees. Committees may also actively solicit public input during the evidence gathering stage of their deliberations. TellParliament.net now allows parliamentary committees to solicit public comment online.

TellParliament.net is a parliament-wide project, which committees may choose to participate in.

TellParliament.net has received positive feedback from parliamentary committee members and staff, who say that it has given them a broader range of opinions and experiences than they get from the experts and institutions that normally participate in committee deliberations (Hansard 2006).

Recommendations developed through e-Consultations hosted by TellParliament.net have been of sufficient quality to be included in final select committee reports (Hansard 2006). Program evaluation suggests that e-Consultations can engage citizens who had never before engaged parliament directly (Hansard 2006). The number of citizens participating in e-Consultations will not necessarily be very large. The intent is not to host an online referendum, but rather to give interested citizens a way to express their views and knowledge in more depth than usually allowed by surveys (Hansard 2006).
Conclusion

E-Participation holds great promise for increasing the number of channels citizens and citizen groups have at their disposal for influencing policy-making as well as giving policy-makers more tools for accessing the expertise and experience the public has. Many positive developments have occurred since 2000 in the areas of e-Participation and e-Consultation. However, email continues to be the main electronic means of two-way communication between legislators and the public. Best practices for the use of email are well established, and appropriate approaches to more advanced technologies are also developing. Care should be taken in evaluating what resources to allocate to which new technologies and established technologies should be favored over experimental projects if the main purpose of the project is to facilitate citizen participation in the legislative process.
Appendix A: Important Websites

Parliamentary Websites and Official e-Participation Projects

Canada: www.parl.gc.ca
Denmark: www.folketinget.dk
Germany: http://www.bundestag.de
  E-petitioning system: www.bundestag.de/ausschuesse/a02/onlinepet/server.html
Czech Republic: www.psp.cz
Estonia: www.riigikogu.ee
  QA board: www.riigikogu.ee/?c_tpl=1041&rep_id=31508
  QA in Estonian (more active): /www.riigikogu.ee/?c_tpl=1041&rep_id=31506
  E-petitioning system: https://www.eesti.ee/tom
Finland: www.eduskunta.fi
  E-participation forum (reopening Jan 2007): www.otakantaa.fi
Ireland: www.oireachtas.ie
  E-Consulation pilot: www.eConsultation.ie
Italy: www.camera.it
Netherlands: www.tweedekamer.nl
Scottish parliament: www.scottish.parliament.uk
  E-petitioning system: epetitions.scottish.parliament.uk
Spain: www.congreso.es
Sweden: www.riksdagen.se
UK: www.parliament.uk
  E-consulation system: www.tellparliament.net
US Congress: www.house.gov

General E-Government Websites

EU eGovernment Good Practice Framework: www egov-goodpractice.eu
International Teledemocracy Centre: itc.napier.ac.uk/
DEMO-net eParticipation network: www.demo-net.org
EU Commission online chats: ec.europa.eu/chat/index_en.htm

Extensive E-Democracy Publications Available Online

Stephen Coleman & John Gøtze, Bowling Together: http://www.bowlingtogether.net/
Hansard Society Publications:
  ICT Foresight - consultation and campaigning in the age of participatory media,
  http://www.hansardsociety.org.uk/assets/ICT_Foresight_-_campaigning_and_consultation.pdf
TellParliament.net Interim Evaluation Report:
  http://www.hansardsociety.org.uk/node/view/567
OECD:
Policy Brief: Checklist for e-Government Leaders:
http://www.oecd.org/LongAbstract/0,2546,en_2649_37441_11923038_119696_1_1_37441,00.html
Appendix B: Enabling Legislation

Scotland

STANDING ORDERS OF THE SCOTTISH PARLIAMENT
2nd Edition (10th Revision, October 2006)
(http://www.scottish.parliament.uk/business/so/sto-c.htm)

Rule 6.10 Public Petitions Committee

1. The remit of the Public Petitions Committee is to consider public petitions addressed to the Parliament in accordance with these Rules and, in particular, to—

   (a) decide in a case of dispute whether a petition is admissible;
   (b) decide what action should be taken upon an admissible public petition; and
   (c) keep under review the operation of the petitions system.

Germany

BASIC LAW OF GERMANY
(http://www.bundesregierung.de/Webs/Breg/EN/Federal-Government/FunctionAndConstitutionalBasis/BasicLaw/basic-law.html)

Article 17

Everyone shall have the right individually or jointly with others to address written requests or complaints to the competent agencies and to parliaments,

Article 45c

1. The Bundestag shall appoint a Petitions Committee to deal with requests and complaints addressed to the Bundestag pursuant to Article 17
2. The powers of the Committee to consider complaints shall be regulated by federal law.

Estonia

RESPONSE TO PETITIONS ACT


Summary: any citizen can make an inquiry or petition to nearly any government official or body (except a member of parliament) about actions of that official or agency. The addressee is required to reply with an explanation or other response within 30 days.
§ 60. Amendment of Response to Petitions Act

The Response to Petitions Act (RT I 1994, 51, 857; 1996, 49, 953; 2000, 49, 304) is amended as follows:

3) subsection 7 (1) is amended and worded as follows:
   "(1) Memoranda and petitions shall be submitted in clearly legible written form and shall be delivered in person or by post, fax or electronic mail.";
4) section 7 is amended by adding subsection (5) worded as follows:
   "(5) Petitions and memoranda sent to electronic mail addresses need not be autographically signed but shall be signed digitally, or each petition shall set out the name and number of the identity document and the personal identification code."
Works Cited


Compaine, B. M. (2001). The Digital Divide: Facing a Crisis Or Creating a Myth?


