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E-public, e-participation and e-voting in Europe - prospects and challenges

This STOA Briefing Note gives an overview of the main concepts of e-democracy, as well as its role in fixing the current democratic deficit of Europe and in supporting a possible future European Union (EU) citizenship. It is based on a STOA project, which ran from January 2010 to September 2011, including two workshops, on 17 March 2011 ('E-Democracy') and 26 May 2011 ('E-Participation').

WHAT IS E-DEMOCRACY?

How can the Internet contribute to the development and establishment of a genuinely European public political sphere (e-public)? How can public organisations profit from opening up their processes to a wider public audience (e-participation)? Is voting electronically a realistic means to increase electoral turnout and what are the conditions for its success (e-voting?) These three central questions are at the heart of the concept of e-democracy.

SUMMARY OF FINDINGS

• The build-up of a comprehensive system for e-voting in Europe cannot be recommended for the time being. The reasons for this are primarily cost-benefit considerations, technological issues and reasons of political legitimacy.

• The development of a European public sphere (e-public) requires an active citizenry endowed with political rights, as well as with a sense of identity which motivates engagement and political concern. Developing a European public sphere would be greatly facilitated by the implementation of a European citizenship (and vice versa).

• E-participation of the public in the work of public institutions, when related to policy-making processes on the level of the European institutions, could constitute a new right granted by the European citizenship (beyond the right to vote).

IS E-VOTING ADVISABLE?

The study investigated the expectation of an increase of electoral participation by making available e-voting at elections. The study neither found convincing theoretical nor sound empirical evidence that could support this expectation. In the e-voting cases analysed there was no indication for a sustainable increase in voter participation at national elections. Despite a striking deficit of data, observers cited in this analysis had good reasons to conclude that offering e-voting has in fact not motivated additional people to vote. It is quite plausible to suggest that those people who used the e-voting option would have cast their ballot anyway. And in cases where an increase in voter turnout has actually been observed, a causal relationship with the e-voting option could not be identified. Instead, other, context-related factors explained the increase more plausibly.

Technological issues also play an important role in the debate on e-voting. Whereas the supporters of e-voting are optimistic that safe and reliable systems will be available very soon, opponents of e-voting say that e-voting will never reach an acceptable level of security and reliability, as hackers will always find ways to manipulate the system. In fact, researchers and programmers today admit that systems that are theoretically secure are not useable on a large scale and, vice versa, that useable systems are not secure. This means that the technological development of such systems has to be observed closely and the outcome of pilot projects and systems used on different administrative levels should be monitored in order to determine when the time has come for European e-voting activities.

Political legitimacy is the most important issue at stake when thinking and deciding about e-voting. Elections are at the core of representative democracy and the main challenge is to transfer the democratic principles of equal, direct, universal, secret and free suffrage into the digital age. E-voting systems which cannot fully address all of these issues and which trade democracy requirements for user friendliness, efficiency or cost savings should be generally rejected.

FORMING A EUROPEAN CIVIL SOCIETY AND INVOLVING IT INTHE EU POLICY-MAKING PROCESS?

The integration of e-participation in the policy-making process can help to support the ongoing formation of a European civil society (e-public). Civil society organisations extensively use the Internet for internal communication and organisation, as well as for raising public interest and campaigning. There are also examples that this form of civil society politics can develop into transnational ways of exchange and political communication. In this respect, civil society organisations contribute to the formation of partial public spheres, which are vital for participation. It will be decisive to what

extent European institutions are willing and able to be responsive to these ongoing activities. This would imply actively opening up the e-participation and e-consultation processes being set up by the European institutions beyond (scientific) expert communities by actively inviting civil society organisations to contribute with their views and arguments. E-participation as a means of improving responsiveness to civil society can be regarded as an element of a "politics of a European civil society". A European civil society evolves partly as an effect of European institutions opening up agenda setting and policy formulation for citizens and civil society organisations in Europe.

To arrive at a realistic assessment of the potential of e-participation, this specific form of political participation has to be seen in the context of wider societal developments. Political participation and the role of the public sphere as its major "incubation chamber" are undergoing significant and, in some cases, contradictory transformations and challenges in Europe: e.g. declines in voter turnout, but an increase of elite-challenging forms of political articulation, a persistent if not increasing cleavage between EU institutions and EU citizens, and the lack of a European public sphere. They signal democratic deficits calling for appropriate counterstrategies. The institutional response with reforms towards an opening of EU governance to civil society and participatory democracy can be interpreted as a "participatory turn" which promises a greater role for various modes of participation in the political process across the whole policy cycle, including a demand for e-participation in particular. Knowledge and expertise of civil society and citizen participation required for coping with growing problem complexity in the governance of advanced societies add to this demand. On the other hand, the multitude of bottom-up generated e-participation initiatives is evidence for the existing interest in engagement in issues of relevance for EU policy and represents a potential that EU institutions should act on.

SUPPORTING THE CREATION OF A EUROPEAN CITIZENSHIP?

A European public sphere includes and requires an active citizenry endowed with political rights, as well as with a sense of belonging and identity which motivates engagement and political concern. European citizenship cannot be based on common language and traditions, but only on a sense of belonging to a political community with shared values and rights. E-participation as such, when related to relevant policy-making processes on the level of European institutions, would constitute a new element of European citizenship beyond the right to vote. It provides an additional democratic form of European citizenship which – if successfully established – could also help to foster European citizenship in its subjective or cultural meaning. However this would imply organising e-participation in a way that is accessible, transparent and meaningful to the European citizenry. It must be clear where there are opportunities for citizens to raise their voice and at the same time it must be clear in which way and to what end e-participation spaces are related to the very core of policy-making. From what is known from e-participation exercises at all levels, participants do not expect to rule out or bypass the representative democratic structures. On the other hand it is also obvious that a lack of responsiveness of political institutions to formats of online participation leads to disappointment on the participants' side that in the long run would be detrimental to any process of developing feelings of citizenship.

FIXING THE DEMOCRATIC DEFICIT OF THE EU?

European institutions have embraced new technological means to support and facilitate e-participation, e.g. with a variety of initiatives of the European Commission and the European Parliament to interact with the public about EU policy issues (e-consultations and discussion platforms at Your Voice in Europe, presence in social networks, Citizens Agora, e-petitions, etc.). These provisions indicate the strengthened efforts at the EU level to foster a participatory culture and a democratic dialogue between citizens and EU institutions. Despite important contributions, in particular the broadening of civic participation in EU policy processes with respect to the range of civil society organisations and individual citizens, the current state of (e-) participation supplied at the European level so far did not bring the democratic boost hoped for.

A major reason for the limited success is that these top-down created opportunities for citizens to become involved in political processes often address too broad or abstract issues (e.g. "the future of Europe"). Also, the consultations are too much focused on institutionalised expert communities and too little on citizens and communities of practice. While expert input is without any doubt crucial, a stronger focus on the wider public would at least increase the visibility of these instruments and contribute to the deliberative profile of EU policy-making. This also shows the need to revise a consultation regime susceptible to confine the integration of the wider public to a mere "participation strategy" with little impact on policy deci-sions, in contrast to the use of input from interest organisations and expert groups.

The significant increase in bottom-up (e-) participation initiatives represents an increasing demand for stronger political involvement in the public sphere beyond the established political institutions. Several of these civil society driven forms of (e-) participation enable civic engagement, where top-down initiatives often do not succeed. Thus, to counteract the diagnosed democratic deficit of the EU, top-down offers for public participation are not sufficient as they fail to integrate the particular nature of the European public sphere.

OUTLOOK

E-voting is not a vehicle for European integration, European citizenship or the development of a European public, but it may be the result of such a development. Thus, forms of democratic participation which do not require such high levels of formality should be supported in the first place. In this respect it will be interesting to see what the European Citizens Initiative (ECI) and other transnational participatory projects will be able to achieve.

Stimulating the formation of a European public sphere via (e-) participation and reaping the benefits of e-participation potentials for strengthening democracy at EU level calls for an integrative approach, also with respect to the heterogeneous structure of the public sphere as a set of partial publics. The following (interrelated) issues to be considered should constitute major elements:

- Bringing top-down and bottom-up e-participation initiatives together

- Reconsidering the role of national and regional levels

- Increasing the visibility of (e-) participation offerings

- The European Citizens' Initiative as a window of opportunity

Properly designed, these activities can stimulate further development towards more participation and deliberation in the political system and the European public sphere.