



EUROPEAN PARLIAMENT

Science and Technology Options Assessment

STOA

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

FINAL REPORT

(IP/A/STOA/FWC-2008-96/LOT4/C1/SC2)

PE 471.584



DIRECTORATE GENERAL FOR INTERNAL POLICIES
POLICY DEPARTMENT E: LEGISLATIVE COORDINATION AND CONCILIATIONS
SCIENCE AND TECHNOLOGY OPTIONS ASSESSMENT

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

Final Report

Abstract

How can the Internet contribute to the development and establishment of a genuinely European public (e-public)? What are good practices for e-participation in Europe and how can public organisations profit from opening up their processes to a wider audience (e-participation)? Is e-voting a realistic means to increase electoral turnout and what are the conditions for the success of e-voting? These are the main questions being dealt with in this report, which is the final report of the STOA-project on e-democracy.

The report includes the analysis and insights of a research and consultation project in which three scientific institutes, eleven external experts as participants of two workshops and several Members of the European Parliament were involved. The aim of the project, which went from January 2010 to September 2011, was to analyse current developments in the area of e-democracy and to relate the insights to the European policy context, especially to the needs of the European Parliament.

Within the three areas of e-democracy covered in the study, e-voting is the area in which the recommendation to the European Parliament is the most explicit: Based on the analysis, 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. Underlying the analysis was the conviction that elections are at the heart of the democratic process and that existing and working election routines in the countries will not be changed without good reasons.

Concerning e-public and e-participation the report argues that a European public sphere includes and requires an active citizenry endowed with political rights as well as with a sense of identity which motivates engagement and political concern. European citizenship cannot be based in common language and traditions but only in 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 to organise 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.

This project has been carried out by the Fraunhofer Institute for Systems and Innovation Research (ISI), Karlsruhe (project co-ordinator), together with the Institute of Technology Assessment (ITA), Vienna and the Institute for Technology Assessment and Systems Analysis (ITAS), Karlsruhe, as members of ETAG.

AUTHORS

Bernd Beckert (Fraunhofer ISI), project leader
Ralf Lindner (Fraunhofer ISI), project leader
Kerstin Goos (Fraunhofer ISI)
Leonhard Hennen (ITAS)
Georg Aichholzer (ITA)
Stefan Strauß (ITA)

RESPONSIBLE ADMINISTRATOR

Peter Ide-Kostic
Science and Technology Options Assessment
Directorate E: Legislative Coordination and Conciliations
DG Internal Policies
European Parliament
Rue Wiertz 60 - RMD 00J016
B-1047 Brussels
E-mail: peter.ide-kostic@europarl.europa.eu

LINGUISTIC VERSIONS

Original: EN

ABOUT THE EDITOR

To contact STOA or to subscribe to its newsletter please write to:
stoa@europarl.europa.eu

ISBN: 978-92-823-4030-1
DOI: 10.2861/13630

Manuscript completed in September 2011.
Brussels, © European Parliament, 2011.

This document is available on the Internet at:
http://www.europarl.europa.eu/stoa/default_en.htm

DISCLAIMER

The opinions expressed in this document are the sole responsibility of the author and do not necessarily represent the official position of the European Parliament.

Reproduction and translation for non-commercial purposes are authorized, provided the source is acknowledged and the publisher is given prior notice and sent a copy.

CONTENTS

Contents	3
Executive Summary	6
Introduction	12
Part A: E-public in Europe: The European public sphere and the Internet	18
1. Introduction	19
2. The democratic function of the public sphere	21
3. Democratic governance and the public sphere in Europe	22
3.1. European citizenship	23
3.1.1. National and trans-national citizenship	24
3.1.2. EU politics and citizenship	24
3.1.3. European citizenship in the making?	26
3.2. The regulatory state and the European civil society	27
3.2.1. Civil society and the character of EU politics	28
3.2.2. New forms of governance	29
3.3. The European public sphere – a space for deliberation?	30
3.3.1. The current state of a European space for political communication	30
3.3.2. A European public sphere in the making?	32
4. The Internet as a public sphere	35
4.1. The Internet as a platform for political deliberation	35
4.2. The Internet and the trans-national public sphere	36
5. Concluding remarks	41
References	44
Part B: E-participation in Europe	48
1. Introduction	49
2. The role of e-participation in the democratic process	51
2.1. Participatory democracy in EU governance	51
2.2. Levels and types of e-participation	54
2.3. Relevance across the policy cycle	55
2.4. Functions and potential effects	56

3. Scope of e-participation	60
3.1. Governmental and parliamentary e-participation activities	61
3.1.1. E-consultations	62
3.1.2. E-participatory budgeting	63
3.1.3. E-petitions	65
3.1.4. E-deliberation	65
3.2. Electronic participation channels offered by EU institutions	68
3.3. Civil society and NGO e-participation activities	71
3.3.1. E-activism and e-campaigning	72
3.3.2. E-participation as continuous discourse	73
3.4. Bridging top-down and bottom-up e-participation?	75
3.4.1. The European Citizens' Initiative	77
4. European good practices	81
4.1. Selected cases	81
4.1.1. The Scottish ePetitioner	81
4.1.2. Participatory budgeting Berlin-Lichtenberg	82
4.1.3. www.Theyworkforyou.com	85
5. WORKSHOP ON e-PARTICIPATION	87
5.1. A European e-public: Chances and restrictions of an Internet-mediated public opinion in Europe	87
5.2. E-participation in Europe: Internet-based political participation as a pacemaker for a European public	91
6. Concluding remarks	100
References	102
Part C: E-voting in Europe: A means to increase electoral participation?	108
1. Introduction and definition of electronic voting	109
1.1. Definition of e-voting: The different forms of e-voting	110
1.2. Chances and risks	111
1.2.1. Chances	112
1.2.2. Risks	113
2. E-voting in practice: Selected cases	114
2.1. Estonia	114
2.2. Other cases	119
3. Legal and technical issues	128

3.1. E-voting and e-commerce	128
3.2. Legal requirements	129
3.3. Absentee voting in general	133
4. Social and cultural issues	134
4.1. Digital divide	134
4.2. Symbolic meaning of elections	134
4.3. Social identity and trust	135
5. Political issues	136
5.1. E-voting and electoral turnout	136
5.2. Types of non-voters	136
5.3. Explanations for non-voting	137
5.4. Empirical observations	139
6. Cost effectiveness	140
7. WORKSHOP ON E-VOTING	141
7.1. Technical and general issues of e-voting	141
7.2. European perspectives of e-voting	145
8. Conclusion	149
References	151
OVERALL CONCLUSIONS AND RECOMMENDATIONS	155
1. E-voting	155
2. E-participation in Europe: Internet-based political participation as a pacemaker for a European public	157
Annex	162

EXECUTIVE SUMMARY

Summarizing the results of almost two years of research and consultation on the subject of e-democracy in Europe, it can be stated that the Internet at least theoretically offers manifold opportunities to enhance the formation of a transnational public opinion, that it opens new ways to participate in the political process, and that it may turn voting in parliamentary elections into a different and probably more convenient experience for more people. In this report, we describe and analyse many interesting examples for the potential of the Internet to enhance participation and involvement in the policy cycle. However, the enthusiasm about the success of individual projects for Internet enabled participation and involvement of citizens should not deny the fact that generalisations and forecasts as to what this may mean for the future of political participation – especially on the European level – are highly problematic; as we found many interesting and successful projects, we also identified major challenges with respect to the principal role of Internet enhanced political processes. For example, we found that in the area of e-public most public debates are still related to the respective national (and not transnational) political agenda, that in e-participation, established organisations (and not new and spontaneously founded groups) are the main actors, and that in e-voting, mostly those use the possibility to vote online who would have voted anyway (and not disengaged citizens).

The report at hand represents the final report of the STOA-project “E-Democracy – Technical possibilities of the use of electronic voting and other Internet tools in Europe”. It includes the analysis and insights of a research and consultation project in which three scientific institutes, six researchers of the project team, eleven external experts as participants of two workshops, several Members of the European Parliament as well as about 40 experts and interested individuals were involved. The aim of the project, which ran from January 2010 to September 2011, was to analyse current developments in the area of e-democracy and to relate the in-sights to the European policy context, especially to the needs of the European Parliament wherever possible. The three research institutes involved were the Fraunhofer Institute for Systems and Innovation Research ISI, Germany (coordinator), the Institute for Technology Assessment and Systems Analysis (ITAS), Germany, and the Institute for Technology Assessment (ITA) in Austria.

After an initial conceptual phase in which the state-of-the-art in research on e-democracy was analysed, in-depth studies were carried out on the topics of e-public, e-participation and e-voting. Within these three areas the following research questions were defined:

1. How can the Internet contribute to the development and establishment of a genuinely European public? (E-public)
2. What are good practices for e-participation in Europe, resp. how can public organisations profit from opening their processes to a wider audience by using the Internet? (E-participation)
3. Is e-voting a realistic means to increase electoral turnout and what are the concrete conditions for its success? (E-voting)

The following results of the research can be highlighted.

E-Voting

Within the three areas of e-democracy covered in this study, e-voting is the area in which the recommendation for the European Parliament is the most explicit: Based on our analysis, 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. Underlying our analysis is the conviction that elections are at the heart of the democratic process and that existing and working election routines in the countries shall not be changed without good reasons.

Concerning cost-benefit considerations we have investigated the expectation of an increase of electoral participation by making available e-voting at elections. We have neither found convincing theoretical nor sound empirical evidence that could support this expectation. In the e-voting cases analysed in this paper there was no indication for a sustainable increase in voter participation at national elections. Although a striking lack of data has to be taken into account, 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 in which 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 with higher plausibility.

Especially younger people are often expected to make use of the option to vote via Internet because they are allegedly more familiar with Internet technology and use it intensely for everyday purposes. Again, there is no empirical evidence for such an effect. Instead, there are specific reasons in this age group for not taking part in elections, and as with other age groups there seems to be no technological quick-fix for the problem of low electoral participation. Particularly the argument that e-voting is more convenient as it can be performed from everywhere and at anytime was found to be rather unconvincing. The actual procedure of e-voting is currently quite complicated and cumbersome as it requires digital signatures, PINs and TANs and multiple identification processes. The costs related to introduction and operation of e-voting systems are difficult to assess, but data derived from trials in the UK and Switzerland indicate that considerable investments need to be made if high-standard systems are to be established. With regard to the expected operation costs, savings seem rather unlikely as traditional and e-voting procedures will need to be made available simultaneously for a considerable period of time.

Also, technological issues 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 system uses 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 third and in our view 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 cover all of these aspects and which trade democracy requirements for user friendliness, efficiency or cost savings should generally be rejected.

Suggesting to lower the requirements or claiming that total security has never been possible and should hence also not be expected from e-voting systems, seems to reflect the fact that people in Western European democracies tend to take democratic achievements for granted. However, as the current struggles for democracy in several developing countries show, these are high goals and achievements which should not be given up. A perceived lack of security or just a missing understanding of the different stages that are passed through in e-voting processes can lead to a decline of trust and negatively affect the legitimacy of the whole political system.

We conclude that E-voting is not a vehicle for European integration, European citizenship or the development of a European public, but that it may be the result of such a development in the future. 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.

E-public

The integration of e-participation in the policy-making process as a means of informing decision-making can help to support the ongoing formation of a European civil society. 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 mechanisms 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 to vigorously open up e-participation and e-consultation processes as being set up by European institutions beyond (scientific) expert communities by actively inviting civil society organisations (not only those represented in Brussels but also on the national level) to contribute with their views, expertise and arguments. As it has recently been put in a volume on "The new politics of European civil society", it is not a question whether a European Civil society exists as a sphere distinct from national and global civil society. The question rather is "how a 'politics of European civil society' can be initiated and institutionally anchored within the political spaces that have been opened up – or also withheld – by the European Union" (Lieber/Trenz 2011, 6). E-participation as a means of improving responsiveness to civil society can be regarded as an element of a "politics of 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.

As we argue in this report, 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 in common language and traditions but only in 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 to organise 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 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.

One important insight from research on e-participation is that e-participation works best when it is connected to real world formats of political activity and communication. In this respect the European Citizens' Initiative (ECI) provides a unique opportunity to foster the elements of an emerging European public sphere. The ECI introduces a new element of (formal) European citizenship beyond the right to vote, it provides a new Pan-European form of meaningful political engagement of civil society organisations. And as far a platform for online deliberation on issues taken up by ECIs is provided, a new element of targeted European political communication and European opinion forming can be implemented as a focal point for national and local Internet based political deliberation formats. The ECI is not only about a certain number of signatures that is needed and the authenticity of which has to be verified, it should primarily be regarded as a platform for debate and will formation that stands out from other (non-committal) fora as it relates deliberation to the process of policy formulation.

E-participation

In order to reach a realistic assessment of the potential of e-participation, this specific form of 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, 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 divide 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 from 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.

European institutions have embraced these new technological means to support and facilitate 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 of 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 (e-) participation opportunities made available at the European level so far did not bring the democratic boost hoped for.

A major reason for the limited effects 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"). The effect is a lack of issue-related participation, i.e. the offerings are too general to allow interest groups to bring in their ideas and opinions. A further explanation is that participation projects often trigger false expectations about how their input is considered in EU policy-making. While the provision of consultations on emerging policy issues on a regular basis (as given via the "Your Voice in Europe" platform) is a highly relevant participation opportunity, its current realization only offers very limited opportunities and actual voice for actors who otherwise enrich the discourse in the public sphere and especially for citizens. The consultations are too much focused on institutionalized 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 suggests a revision of a consultation regime which tends to confine the integration of the wider public to a mere "participation strategy" with little impact on policy decisions, in contrast to the use of input from interest-organizations 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 not succeed. Thus, to counteract the diagnosed democratic deficit of the European Union, top-down opportunities for public participation are not sufficient as they fail to integrate the particular nature of the European public sphere. A major precondition to deploy e-participation for stimulating participatory culture and democratic decision-making is to design opportunities for (e-)participation as a continuous discourse and interaction process between different actors and stakeholders of the public sphere with the political-administrative system. The public sphere is not to be understood simply as a form of public communication, but always implies a certain (deliberative) quality that transforms public communication into public opinion and will formation. The discourse of actively participating citizens is the backing for political decision-making in the representative system, as the citizenry (directly or via the media) provides the political institutions with ideas, interests and demands that have to be taken into consideration in the political process.

Efforts to stimulate a dialogue between the European public and the political-administrative system of the European Union with new forms of (ICT-supported) political interactions have to take the multifaceted character of the public sphere as a set of overlapping partial publics into account. This implies to extend spaces within the political-administrative system fostering deliberation for a common exchange of political opinions between European policy-makers and the European citizenry, and for enhanced involvement in decision-making processes. Besides a general demand for an explicit focus on enhancing deliberative processes, the challenge is thus to properly define the role of these processes in EU policy-making.

A stronger focus on civil society e-participation activities is also in line with the EU's stated objective to establish a "permanent dialogue" between citizens and EU institutions. Recent forms of bottom-up (e-) participation point into the same direction of a continuous discourse between the public sphere and the political system. Stronger efforts to integrate these bottom-up initiatives could thus revitalize this generally desirable objective of a permanent dialogue with a more fruitful understanding of the mechanisms of participation within the arising European public sphere and its actors, respectively.

A crucial aspect here is to foster the linkages between those partial publics and the political processes by setting up (formal) interfaces where top-down and bottom-up participation initiatives can become integrated to identify possible synergies.

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) aspects to be considered could 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.

Of course, this should not be seen as a panacea to cure the EU's democratic deficit, but properly designed, these activities can stimulate the further development towards more participation and deliberation in the political system and the European public sphere. To avoid that this potential becomes nipped in the bud, a balanced design of the ECI regarding avoiding abuse and enabling input from the public sphere should be ensured. The designated flexibility how to implement this instrument seems reasonable to consider national peculiarities and the specific participation culture of the different member states.

INTRODUCTION

This report is the final report of the STOA-project “E-Democracy – Technical possibilities of the use of electronic voting and other Internet tools in Europe”. The report includes the analysis and insights of almost two years of research and consultation during which three scientific institutes, six researchers of the project team, eleven external experts as participants of the two workshops, several Members of the European Parliament as well as about 40 experts and interested persons were involved. The aim of the project was to analyse current developments in the area of e-democracy and to relate the insights to the European policy context, especially to the needs of the European Parliament wherever possible.

In this respect, this project was more than just a research project dealing with conceptual matters and empirical descriptions of the developments in the fields of e-public, e-participation and e-voting. It was also a project in which practical matters of implementing e-participation and e-voting in Europe were discussed and in which Members of the European Parliament as well as external experts were invited to share their views and expectations. As a consequence, the analytical parts of this report are followed by the documentation of the discussions at the two workshops we have carried out on the topics of e-voting and e-participation in the European Parliament in Brussels in March and in May 2011.

In this introduction we will lay out the reasons for structuring the field of e-democracy into the three areas e-public, e-participation and e-voting and explain the design of the report, which consists of three major chapters and a summarising analysis of the results accordingly. For that matter we will explain the main tasks and achievements of the different (time) phases of the project and offer a simple model of how the three elements are connected.

The project consisted of four phases. The first and second phase of the project were headlined as the “consultation phase” which ran from January to March 2010 and consisted of an in-depth analysis of the state-of-the-art in research on e-democracy and in designing a detailed project plan. During this period the research focus of the project was defined, resulting in the interim report “E-Democracy in Europe – Prospects of Internet-based political participation” (Deliverable No 1). The interim report dealt with the framing of the project “E-Democracy” and defined the main research questions for the project, based on an extensive literature review.

The interim report first of all defined the term e-democracy, claiming that “e-democracy” refers to all electronic and particularly Internet-based means of information exchange and communication that have the potential to contribute to democratic processes. All major dimensions of democracy may be relevant for e-democracy, including accountability, control of public affairs, responsiveness, legitimation, citizen empowerment and emancipation, and inclusion. According to our interim report, e-democracy generally has the potential to

- improve access to and availability of information on political issues and increase the transparency of political decision-making processes;
- support organisational processes and networks aiming to influence public affairs;
- provide mechanisms to enhance the (direct) involvement and participation of citizens in political decision-making processes;
- improve the quality of opinion formation and provide new opportunities of public deliberation.

As a result of the state-of-the-art analysis of e-democracy it was concluded that in the context of e-democracy and the European integration it is important to first of all deepen the understanding of what the Internet can do to generate or enhance a genuinely European public opinion being a basic prerequisite for any democratic process. Thus, it was decided to carry out an in-depth-study of the Internet and the European public sphere (e-public).

Second, it became obvious that new ways of participation emerge with the increasing use of the Internet in the population (e-participation). However, current research does not adequately answer the question how e-participation opportunities need to be designed and which institutional and procedural changes are required if these types of participation are to become more relevant for political decision making. Moreover, the available research seems to rely on rather outdated examples. We decided to look closely at more recent examples of e-participation and to try to relate these to the specific needs on the European level.

Third, the possibility to vote over the Internet at national parliamentary elections came into view as some experts claim that e-voting may have the potential to increase participation rates. Especially with respect to elections of the European Parliament in which participation rates usually are considerably below the rate of national elections, the e-voting option seemed to deserve special attention.

Within these three areas, research questions were defined which can be condensed in the following way:

- How can the Internet contribute to the development and establishment of a genuinely European public? (E-public in Europe)
- What are good practices for e-participation in Europe, resp. how can public organisations profit from opening their processes to a wider audience by using the Internet? (E-participation in Europe)
- Is e-voting a realistic means to increase electoral turnout and what are the concrete conditions for its success? (e-voting in Europe)

In the Interim report we argued that in face of many overly optimistic accounts on e-democracy there is a particular need to reflect on the potentials and realistic prospects of Internet-based applications to contribute to the democratic practices of the evolving political system of the European Union and the formation of a European public sphere. Following this general guideline, a detailed project plan for the following two phases of the project was developed.

A preparatory meeting of the researchers involved in the project and several telephone conferences during the consultation phase with the project partners were instrumental in discussing and prioritising research themes and issues. From the beginning, an important element of the whole project was the intended involvement of those Members of the European Parliament who were particularly interested in the issue of e-democracy. We were convinced that taking the perspective of these representatives into account would help to generate recommendations that are considered useful by European decision-makers and practitioners. Therefore, we are particularly grateful for the support and encouragement provided by then Vice-President Silvana Koch-Mehrin, the supervisor of this STOA-project, who helped us establishing contacts to interested Members of Parliament and other experts.

In phase 3 of the project, the research questions listed above were dealt with in three so called working papers. The working papers on e-public, e-participation and e-voting not only addressed conceptual issues within these areas but also analysed empirical evidence on the effects of using the Internet for democratic processes. The three working papers formed Deliverable No. 2, a 124-page report which was delivered in October 2010. The report was titled: "Theoretical framework and overview. In-depth examination of three selected areas".

The three parts were researched and written by the three participating institutes, the Fraunhofer Institute for Systems and Innovation Research ISI, Germany, the Institute for Technology Assessment and Systems Analysis (ITAS), Germany, and the Institute for Technology Assessment (ITA) in Austria.

The starting point in each of the reports was the claim that the Internet will fundamentally change democratic politics by providing easy and universal access to information, that it will democratize the processes of agenda-setting, increase the rates of political participation, improve the quality of deliberation and make plebiscitary forms of decision-making feasible. Also, in the area of e-voting, the expectation of many observers that participation in elections will increase substantially if Internet-voting was made possible for all was our starting point.

In the e-public part of the report we argued that the Internet can help to generate a European public although the issues discussed in the Internet show a strong tendency towards specialisation. This specialisation goes hand in hand with a fragmented rather than a uniform and broadly informed audience. However, this fragmented audience is a transnational audience nonetheless. It can be said that the issue-related publics emerging on or supported by the Internet in many respects can be regarded as elements of a European public opinion. An open question was found in the way to integrate the specialised publics and in re-connecting them to the official political processes within the European institutions.

In the e-participation part of Deliverable 2 we showed that there are many examples of how the Internet can be used to enhance participation in political processes, including e-consultations and e-petitions. The examples included top-down initiatives to enhance participation as well as bottom-up approaches, where citizens are mobilised and organise their interests over the Internet. Especially for the different forms of bottom-up initiated e-participation however, it remained unclear whether and how these forms can become relevant for political decision making.

In the e-voting paper, technical, legal and procedural prerequisites were analysed which need to be fulfilled before elections over the Internet become possible. The expectation that e-voting increases voter turnout because the process of voting is more convenient could not be confirmed. Instead, the new technology was found to build up new barriers for voting. The development of an adequate technical infrastructure for e-voting as well as the generation of trust in the population for e-voting seemed to be tasks which needed political dedication and required a longer time-horizon.

Towards the end of this phase of the project, a presentation of research questions and preliminary results was given at the STOA panel in Strasbourg on September 23, 2010. In the presence of several MEPs an interesting discussion arose and valuable feed-back was given.

In the three working papers, we put together and analysed a wide range of relevant conceptual and empirical material in order to answer the three main research questions. Although we had illuminated many interesting aspects and had drawn several connections between the subjects at hand, not all questions could be answered. Thus, we planned to carry out two expert workshops in which the findings of this paper would be presented, discussed and enlarged. One workshop would deepen aspects of e-voting and the other would deal with e-participation.

The two workshops formed phase 4 of the project. The workshop on e-voting took place on March 17, 2011 in Brussels at the European Parliament. Its title was "Can e-voting increase electoral participation?". It took place under the patronage of then Vice President of the European Parliament Silvana Koch-Mehrin, who also gave an introductory speech. About 25 participants including several Members of Parliament attended the half-day workshop which was divided into two parts. In session one, three internationally renowned researchers presented their experiences and assessments concerning technical and general issues of e-voting. In session two, three other researchers presented their insights concerning the European perspective of e-voting. The workshop was comprehensively documented in a report which contained all presentation slides of the speakers. The report also formed the third paper deliverable of the project and was turned in at the end of April 2011.

The most important insight of the e-voting workshop was that voting over the Internet was considered by most experts as currently not ready for implementation for the European Parliament because of technical, organisational and legal shortfalls. However, technological restrictions may become less relevant in the future as member states are beginning to introduce digital signatures via a special chip card or as parts of new passports. Taking from the Estonian example it was concluded that it is necessary to carefully adapt organisational procedures, further develop technology and to ensure political leadership if elections over the Internet shall be offered as an additional way to cast a vote in parliamentary elections. In addition, the workshop made clear that it is necessary to build up confidence in an e-voting system.

To build up confidence and trust and to make people accustomed to the process of voting online may be exercised in elections of less importance than binding political elections on the national or European level. Thus, e-voting on local levels as well as citizens' initiatives are seen as possibilities to support the e-voting option in the long run. In this context the European Citizens' Initiative (ECI) seems to be a central reference point which needs to be followed closely in the future.

The second workshop dealt with the subject of e-participation. Its title was: "Can political communication via the Internet and e-participation contribute to the emergence of a European public sphere?". The half-day workshop took place at the European Parliament in Brussels at 26th of May 2011 under the patronage of the Head of the STOA panel, Member of the European Parliament Dr Paul Rübig. Altogether, about 25 experts and interested persons took part in the workshop. It was structured in two sessions, the first one dealt with chances and restrictions of an Internet-mediated public sphere in Europe and the second with the potential of e-participation to act as a pacemaker for a European public. In both sessions internationally renowned researchers presented their views and assessments of e-participation with respect to the specific conditions in Europe.

One of the insights of the e-participation workshop was that the research areas of European e-participation and a European public sphere are closely linked and present an emerging field. Public sphere can be defined as a broad public debate which can be enhanced and stimulated by e-participation. In the European case this is both particularly important and especially difficult. In addition to the problems that already exist on national levels (digital divide issues, democratic deficits, etc.), language barriers or biased participation caused by different national information flows add to the challenge in the European context. Thus, existing e-participation projects that are successful on a local level can be an inspiration for European projects but cannot be transferred without adaptation to the European level.

Nevertheless it is the Internet with its openness, accessibility, ubiquity and interactive possibilities that offer a huge chance to develop a European public sphere. A lot of research is currently being conducted, for example in the field of semantic-based translation tools. Another important aspect emerging in this workshop was the statement that it is necessary to gain insight in how people actually do engage online in order to discover and interpret political and participatory habits that already exist. Also, experts said it should be researched in the future how the mostly informal online participation can be structured and proceduralised.

Although the participants saw far-reaching opportunities in e-participation, some experts emphasised that e-participation is not everything in a living democracy. They said that it might be necessary to go one step back and remember that in representative democracies political parties play a crucial role as well. In order to foster political interest and thus political inclusion, parties could make their contribution by trying to bear the challenge to attract more citizens in an individualized society.

All these inputs – from the analysis of the state-of-the-art in research on e-democracy, the three working papers on e-public, e-participation and e-voting and well as the two workshops - went into the present final report. The structure of this final report is similar to the structure of Deliverable No. 2 as it is also divided into three major parts. However, major revisions and substantial additions have been included.

With respect to the formation of a European public sphere we extended our analysis concerning the question of how its formation relates to concrete e-participation options. We attempted to show how the success of e-participation is based on traditional or online communication spaces and how the policy process can incorporate new forms of e-participation and make them an integral part of the policy cycle. In this context, especially the European Citizens' Initiative (ECI) was analysed in more detail.

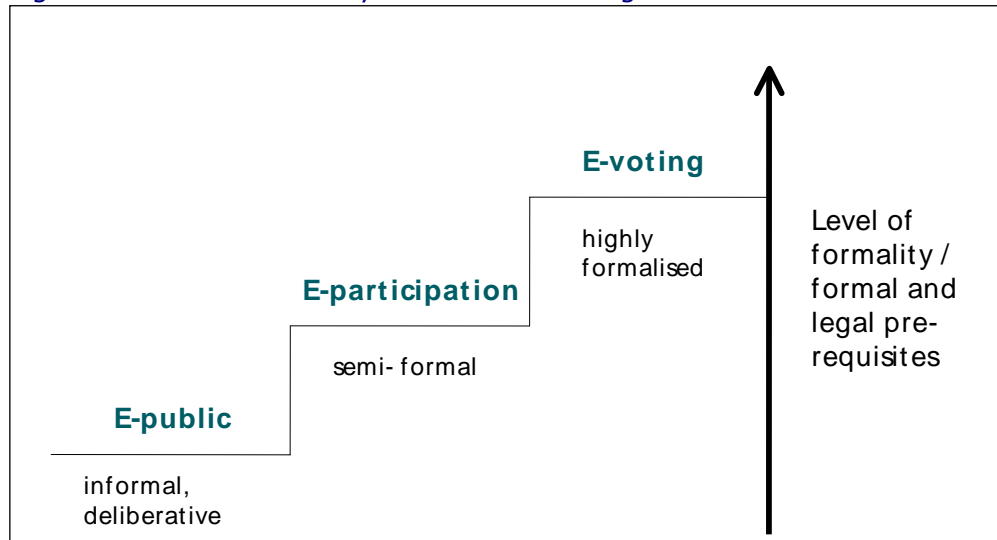
In the area of e-voting we continued our investigation putting a special focus on the technicalities of the e-voting process. This included the issue of dealing with the so called technical votes (voting receipts) which signal to individual voters that his or her vote was cast. Also, an update of the interesting Estonian case was necessary as there were national elections held in the course of this project.

Furthermore, a synthesising summary was added in which the main topics were connected and put into a specific European context and outlook.

This final report is structured in the following way: Part A deals with the e-public aspect of e-democracy, part B investigates the possibilities of e-participation and also documents the results of the respective workshop and part C covers e-voting and also documents the e-voting workshop discussions and results. In the summary, we synthesise the results of the different parts and give specific recommendations for dealing with these aspects of e-democracy on the European level.

Asking how the three dimensions of e-democracy relate to each other, several explanations can be found. For example, Trechsel and Mendez (2005, p. 5) have proposed to apply the three aspects of democracy that are being promoted by using the Internet shall be used as a guiding principle. Accordingly, e-access would increase transparency, e-voting would increase participation and e-forums would increase deliberation. However, other guiding principles are possible as well. In our context, a possible way to see the three examined fields of e-democracy in a perspective is to separate them according to their level of formality. As figure 1 shows, the level of formality increases from e-public to forms of e-participation and to e-voting.

Figure 1: Level of formality as a differentiating dimension



Whereas the formation of an e-public is an informal deliberative process, which is often spontaneously generated and also difficult to track or measure, e-participation is different as it is a semi-formal exercise. E-participation is a process which requires certain organisations and some formal mechanisms. In contrast to this, e-voting is a highly formalised venture as it requires formal authentication, secure systems and well-organised processes which need to be backed by legal precautions.

In this sense, e-voting is not the ultimate step towards which the development of e-democracy would aspire, but the application with the highest formality requirements. It is open whether in a developing Internet world it can be expected that these requirements will be fulfilled sometimes or whether such high formality levels stand in principle opposition to the nature of the Internet - which to date remains to be primarily informal, open and spontaneous.

Literature

- Trechsel and Mendez (2005): The european Union and e-voting. Upgrading Euro-elections. In: Trechsel, A., Mendez, F. (eds.): The European Union and E-Voting – Addressing the European Parliament's Internet voting challenge, New York, p.1-25.

PART A: E-PUBLIC IN EUROPE

THE EUROPEAN PUBLIC SPHERE AND THE INTERNET

1. Introduction	19
2. The democratic function of the public sphere	21
3. Democratic governance and the public sphere in Europe	22
3.1. European citizenship	23
3.1.1. National and trans-national citizenship	24
3.1.2. EU politics and citizenship	24
3.1.3. European citizenship in the making?	26
3.2. The regulatory state and the European civil society	27
3.2.1. Civil society and the character of EU politics	28
3.2.2. New forms of governance	29
3.3. The European public sphere – a space for deliberation?	30
3.3.1. The current state of a European space for political communication	30
3.3.2. A European public sphere in the making?	32
4. The Internet as a public sphere	35
4.1. The Internet as a platform for political deliberation	35
4.2. The Internet and the trans-national public sphere	36
5. Concluding remarks	41
References	44

1. INTRODUCTION

In political as well as scientific discussions on the integration of Europe and the further development of the European system of democratic governance, the formation of a European (political) public sphere is considered to be one of the most important challenges on the agenda. A "public sphere" related to policy-making on the European level only emerges – if at all – on an "issue by issue" basis and is usually restricted to small "expert-communities".

Over its roughly five decades of existence, the European Union (EU) as a political body has taken over more and more decision-making competences from its member states. This concentration of powers at the level of the Union is in many respects an indispensable condition for establishing Europe as a unified socio-political area with common and equal rules, rights and standards of living. The expansion of the political competence of the EU has always been and still is accompanied by complaints about an inherent democracy deficit, since the executive branch of the EU is not directly elected by the European citizenry. As a reaction to the expansion of competences and as a means to overcome the democratic deficit and foster the legitimacy of EU decision-making, the role of the European Parliament has been successively strengthened. Thus nowadays the parliament is equipped with powers largely comparable to those held by national parliaments towards their national executives. However, one fundamental problem of European democracy cannot easily be overcome by institutional changes, but is connected to the social and cultural persistence of the nation state. This has been coined the "communication deficit" of Europe (Meyer 1999), rooted in the lack of an active political public sphere at the European level.

This is not only an issue in academic debates on the theoretical foundations of European democracy but has become a main focus of attention in the European institutions themselves. In its White Paper on a European Communication Strategy (EC 2006, 4) the European Commission's (EC's) notion of the problem is phrased as follows:

"The public sphere in which political life takes place is largely a national sphere. To the extent that European issues appear on the agenda at all, they are seen by most citizens from a nation perspective. The media remain largely national, partly due to language barriers; there are few meeting places where Europeans from different Member States can get to know each other and address issues of common interest [...]. There is a sense of alienation from 'Brussels', which partly mirrors the disenchantment with politics in general. One reason for this is the inadequate development of a 'European public sphere' where the European debate can unfold."

The EC identified this as a central barrier to the development of democratic governance in Europe (European Commission 2001: White Paper on European Governance,) and has set up a plan to "stimulate a wider debate between the EU's democratic institutions and citizens" (European Commission 2005: Plan-D for Democracy, Dialogue and Debate).

A focal role in this respect has been assigned to the Internet as a means of involving the public in ongoing processes of policy-making.

This paper intends to give an overview of the debate on the need for and possibilities of developing a trans-national European public sphere as an integral intermediate democratic structure between European policy-making institutions and the European constituency. To this purpose, conceptual arguments on the role of the public sphere and related concepts – citizenship and civil society – in trans-national democratic governance are discussed, and empirical evidence of the state of Europeanisation of the political public sphere is provided. This discussion is set against a reflection on features of political communication on the Internet and the potential of the Internet to support the emergence of trans-national forms of citizenship and trans-national political publics.

2. THE DEMOCRATIC FUNCTION OF THE PUBLIC SPHERE

What is so important about the public sphere with regard to democratic politics? The “public sphere” plays an indispensable political role for the democratic legitimisation of policies. In Habermas’ (1996) concept of deliberative democracy, the public sphere functions as an intermediate level between political decision makers and a politically aware citizenry or the “demos”. In this perspective, the public sphere is not an institution or organisation, nor is it a particular form of collective: “The public sphere should rather be perceived as an open field of communicative exchange. It is made up of communication flows and discourses which allow for the diffusion of intersubjective meaning and understanding” (Trenz 2008, 2). In Habermas’ view, the creation of a trans-European public sphere (in addition to a European civil society and political culture) is a central functional requirement for a democratically constituted Europe as well as for a European identity and citizenship (Habermas 2002, 18).

The public sphere is a concept with inherently normative aspects. It describes features that are necessary for a democracy to function. There must be room for public deliberation, in order to establish a link between the constituency and its representatives – i.e. to process the content of policy-making among those who will be affected by the decisions to be taken and who delegate their representatives to the decision-making bodies. Thus “public sphere” does not simply mean some form of public communication, but always implies a certain (deliberative) quality that transforms public communication into public opinion and will formation (Frazer 2007, Trenz 2008). The discourse of actively participating citizens is the backing for political decision-making in the representative system, as the citizenry (directly or via the media) provides the political institutions with ideas, interests and demands that have to be taken into consideration in the political process.

The public sphere comprises highly visual and formalised institutions such as parliaments, informal, more segmented spheres of casual communication among citizens, and citizens’ associations which make up the “civil society”. The latter can be denoted as “weak” publics, as the ongoing opinion forming is not connected with collectively binding decision-making. Parliaments are strong publics, where opinion forming is directly and legitimately channelled into binding decisions (Frazer 1992, also Fossum and Schlesinger 2007). As the legitimacy of democratic powers is rooted in the will, interests and opinions of the citizens, it is decisive for a democracy for “strong publics” to be related to, backed up by and rooted in the “weak publics” of civil societies.

Whereas historically the concept of the public sphere is closely connected with the emergence of the nation state in Europe, the public sphere nowadays is not conceived of as being one single – nationally focused – space of public communication. The public sphere as a communicative space is regarded as a “highly complex network” including a “multitude of overlapping international, national, regional, local and subcultural arenas” (Habermas 1996, 373f.).

3. DEMOCRATIC GOVERNANCE AND THE PUBLIC SPHERE IN EUROPE

Brüggemann (2006, 3) discerns three notions of the European public sphere that can be found in the political as well as the scientific debate:

- a) A European public sphere cannot flourish since there is no common language, no common media and no European civil society and identity. Thus European policy-making has to be legitimized in a different way than it is at the level of the nation state.
- b) A European Public sphere would imply communication in different countries about the same topic at the same time with the same frame of reference.
- c) The most ambitious notion regards the European public sphere as a network of Europeanised national public spheres connected by information flows, converging political agendas and camps in debate, transnational media and transnational speakers, and a European identity and citizenship.

The idea of the EC's White Paper on governance (COM 2001/428 final, 12) of how to provide for democratic legitimisation is as follows: "The aim should be to create a transnational "space" where citizens from different countries can discuss what they perceive as being the important challenges for the Union. This should help policy-makers to stay in touch with European public opinion, and could guide them in identifying European projects which mobilise public support." This is very much in line with the Habermasian understanding of the democratic role of the public sphere. Moreover this concept very much resembles the ambitious model (point c above) of the European public sphere. The Commission is not satisfied with national discourse arenas being Europeanised by adopting more European issues to their agendas, but does conceive of the European public sphere as a genuinely European arena of exchange of citizens across borders and with the European political bodies.

In discussions revolving around a more ambitious, deliberative concept of the public sphere, there are three aspects that are usually mentioned: (i) The notion of a public sphere as a communicative space of political debate and opinion forming. Such a space can be observed on different levels. (ii) The everyday ongoing exchange of citizens at their workplace or in their neighbourhoods and family about public affairs. For modern mass democracies this more or less "private" way of democratic opinion-forming is related to and fed by (iii) the mass-media public sphere, by which the opinion forming of citizens is also related to the decision-making process in political institutions of representative democracy.

The extent to which this communicative space develops or can fulfil its function as an intermediate level between the citizenry and the institutions of representative democracy is regarded to be dependent on a common identity and a feeling of solidarity and public concern among the constituency that backs up the institutions of representative democracy. The public is made up of citizens who are formally part of a political entity or community and must also subjectively regard themselves as members of a community and not merely individuals in order to engage in public interest.

A further societal aspect of the public sphere is linked to this. An active public sphere is in the need of active and participating citizens, who interact with each other and express their demands, fears and attitudes towards the political institutions and authorities. These active and organised citizens form the "civil society" that supports opinion-forming and contributes to the public sphere with public activities (events, protest) and contributions to mass-mediated public debate. An active, organised civil society is – as it were – an indispensable counterpart to political institutions and a salient part of the public sphere in addition to the mass media.

In the following, certain aspects of citizenship and civil society are first discussed with regard to their importance and relevance for developing a European public sphere, before conclusions are drawn on the prospects for a "European Public Sphere".

3.1. European citizenship

Citizenship, following the widely accepted classical definition of T. H. Marshall (1950), is an outcome of a historical struggle for civil rights in the course of which (a) equal rights and obligations before the law, (b) equal formal participation in political life, and (c) equal participation in social welfare have been established as the cornerstones of modern, Western democracies. As such, the emergence of citizenship is closely related to the emergence of the nation state. A further aspect of citizenship that is linked to the historical emergence of the nation state is the seemingly "subjective" dimension of civic-mindedness shared by the members of a political community. This kind of public spirit is based on the one hand in shared civil rights, i.e. citizenship according to the rights-based meaning mentioned above. On the other hand, it is bound up with nationally defined socio-cultural identities.

In the classical republican model, democracy is more than a process of bargaining for individual interests, but presupposes that citizens act, strive for and argue about public concerns and the common good. Thus a sense of belonging to a community and sharing a common set of values based in common traditions is necessary for a democratic community to function. "The formation of a *volonté general* is possible because citizens are equal and share common values and notions of the public interest" (Eriksen 2007, 29). It is contested to what extent a functioning democracy requires citizens to share certain values that constitute an identity, a sense of belonging and commonality, such as is held by so-called communitarian concepts of democracy. A strictly liberal concept of democracy would neither presuppose an active civil society nor a sense of public concerns on the part of citizens. A third middle position is held by deliberative concepts of democracy which do not see the need for or possibility of a shared substantial cultural identity, but regards the mutual acceptance of citizens as equal holders of rights to be a sufficient basis for rational societal deliberation on the common interest. This latter position is very much in line with arguments put forward in order to support the possibility of trans-national or European citizenship.

3.1.1. National and trans-national citizenship

Political integration on the basis of a cultural identity of the citizenry is without doubt an achievement of the nation state. A collective political identity which underpins the public sphere is based in common origin, heritage and language (Fossum/Schlesinger 2008, 6). Citizenship in terms of legal and political rights and duties is attributed to people on the basis of territorial and cultural (language) grounds. The question is whether this concept of citizenship, which includes rights as well as a sense of belonging and identity, can be transferred to the trans-national level. It has been argued that a pre-political fundament cannot by any means be achieved in trans-national democratic systems, and trans-national democracy thus cannot be conceptualised according to the model of the nation state (e.g. Grimm 2004). On the other hand it can be argued (Frazer 2007, contributions in Eder/Giesen 2003) that with globalisation and increasing migration, the foundations of national citizenship are vanishing, and national democracies need to establish a form of political and cultural identity that goes beyond national traditions and common values rooted in language and history. In the course of globalisation and migration, the legal and political aspect of citizenship will be uncoupled from cultural identity, as more and more people not born on the national territory and without any background in French, German, or Dutch culture (and language), for instance, are ascribed political rights as citizens of France, Germany, or The Netherlands. An ongoing uncoupling of rights and identities – the two major components of citizenship – can be observed (Shaw 1997, cf. Shore 2004, 34f.): “Rights increasingly assume legal uniformity and universality and are being defined at the global level. Identities, in contrast, still express particularity, and are perceived as being territorially bounded.”

If there is an ongoing dissolution of the old nation-state concept of citizenship, this does not, however, necessarily imply that trans-national citizenship is emerging. If citizenship has legal and political (rights and duties) as well as cultural (values, identity) aspects, the problem is to develop European citizenship not only in terms of rights and duties but also in terms of identity and of “being European” becoming a part of subjectively felt citizenship.

3.1.2. EU politics and citizenship

The concept of European Citizenship ranks quite prominently in official EU politics. The European citizen is addressed in EC programmes and conceptual papers directly. The involvement and engagement of the European citizen – as documented in several White Papers referred to above – is regarded to be crucial for overcoming the democracy deficit and for democratic legitimisation of EU politics. A “European citizenship” has been officially introduced into the fundamentals of the EU with the Maastricht treaty (Article 8): “Citizenship of the European Union is hereby established. Every person holding the nationality of a member state shall be a citizen of the union”. Since this establishment of EU citizenship so far has not been fostered by a concise definition of the rights and duties of citizens towards the EU institutions, the citizenship chapter of the Maastricht treaty has been criticised (from left as well as right) as being an empty phrase (see Shore 2004). According to critics, EU citizenship – without content – was a formula propagated by EU bureaucracy as a kind of palliative for the undeniable democratic deficit.

A feeling of belonging was propagated "to placate an alienated populace by promoting feelings of belonging to what was, and remains, a highly elitist, paternalistic and technocratic project of European construction" (Shore 2004, 34).¹ According to Shore "there is no citizenship without a shared history and tradition". And this can only be found in the case of the nation state. According to this position, Europe lacks what has been constitutive for the emergence of citizenship in the nation state: Europe "...has no effective pan-European trade unions, political parties, organized protest movements or spaces of popular resistance". Apart from the lack of a European civil society, direct control of the institutions by citizens has also not been established: "there is no way the European citizen can ever 'kick the scoundrels out of office'" (40).

An active civil society and a public sphere as well as structures that allow for direct legitimisation and control of the EU institutions by the European constituency are rightly regarded to form the fundamentals of European citizenship in the sense of a European political identity. However, are there no indications that core forms of these features already exist in Europe, and is it really impossible that these will further develop in the future? It is right to dismiss "European citizenship" as being an empty concept, as long as direct political rights and a vivid public sphere are not established? These are the preconditions for the emergence of a European "demos". However, in response to the criticism that there cannot be such a thing as a European demos, it can be argued that "demos" is obviously conflated with people in the sense of a nationally, territorially based community. From many perspectives, it is now argued that European civil society and European citizenship are evolving along with the growing competence of the Union and the Union's efforts to strengthen its legitimate foundations (Eder 2007, Trenz/Eder 2004, Giesen/Eder 2003, Schlesinger 2007). The integration of Europe from this perspective is conceived as "... an experiment in building an abstract political community based on a notion of citizenship that abstracts from the ethnic component of being the citizen of a 'demos'. The citizens of Europe become not only citizens of transnational institutions, but also of a post national community." (Giesen/Eder 2003, 2f.) Thus citizenship in the transnational European case cannot be conceived in the same way as national citizenship (see contributions in Giesen/Eder 2003). It is not based on common language and traditions or ethnicity, nor in a common culture, but in the consciousness of belonging to a political community with shared political values that provide for democratic rights and protects and respects the cultural diversity of the Union. Thus citizenship in terms of identity has to be established as a result of European politics. For the European case "identity is no longer disembedded from politics, no longer conceived as a higher order of reality than politics or something that 'underlies' politics. Identity becomes politics." (Eder 2003, 238)

¹ Similar criticism has been put forward with regard to the EC's ambitious propagation of dialogue and involvement of citizens in the field of science and technology policy. Compared to its practical political fallout in the Commission's practice of policy-making, this has been dismissed as "rhetorics of participation" (Levidov/Marris 2003).

3.1.3. European citizenship in the making?

A trans-national political identity going beyond cultural identity can only be based in the appreciation and upholding of a democratic constitution and the related democratic procedures that accord equal rights to citizens. Such an appreciation allows for mutual respect of differences and cultural diversity and can be the foundation of general democratic solidarity. Thus, the feeling of belonging and responsibility is based on a joint appreciation of a constitution that guarantees the freedom of being different and living according to one's own values and following one's own objectives as long as these do not collide with the rights of other fellow citizens. This is what was denoted by Habermas as "constitutional patriotism", deriving from a set of entrenched fundamental rights and democratic procedures and functioning as a focal point for political identification and subjectively held citizenship. Thus Habermas strongly argues for a strong European constitution that accords political rights and duties to citizens as Europeans and not as citizens of a national state belonging to the EU (Habermas 2001). European citizenship is established by defining the rights of European people with regard to European Institutions (on a more formal level as well as on a more informal level of transparency and participatory openness of the policy-making process as propagated in the White paper on governance). There is some evidence that a core form of citizenship in this sense exists in Europe: Citizens directly observe and address the European Institutions, they approve their existence but disapprove their democratic make-up and "citizen protest directed against European governance and institutions is increasing" (Trenz/Eder 2004, 6).

In his reflection on the prospects of European citizenship, P.C. Schmitter (2003) developed a scope of "modest democratic proposals" for reforming the European polity that would be appropriate for strengthening the active role of the citizen. This includes extending civil rights to encompass new problems going beyond the classic welfare-state issues that modern democracies face. The EU is increasingly concerned with such issues as "environmental rights" or extending the political rights of all European citizens to actively take part in policy-making no matter where their place of residence is. Other suggestions concern the introduction of direct (but non-binding referenda) and to make use of electronic media to add more deliberative elements (fora) to elections. A decisive step in the direction of the former suggestion has now been achieved with the introduction of the "European Citizen's Initiative" (see chapter 3.4.1) while the latter suggestion is clearly related to central issues of the present report.

It can be concluded that debates on European citizenship stress that it would include citizens' rights that go beyond individual liberties and "market membership", but cannot be based on cultural membership in the ethnic sense. Therefore, a direct relation between the European institutions and its citizens, and hence active political rights, move into the centre of debate on European citizenship. Thus, it is ultimately the establishment of a European Public Sphere that allows for as much deliberation as possible on European public concerns which would support the development of a post-national political identity and feeling of belonging to a political community. In terms of Eder's model of the dynamics of democratisation (Eder/Trenz 2004, Eder 2007), it can be argued that the opportunity for citizens to meet as equal partners and exchange their arguments and claims initiates a process of democratisation that in turn comprises the development of a public sphere as well as of citizenship as two sides of the same coin. The concept of subjective or felt European citizenship and identity as a procedural result of the development of a democratic EU is supported by a historical view of the emergence of national citizenship.

It can be learned from the development of the nation state that a public sphere as well as citizenship and civil society do not exist before governmental administrative structures, but develop in response to the emergence of decision-making bodies. In the struggle for a democratic state with democratic representation and control of decision-making bodies, the public sphere as space for people to communicate and share mutual respect as equal citizens, a civil society and also "collective identity" emerged and developed in parallel. Citizenship thus had "to be made rather than merely discovered" (Eriksen 2007, 30).

3.2. The regulatory state and the European civil society

In the struggle to establish citizens' rights and democratic structures, the public could historically be regarded as being represented by organisations of civil society which aimed to enforce civil rights against the state. By contrast, in established modern mass democracies, the public functions more as an audience (in a theatre) that observes the protagonists on the political stage, evaluates their performance and, in periodical elections, rates and dismisses or reinforces the political actors (Eder 2007). National publics are mainly mass-media publics. However, there are also stakeholder groups, expert communities and common interest organisations. These form an active part of the public and function, on the one hand, as intermediaries expressing the interests, demands and fears of the general public and, on the other, as an observing, monitoring, and intervening counterpart of the established political system.

The concept of the civil society has been taken up from different theoretical perspectives and thus can cover a broad range of social activities. From a communitarian perspective, the social capital institutionalised in active neighbourhoods or participation in interest groups and civic associations (from sports to culture) is regarded as an indispensable fundament of democracy by supporting the norms of reciprocity and building social trust. From other perspectives, more formalised forms of political engagement – be it in local citizens initiatives or in organised special or public interest groups focusing on environmental and social politics – are regarded as a necessary counterbalance to and backbone of representative democracy. For the international and European context too, an active civil society is regarded as forming the legitimizing foundation for "governance beyond the state" (Smismans 2006, 4). The institutions of the democratic state, and especially parliament as the link between the citizenry and the government, need to be linked to an active civil society. Parliaments as institutions that ensure popular representation and executive accountability as "strong publics" need to be related to "weak publics" of civil society that inform and challenge the parliament, thus supporting its responsiveness to societal problems and demands (Frazer 1991, Fossum/Schlesinger 2008). Civil society is also regarded by Habermas as being a part of the public sphere, actually an active part that transfers the needs, interests, values of the "lifeworld" of the citizens to the public sphere where private interests, demands and claims become public to be discussed and argued upon in order to make them amenable to a discourse to explore the public interest (Habermas 1996, see also Armstrong 2006).

3.2.1. Civil society and the character of EU politics

The argument that there can be no such thing as a European Public sphere is based on the notion that there are no intermediate structures of a European civil society such as a European party system, European Media and social movements (Shore 2004, Grimm 2004). Moreover, it has been argued that, taking into account that the nature of policy-making on the trans-national, European level is different from that on the nation-state level, what has been called the “democracy deficit” of the EU may appear to be a “false problem”. Prominent here are the positions held by Scharpf (1999) and Majone (1996). According to Majone, the EU has to be conceived of as a “regulatory state”, which means all critical “redistributive” social welfare aspects of policy-making are left with the national systems, which implies that strong structures of democratic legitimisation need not to be in place at the EU level. The legitimacy of the regulatory institutions can only be established by the efficiency and credibility of the regulatory process. Regulatory politics can be made efficiently by experts and independent organs that have to be validated in terms of the quality of outcome and have to be held accountable via commitment to a set of “fiduciary principles” (restricted mandate, obligation to give reasons and report on their action) (Majone 1996). In a similar way Scharpf holds that since there is no (and cannot be) such a thing as a European “demos”, EU policy-making has to be validated not in terms of input legitimacy (direct influence of the constituency on EU institutions, in terms of representativity and access of civil society to policy-making) but in terms of output legitimacy, i.e. to what extent the EU policy proves to serve the interests and solve the problems of the majority of European citizens (Scharpf 1999). The major argument of this “revisionist position” towards the democracy deficit is that – given the European multi-level system of policy-making, with the still dominant role of the governments of the member states and existing checks and balances – there is sufficient provision for an efficient system of policy-making.

This notion is obviously not in line with the self-image of the European institutions and with their efforts and expectations regarding the development of the European democratic system, as can be read among others in the several White Papers endorsing new forms of European governance. It can be doubted whether Majone’s strict separation of regulatory and redistributive policies is reconcilable with the Lisbon strategy that goes beyond the “open market model” of the Union and aims at egalitarian welfare structures in the Community (Armstrong 2006). From a position stressing the deliberative elements of democracy (Magnette 2006, 25f.), it is argued that European democracy cannot be reduced to an efficient system to check and channel the arbitrary powers of the state. Instead it is also regarded as crucial for the trans-national context that the legitimacy of any political body should require procedures allowing for control and participation by citizens and for decision makers to be forced to present and legitimise their policy in the public and civil society.

3.2.2. New forms of governance

There are actually some indications that a European civil society is evolving. In the mid-1990s the European Economic and Social Committee (EESC) already stated that a “civil dialogue” with civic organisations and groups going beyond the social partners represented in the EESC was indispensable if the effectiveness and legitimacy of policy-making at the European level was to be improved (Smismans 2006). Similar ideas have been taken up in the White Paper on European Governance and in the White Paper on a European Communication Policy. In the latter, the weak nature of a European public sphere is explicitly addressed as a central problem of the EU, and arguments are made for more “dialogue” and “decentralisation” in EU policy-making. In order to “close the gap” between the EU institutions and the disenchanted publics of the member states, a “partnership approach” is argued for including “... other EU institutions and bodies; the national regional and local authorities in the member states; European political parties, civil society” (European Commission 2006, 2)

In propagating new transparent and accountable forms of governance, the EU institutions clearly refer to civil society in Europe, thus implicitly stating that a European civil society exists. Thus, the “multi-level model” of governance involving different (territorial) layers of decision-making and governmental authorities is now enriched by the inclusion of public and private actors across Europe. Governance is no longer regarded as a hierarchical relation between decision makers and the addressees of regulation, but is seen as “network governance” in which the authorities employ a network of civil society actors (experts, stakeholders, NGOs, companies) in policy-making in different fields at the executive level of the EC (social, environmental, consumer and S&T policy, see contributions in Smismans 2006).

This is in line with arguments against approaches that regard the EU as having no need for any backing by an active European civil society. Cohen and Sabel (1997) argue that the very nature of the fields of regulatory activities of the EU such as environmental policy and consumer protection affords close cooperation with a broad range of epistemic communities. The diversity of local or sectoral contexts is such that they cannot be tackled without making use of the knowledge of the different political, economic and societal actors affected. A “directly deliberative polyarchy” that includes authorities as well as societal groups from different regional and social contexts is indispensable for successful regulation. Thus “output legitimacy” of EU decision making – i.e. high quality decisions taken and regulations implemented – necessarily requires “input legitimacy” – i.e. as much involvement as possible of those affected in policy formulation. In other words, new forms of democratic involvement are needed precisely because EU policy-making is different from that of the nation state.

3.3. The European public sphere – a space for deliberation?

A functioning public sphere consists of an active civil society and citizen participation in politics as well as public exchange on all relevant perspectives in media debate. From the arguments given above, it must be concluded that the extent to which these features of deliberative democracy have been achieved at the level of the EU or whether they are at all achievable is a matter of debate. For the EU to develop, EU institutions obviously deem it necessary to foster features of an active deliberative democracy by opening up the process of policy-making to society. Bringing the institutions of the EU closer to the European citizen is regarded as a necessary feature of strategies for strengthening the emergence of a European public space for political deliberation. As shown above, there are hints that such a space is about to emerge, together with its concomitant features such as European citizenship and a European civil society. In the following we briefly present some insights into the actual state of a European public sphere in terms of a trans-national space of political communication as revealed by media research and then sum up on the future prospects of a Europeanisation of the public sphere.

3.3.1. The current state of a European space for political communication

So far, European citizenship is only just beginning to develop in terms of active engagement in European affairs. The turnout at European elections is significantly lower than for national elections. Media coverage of European issues has been growing as the relevance of European policy on national policy-making has increased. However, policy debates and opinion forming as reflected in media are still nationally focused. In other words: there are several national public spheres taking up European issues, but there is no widely used cross- or trans-national European media system covering European issues, and the separate national public spheres (as e.g. reflected in mass media) are only weakly related to each other.

Systematic empirical research on the role of the media in the formation of a European public sphere has been growing since the 1990s, but is still in its infancy (for an overview, see Bärenreuter et al. 2009). One basic problem of empirical research is the definition of indicators for a functioning public sphere, i.e. to translate ambitious assumptions of democratic theory into research design. In communication and media research there are basically two approaches to measure the European public sphere (Risse 2003). One approach is to measure how often terms such as “Europe”, “European Commission”, or “European Institutions” are mentioned in media reporting. Generally the level at which European items are taken up compared with national items is rather low (Gerhards 2000). However, a slow increase in mentioning “Europe” has been reported over the past decades. Another approach is to measure media coverage of European issues (e.g. EU enlargement). These studies show simultaneous reporting about European issues in the media of the member states at a comparable level of intensity. It has been regarded as an indicator for an existing proto-European public sphere that European subjects are framed in the same way in the various national media, leading to the same interpretative schemes. There is also evidence of a growing importance of European issues in public debates in the member states. However, generally the level of media coverage of European issues is significantly lower than that of national political issues, and there is almost no interrelatedness of political debates as covered by the media of member states. In media research, the lack of a common European media space is considered to be rooted in socio-cultural factors (languages, cultural identities), institutional factors (lack of transparency of the European policy-making process, lack of opportunities for citizens to participate) and media-specific factors (fragmentation of media, national fixation of journalism) (Latzer/Saurwein 2006).

The results of research on media coverage of European issues are often contradictory and difficult to interpret; this fact, according to Neidhardt (2006, 46 ff.), reflects a methodological problem of research in defining to what extent e.g. a newspaper article has to deal with a European issue, or to what extent a European actor plays a role in the article to categorise it as "European". Results also depend on the type of articles covered in media studies, whether this includes all articles in the political part of a newspaper, or only commentaries etc. Thus it cannot come as any surprise when one study, for instance, shows European commentary articles to account for a share of 5.6% of German quality newspapers in the period 1994-1998 (Eilders/Voltmer 2003); while another study of two German newspapers which includes all articles revealed 44 and 55.3% of articles, respectively, with a European reference for the year 2000 (Trenz 2004).

It is also important to take into account that for many fields of policy-making (and indeed probably those most relevant for the general public) there is no or only secondary competence of the EU and they consequently remain just national subjects of observation (such as health care, pensions, taxation, etc.). Thus it does not make much sense to look for "Europe" in articles about subjects where the EU is only marginally involved. The EU-funded "Europub" project on the coverage of European issues in newspapers in six European countries², which took the European relevance of policy-making fields into account, clearly showed that the salience of European politics in the mass media follows differences in policy-making competences (Pfetsch 2004). The study found that in fields where policy-making competences mainly lay in Brussels in all countries and all newspapers covered (except Great Britain), Europe plays a major role (Pfetsch 2004). Whereas according to this study there are indications of a Europeanisation of mass media reporting, it also found indications of a dominance of the executive branch of policy-making on costs of the "strong" and "weak publics" in media coverage of European politics. Whereas in the national reports a balanced appearance of executive, legislative and civil society representatives as active protagonists was found, in reports on European policy-making the EC is by far the most active protagonist while the European Parliament and civil society organisations are far less visible as political actors (Koopmans 2007). Thus media coverage of European issues reflects the European democratic deficit and the at best embryonic state of European civil society. Nevertheless, when it comes to describing the quantitative relevance of Europe in the national media, it appears to be an appropriate conclusion that Europe plays a minor role in the overall stream of news and opinions forwarded in the media, but that in those fields where EU policy and regulation are salient, the media coverage of "Europe" and European issues is big enough to dismiss the thesis of a marginal role of European politics in national publics (Neidhardt 2006, 51).

² France, Germany, Italy, Netherlands, Spain, Switzerland, United Kingdom

3.3.2. A European public sphere in the making?

In academic discussions, it is widely agreed that the public sphere cannot be conceived of as being one common general communicative space. On the contrary, besides a general overarching public sphere that is open to any citizen (and mainly based on mass media communication), there are segmented publics that evolve around policy networks dealing with particular issues and problems to which particular communities relate. As the overview given above shows, there is no agreement on whether both types of public spheres (general and issue-related) exist at a European level. Those who expect the EU to evolve by strengthening the deliberative dimension of the policy-making, however, anticipate that in the course of this process a multi-layered structure consisting of European issue-related, national and overarching general public spheres will necessarily emerge. While an overarching general public sphere may remain latent for a longer period, one can perceive many strands of development that indicate the development of European publics. There are media which regard themselves as European mass media and which continuously report on European issues; some of these having editions in more than one European language (Financial Times, ARTE, Deutsche Welle, Le Monde Diplomatique). There are NGOs such as ATTAC or Greenpeace who host Internet pages in several European languages and are involved in European policy debates. And there are also traits of trans-European general public debates (such as the Haider debate, the debate about the Iraq war) which can be regarded as indications of an existing (albeit ephemeral) European public sphere (Eriksen 2007).

Besides a general public sphere that must be regarded as being at best in the making, it is argued that important existing elements of a European public sphere are trans-national "segmented publics" that emanate from the policy networks of the EU. Such networks grow around the different regulatory activities of the EU, partly as a result of the EC's efforts to involve as much European knowledge as possible in policy formulation. As these segmented publics are organised around certain issues and problems and as they attract certain "epistemic communities", they have to be regarded as elite or expert publics. Nevertheless they have a function for the general public as well (Eriksen 2007, 33f.). The existing networks of policy-making on which the EC regularly draws can be seen as the core of a European public sphere. Trenz and Eder (2004) on the one hand observe a strong coupling of institutional and non-institutional actors through networks that have gained importance in the EU system of governance. On the other hand, they hold that this process of networking governance is increasingly taking place before a growing audience in Europe. Governance is not restricted to networks of European and national policy-making bodies, civil society organisations and expert communities, but those involved in these networks have to legitimise themselves towards and have to produce resonance in a wider European audience in order to gain public support for their demands and claims. Thus a central requirement for a public sphere can be assumed as being achieved: "The theoretical concept of the public sphere refers precisely to this basic insight: it includes not only those who take an active part in the debate but always presupposes that communication resonates among others who constitute a public for this communication" (Trenz/Eder 2004, 9).

Moreover, the increasing roles of policy networks at the EU level is held to be part of a self-constituting dynamic of the development of a European public sphere via mediated public spheres, in which the governing elites are driven to account for themselves and the public demands greater accountability of its ruler (Trenz/Eder 2004, Eder 2007, Schlesinger 2008). With the dynamics of the segmented publics and with the EU actively addressing the democracy deficit in the course of its increasing competences, a process of societal learning is initialised among institutional actors and actors involved in the governance network of the EU (expert communities, NGOs). This is not restricted to learning and adopting by the different elites active in EU policy-making, but goes beyond that by including the European public at large. Once policy-making in the EU is regarded as in need of public legitimisation, policy-making will take place in front of an audience, and the elites thus have to take into account the expectations of this audience. At the same time, by addressing the (albeit) virtual European Public and the European citizen – be it in terms of PR campaigns (as in the context of the convention) or by setting up public spaces for debate on the future of Europe – the EU institutions help to constitute this public or audience. No matter to which degree the debates about transparency, openness, dialogue and participation are purely rhetorical: “What counts is that [European, He] institutions take the logic of public sphere into account as the medium of public will formation” (Trenz/Eder 2004). This, as it were, will trigger expectations on the part of the citizens and the civil society which again will have to be taken into account by the institutional actors.

In a similar vein it is argued that the need for more coordination between member states, which results from restrictions on national decision-making capacity, requires more legitimisation of EU policy by means of a European public sphere, an active civil society, a European constitution, and a shared political culture. This points towards a further democratisation of the European polity (Habermas 2001, cf. Armstrong 2006, 50f.) with the European institutions organised according to the classical parliamentary system. This means an executive installed and controlled by parliament, and parliament elected by the citizens with only few interfering powers on the part of national authorities such as the Council of Ministers. If citizens feel that they can select and dismiss political leaders, it is more likely for a European public sphere to emerge, as was historically the case of the nation state. This development would change the EU from a community to a federalist state, and the role of the Commission from a mediator between national and trans-national interests to a democratically limited power in its own right (Magnette 2006, 35).

Thus the future of a European public sphere must be conceived of as dependent on the further development of the European institutions and the character of the European community (Fossum and Schlesinger 2007, 12ff.). If the EU develops alongside extended regulatory competences alone – as the “regulatory state” in Majones’ (1996) terms – what might develop (apart from the existing different national publics) are issue-related trans-national epistemic expert communities that are orientated towards the different regulatory issues or fields with which EU bureaucracy is concerned. These will be “European” in character, but quite restricted and exclusive in scope. Schlesinger and Fossum hold this perspective of a “European public sphere” to have little obvious capacity to challenge the Union’s democratic shortcomings or to generate an overarching public sphere. Another perspective opens up with the development of a “federal EU”. This can be conceived as a prolongation of the current attempts to foster the constitutional fundament of the EU as a rights-based post-national state. This would imply a more significant role of public opinion in informing, influencing and controlling the performance of the EU institutions, as well as a further strengthening of the role of the European Parliament.

This model of Europe relies on strengthening political integration by establishing democratic structures and procedures that provide for equal rights and mutual respect of cultural differences and identities as the core of a European identity in terms of “constitutional patriotism” (Habermas). What subsequently can be expected to develop is not a unique public sphere as in the case of the national state, but an overlapping set of “public spheres” alongside institutional, territorial and issue-orientated dimensions that will be overarched by a general European public sphere.

It is unlikely that Europe will develop into a unitary demos or people that form the societal basis of a general public sphere. There always will be a plurality of publics, and arenas and also national media publics resonating to each other on European issues. If we take this as the prospective future of the European polity, we can say today that there will be a multitude of different “epistemic communities” dealing with European policy issues. This multitude of “publics” will have to legitimise themselves in national public spheres which thus become more and more Europeanised in terms of the contents they process. Apart from that, segmented publics will have a strong need to relate themselves to a general European public of informed European citizens and legitimise themselves towards emerging European civil society organisations. More generally, it must be regarded as a decisive compensation for the European system of overlapping publics and for the “enormous institutional complexity and diversity at the national and regional level” to make use of governance practices “aimed at amplifying the role and scope of public deliberation and the critical scrutiny of decision makers” (Fossum/Schlesinger 2007, 16).

4. THE INTERNET AS A PUBLIC SPHERE

4.1. The Internet as a platform for political deliberation

Research on the use of the Internet as a platform for political communication (for an overview, see Grunwald et al. 2006) includes studies on the design, use and discursive quality of political dialogue formats (Internet fora, chatrooms) as organised by political institutions. Other studies explore how different political actors (public authorities as well as societal groups) use the Internet as a channel of political promotion and campaigning or explore Internet coverage of political issues as compared with mass media. Although the majority of these studies are dedicated to restricted questions of the quality of websites offered and specific political issues or events, some tentative conclusions with regard to the Internet's potential to contribute to public political discourse can be drawn: The Internet will not be a substitute for the public sphere made up by mass media, but is now and will in the future increasingly be used as a means of political information. Many functions of the political public sphere will be influenced by the Internet (opinion forming, deliberation, agenda setting) and the relevance of political online communities will grow. Although participation in online debates and public consultations, for instance, is rather low in relative terms, these formats are important for binding decision-making to the opinion forming and demands of well-informed and attentive citizens.

There appears to be evidence that the Internet allows the deliberative elements of democracy to be fostered by lowering the barriers between the communicative space of representative institutions and civil society. The Internet permits communicative spaces to be organised, where citizens and civil society groups discuss and forward their opinions on ongoing policy-making processes directly to governmental bodies. The Internet is being widely used for communication between politics and the public, and routines have developed at various points. There is programmatic consensus that the Internet could play an important role in strengthening representative democracy (for an overview Grunwald et al. 2006).

As the Internet offers two-way communication, from the very start it has been the focus of researchers exploring opportunities for deliberative processes supported by the net. Online discussions organised by civil society organisations and governmental agencies have been object of research on the discursive quality of debates as well as on types of users and the effects on public policy-making. The results so far are somewhat ambivalent. While specific sites and experiments have been shown to foster deliberation, "... the social context of the Internet's development and use is driving online politics towards pluralist interest group competition and individualist participation" (Dahlberg 2007, 51). Whereas some studies indicate dominance of partisan communication and a conflictive style of Internet discussions, others show that the discursive quality of debates in Internet fora is quite high. The latter obviously being the case for platforms provided and moderated by governmental agencies. However, online discussion platforms offered by political institutions are often lacking a visible link to (and impact on) established decision-making processes (Grunwald et. al. 2006).

In the past few years there has been an increase in activities that involve e-participation and online discussion at the international and the EU level, too. European institutions are making use of the Internet by setting up fora or dialogue options addressed to the European citizens, such as the commission's website "On the future of Europe", which is intended to stimulate European discourse on the institutional reform of Europe and the European constitution (www.europa.eu.int/futurum). Other examples are online platforms for public consultations on European legislative matters (http://ec.europa.eu/yourvoice/consultations/index_de.htm). These approaches can be regarded as attempts to support the growth of a European public sphere by involving citizens in the preparatory phase of decision-making. So far, however, little is known about the actual reach and possible achievements of the implementation of political dialogue via the Internet. It is also amazing that – in contrast to discussions on the European constitution – the European Parliament is only addressed marginally in debates on democratic governance and the use of the Internet at the European level.

Research has been carried out to assess the structure and quality of debates or consultations organised by the EU. The studies available so far merely concentrate on the deliberative quality of online debates. A study on the character of online debates on the platform "Your voice in Europe", which was provided by the EC in the context of the debate about the European constitution, covered postings in open online debates from 2001 to 2004 as well as online consultations that were carried out in the context of the platform (Winkler et al. 2006). As regards online debates, the study supports the expectation that online debates allow for a rational, interactive and fair exchange of political perspectives and arguments. The debates, however, were dominated by a relatively small group of well-versed discussants. As regards online consultations, interviews with participants revealed that the participants can mainly be characterized as experts in the respective field of consultation (which is in line with the EC's expectations). The content of the contributions was ranked as high quality. Much in line with findings of other studies on political online debates or consultations organised by public authorities, the study found that the participants complained about a lack of transparency regarding the uptake of recommendations by the EC, i.e. the impact of recommendations on the policy-making process. A recently published study, which included the citizens' online debates that were organised by the EU webpage "Futurum" (2001-2004) in the context of the European convention and the preparation of the European constitution, also underlines the deliberative rational and open character of the debates (although some deviations from the strong discursive model of rational debate were found) (Albrecht 2010).

4.2. The Internet and the trans-national public sphere

Research has provided some insight into the deliberative quality of online political debate and the appropriateness of using online discussions for fostering the responsiveness of political institutions towards their constituencies. However, empirical research on the extent to which the Internet has transformed the public sphere is scarce, and thus it is difficult to provide indicators for the potential of the Internet to support the development of a European public sphere. What can be provided here are arguments and observations that support the notion of the Internet as a means of establishing a public space for political communication that goes beyond the boundaries of national publics. The notion of deliberative democracy must be complemented by the concept of civic cultures when it comes to appreciating the democratic potential and relevance of the Internet (Dahlgren 2005, 155). The Internet is then conceived of as a medium that might promote the development of issue-related trans-national communities which again may build up values and identities that can be regarded as the cores of trans-national citizenship.

Despite the obvious fact that political communication even in the global media space "Internet" is still a national event to a high degree (Zimmermann/Koopmans/Schlecht 2004), it can be argued that although the public sphere developed historically in the context of the formation of nation states, it is evolving nowadays into a trans-national area of communication that refers to a global media economy. The Internet gives everyone instant access to information and enables virtually anyone to publish to a global community of Internet users. This fact makes the development of a political public sphere as a global communication space beyond and across the borders of the nation state at least conceivable (Trenz 2008, 2). In the trans-national sector, developments are emerging which justify speaking of the Internet's potential to support trans-national democratic structures of will formation.

In media research there is some evidence of a dissolution of the national public spheres, by individualisation, a retreat of the citizen from the public to the private and in particular by a fragmentation of the mass media landscape: Do audiences of different TV channels or newspapers with different focal subjects really share the same public sphere? There are hints that one basic pillar of public opinion formation - a world of shared news and shared topics to be discussed at the same time within the same frame of reference - is shrinking (Trenz 2008). Similar problems are also discussed with regard to the Internet. The Internet opens up opportunities to actively intervene in debates and publish as well as gaining instant access to any information provided by Internet users. On the other hand, having the opportunity to publish does not automatically imply that your voice will be heard in the public sphere (Keohane/Nye 1998, Lindner 2007, 58ff.). The Internet is a scattered and segmented galaxy of communication and information. The segmentation of the public in separate spaces for particular groups and communities may even be increased by the Internet and its user communities. Thus the character of the Internet as a political public sphere is twofold. It is a sphere of exchange and discourse that can be used for political communication; it is, however, also a sphere of segmentation, specialisation and dissolution of a common sphere of communication (Grunwald et al. 2006).

The segmented, issue-related publics that come into being via the Internet, however, are at least partly free from the constraints of national boundaries but rather constituted trans-nationally. This is supported by the political effects of globalisation. With the emergence of the "network society" as a result of globalisation and new media (Castells 1996, 2001), the function of the nation state with its territorially bounded legislative and executive power changes. The national government must operate increasingly as a partner in a trans-national network of other national governments and international political authorities. Manuel Castells regards the new media as preparing the ground for a new form of global or cosmopolitan mode of politics. Networks facilitated by new media go beyond national borders. It is arguably the EU which for him is the prototype of the new "network state". The EU is a network connected by different nodes – EU Institutions, national governments and agencies, as well as civil society (Schlesinger 2007, 74).

A consequence is a "gradual deterritorialisation of the public Sphere": national public spheres open up towards other national publics and overarching, trans-national issue-related publics emerge (Tomlinson 1999, Winter 2010). As far as these publics are focused on (international) political issues, it can be said that they mainly consist of well-educated elites with above-average communicative skills. The internationalisation of NGOs is a case in point. Global political issues and in particular global environmental issues are taken up by global networks of activists such as Friends Of The Earth (www.foei.org) who organise protests, exchange views and documents, publish studies and statements, and take part in international negotiations.

The Internet thus is widely regarded as supporting such societal groups and organised interests that regard themselves as being in opposition to mainstream politics: "... the Internet's interactivity and reach assists politically diverse and geographically dispersed counter publics in finding shared points of identity and forming counter-public networks and coalitions .." (Dahlberg 2007, 56). The trans-national publics that emerge around global political issues thus partly are driven by a "global civil society" of citizens' organisations. The protest against the second Gulf war is regarded as having been the first event where an Internet-based globalised public sphere and a global civil society took shape (Kaldor 2003). The growing international virtual public spaces of communication can give rise to issue-related virtual communities that by constantly exchanging views, experiencing common interests, and establishing shared schemes of perception support a kind of cosmopolitan culture or global citizenship that coexists with local or national cultural and political identities. Moreover, the Internet makes it easy for individuals to be part of several different communities at the same time, which allows for transparency among different communities and is expected to lower the opportunities for fixed ideologies to persist (Bennet 2003, Winter 2010). Research on international Internet platforms of civil society organisations has found indications of what the authors call "unbounded citizenship" being supported by this type of trans-national communities. Citizenship is no longer defined alongside national or regional identities alone, but increasingly alongside trans-national shared political interests and concernment (such as ecological citizenship, or net citizenship), which however tend to be of ephemeral character since they are not backed by codified citizen rights and duties (Cammaerts/van Audenhove 2005).

Thus there are indications that (a) the Internet supports a trans-national space for political communication, (b) it is an interactive and organisational means of an emerging global civil society, and (c) diverse forms of trans-national political identities might emerge from issue-related political communities. James Bohman (2004, 2007) in his work on the perspectives of a transnational democracy therefore holds the Internet to be the key technology for global political communication. For the public sphere to function as a space for rational discourse, it is indispensable that communication be addressed to and potentially attended by an indefinite audience. To guarantee open ended, non-exclusive communication that virtually allows for the inclusion of almost any potential argument and position, the space of communication has to be "published", i.e. opened up to any possibly affected or interested speaker. This was provided for historically by writing and printing, which provided for a one-to-many mode of communication (speakers to an indefinite audience). This was expanded later on by electronic mass media. The Internet must be regarded in this continuity of technologically mediated public communication. The general principle of a rational public sphere which is its openness to an indefinite audience has been set into reality on a global level via the Internet. In comparison to the mass media, the web radically lowers the costs for an individual speaker to address a large audience. To adopt the role of a speaker you do not necessarily have to pass the bottle neck of mass media criteria of publicity. Thus the opportunities for dialogue increase and a "many-to-many" type of communication emerges.

However, beyond that, the problem of "publicness", the extension of communication in space and time is solved in a new way by the Internet. Cautiously optimistic, Bohman regards the Internet as "perhaps" signalling the "emergence of a public sphere that is not subject to the specific linguistic, cultural and spatial limitations of the bounded national public spheres that have up to now supported representative democratic institutions" (Bohman 2004, 135). This feature of the Internet makes it a technology for a new trans-national democracy.

While there are reasons to speak of a "decline in the national public sphere" with a passive audience, and with an active role restricted to a few actors on the stage who struggle to keep the audience's support (e.g. Eder 2007), Bohman regards the Internet as a technology on the verge of the national public sphere's decline and a kind of birth helper for the emerging trans-national public sphere. The ability of the Internet to contribute to the establishment of a trans-national public sphere depends, however, on how the Internet is shaped by its users, powerful providers and regulatory authorities. The Internet must be used democratically: there must be motivation as well as institutional provisions for an equal and open discourse, i.e. forms of communication that are committed to discursive norms or, better, that are suitable for promoting the pervasiveness of these norms in public communication.

Internet postings address an indefinite audience in a purely aggregative sense. It cannot be determined to whom the argument is addressed and who can actually be expected to respond. As a consequence, the commitment to a public interest, which is embedded in citizenship and an active civil society, cannot be taken as pre-existing in trans-national spaces of Internet communication. For Bohman, networks that are trans-national (or global) in scope need the support of a trans-national civil society to become trans-national publics. Thus some common culture, some shared sense of citizenship is indispensable for building up a (trans-national) public sphere. Bohman regards this to be a feature that emerges from interaction through dialogue itself. Using the interactive features of the Internet, people address each other in a normative attitude in which all may propose and incur mutual obligation. This – as potentially realised in Internet-mediated communication – is exactly the basis for citizenship: "To have the standing to make claims and incur obligations within an institutional framework is to have a political identity." (Bohman 2004, 153).

If this is the case, then with reference to the discussion of the perspectives of a European citizenship as an effect of a democratisation of European policy-making we can conclude that using the Internet as a platform of political exchange would set an "obligation constituting element of dialogue" (Bohman) into practice that might support European citizenship. In line with the expectations of the European public as being multi-layered and comprising diverse issue-related communicative spaces, Bohman expects the Internet-based global public sphere not "... to mirror the cultural unity and spatial congruence of the national public sphere; as a public of publics, it permits a decentred public sphere with many different levels" (Bohman 2004, 139). The new forms of computer communication support a new sort of "distributive" rather than a unified public sphere which is defined by boundaries of the nation state or by language. Trans-national democracy and thus a polycentric, post-territorial community will not work according to a single cooperative scheme as the nation state, but might require more fluid structures. Trans-national institutions are adequately democratic if they permit access to influence "distributively, across various domains and levels, rather than merely aggregatively in the summative public sphere of citizens as a whole" (Bohman 2004, 148).

Thus in the trans-national context, diverse Internet-based direct forms of deliberative influence are more appropriate than a mass-mediated general public, given the scattered structure of authorities, institution and publics involved. And for this the EU functions precisely as a role model in Bohman's course of argument: For the EU "we have to abandon the assumption that there is a unified public sphere connected to a single set of state-like authority structures that seem to impose uniform policies over its entire territory" (Bohman, 2004, 149).

He regards the EC's "open method of coordination" (see also Armstrong 2006 and Smismans 2006) as being a prototype of such a polycentric cooperation of publics and authorities. Nevertheless, an overarching sphere, a public of the diverse national, issue, and committee-related communities is needed that provides for interchange and translation between various linguistic and cultural boundaries. For Bonham, it is the Internet that can provide such a new "public of the publics" which can "create precisely the appropriate feedback relation between disaggregated publics and such a polycentric decision making process" (Bohman 2004, 150).

5. CONCLUDING REMARKS

Both the European public sphere and the Internet as a global space for political deliberation must be regarded as social structures or institutions in the making. The Internet as a global media of many-to-many communication is a vast space of commercial, business, leisure and other communicative activities, compared to which the exchange of political information and political deliberation must be regarded as marginal. The European public sphere so far consists of rather specialised issue-related communities of experts and a European civil society, and an overarching space of exchange among European citizens at best comes into ephemeral existence on such rare occasions as the debate on the European constitution. A European public sphere as a mass-mediated space of political communication exists only as far as European political issues are taken up by national mass media.

Nevertheless, our review of debates on the prospects of European politics and the role of a European public sphere reveals that there are some indications for an ongoing Europeanisation of national media publics and that some of the features of Internet communication can be regarded as supporting the development of a trans-national civic culture as well as a trans-national civil society, and might meet the needs of the dispersed, multi-layered and issue-related structures of policy-making at the European level. A European public sphere will be different from what is known in the national context. If Europe is going to further develop its democratic structures, means and media are needed to foster the necessary cultural and societal fundamentals of European democracy – European citizenship and an active European civil society. In this respect, the mass media will have a role to play as the “classical” space of public opinion forming in modern democracies. It appears, however, that the mass media system in the near future will hardly evolve to a trans-national European level. Civil society organisations are about to develop their international (and European) networks by making use of Internet communication. European institutions make use of the Internet in order to underpin the democratic legitimacy of policy-making by organising public consultations and by offering platforms for dialogue with citizens. So far these activities are quite restricted in their reach. Specialised communities that organise themselves alongside European political issues and make use of participation channels offered via the Internet have to find a link to the “well informed European citizen”.

Different formats of political participation via or supported by electronic media have been and still are about to be applied on the local, the national as well as on the European level (see Part B of this report). It appears that these new pathways of political communication among citizens as well as between policy-making institutions and their constituencies bear the potential of strengthening those elements that have been identified in this chapter as being essential corner stones of a European public sphere: a European space of political communication and deliberation, a European civil society and European citizenship. Whether this strengthening and supportive function can be achieved is, however, highly dependent upon the way e-participation is connected to the established processes of political will formation and decision making.

The Internet can help to generate a European public sphere of transnational communication although the issues discussed on the Web show a strong specialisation. This specialisation goes hand in hand with a fragmented rather than a uniform and broadly informed audience. However, this fragmented audience is a transnational audience nonetheless. It can be said that the issue related publics emerging on or supported by the Internet in many respects can be regarded as elements of an emerging European public opinion. In this respect there is – as it has been put by Sandra Gonzáles Bailón at the STOA workshop on e-participation (see Part B, chapter 5) – a “European public sphere hidden under the cacophony of online conversations”. The diverse specialised public opinions that constitute themselves on the Internet in different ways and are initiated by different actors, however, have to be linked and re-connected to the official political processes within the European institutions. Such a linkage can be established again via means of Internet based participation. There are many examples of how the Internet can be used to enhance participation in political processes, including e-consultations, e-petitions, e-deliberation and in special domains such as budgeting and urban planning (see Part B of this report). The examples include top-down initiatives to enhance participation as well as bottom-up approaches, where citizens are mobilised and can organise their interests over the Internet. It must, however, be ensured that bottom-up initiated e-participation can enter the space of actual political decision making. The linkage of bottom-up and top-down initiatives is an important aspect for improving the connectivity of e-participation to the democratic system of policy-making.

The integration of e-participation in the policy-making process as a means of informing policy-making could help to support the ongoing formation of a European civil society. 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 to actively open up e-participation and e-consultation processes as being set up by European institutions beyond (scientific) expert communities by actively inviting civil society organisations (not only those represented in Brussels but also on the national level) to contribute with their views and arguments. As it has been recently put in a volume on “The new politics of European civil society”: It is not a question whether a European Civil society exists as a sphere distinct from national and global civil society. The question rather is “how a ‘politics of European civil society’ can be initiated and institutionally anchored within the political spaces that have been opened up – or also withheld – by the European Union” (Lieber/Trenz 2011, 6). E-participation as a means of improving responsiveness to civil society can be regarded as an element of a “politics of 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.

As has been argued in this chapter, 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 in common language and traditions but only in 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 to organise 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.

A last insight from research on e-participation that is relevant in this context is that e-participation works best when connected to real world formats of political activity and communication. In this respect the European Citizen Initiative (ECI) provides a unique opportunity to foster the elements of an emerging European public sphere. The ECI introduces a new element of (formal) European citizenship beyond the right to vote, it provides a new Pan-European form of meaningful political engagement of civil society organisations. And as far as a platform for online deliberation on issues taken up by ECIs is provided, a new element of targeted European political communication and European opinion forming can be implemented as a focal point for national and local Internet based political deliberation formats. The ECI is not only about a certain number of signatures that is needed and the authenticity of which has to be verified, it should also be regarded as a platform for debate and will formation that stands out from other (non-committal) fora as it relates deliberation to the process of policy formulation.

REFERENCES

- Albrecht, S. (2010): Reflexionsspiele. Deliberative Demokratie und die Wirklichkeit politischer Diskurse im Internet. Bielefeld 2010
- Armstrong, K. A. (2006): Inclusive Governance - Civil Society and the open method of co-ordination. In: Smismans, S. (ed.) (2006) Civil society and Legitimate European Governance. Cheltenham (U.K.) and Northampton (USA), 42-67
- Bärenreuter, C., Brüll, C., Mokre, M., Wahl-Jorgensen, K. (2009): An Overview of Research on the European Public Sphere (Updated), Eurosphere
http://eurospheres.org/files/2010/08/Eurosphere_Working_Paper_3_Barenreuter_etal.pdf, Working Paper No.3
- Bennet, L. (2003): Communicating global activism -strengths and vulnerabilities of networked politics. Information, Communication and Society, Vol. 6, 143-168
- Bohman, J. (2004): Expanding dialogue: The Internet, the public sphere and prospects for transnational democracy. Sociological Review, Vol.52, 131-155
- Bohman, J. (2007): Democracy across borders: From Demos to Demoi. Cambridge MA
- Brüggemann, M. (2005): How the EU constructs the European Public Sphere: Seven Strategies on Information Policy. TranState Working Papers No. 19, University of Bremen
- Brüggemann, M., Sifft, S., Kleinen-von Königslöw, K., Peters, B., Wimmel, A. (2006): Segmented Europeanization – The transnationalization of public spheres in Europe: Trends and Patterns, TransState Working Papers No. 37, University of Bremen
- Cammaerts, B., Van Audenhove, L. (2005): Online political debate, unbounded citizenship, and the problematic nature of a transnational public sphere. Political Communication, Vol. 22, 179-196
- Castels, M. (1996): The Rise of the Network Society. Malden MA
- Castels, M. (2001): The Internet galaxy – reflections on the Internet, business and society. Oxford
- Cohen, J., Sabel, C. (1997): Directly deliberative polyarchy. European Law Journal, Vol. 3, 313-340
- Commission of the European Union (2001): European governance. A White Paper, COM (2001) 428 final, Brussels
- Commission of the European Union (2005): The Commission's contribution to the period of reflection and beyond: Plan-D for Democracy, Dialogue and Debate. Communication from the Commission to the Council, The European Parliament, the European Economic and Social Committee and the Committee of the Regions, COM(2005) 494 final, Brussels
- Commission of the European Union (2006): White paper on a European communication policy, COM (2006) 35 final version, Brussels, 1 February 2006
- Dahlberg, L. (2001): The Internet and democratic discourse. Exploring the prospects of online deliberative forums extending the public sphere. Information, Communication & Society, Vol. 4, 615-633
- Dahlberg, L. (2007): The Internet, deliberative democracy, and power: radicalizing the Public Sphere. International Journal of Media and Cultural Politics, Vol.3, 47-64
- Dahlgren, P. (2005): The Internet, public spheres, and political communication: dispersion and deliberation. Political Communication, Vol. 22, 147-162
- Eder, K. (2003): Integration through culture? The paradox of the search for a European identity. In: Eder, K., Giesen, B. (ed.): European citizenship – national legacies and transnational projects. Oxford, 221-244

- Eder, K. (2007): The public sphere and European democracy: mechanisms of democratisation in the transnational situation. In: Fossum, J.E., Schlesinger, P. (eds.): The European Union and the public sphere - a communicative space in the making? London and New York, 44-64
- Eilders, C., Voltmer, K. (2003): Zwischen Deutschland und Europa. Eine empirische Untersuchung zum Grad von Europäisierung und Europa-Unterstützung der meinungsführenden deutschen Tageszeitungen. Medien & Kommunikationswissenschaft, Vol 51, 250-270
- Eriksen, E.O. (2007): Conceptualising European public spheres: general, segmented and strong publics. In: Fossum, J.E., Schlesinger, P. (eds.): The European Union and the public sphere – a communicative space in the making? London and New York, 23-43
- Eriksen, E.O., Fossum, J.E. (eds.) (2000): Democracy in the European Union. Integration through deliberation? London
- Fossum, J.E., Schlesinger, P. (eds.) (2007): The European Union and the public sphere – a communicative space in the making? London and New York
- Fossum, J.E., Schlesinger, P. (2007): Introduction. In: Fossum, J.E., Schlesinger, P. (eds.) (2007): The European Union and the public sphere – a communicative space in the making? London and New York, 1-20
- Frazer, N. (1992): Rethinking the public sphere: A contribution to the critique of actually existing democracy. In: Calhoun, C. (ed.): Habermas and the public sphere. Cambridge, MA
- Frazer, N. (2007) Transnationalising the Public Sphere: On the Legitimacy and Efficacy of Public Opinion in a Post-Westphalian World. Theory, Culture and Society 24, 7-30
- Gerhards, J. (2000): Europäisierung von Ökonomie und Politik und die Trägheit der Entstehung einer europäischen Öffentlichkeit. In: Bach, M. (ed.). Die Europäisierung nationaler Gesellschaften. Sonderheft 40 der Kölner Zeitschrift für Soziologie und Sozialpsychologie, Opladen, 277-305
- Giesen, B., Eder, K. (2003): European Citizenship. An avenue for the social integration of Europe. In: Eder, K., Giesen, B. (eds.): European citizenship – national legacies and transnational projects. Oxford, 1-13
- Grimm, D. (2004): Treaty or constitution? The legal basis of the European Union after Maastricht. In: Erikson, E.O, Fossum, J.E., Menéndez, A.J. (eds.): Developing a Constitution for Europe. London, 69-87
- Grunwald, A., Banse, G., Coenen, C., Hennen, L. (2006). Netzöffentlichkeit und digitale Demokratie. Tendenzen politischer Kommunikation im Internet. Studien des Büros für Technikfolgen-Abschätzung beim deutschen Bundestag, Bd. 18, Berlin
- Habermas, J. (1992): Further reflections on the Public Sphere. In: Calhoun, C. (ed.) Habermas and the Public sphere. Cambridge, M.A.
- Habermas, J. (1996): Between facts and norms: Contributions to a discourse theory of law and democracy. Cambridge, MA
- Habermas, J. (2001): So, why does Europe need a constitution? European University Institute. Robert Schuman Centre of Advanced Studies, Florence
- Kaldor, M. (2003) The idea of global civil society. In: International affairs, 79 (3), 583-593
- Keohane, R.O., Nye, J.S. (1998): Power and independence in the information age. Foreign Affairs, Vol. 77, 81-94
- Koopmans, R. (2007): Who inhabits the European public sphere? Winners and losers, supporters and opponents in Europeanised political debates. European Journal of Political Research, Vol. 46, 183-210

- Latzer M., Sauerwein, F. (2006): Europäisierung durch Medien: Ansätze und Erkenntnisse der Medienforschung. In: Langenbucher, W.R., Latzer, M. (eds.): Europäische Öffentlichkeit und medialer Wandel. Eine transdisziplinäre Perspektive. Wiesbaden, 10-45
- Levidow, L., Marris, C. (2001): Science and governance in Europe: lessons from the case of agricultural biotechnology. Science and Public Policy, Vol. 28, 345-360
- Liebert, U., Trenz, H.J. (2011): The 'new politics of European civil society': conceptual, normative and empirical issues. In: Liebert, U., Trenz, H.J. (eds.): The new politics of European civil society. London and New York, 1-16
- Lindner, R. (2007): Politischer Wandel durch digitale Netzwerkkommunikation? Strategische Anwendung neuer Kommunikationstechnologien durch kanadische Parteien und Interessengruppen. Wiesbaden
- Meyer, C.O. (1999): Political legitimacy and the Invisibility of Politics: Exploring the European Union's communication deficit. Journal of Common Market Studies 37 (4), 617-639
- Majone, G.D. (ed.) (1996): Regulating Europe. London
- Magnette, P. (2006): Democracy in the European Union: why and how to combine representation and participation? In: Smismans, S. (ed.): Civil society and Legitimate European Governance. Cheltenham (U.K.) and Northampton (USA), 23-41
- Marshall, T.H. (1950): Citizenship and social class. Cambridge MA
- Neidhardt, F. (2006): Europäische Öffentlichkeit als Prozess. Anmerkungen zum Forschungsstand. In: Langenbucher, W.R., Latzer, M. (ed.): Europäische Öffentlichkeit und medialer Wandel. Eine transdisziplinäre Perspektive. Wiesbaden, 46-62
- Pfetsch, B. (2004): The voice of the media in European public sphere: Comparative analysis of newspaper editorials. Integrated Report WP 3, (<http://europub.wz-berlin.de>)
- Risse, T. (2003) An Emerging European Public Sphere? Theoretical Clarifications and Empirical Indicators. Paper presented to the annual meeting of the European Studies Association (EUSA), Nashville TN, March 27-30
- Scharpf, F.W. (1999): Governing in Europe: Effective and Democratic? Oxford
- Schlesinger, P. (2007): A fragile cosmopolitanism: on the unresolved ambiguities of the European public sphere. In: Fossum, J.E., Schlesinger, P. (eds.): The European Union and the public sphere - a communicative space in the making? London and New York, 65-84
- Schmitter, Ph. C. (2003): The scope of citizenship in a democratised European Union. In: Eder, K., Giesen, B. (eds.): European citizenship – national legacies and transnational projects. Oxford, 86-121
- Shaw (1997): Citizenship of the Union: Towards a Post-National Membership? Jean Monnet Working Papers, Harvard Law School
- Shore, C. (2004): Whither European citizenship? Eros and civilization revisited. European Journal of Social Theory, Vol. 7, 27-44
- Smismans, S. (2006): Civil Society and European Governance: from concepts to research agenda. In: Smismans, S. (ed.) (2006) Civil society and Legitimate European Governance. Cheltenham (U.K.) and Northampton (USA), 3-22
- Smismans, S. (ed.) (2006) Civil society and Legitimate European Governance. Cheltenham (U.K.) and Northampton (USA)
- Tomlinson, J. (1999): Globalised culture: the triumph of the West? In: Allen, T., Skelton, T. (eds.): Culture and global change. London and New York, 23-29
- Trenz, H.J. (2004): Media coverage on European governance - exploring the European public sphere in national quality papers. European Journal of Communication, Vol. 19, 291-319

- Trenz, H.J. (2008): In search of the European public sphere. Between normative overstretch and empirical disenchantment. RECON Online Working Paper (www.reconproject.eu)
- Trenz, H.J., Eder, K. (2004): The democratizing dynamics of a European public sphere – towards a theory of democratic functionalism. *European Journal of Social Theory*, Vol. 7, 5-25
- Winkler, R., Kozeluh, U., Brandstetter, G. (2006): Deliberation im europäischen Kontext: Online Debatten und Online Konsultationen auf der EU Plattform "Your Voice in Europe", In: Langenbucher, W.R., Latzer, M. (eds.): *Europäische Öffentlichkeit und medialer Wandel. Eine transdisziplinäre Perspektive*. Wiesbaden, 378-400
- Winter, R. (2010): *Widerstand im Netz. Zur Herausbildung einer transnationalen Öffentlichkeit durch netzbasierte Kommunikation*. Bielefeld
- Zimmermann, A., Koopmanns, R., Schlecht, T. (2004): *Political communication on the Internet. Link structure among political actors in Europe*. WZB Berlin

PART B: E-PARTICIPATION IN EUROPE

Part B: E-participation in Europe	48
1. Introduction	49
2. The role of e-participation in the democratic process	51
2.1. Participatory democracy in EU-governance	51
2.2. Levels and types of e-participation	54
2.3. Relevance across the policy cycle	55
2.4. Functions and potential effects	56
3. Scope of e-participation	60
3.1. Governmental and parliamentary e-participation activities	61
3.1.1. E-consultations	62
3.1.2. E-participatory budgeting	63
3.1.3. E-petitions	65
3.1.4. E-deliberation	65
3.2. Electronic participation channels offered by EU institutions	68
3.3. Civil society and NGO e-participation activities	71
3.3.1. E-activism and e-campaigning	72
3.3.2. E-participation as continuous discourse	73
3.4. Bridging top-down and bottom-up e-participation?	75
3.4.1. The European Citizens' Initiative	77
4. European good practices	81
4.1. Selected cases	81
4.1.1. The Scottish ePetitioner	81
4.1.2. Participatory budgeting Berlin-Lichtenberg	82
4.1.3. www.Theyworkforyou.com	85
5. Workshop on e-participation	87
5.1. A European e-public: Chances and restrictions of an Internet-mediated public opinion in Europe	87
5.2. E-participation in Europe: Internet-based political participation as a pacemaker for a European public	91
6. Concluding remarks	100
References	102

1. INTRODUCTION

Since the late 1990s, the Internet has become a ubiquitous phenomenon in the area of political communication in developed democracies³. Already with the looming rise of the Internet as a medium of mass communication, the question of the Internet's potential to change politics, the patterns of political participation and democratic decision-making – both in terms of quality and quantity – quickly captured the attention of many scientists and practitioners.

In the early phases of the debate on 'Internet and politics', numerous and often far-reaching claims about the new media's transformative potential were made. Due to the Internet's technological features and its impressive communicative capacity, many authors enthusiastically argued that the Internet will fundamentally change democratic politics by providing easy and universal access to information, undermining established structures of political power, democratising the processes of agenda-setting, increasing the rates of political participation, improving the quality of deliberation and making plebiscitary forms of decision-making feasible (Lindner 2007, 16-20).

These optimistic accounts have to be understood in the context of the debates on the crisis of representative democracy. Declining turnout rates, eroding party memberships, political apathy and growing discontent with governments and politicians in established democracies are the most obvious trends raising concerns about the future of democracy and its institutions. In addition to the growing disenchantment with the *classe politique* and the disengagement from the democratic processes in the European nation states, the European Union is facing particular challenges such as the poorly developed European public sphere and the – real or merely perceived – democratic deficit of its institutions. Against this background, the new Internet-based channels for information exchange, communication and participation are often presented as a possible cure to these democratic ills.

Within the last decade, a large number of practical experiences with new applications being used for political communication purposes have been made, and the research field of e-participation evolved, often also addressed under the broader notion of e-democracy. E-participation is about how information and communication technologies (ICT) can be used to support participatory processes between citizens, civil society groups/NGOs and government for political decision-making. Deliberation and political discourse between the public sphere and political authorities play an important role in this respect.

This part of the report focuses on the manifold forms of e-participation and their role in the political process. It reviews key findings of the relevant research conducted in the field of e-participation with the following aims: In order to develop a better understanding of the potentials and political impacts of different forms of e-participation made available to citizens as well as organised civil society, interesting examples of e-participation endeavours in Europe will be identified and assessed with regard to their significance to the political process and their possible impacts. For that purpose, relevant activities of governmental institutions as well as those performed by non-governmental actors will be included in the examination. By incorporating e-participation activities of civil society actors at large, particularly innovative and dynamic forms of Internet-based political communication can be taken into account.

³ Early roots of experimenting with ICTs for e-participation date back to the early 1970s (cf. Crickman/Kochen 1979).

Based on the general research question, if and under which circumstances e-participation opportunities have the potential to improve the quality of democratic processes, we focus on the role of ICT in the provision, retrieval, and exchange of politically relevant information and the changed dynamics of politics and policy-making. With regard to the increasing amount of top-down and bottom-up initiated e-participation approaches, the paper also addresses the question how formal participation channels (provided by governments and parliaments) and informal e-participation opportunities (offered by NGOs and civil society) might overlap and could be productively combined towards a better integration.

2. THE ROLE OF E-PARTICIPATION IN THE DEMOCRATIC PROCESS

Participation is a core element of any concept of democracy. In modern liberal democracies it is primarily realised in the form of parliamentary and representative democratic systems in which formal participation of the demos is largely concentrated on casting votes in elections. From the perspective of liberal democratic theory instrumental functions of political participation – legitimate selection of representatives, legitimate distribution and limitation of political power, and efficient decision-making – are in the foreground. Advocates of participatory democracy also point out the intrinsic value of political participation and its contribution to social integration of liberal societies. The relation between citizen participation and democratic legitimacy has also to be seen in the light of Scharpf's (1997) distinction between input and output legitimacy: the former depends on mechanisms linking decisions in the political system to the citizens' will, the latter on policy outcomes which effectively achieve the goals of common concern (see also Part A of this report).

2.1. Participatory democracy in EU governance

Political participation and the role of a political public sphere are undergoing significant transformations in Europe. The advent and increasing institutionalisation of electronic or e-participation as a major new development is shaped by a number of other societal transformations: Notable declines in voter turnout in most member states (as in many regions world-wide) and decreasing party membership since the mid-1980s signal a weakening or even a crisis of democracy. At the same time there is an increase of other forms of political articulation such as signing petitions, taking part in demonstrations, or boycott actions (see Walter/Rosenberger 2007). Indications of similar trends at the level of the European Union together with persistent distance and mistrust of EU citizens against EU institutions have called for suitable counterstrategies. Starting more than a decade ago, important steps have been taken in order to connect European institutions and representatives with the European citizenry and civil society. Various reforms claiming to open European governance to civil society and improve opportunities for participation at the EU level have been initiated since then. An early document of this strategic turn, the White Paper on European Governance succinctly summarises the goal:

"Democratic institutions and the representatives of the people, at both national and European levels, can and must try to connect Europe with its citizens. This is the starting condition for more effective and relevant policies. (...) The White Paper proposes opening up the policy-making process to get more people and organisations involved in shaping and delivering EU policy. It promotes greater openness, accountability and responsibility for all those involved." (European Commission 2001, 3).

More recently, the Treaty of Lisbon (EU 2010) has put special emphasis on strengthening democratic elements in the EU. The Treaty has not only intensified the role of the European Parliament and the involvement of the national parliaments of the member states. It has also introduced the European Citizens' Initiative (ECI) as an EU-wide instrument of direct democracy with the potential to stimulate public debate on European issues and to involve European citizens and organised civil society into policy-making at the EU level.

The ECI represents a key element within the architecture of participatory democracy and complements the general commitment to representative democracy in the institutions of the EU. An overview of relevant provisions in specific articles of the consolidated versions of the Treaty on the European Union and the Treaty on the Functioning of the European Union provides a holistic picture of this architecture (see figure 1).

Figure 1: A holistic view of participatory democracy elements enshrined in EU norms

Art 10.3 TEU / Art 15 TFEU <i>„Citizen Centered Democracy“</i> Every citizen shall have the right to participate in the democratic life of the Union. Decisions shall be taken as openly and as closely as possible to the citizens	Art 11.1 TEU <i>„Horizontal Civil Dialogue“</i> The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action	Art.11.2 TEU /Art 16 TFEU <i>„Vertical Civil Dialogue“</i> The institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society
Art 11.3 TEU <i>„Consultation Procedure“</i> The European Commission shall carry out broad consultations with parties concerned in order to ensure that the Unions actions are coherent and transparent	Art 11.4 TEU <i>„European Citizens’ Initiative“</i> (...) one million (...) of (7) member States may take the initiative of inviting the EC, within the framework of its powers, to submit (...) where citizens consider ...to implement Treaties	Art 17.1 TFEU <i>„Spiritual Dialogue Partners“</i> The Union respects and does not prejudice the status ... of churches and religious associations or communities in the Member States
Art 17.2 TFEU <i>„Secular Dialogue Partners“</i> The Union equally respects the status under national law of philosophical and non-confessional organisations	Art 17.3 TFEU <i>„Dialogue of Values“</i> Recognising their identity and ... contribution, the Union shall maintain an open, transparent and regular dialogue with these churches and organisations	Art 24 TFEU / Art 44 ChFR <i>„Petition Right“</i> Every citizens shall have the right to petition the European Parliament ... Every citizen shall have the right to apply to the Ombudsman ...

TEU = Consolidated version of the Treaty on European Union

TFEU = Consolidated version of the Treaty on the Functioning of the European Union

Source: Pichler (2011)

Figure 1 provides an overview of the Treaty’s formal provisions for direct participation in the democratic life of the EU. Besides the ECI, which takes a central place, the main features of the EU’s provisions for participatory democracy are enshrined in explicit citizens’ rights for direct participation, in petition rights for every citizen as well as in obligations of EU institutions to provide for horizontal and vertical civil dialogues and consultation procedures.

Over the past decade the role of public participation and citizen engagement in EU-governance has clearly grown in importance, being extended towards various modes of participation in the political process across the whole policy cycle. This noteworthy upgrading of participatory elements can be interpreted as a major shift in the governance regime of the European Union. According to Saurugger (2010), a “participatory turn” emerged in the official discourse at the EU level during the 1990s and was gradually transformed into a norm in basic documents and into governance reform programmes.⁴ However, the actual quality and scope of the postulated “participatory turn” is still contested and ambiguous in its implementation. At least it is questionable whether the turn has effectively taken place to the same extent in practice as in rhetorics. Nevertheless, the participative democracy discourse also had some repercussions in the member states, as traditional governance regimes were questioned and participatory elements received more attention there as well. The upgrading of participation at both the EU and national levels has not only been a reaction to perceived “democratic deficits” and a widening cleavage between citizens and EU institutions. There is also a growing demand for knowledge and expertise required for coping with increasing problem complexity in the multi-level governance of advanced societies. This change encourages citizen participation because of the benefits of inputs which are functional for enhanced problem solution and decision quality. Some commentators argue that participation has even become both a moralising discourse, expecting responsible citizens to actively contribute to problem solution, and a normative discourse, treating participation as a means to cure the alienation between governments and the governed (Smith and Dalakiouridou 2009, 3; Jessop 2003).

A factor which is reinforcing the upswing of the participation discourse and to some extent also the EU level participation practice is the thriving supply of new electronic means. Along with the rise of the Internet, a variety of novel applications of information and communication technologies (ICT) have been emerging that lend themselves to supporting and facilitating political participation in the form of e-participation. They have led to a decade of ample experimenting with diverse applications of ICT for new modes of citizen involvement in the political process. However, the role and potential benefits of e-participation first of all depend on the specific governance context in which it is embedded and the functions it is expected to fulfil. The key challenge still remains to find a mixed system of political participation and decision-making built on a pragmatic combination of the institutions of representative democracy with direct-democratic elements (cf. Grande 2000).

⁴ Major steps were the introduction of participatory democracy as a principle into the Constitutional Treaty signed in Rome in December 2004 and of the respective Article on the European Citizens’ Initiative – although without its original heading of “Participatory Democracy” – into the Lisbon Treaty; an upswing of “civil society” consultations, increasingly via Internet, through a so-called “transparent consultation mechanism” by European institutions; the EC’s launch of a “Plan D for democracy, dialogue and debate” in 2005 propagating to “go local, listen to and engage with citizens”; a White Paper on the European Communication Policy with a similar mission; two large-scale meetings for exchange between civil society organizations and MEPs in the European Parliament in 2007 and 2009 (“European Agora”); launch of a Green Paper on the European Transparency Initiative; and most recently a proposal for a Directive on the European Citizens’ Initiative (cf. Saurugger 2010; EC 2010).

2.2. Levels and types of e-participation

E-participation is about the utilisation of ICTs in support of political participation. This general characterisation calls for further clarification of the variety of phenomena covered under the heading of e-participation. It can serve both the citizens' interest for being heard and involved in the democratic process, and governments' interest to use new instruments for encouraging public consultation to achieve better policies and gain public approval. As to the origin of the initiative to employ electronic means for participation one can distinguish between top-down and bottom-up approaches. A definition addressing both perspectives specifies e-participation as "the use of ICTs to support information provision and 'top-down' engagement i.e. government-led initiatives, or 'ground-up' efforts to empower citizens, civil society organisations and other democratically constituted groups to gain the support of their elected representatives" (Macintosh/Whyte 2008).

Depending on the degree of integration into or influence on decision-making, different levels of participation have to be distinguished. A common categorisation is the distinction between information, consultation and active participation as "democratic political participation must involve the means to be informed, the mechanisms to take part in the decision-making and the ability to contribute and influence the policy agenda" (OECD 2003). Based on these levels, Macintosh (2004) proposed *enabling* (to include a wider audience by providing relevant information which is accessible and understandable), *engaging* (to consult a wider audience to support deliberation), and *empowering* (to support active participation and to facilitate bottom-up ideas for the political agenda) as differentiating functional characteristics.

We prefer the following broad classification as it can be deployed to bottom-up as well as top-down initiated participation:

- *Information*: this level addresses a one-way relationship in which individuals receive information which is a major precondition for enabling participation in political processes.
- *Communication*: this level refers to a two-way relationship, individuals do not just receive information, they also bring their views and opinions into the participation process.
- *Collaboration*: at this level the two-way relationship has a collaborative character as individuals are actively integrated in proposing policy options and shaping the content of policy-making.

There are many different ways to support the involvement of citizens in the democratic process through the use of ICT. Major types of e-participation are listed in Table 1.

Table 1: Types of e-participation

Information	ICT to structure, represent, manage, provide and access information to support participation in different contexts
Polling	ICT to measure public opinion and sentiment
Campaigning	ICT in protest, lobbying, petitioning and other forms of collective action
Discourse	ICT to support communication and discussion among citizens, analysis and representation of discourse
Deliberation	ICT to support virtual, small and large-group discussions, allowing reflection and consideration of issues
Consultation	ICT in official initiatives by public agencies to allow stakeholders to contribute their opinion and provide expertise on specific issues
Petitioning	ICT to host online petitions and allow citizens to sign petitions by adding their name and address online
Voting	ICT in the context of public voting in elections, referenda or local plebiscites

Source: Own compilation based on Macintosh (2003, 98) and Tambouris et al. (2007, 11pp.)

2.3. Relevance across the policy cycle

An often applied heuristic in order to structure the complex processes of policy-making is its representation in the simplified model of the policy-cycle⁵. A common conceptualisation of the policy-cycle distinguishes between five different phases:

1. *Problem definition and articulation* (recognizing a policy problem or the need for policy change and expressing the necessity of state intervention; in this stage, the political process is completely open, interests or problems are articulated by individuals or interest groups and become politically relevant, when taken up by other political stakeholders who consider them important as well).
2. *Agenda setting* (selection of a recognised problem and putting it on the government's – formal or informal – agenda for serious consideration of public action).
3. *Decision-making and policy* formulation (transformation of proposals and demands into government policy documents, actions or programmes; this includes the definition of objectives and consideration of alternatives as well as the development of legislation and regulation).
4. *Policy implementation* (usually includes the specification of program details and the execution or enforcement of a given policy by the responsible agencies).
5. *Policy evaluation* (involves the evaluation and review of the policy in action, research evidence and views of actors concerned; the insights gained in this phase opens the possibility of a feedback loop to the first or second phase, perhaps resulting in a new policy initiative or a revision of an existing policy).

⁵ For a brief overview see Jann/Wegrich (2007).

(E-)participation generally is relevant for any phase of governance and democratic decision-making and can be linked to different stages of the democratic process. However, when relating different options for e-participation which governments offer to their citizens to the phases of the policy-cycle, it becomes clear that certain forms of e-participation are applied more frequently in some phases than in others. A linkage seems obvious in the beginning and the end, when policy becomes defined and formulated and finally evaluated (i.e., in the stages of problem definition and agenda setting and policy evaluation). For instance, e-petitions and other electronically submitted complaints and proposals tend to relate to the phase of problem definition and articulation. E-consultations are usually initiated in a later phase of the policy process in order to support ongoing policy formulation after the policy agenda has already been set. Some e-consultations which are addressed at selected expert communities (Lindner 2008) also deal with specific technicalities of the implementation process of a policy or program. The effective linking point between participation and the policy-cycle depends on the governance context and issues; linkage at the end with options for public contributions to evaluate policies could also be on the threshold to further agenda setting and reconfiguration of existing policy (cf. Donges/Jarren 1999; OECD 2003).

2.4. Functions and potential effects

An earlier STOA working paper (Kies et al. 2002, 3) points out major functions of the new technologies for the democratic process: "... enable/empower citizens in their efforts to hold rulers/politicians accountable for their actions in the public realm. Depending on the aspect of democracy being promoted, e-democracy can employ different techniques: (1) for increasing the transparency of the political process; (2) for enhancing the direct involvement and participation of citizens; and, (3) improving the quality of opinion formation by opening new spaces of information and deliberation." E-participation provides mechanisms to enhance the (direct) involvement and participation of citizens in political decision-making processes and can thereby be functional for many aspects of the quality of democracy and democratic goals, such as institutional responsiveness, legitimacy of and trust in the political system, quality of political decisions, community empowerment, and social inclusion.

Responsiveness is a central aspect and denotes the degree to which the views and interests of the public are effectively taken into account in the processes of decision-making of representative bodies. Of course, the degree of institutional responsiveness is influenced by numerous factors, including the constitution, the institutional setting, the prevailing political culture, and the structure of the communication relationships between the ruled and the rulers. With regard to the latter, governments and parliaments have considerable leeway to determine their own communicative capacities. This may be achieved by increasing the number of contact points for citizens, the way information and content is made available, the degree of transparency etc. (Lindner/Riehm 2009a, 511pp.). Against this background, analysing governments' and parliaments' approaches to the provision of information and communication opportunities for citizens via new media technologies is particularly relevant for the question if and under which circumstances the Internet has the potential to contribute to a revitalisation of representative democracy.

Arguments focussing on the enhanced communication potentials of the Internet expect it to change political communication towards greater rationality and conditions of deliberative democracy. A link is also postulated between the new communication and networking culture and increased political participation: "Participation in blogs, citizen journalism, critical videos concerning public events or politics and confrontation of different opinions may arouse critical minds and interest in debate" (OECD 2007, 68). Kann et al. (2007) elaborate on similar arguments especially with respect to youth. They postulate positive effects of a new participatory culture on political participation through mechanisms such as promoting values conducive to democracy (e.g. citizen involvement, openness), teaching of citizen skills (e.g. exposure to political information and ideas) and inviting as well as facilitating political mobilization (e.g. via e-campaigning). A further expected political potential of ICTs is the enhanced mobilization capacity for which Garrett (2006) points out three main roots: reduced costs of information distribution and participation, promotion of collective identity and fostering community development. ICT can facilitate structuring and organising participatory processes (Jensen 2003) and open up new avenues for supporting organisation, coordination and mobilisation functions in political processes. A related function of e-participation can be enhanced social capital building and stimulation of active citizenship.

E-participation is expected to offer citizens better means to supervise government and the implementation of policies, thus contributing to a better balance of power (OECD 2003, 33). At the same time it could substantiate a new understanding of the relationship between governments and citizens conceiving citizens as partners as propagated by the OECD: "... citizens can make an active and original contribution to policy-making when their relationship with government is founded on the principle of partnership" (OECD 2003, 34). E-participation could also be instrumental for a better balance of the positions of citizens relative to the organised civil society and interest organisations as regards the influence on policy-making. The delegation of problem-solving capacity through participation arrangements at the EU level has to date primarily involved specialised publics (e.g. committees, consultative fora, specially chartered conventions) and has only lately also attempted to extend this to the general public sphere. Enhancing mutual learning between citizens and representatives of government can also be an important function of e-participation. It is activated with the increasing role of "political foundations" which often have a brief for awareness raising and "citizen training" (cf. Smith/Dalakiouridou 2009, 7). An important new function of public involvement has emerged under the heading "Environmental Democracy" with measures against global warming. With participation in measures, in particular by collaboration of citizens and governments on planning goals, new forms of engagement and self-commitment for changing behaviour have been introduced (Kubicek et al. 2007; Kubicek et al. 2010).

Expected benefits of e-participation are closely related to those of participation in general. Smith and Dalakiouridou (2009, 2) sum up potential gains from both: "Typically, the benefits claimed for participation relate to service effectiveness and efficiency (e.g. more detailed knowledge of the public's needs and wants for service planning), decision-making quality and legitimacy (e.g. generating awareness, acceptance and commitment to policies), or active citizenship (e.g. generating social capital and mobilising people's voluntary labour, including their intellectual labour for problem-solving purposes). Participation using information and communication technologies (ICT) – e-Participation – may bring three additional types of benefits: reduced transaction and coordination costs in social and political relationships, greater deliberativeness due to certain qualities of the medium, and the enhanced information-processing capacity of information technology."

A good deal of potential benefits is linked to changes in provision of and access to information, new potentials of communication and mobilisation of participation. According to the quite optimistic account of Levine (2002) this includes especially four premises: technology offers greater convenience and this will spur participation; citizens need more information and modern ICTs provide it; the Internet as such allows for virtual discourse like a “massive town meeting”; and direct online participation without interference by power brokers will make democracy flourish. Lower cost and better accessibility of politically relevant information are also expected to raise the aggregate level of political engagement (Tolbert et al. 2003). Macintosh (2003, 33) summarizes key potentials of technology-enabled participation. They include reaching and engaging with a wider audience; providing relevant information and increasing its accessibility; enabling more in-depth consultation and deliberative debate; and facilitating the analysis and consideration of contributions.

However, a number of counterarguments against the expected mobilization and democracy improving effects have been brought forward as well: the problem of information overload, more information not necessarily meaning better information, the need for assessing information quality and information paradoxes such as “the tyranny of light” with special relevance for transparency issues (Tsoukas 1997). Further objections address the digital divides in participation and the possibility of social polarisation, bringing benefits mainly to existing elites, and enhanced influence for privileged special interest groups (Lindner 2007, 50-61). There are also sceptical views on the deliberative potentials of e-participation expecting a lack of discourse culture leading to “flame wars” and fragmented posting of opinions instead of deliberation with coherent outcomes (Lindner 2007, 41-49). Kampen and Snijders (2003) raise the point that using the Internet for political participation has to compete with more attractive alternatives and limited time budgets. Other problem areas include the fear that populism could be enhanced and that single issue approaches would entail inconsistent decisions.

Finally, three more general risks of participation strategies have to be addressed. One is the risk of a “high cost – low benefit” scenario. Firstly, there is obviously a tension between the goals of democratic inclusiveness and efficient decision-making (Lindner 2007, 79f) which have to be balanced against each other. A second risk has been pointed out by Eder (2007) as a “pathology of learning”, i.e. where collective learning potentials of participation are hampered by situations which are characterised by a strong imbalance between participation and deliberation, either high participation paired with low deliberation (e.g. the fascist state) or an excess of deliberation with very low participation. A third risk is the failure to pay attention to the fragmented nature of public spheres, i.e. the existence of partial public spheres. The public sphere plays a crucial role as an intermediary between political decision makers and the individuals affected by these decisions. It provides rooms for public deliberation necessary to transform public communication into public opinion and will formation (see Part A of this report for a detailed analysis of the public sphere’s role).

One major aspect of participation in general thus is the consideration of partial public spheres which determine the participatory process. This is equally valid for e-participation; only if political debates, decisions, alternatives, etc. become relevant also beyond their online-environment in the “real” world so to speak, one can argue that e-participation affects political processes. Hence, an important precondition for potential political impacts of e-participation is the link between online communication and common traditional communication spaces, and the relationship of e-participation to the policy process (Donges/Jarren 1999, Kamps 1999).

The demand for a point of reference in the form of a concrete political issue, i.e., the integration of participation into a specific political context, is vital for its efficacy (Donges/Jarren 1999, Kamps 1999, 15). Thus, a key aspect of e-participation is its connectivity to the policy cycle (see 2.3). Approaches should consider creating links between online communities and offline public spheres. In line with the connectivity aspect is the importance of integrating technological concepts and tools with existing, traditional tools for engaging citizens. This is also relevant with respect to the continuing presence of a digital divide. Technological concepts have to incorporate participation contexts and become integrated into traditional "offline" forms of participation, not a substitute to them.

3. SCOPE OF E-PARTICIPATION

As pointed out above, technology-mediated forms of political participation comprise activities initiated and carried out by governments (top-down) as well as by citizens and the civil society (bottom-up). Initiatives led by government aim at providing citizens access to information and creating options to gather their views on a range of policy related matters. In this case the political agenda for the participation issue is set by the political decision-makers. In a bottom-up initiative, citizens and civil society organisations obtain a role which also allows them to bring in their own agenda and not just to react to political issues pre-defined by political institutions.

In practice, top-down approaches (e.g. e-consultations, participatory e-budgeting, e-legislation, etc.) are, if not fully led by government, sometimes co-organised on a cooperative basis by public institutions and private organisations. But at least they are backed by government in some respect and sponsored or co-financed by government institutions. In principle this facilitates the awareness and public visibility of such projects. Bottom-up initiated e-participation (e.g. e-activism, e-campaigning, e-deliberation) is usually owned, financed and implemented by civil society stakeholders themselves without additional support. Thus, top-down approaches are expected to have a more direct impact on policy and decision-making processes whereas bottom-up projects tend to be independent from government (Delakorda/Delakorda 2009; Pratchett et al. 2009).

It is widely agreed among political theorists that “decision-making processes are democratically inadequate, even spurious, unless they are combined with relatively equal and extensive opportunities for citizens, communities, and groups to help shape decision-making agendas” (Scolve 1995 in OECD 2003, 30). Thus, participation approaches need to consider both perspectives. A successful combination of top-down and bottom-up initiatives could allow for a partnership between civil society and government with prospects of strengthening representative democracy (OECD 2003, 30).

The local level plays a particular role in the involvement of citizens in political decision-making as the citizens are expected to be more directly affected by local policies (due to relevance for everyday needs, greater continuity, and lower distance) as compared to national or supra-national governments. Participatory approaches supported by ICT are increasingly applied in spatial and urban planning. In this area e-participation contributes to local governance showing potentials for citizen and community empowerment. Among several key mechanisms that facilitate empowerment identified by Pratchett et al. (2009), e-participation plays a prominent role. Public participation can serve at least five functions in local planning (Innes/Booher 2004): revealing the public’s preferences to decision-makers for being taken into account in decisions; incorporation of citizens’ local knowledge to improve decisions; advancing fairness and justice; helping to establish legitimacy for public decisions; and fulfilling legal norms. Citizen participation in decision-making makes sure that more aspects of problems and solutions are considered and early consideration of diverse viewpoints may reduce conflicts or at least help to address potential conflicts timely.

In the following we will provide an overview of the scope of e-participation structured by separate sections dealing with top-down and bottom-up initiated forms of e-participation before focusing on overlaps and synergies of the two approaches.

3.1. Governmental and parliamentary e-participation activities

To start with the government-initiated part, a cursory overview of governments' activities in the area of e-democracy in Europe shows that the following main categories of online offers can be observed (European Commission 2009; Grunwald et al. 2006):

- *Provision and transmission of information:* Making information available to citizens is clearly the most common activity related to e-democracy governments and other public institutions perform.
- *Consultation and advice:* Governments actively seek input from citizens and experts on selected issues through the Internet. These e-consultations are very common in many member states and at the European level.
- *Complaints, proposals and petitions:* Governments offer opportunities to citizens and groups to raise issues, file complaints or submit petitions online (e-petitions). In the meantime, a number of member states, the European Commission and the European Parliament provide this type of e-participation channel.
- *Deliberation:* Processes of opinion formation can also be supported by electronic means. Most common are various forms of online discussion fora. Other examples of Internet-based participation with the explicit objective to generate consensus on selected issues are deliberative polling or participatory budgeting.
- *Decision-making based on voting:* In contrast to all previous e-participation channels, this type of e-participation guarantees that the citizen's involvement has a certain impact on a decision-making process (e.g., binding online votes or referenda). Empirically, this form of e-participation is quite exceptional (see Part C of this report for a separate treatment of e-voting).

Of course, if these different forms of e-participation are analysed with regard to the democratic functions they fulfil, a certain degree of overlap can be observed. For instance, providing substantial and high-quality information on current policy issues plays an important role for processes of deliberation. Likewise, deliberation processes can be designed to function as an integral element of a binding online referendum.

Many public institutions on all levels of government in Europe have been and still are active in using Internet-based applications in order to disseminate information, communicate with citizens and provide channels for political participation. In contrast to the rather "fuzzy" approaches of public bodies to provide information and communication opportunities to citizens, e-consultations and e-petitions are two quite common forms of e-democracy activities that can be grasped more easily for the purpose of analysis. Both forms of e-participation have in common that they are well integrated in the institutional logic of representative democracy. In both cases the final decision on and responsibilities for a policy remain with the elected representatives; as such, e-consultations as well as e-petitions have an advisory or consultative character. Nonetheless, these forms of political participation can contribute to the quality of policy-making and the legitimacy of the political system as a whole (Riehm et al. 2009b). These two e-participation channels differ with regard to the initiation of the participation process: the agendas of e-consultations are usually set top-down by government or parliament. E-petitions, on the other hand, are initiated bottom-up by citizens or groups. Moreover, e-petitions tend to give participating citizens more procedural guarantees with regard to the petitioning process compared to e-consultations. Elected representative bodies such as the Scottish Parliament, the German Bundestag and the European Parliament are operating e-petition systems, and governments at all levels regularly carry out web-based consultations as part of their policy-making routines.

Case studies of ICT-supported participation projects in this area include subjects such as “participatory budgeting” (Bürgerhaushalte) or urban planning processes (cf. Lührs et al. 2010; Kubicek et al. 2007) which seek to create public consensus about policy priorities on the municipal level.

Given the large number of public e-consultations and the growing number of e-petition systems operated by governments and parliaments in Europe, an analysis of empirical findings allows identifying good practices. Moreover, these insights can be instrumental in the process of assessing the possible role of and developing recommendations for the design of Internet-based participation channels for the European Citizens’ Initiative. In the following, e-participation options offered by governments and public bodies to citizens will be discussed in more detail, starting with an assessment of general strategies and trends regarding the use of new electronic media by governments in their relations with citizens. In a second step we will present research results on the most common forms of e-participation currently provided by governments in Europe.

3.1.1. E-consultations

In the field of e-consultations a variety of forms and increasing experimentation with this type of e-participation can be observed, but their systematic analysis and assessment are still in their infancy. A core function of e-consultations is to inform political institutions on what citizens and the organised civil society think on specific policy issues or proposals, which actions or solutions they would prefer or suggest. An integral assumption is that the outcome of an e-consultation is to influence policy decisions. Usually they are characterised by a certain level of formal and structured procedure. Tomkova (2009) provides a systematic account of some basic features of e-consultations. She distinguishes five types: (1) simple question and answer discussion fora (e.g. “Diskussionsforen” hosted by the German Bundestag⁶); (2) e-polls or e-surveys such as those offered with the consultation branch on the EC’s “Your Voice” platform⁷; (3) e-petitions (we prefer to categorise them as a separate category); (4) e-panels (a self-selected or recruited sample group of citizens); and (5) so-called editorial consultations (invitations to comment on targeted policy documents) such as in the drafting of base documents in the European Parliament’s Citizens’ Agora⁸. The general benefits of the Internet such as practical convenience, immediacy, interactivity, flexibility, speed and efficiency of communication also apply to e-consultations, complemented by specific aspects such as the possibility to design innovative outreach targeting large or special groups of addressees.

The still modest body of empirical scientific evidence on the impacts of e-consultation is related to a seeming mismatch between the normative aspirations of e-consultation projects and their actual role in the political process, in particular their impact on political decisions and the formulation of policies. Main deficits seem to be insufficient post-consultation responsiveness and structural readiness of the political institutions involved, together with insufficient measures against false expectations among citizens of direct implementation of their input to e-consultation procedures.

⁶ <http://www.bundestag.de/forum/index.htm>

⁷ <http://ec.europa.eu/yourvoice>

⁸ <http://www.europarl.europa.eu>

According to Tomkova's (2009) review of the literature, existing evidence suggests that e-consultations represent a popular e-participation practice, provide opportunities for interactive spaces between political institutions and citizens which have been unknown before and promote cost-effectiveness. However, it is uncertain whether e-consultations contribute to reciprocal learning between government and citizens and whether they have any impact on the quality of deliberation in preparing policies. There is little indication that citizens' recommendations are integrated in policy decisions and citizens tend to be left uninformed about how their input is processed. Under these circumstances it appears that e-consultations remain "more facades for political correctness than new meaningful instruments for civic engagement" (Tomkova 2009, 9).

Evaluations of individual e-consultation projects provide a mixed picture. An evaluation of ten completed e-consultations in the UK (Coleman/Ross 2002) found that effective deliberative discourse did not take place. For EU-level e-consultation processes Boucher (2009) found clear deficits in making meaningful use of citizens' inputs and also Winkler et al. (2006) criticised the dominance of a small group of discussants who were experts in the respective field of consultation and unclear influence on the political process (see section 3.2 below for further details). Reviews of e-consultations at national and regional/local levels complement the present picture. An evaluation of four e-participation projects covering consultation, petitioning and deliberation functions at local level in the United Kingdom (Whyte et al. 2005) found that much in terms of establishing an organized interaction and active participation by the public had been accomplished, but also pointed out some problems: limited support from partners and councillors in e-consultation projects; uncertain outcomes of the e-petitions and weaknesses in the integration with other engagement processes; strong efforts needed to encourage public response, the success of which depending on the issues being general enough to attract the interest of a cross-section of citizens; transparency in each project, requiring first to establish what citizens would need or expect more specifically in this respect; potentials to enhance inclusiveness as participation was strongly skewed towards male and middle-aged citizens. It also turned out that citizens had modest expectations regarding the impact of their contributions on decision-making but strong expectations that the governments should publish some response on their input. This latter point is reinforced by findings on motives for e-participation in Germany which include, besides influencing decision-making, a wider set such as learning, association with others, special issue interest, playing with tools, and personal self-expression (Westholm 2009, 23pp.)

3.1.2. E-participatory budgeting

In participatory budgeting (PB), citizens are integrated into decision-making processes of public budget allocation. Scholars qualified the concept as "one of the main innovations that aim to reinforce accountability at the local and regional levels" (Peixoto 2009, 2). The concept has its origins in the Brazilian city of Porto Alegre (population of 1.3 million) which consults citizens since 1989 on a regular basis on the distribution and investment of municipal funds. Due to the positive experiences in Brazil, the model received a growing interest, and several European countries started experimenting with similar approaches (Roeder et al. 2005). Projects have been conducted e.g., in Germany, Italy and Spain. The UK plans to implement participatory budgeting (PB) at local level at all public administrations by 2012 (Peixoto 2009). Germany has established a relatively active scene for participatory budgeting with several projects in different regions (for examples see e.g., www.buergerhaushalt.org). Among the first with ICT-support was the public budget dialogue in the city of Esslingen in 2003.

Although this project had only little impact as it did not become integrated into the political-administrative structures due to lacking political backing (Roeder et al. 2005), the valuable experiences led to further initiatives in other regions which were more successful. In the city district Lichtenberg in Berlin⁹, ICT-supported PB has become institutionalised. Since the first trial in 2005 citizens have been constantly involved in the annual budget allocation with an increasing number of participants (for a description of this case, see Section 4.1.2). A similar case is the participatory budget project in the city of Hamburg¹⁰, first held in 2006. Due to the success, citizen participation in budgeting has been continued on a regular basis in this case as well.

While the settings of the participation processes vary in the different regions, the basic structure of PB processes, mostly designed in different major phases for general information, dialogue and discussion of ideas and further specification of selected proposals, has proved to be practicable in Germany. Interactive tools can be used to convey complex issues such as budgeting, e.g., with online-calculators with which participants can create their own budget allocation and learn how changes affect the funds. Moderated discussion fora and wikis allow to collect opinions and ideas that become further elaborated towards the end of the process which is completed with a votes on selected suggestions. The combination of online and offline channels to reach a wider audience and to include citizens that are not reachable via ICT, became more or less status quo in German PB processes (not least because of the experiences in Esslingen, where the overly strong focus on online participation had been criticised). In Berlin-Lichtenberg, real-life citizen meetings were held as well as a defined online consultation phase where citizens were asked to bring in their opinions and discuss different topics in the scope of the local budget plan. The first PB dialogue in Hamburg was held completely online, but to reduce the problem of exclusion, in further processes questionnaires were sent to offline participants as well.

Stakeholders involved in participatory budgeting processes mention the following effects of this kind of participation: higher quality of the decision-making process, increased legitimacy of and stronger identification of citizens with local community, enhanced transparency of public policy for citizens, the possibility to actively engage in policy-making, useful information for involving public demands into priorities of budget allocation and avoidance of false decisions against the will of the public. Further experiences point to possible effects of the increased level of interactivity; e.g., complex topics such as public budgeting can be better explained and the use of e-tools in planning processes (e.g., GIS-tools) contribute to an improved quality of the information provided by the participants (Lührs et al. 2010). Heidelberger (2009) even mentions that a survey among 25 municipalities in Latin America and Europe which involved their citizens in budgeting “revealed a pattern of increased tax revenues and decreased delinquency”. According to the survey, respondents increased participation, and transparency contributed to help residents understanding the “process, limitations, and results of their municipal budgets” (Heidelberger 2009).

However, these processes are time- and resource-consuming for public administrations as well as for the participants. Citizens have to deal with complicated budget issues and the dynamics of discussions about how to distribute public funds among larger groups is challenging for all involved stakeholders. From a technocratic perspective, one could argue that a few experts might handle this process more efficiently and effectively with less political pressure and public distraction. Contrary to this technocratic vantage point, public budgeting can be seen as an important decision-making process with widespread impact.

⁹ <http://www.buergerhaushalt-lichtenberg.de>

¹⁰ <http://www.buergerhaushalt-hamburg.de>

Involving citizens in that process contributes to strengthen community building in moral and practical ways. "The proper response to high cost of participation is not to minimize participation but to minimize the cost through the best methods and technology available" (Heidelberger 2009). This refers to the importance of proper process design.

3.1.3. E-petitions

A specificity with regard to e-petitions is that these are "clearly at the forefront of official, fully operational e-participation opportunities provided to citizens" (Lindner/Riehm 2011, 3). They have already left the experimental stage and reached a high level of institutionalisation and maturity in procedural terms. The experiences with e-petitioning systems have been analysed in a recent cross-national study conducted on behalf of the German Bundestag (Lindner/Riehm 2009a; Riehm et al. 2009a). The systems operated by the national parliaments in Germany, Queensland and Scotland have been accepted by the petitioners and their supporters. The share of e-petitions among all petitions ranges from 17% in Queensland to 62% in Scotland, the country with the earliest introduction of an e-petitioning tool. In contrast to this picture, an e-petitioning system in 14 Norwegian municipalities has not gained popular acceptance. Regarding the e-petition systems at the parliaments in Germany and Queensland (Australia), their introduction did not result in an overall increase of petitions submitted. In all four cases the introduction of electronic channels for petitions failed to mobilise non-participating and underrepresented groups. There is strong evidence from Germany that the electronic participation channel for issuing petitions to the national parliament tends to amplify existing inequalities in participation patterns (Lindner/Riehm 2011). Confirming the "socio-economic status theory" on participation, it turned out that e-petitioners are individuals with a disproportionately high socio-economic status and level of active political engagement. To assess the e-petitions' impact on decision-makers in policy is extremely difficult, but there are some indications of improved responsiveness of the parliamentary representatives both in Germany and Queensland.

3.1.4. E-deliberation

Political discussion on the Internet is a new form of communication that did not exist prior to the advent of the Internet. Online discussion fora, boards and panels as well as electronic tools such as e-deliberative polling play an increasing role for democratic debate (Macintosh et al. 2005, 17f.). They are cornerstones of yet another specific category of e-participation activities summarised under the term e-deliberation. This form of democratic dialogue is strongly linked to the idea of a renewal of the public sphere and rational deliberative discourse envisioned by Jürgen Habermas (see the Part A on the European public sphere). In fact it is argued that online discursive interaction is becoming a part of the modern public sphere (Dahlgren 2005; Grönlund et al. 2009, 190). Mainly two factors have given rise to this facet of political participation: the theory of deliberative democracy as one of the most influential contemporary theoretical models of democracy and the outstanding capacities of the Internet for interactive communication. E-deliberation involves group processes characterised by elements of public deliberative reasoning and exchange of arguments among citizens and with government, ranging from the mere exchange of opinions and ideas to being oriented at resolving problems of public concern. From the perspective of the theory of deliberative democracy it promises to improve both the legitimacy and quality of political decisions.

The specific advantages of the Internet for political discourse include the possibility of large-scale participation, both synchronous and asynchronous, overcoming the restrictions of place of living and fixed time schedules; information access unhindered by filters and censorship; and reduced influence of social status and rhetoric skill differences in virtual, mainly text-based discussions. However, it should not be neglected that not all have access to the Internet or can use it, and that specific technological and communication skills are required which trend to favour people with higher levels of education.

Deliberative processes are often integral elements of e-consultation projects established and offered by governments. However, there are also political discussion fora on the Internet established by citizens or civil society organisations independently from government; they will be taken into account in the next section. Examples of government-initiated e-deliberation can be found on all levels:

Many online discussion fora are offered by local governments around the world, as shown by Dunne (2009) who identified 138 cases. A successful example at the local level was the online discourse on the city of Hamburg's urban development vision with the final selection of the seven most promising ideas for consideration by the government (Lührs et al. 2004). An interesting case at the regional level was the county council of Nordjylland's Nordpol.dk forum (Northern Denmark) on eight topics of county policy, comprising a combination of online debates and consultation processes between citizens and politicians (Jensen 2003). A very large-scale e-deliberation example at national level was the Electronic Dialogue Project during the 2000 presidential campaign in the USA, involving monthly, real-time electronic discussions over one year among sixty groups of citizens – a representative sample of Americans – about issues facing the country (Price/Capella 2002). Finally, large-scale e-deliberation processes have been organised already for several years at the EU level, e.g. via the EC's Your Voice in Europe platform (topics range from the future of Europe to issues of youth and multilingualism) or the European Parliament's Agora projects in 2007 on the future of Europe, in 2008 on climate change and in 2011 on crisis and forms of poverty (see section 3.2 below).

In theory, enhanced dialogue and participation give citizens a better chance to regain control of the public sphere and thereby also of the political process. There are different views about the main purpose of deliberation but important aims include better informed and enlightened citizens, who are thereby better equipped for democratic practice. More considered opinions by new information, exposure to alternate perspectives and fact-based argumentation play a key role for learning through deliberation. Information, argumentation and reciprocity are regarded as constitutive elements. Deliberative processes are expected to contribute to the formation as well as transformation of opinions while the e-polling component is rather confined to aggregating preferences. However, political discourses on the Internet also run the risk of fragmentation and the creation of isolated sub-publics (Lindner 2007, 69-71). Effective links to the wider societal and political agenda are therefore important and vital for the citizens' influence on political decisions (cf. Jensen 2003, 30).

That deliberation has positive effects on citizens' issue knowledge, political efficacy and active political participation has been confirmed by many empirical studies (see Min 2007). Evidence on the question to what extent this also applies to the various forms of e-deliberation is still incomplete but a number of studies have already gathered valuable insights. Among the practice of e-deliberation, the range of deliberative quality, effects on participants and extent of influence on policy-making is quite wide. Dunne's analysis of 138 local political online fora found that they fall into three general categories in relation to how each category views and uses rational debate, while a third of the sample did not support any form of deliberation mainly because it lacked interaction (Dunne 2009, 231).

In a study conducted by Albrecht (2010), nine online fora in Europe (including the EC's FUTURUM discussions) and the USA were selected on the following criteria: large number of participants and contributions, link to political decision-making, public character and focus on specific issue. The study confirms the frequent asymmetry of active participation and reveals a positive correlation between participatory involvement with the level of interactivity (Albrecht 2010, 209pp.). A second important result of this analysis of discursive online communication is that much of the reality of online discussions rather resembles what Albrecht calls "games of reflection" than being confined to serious, rational deliberation. Mixing various kinds of communicative styles and playing with arguments shows an important but neglected characteristic of discourse, reciprocal reference among the participants. Hence, Albrecht argues that what is usually seen as a deficit (in terms of rationality and equality) of online discourses, from the perspective of normative discourse theory, should rather be acknowledged as a specific new form of communication with its own merits and discursive quality, but insists on the importance of taking into account the institutional embedding of online discourses.

A review of research on deliberation in discussion forums provided by Winkler (2007) also reveals considerable scepticism about the deliberative potential of online debates. The early verdict by Wilhelm (1999) that the political online forums analysed "... do not provide viable sounding boards for signalling and thematizing issues to be processed by the political system" is cited among these. In contrast to this are empirical findings by other authors which show that reciprocity, substantial critical discussion, well-reasoned arguments, rational argumentation and facts are also present in cases of e-deliberation, although a dominance of male posters is admitted as an indication of inequality (c.f. Dahlgren 2001; Fuchs 2006). While experiences with electronic discussion forums provided by local governments in France point to weak links between online debates and political processes of decision-making (Wojcik 2007), two projects in Denmark and Germany have been very successful examples, including to some extent also the link to policy-making. One is the online discourse on the city of Hamburg's urban development vision (Lühns et al. 2004) which managed to find a quite promising balance between adhering to rules and claims of both representative and direct democracy. The second one is the Nordpol.dk forum of the county of Nordjylland mentioned above, one of the most ambitious government-initiated cases in Scandinavia (Jensen 2003). The online discussions on various topics of county politics did not only establish relations to external agendas (media and local political system), but politicians were also very active participants in the debates, contributing to its respectful and fact-based nature. Moreover, the online debate running over more than two months showed fairly high levels of interactivity between citizens and politicians, less among citizens, and new information brought into the discourse. Citizens and politicians largely agreed on the project's overall success in enhancing citizens' interest in and knowledge of politics. The set up of clear rules and light moderation were seen as instrumental to this outcome. However, the project could not mobilise new groups for political debate: most participants were already politically active before this exercise, a well-educated group of mainly male, very active Internet users. Unequal participation is certainly a wide-spread phenomenon which was also noted for e-consultation and e-deliberation processes of the European Commission by Winkler et al. (2006). Finally, Grönlund et al. (2009) confirm clear knowledge gains from citizen deliberation, based on a comparison of face-to-face and virtual experiments, although the virtual environments proved to be challenging due to technical problems (host server and broadband capacity) as well as the lack of computer skills.

3.2. Electronic participation channels offered by EU institutions

Along with the rise of the Internet, the institutions of the European Union have gradually established a variety of opportunities for electronic communication and engagement of its constituency into EU policy issues. These platforms for interactions with citizens, civil society organisations and companies at a European scale can be seen as theme-specific nuclei of exchange on EU level public issues. As such they represent major opportunities for enhancing the formation of a European public sphere through novel technological means.

Major activities of the European Parliament in this respect include the possibility for the submission of (e-)petitions, organization of discussion platforms (Citizens' Agora) and the use of social media such as Facebook and Twitter. The right to petition the European Parliament as enshrined in Article 227 TFEU represents a cornerstone of European citizenship. Petitions on subjects within the European Union's fields of activity can be submitted by post or via online form. According to a recent report (PETI 2011) the European Parliament has received 1655 petitions in 2010 and somewhat more in 2009, of which nearly two thirds were delivered online. This shows that this form of participation in the political process at the EU level is currently being used by very few citizens. In comparison, the German Bundestag receives between 15.000 and 20.000 petitions annually (Lindner/Riehm 2009a, 506). Most citizens appeal to the European Parliament for assistance with matters relating to the environment, fundamental rights, justice and the internal market. Over the last two years the majority of petitions was admissible and came from Germany, Spain, Italy, and Romania, but a spread over most other member states is given. Together with the predominantly correct petitioning of subjects which fall within the European Union's jurisdiction, this speaks for the presence of rudimentary elements of an emerging European public sphere on the issues addressed. However, a substantial share of petitions had to be qualified as not admissible because they addressed subjects within the responsibility of national parliaments. This refers to the need for better assistance on the assignment of competences among EU and national authorities.

The "Citizens' Agora" represents a special instrument for stimulating the discussion among EU citizens of key issues on the European Parliament's agenda. Since this link between the European Parliament and European civil society has been established, three Agora processes have been carried out which brought representatives of civil society organisations at national and European levels together with MEPs, EESC members and other representatives: on the Future of Europe (2007), on Climate Change (2008) and on Crisis and Forms of Poverty (2011). Key elements of participation in an Agora process include online registration, posting of preliminary thoughts and statements at an online forum about a week before the Agora, followed by a two-day meeting in person at the European Parliament with workshops, discussions and plenary sessions. As this meeting is the main component, the citizens' Agora builds only partially on e-participation. However, live streams of the whole event together with an online video archive and online accessibility of forum contributions provide for transparency and e-participation opportunities for interested citizens outside. Each of the three events had invited between 250 and 500 representatives of civil society organizations and representatives of EU institutions. However, the set-up favours pre-defined input from top-down and leaves marginal space for deliberative components among participants. As a rule, the Agora conclusions are presented in some form to EU and national institutions but there is no evidence of any concrete follow-up measures or policy impacts. This gives reason to assume that both the outreach of the citizens' Agora into the European public, its contribution to stimulating public debates on EU policies and the influence on the EU Parliament's policy agenda are rather limited and that the symbolic value of this instrument seems to be in the foreground.

The use of social media by EU institutions is constantly being extended. The European Parliament as well as the European Commission regularly post news via Twitter¹¹ and Facebook "walls" where users can express their views via "like" and/or comment functions. A brief inspection of the EP's wall site shows that there are two to three posts per day, between a few dozens to some hundred "like" statements and around 70 comments to every post. Chats with MEPs and party leaders (about two per month in 2011) are an additional channel used for online interactions with citizens, again accompanied by comments and "like" statements. The majority of MEPs also entertain blogs and post information via individual Facebook and Twitter accounts. Since March 2011 users were also invited to vote on specific questions (about two per month). A hand full of Facebook users repeatedly try to start discussions related to the European Parliament's agenda, or try to advertise their projects, but most of them remain without response. Organizers of EU events also invite Facebook users to participate actively online by engaging in chats or contributing stories, videoclips, and the like (e.g. "Facebook fans write about public transport", "Facebook users on challenges in the job market"). All in all this underlines the EU institutions' and their representatives' efforts to make full use of the latest developments in electronic media for enhancing the interactions with European citizens and civil society on European policy issues. However, the main functions remain posting information and enhancing publicity whereas the intensity of interactive exchange has been limited up to now.

Another form of citizen contact which complements the increasing use of electronic communication on EU policy issues concerns the European Ombudsman (he receives around 3000 complaints per year via letter or electronic complaint form). In 2010 a share of 60% was submitted via the Internet. Even though the majority of complaints had to be transferred to other authorities, more than 300 cases fell inside the Ombudsman's mandate and became subject to inquiries. Most of them concerned the European Commission and the main cause was alleged maladministration. Seen from a citizen's perspective, this form of interaction with an EU institution has its special merits in terms of respecting and enforcing fundamental rights of EU citizens. Since the electronic submission option and electronic means used in the inquiry of individual cases facilitate the whole process, they also have a share in their contribution to strengthening individual identities as European citizens and the idea of a European citizenship.

The European Commission has been extending its e-participation offers in similar ways over the last decade along with the implementation of various governance reform programs which, to some extent, add substance to the rhetorical "participatory turn". The Internet portal "Your Voice in Europe" provides a central access point to online consultations, discussion platforms and other tools. The Commission regularly holds e-consultations (in 2011, around two dozens are open, several dozens were closed) inviting both citizens and the organized civil society; it also regularly consults a panel of individual companies on EC policy initiatives (6-8 consultations per year). Various procedural standards have been established for these activities which guarantee for certain levels of accessibility, documentation, transparency and institutional response. Although a thorough and comprehensive evaluation of the Commission's e-consultation practice and its effects is still missing, there are some findings from attempts to assess the issue.

¹¹ http://twitter.com/#!/Europarl_EN

From an analysis of 31 consultation processes, including five e-consultations in the area of DG Employment, Quittkat and Finke (2008) found support for the broadening of civic participation in EU policy processes with respect to the range of civil society organisations and individual citizens. While participation rates of several hundred contributions to e-consultations are not exceptional, question format and issue turned out to be of special importance (open question formats tended to have lower but varying participation rates depending on the issue at stake). Overall, the study found the Commission's consultation regime characterised by two contradictory trends: a broadening effect due to e-consultations and in parallel a deepening effect with an increase of expert consultations and policy forums. This can be interpreted as a "participatory strategy" being accompanied by a "strategy of knowledge creation". It brings the authors to conclude that with the "combined and structured use of broad and focused consultation instruments ... the focus is on the *informed* and, therefore, knowledge based inclusion of multiple and diverse approaches into decision-making" (Quittkat and Finke 2008, 219). Although they admit that openness, inclusiveness and transparency have considerably increased with the present consultation regime, they see the lack of criteria for participant selection for the predominating expert consultations as problematic.

Boucher (2009) provides a very critical perspective on approaches and practice of e-participation initiatives at the EU level and sees clear deficits of the European Commission in making meaningful use of citizens' inputs to e-consultations. The evaluation of the European Citizens' Consultations 2009 (ECC 2010), which ran both offline and online, delivers quite positive results on five criteria (fairness, competence of the citizens, transparency, efficiency, impact) but its validity is decisively hampered by a measurement framework which invites response patterns biased by social desirability and subjective indicators. Nevertheless the evaluators conclude that "... the findings reaffirm and consolidate the importance of citizens' debates like the European Citizens' Consultations in helping to educate people about issues, making them think, exchanging ideas and forming a basis for a fuller development of their opinions/attitudes ..." and even "... that ECC 2009 encouraged the development of a European public sphere ..." (ECC 2010, 6). A more critical assessment of earlier online consultations in the period from 2001 to 2004 in the context of the debate about the European constitution via the platform "Your voice in Europe" provided by the EC came to a less positive and more differentiated result (Winkler et al. 2006). This study found that the debate about the European constitution on the platform "Your voice in Europe" was characterised by high quality in terms of interactivity, rationality and fairness but suffered from highly socially skewed participation, being mainly carried by a small group of dominant and competent discussants. They were mainly experts in the respective field of consultation and, much in line with earlier findings, there were complaints about the lack of transparency regarding the processing of inputs by participants. Smith and Dalakiouridou (2009, 4) argue in a similar way and point out that due to the various participation options without specific opportunities for citizens to articulate their opinions, "(...) citizens feel scarcely able to shape their future as Europeans, resulting in largely passive expressions of citizenship".

3.3. Civil society and NGO e-participation activities

Civil society actors include a heterogeneous set of entities such as non-governmental organisations, social movements, community groups, registered charities, professional associations, trade unions, business associations, self-help groups, coalitions and advocacy groups (cf. LSE 2008; Nanz 2007). In the public sphere, which addresses the space between the state and the public and which is a vital source of legitimacy, civil society groups play an important role as intermediaries in between political authorities and citizens on issues of public interest (Nanz 2007, 11). Their activities are vital for public deliberation which is a crucial requirement for the linkage between constituency and its representatives and thus for the deliberative quality that affects public opinion and will formation (for details about the function of the public sphere see Part A of this report). By extending these activities into cyberspace and exploiting its wide-ranging options, political interactions of civil society can contribute to the creation of new spaces for a public sphere (Leggewie 2003).

NGOs and other civil society stakeholders engage in a relatively broad scope of different e-participation forms and applications; projects span a variety of sophisticated and mature forms of interaction at all three generic levels of participation (information, communication, collaboration). ICTs have stimulated the development of new forms of communication practices and interactions. Common features and potentials such as the decentralized networking structure of the Internet provide a suitable space for a broad scope of political communication and are particularly relevant for civil society actors (Kamps 1999; Leggewie 2003). Equally important is the assumption of a logistic advantage of Internet communication for resource poor actors, or in the words of Street and Scott (2001, 46): "High impact on little resource". Due to these advantages, civil society groups recognised the Internet from early on as an important technology with potentials for political activity which are in accordance with their distributed organisational structures. They started to use the web mainly for organising themselves; followed by first approaches to initiate campaigns, mobilising engaged individuals in terms of political activism and raising public awareness for different political issues. As the Internet now becomes more and more entrenched in society, it is also a deep-seated instrument in the public sphere. On one side, NGOs use the Internet for organisation, coordination and acquisition of resources for their activities; on the other for political mobilisation, agenda setting and campaigning to engage their constituency (Lindner 2009). With Web 2.0 and social media becoming mainstream, the communication channels and forms of interaction have been further multiplied. This also impinges on the formation of a counter-public sphere to the general public sphere and supports civil society in fulfilling its role as intermediaries between political authorities and citizens (Plake et al. 2001).

It is still an interesting and mainly open question to what extent these new online options will effectively change the capabilities of civil society actors to articulate political positions, their roles in (co-)shaping the public sphere and their influence on political decisions. As the Internet reduces transaction costs of political communication and mobilisation due to its speed and outreach, it is likely to facilitate organisational strategies of political communication such as decentralisation as well as transnationalisation, especially of political campaigning (Baringhorst 2009, 19). This argument towards a possible strengthening of the position of civil society actors in the context of political communication is supported by the significantly reduced threshold and effort for implementing applications and platforms for political interactions in the world of Web 2.0 and social media.

3.3.1. E-activism and e-campaigning

Campaigning activities performed by civil society actors address the realisation of different forms of interaction for raising public awareness and interest in certain topics in a certain time period (Baringhorst 2009, 10). These activities primarily aim to highlight current political topics and raise the attention of the public in order to influence ongoing political debates or current political decisions which are seen as controversial. The many different shades of Internet-based political interactions of civil society represent a combination of known variants of civil disobedience and recombinant forms that became only possible due to these advanced modes of interaction. The Internet extends the repertoire of collective action as it both serves the functions of information and framing, and as a tactical medium in political campaigning (Baringhorst et al. 2009). With the advantages of digital networked environments and the multifaceted available tools (ranging from mailing lists, blogs, YouTube videos, discussion-fora, wikis, social networks, etc.), civil society is now able to make information available for a wider public also decoupled from former dependencies of the traditional mass media. Although traditional mass media still has a leading role in affecting public opinion, there are indications that the new interaction possibilities used by the variety of different actors have impact on this role, one example is the absorption of alternative communication practice (in blogs, social networks, etc.) into journalism. However, the relationship between counter-public spheres and the mass media is complex as Wimmer (2009, 32) points out: while "different counter-public spheres are not plausible without coverage from alternative media or without established mass media", campaigns of critical publics differ from campaigning of established political actors, as "critical publics understand themselves as a part of the normative tradition of counter-publicity", which intend to revitalise a critical civil society rather than to merely receive public attention (Wimmer 2009, 32).

A crucial aspect in this respect is responsiveness, i.e., how the media respond to issues initiated by civil society. The impact of activism and campaigning actions depends on whether different media take up on the subject to produce further public awareness. ICT-supported activities can be expedient in this respect to leverage the issues of campaigning (Wimmer 2009; Baringhorst 2009).

There are manifold examples for electronic campaigns of the civil society reaching from ICT-supported citizen initiatives and activism supporting or opposing certain political issues, electronic forms of protest and demonstrations. E.g., the European campaign against software patents (nosoftwarepatents.com), organised by the NGO Foundation for a Free Information Infrastructure (FFII) which was supported by several software developers and open source companies. Participants in the campaign expressed their protest with different instruments, e.g., extensive information with arguments against software patents, protest banners on support web sites, mailing lists, web-discussions, etc. The campaign had some impact as the European Parliament in 2005 voted against the planned software patent directive¹². Another example is the recent European-wide campaigning against the introduction of the EU data retention directive and for the protection of civil rights (www.dataretentionisnosolution.com, www.vorratsdatenspeicherung.de). These examples demonstrate the ICTs suitability to support partial publics in deploying and substantiating their engagement. The activities in these campaigns led to the formation of a counter public-sphere in many European countries that still fulfils its corrective role to some extent.

¹² <http://wiki.ffii.org/Ep050706En>

Particularly the activities of German civil society against data retention had some visible impacts with high public awareness: the campaign led to the foundation of a new social movement represented by the NGO "Arbeitskreis Vorratsdatenspeicherung" (www.vorratsdatenspeicherung.de), which mobilised almost 35.000 individuals to sign a constitutional complaint against the implementation of the data retention directive in Germany in 2008¹³. This movement seems to become relevant on a broader basis for issues regarding net politics and digital civil rights in Germany. As both campaigns addressed issues relevant on a European scale, these examples also point to the existence of a European public sphere in terms of online citizenship.

Although in both examples impacts are visible to some extent, it remains rather speculative whether these are attributable to the deployment of online media. Evidence for a leverage effect of ICT in e-campaigns does not allow drawing the conclusion that this was the main reason for stimulating individual engagement. However, with an already established capacity of engagement, e-campaigning can be expected to foster this capacity and alleviate further mobilisation. This underlines the importance of the connectivity between online communication spaces and traditional offline communication environments, and the necessity to enable the integration of already existing partial publics into e-participation activities.

Relationships between e-campaigning and e-petitions

To some extent, e-campaigning and e-petitioning are complementary concepts. E-campaigning primarily includes different interaction mechanisms of civil society that aim at bringing controversial issues on the political agenda, which have a strong informal character. Petitions can be used as a vehicle to bring the topics and contents of campaigns into the political system in a formal way. In this respect, the dual character of petitions becomes visible: on the one side they allow for bottom-up "practices to intervene in the political process" and on the other they are "opportunities set up by institutions to enhance citizens' participation" (Mosca/Santucci 2009, 122). These characteristics represent one transition point between the public sphere and the political system. Major preconditions for this transition are the formalisation of campaigning issues by civil society initiators and the consideration of the concerns expressed in the petition by political representatives (cf. (Mosca/Santucci 2009). Options for electronic petitioning support forms of integrating political activities in online public spheres into policy-making.

3.3.2. E-participation as continuous discourse

Campaigning aims at staging communicative activities for raising public interest regarding specified goals within a certain period of time (Baringhorst 2009, 10) and is strongly related to a specific cause or occasion (e.g., organised protest against nuclear power due to a political decision to extend the lifespan of nuclear reactors; campaigns and demonstrations for digital civil rights due to the data retention directive). Campaigning contributes to create a discourse regarding such causes. Other civil society activities focus on participatory forms of interaction and create opportunities for the public to gather information and to express and discuss their views on controversial issues (Baringhorst 2009, 19). The aim here is to enable a continuing discourse between the public sphere and the political system.

Important functions for enabling a discourse between public sphere and the political system are

¹³ <http://www.heise.de/newsticker/meldung/34-443-Klageschriften-gegen-die-Vorratsdatenspeicherung-185285.html>

- the provision of and access to politically relevant information, i.e., information transparency in order to raise awareness and enable active citizenship;
- improving communication channels between citizens and their political representatives in order to enable public deliberation

The role as intermediaries between the public sphere and the political system is addressed by many different approaches contributing to enable a discourse among the different stakeholders. Important functions in this respect include awareness raising, information transparency, representative accountability and issue-oriented cooperation with authorities, i.e., linking citizens and their political representatives. The following subsections describe some practical examples for these functions.

Awareness raising and enhancing transparency

Awareness raising and improving transparency is exemplified by NGO web sites and activities in different fields, e.g., interactive websites that inform on public spending. www.wheredoesmymoneygo.org provides analysis and visualisation of information about public spending in the UK. The project was initiated by the Open Knowledge Foundation¹⁴ and aims to facilitate public understanding about how public funds are spent, i.e., how the public budget is composed and the amounts used for the different categories (e.g., health, education, social protection). The tool uses public datasets and the budget can be visualised for the whole UK as well as per region. In the longer term, the project wants to visualise government spending through the 'lifecycle', i.e., from when money enters the system as tax to when it leaves as services, support, etc. This should include complete coverage of central government spending in the UK, estimate personal tax contribution based on income and any other relevant factors and coverage of local government spending in the UK. With the tool, public spending becomes visible and changes become documented and thus traceable (e.g., it can be compared, how budget allocation changed from 2004 to 2010). These features contribute to raise transparency of public funding and awareness as citizens are able to get more insight in public budgeting.

A similar project is www.farmsubsidy.org which discloses subsidies in agricultural policy of European countries. The aim is to make detailed data about payments and recipients of farm subsidies in every EU member state available to European citizens. The project initiators are from the civil society network consisting of European journalists, researchers and activists. The public gains insight into the amount of agricultural funds in the member states in total, as well as some details about the beneficiaries and the received funding rates.

A follow-up project by the same initiators on a larger scale is www.followthemoney.eu, which aims to foster public understanding of the EU budget, i.e., on which decisions it is based on and where the money comes from and how it is spent. The website acts as a central entry point to further information and analysis of EU budgeting.

Similar instruments could be used to encourage citizens and civil society actors take more active interest in public funding and to make better informed contributions to policy-making. The disclosure of financial relations between public institutions, private organisations and NGOs/NPOs also contributes to reveal lobbying activities which is also accordant with the EU transparency initiative¹⁵.

¹⁴ OKF is a non-profit organisation which seeks to promote open knowledge in order to create social benefits. See <http://okfn.org>

¹⁵ <http://www.ehfcn.org/eu-corner/eu-policy/european-transparency-initiative/>

Linking citizens and political representatives

One important civil society actor developing and promoting such projects is the British NGO mySociety¹⁶. The organisation runs a number of different projects facilitating citizens in comprehending the work of their political representatives. One of the most relevant is www.theyworkforyou.com, a website for the disclosure of parliamentary information in the UK. The portal provides a broad spectrum of information about MPs and political debates in the Parliament as well as practicable communication tools (for a description of this case, see Section 4.1.3). Other projects outside the UK adopted the concept, e.g., the German project www.abgeordnetenwatch.de or the Austrian pendant www.meinparlament.at. Related sites (e.g., www.candidatewatch.ie, www.kandidatenwatch.de, www.yournextmp.com) use similar concepts for alleviating communication between citizens and their representatives during election periods.

Similar projects also exist on the European level: www.itsyourparliament.eu offers a lot of information about members of the European Parliament. Users have access to profiles of MPs per country, can inform themselves about memberships in national parties and political groups in the Parliament, and view parliamentary votes and policy areas which are on the political agenda. Users can create their own profile and can comment on the provided information. www.votewatch.eu is an analogous project providing insights into parliamentary work. The project allows the interested public to inform about the decisions and activities of EU politicians. The information structure offers further details and also provides some statistical analyses (e.g., about coalition tendencies based on the number of votes, the extent to which a national party followed the political line of the European political group it belongs to, etc.). Both projects use data available on the EU Parliament website including attendance, voting and activity data.

These and similar projects are expedient for the political system at different levels. Citizen participation becomes stimulated as the initiatives contribute to link interested individuals and civil society to currently running “real” legislative processes, in the agenda-setting stage of the policy cycle. These e-participation options enhance transparency and accountability of parliamentary work as the public is offered a further opportunity to inform itself about political decision making and relevant issues on the political agenda. This is an important contribution to the formation of a public sphere or at least theme-specific partial public spheres. Both sides, including policy-makers and members of the Parliament, gain structured information about relevant issues on the political agenda; available communication features can also be very useful for grasping which topics and issues are of concern for the public. These are important inputs to agenda setting and policy formulation.

3.4. Bridging top-down and bottom-up e-participation?

The sections above described the scope of e-participation from top-down and bottom-up perspectives. The following remarks include some lessons from this review of the existing practice of e-participation and its effects on the democratic process.

First of all, the range of findings on effects of e-participation on the democratic process includes cases confirming a number of positive effects which were expected to materialise as well as cases which did not so. This fact points to the obvious importance of identifying and understanding differentiating factors which could explain this variation. There are a number of indications that they have to do with preconditions, design, organisation and context conditions of e-participation arrangements.

¹⁶ <http://www.mysociety.org>

A case in point which illustrates this need for identifying crucial determinants of effective e-participation is the outcome of a systematic review on the potential of e-participation for community empowerment (Pratchett et al. 2009). E-participation turned out to be relatively successful with regard to empowering individual participants but not much effective in relation to the empowerment of the wider community, hence also hardly able to produce a spill-over towards enhancing social capital building or collective efficacy and of very limited impact on decision-making. These findings also underlined the obvious importance of moderation and presence of a salient issue for efficient discussion in the process design.

Another important factor is the connectivity of e-participation arrangements both to the political process and the wider public. Problems of e-consultation initiatives from governments are often caused by the lack of connectivity to the wider public. The precondition of connecting the online sphere to offline (partial) publics is often insufficient, and this is a high barrier for stimulating deliberative processes.

In view of the present evidence on top-down initiatives, the overall impression expressed by Margolis and Resnick (2000) seems to be still valid: the different activities and initiatives have so far failed to materialise in the form of a visible new shape of politics in revitalising citizenship and democracy. The period of experimenting and gathering experience with the various forms of e-participation on a broader scale, at least in Europe, may still have been too short to expect such profound impacts so that more incremental and soft effects in the political arena seem to be more realistic. However, at the same time there is a gap in exploring the potentials of bottom-up initiated e-participation more systematically with the aim to identify possible synergies with top-down initiatives. The importance of this issue is *inter alia* underlined by a similar plea by Bruns and Wilson (2009) based on experiences in Australia. The genuine role of civil society for an active democracy is expressed by the growing amount of bottom-up e-participation projects with a focus on improving communication, deliberation and public discourse. Web-based opportunities for exchange between civil society and political stakeholders as shown above are promising examples, establishing a link between citizens' ideas and opinions and political representatives.

EU policy-makers considerably intensified their efforts to reduce the gap between citizens, civil society and the political system in Europe by providing the above outlined new modes of (e-)participation. However, while the primary aim of these efforts to establish a "permanent dialogue" between EU institutions and the public sphere became a high priority issue, it often remains vague how this dialogue should be realised; and most important, what role it should play in EU policy-making (Boucher 2009, 2). Or in other words: the realistic expectation of influence, i.e., a link to decision-makers as "the first precondition of a successful deliberative initiative" (Boucher 2009, 15) is often not given. Several participation offerings in the realm of EU institutions fail regarding this precondition. The lack of a European public sphere is often seen as the major barrier for accomplishing the "participatory turn" in a more meaningful way. While this surely is an highly important factor in developing appropriate strategies for reinforcing the emergence of a European public sphere, its role and characteristics have to be seen from different perspectives (as provided in part A of this report). This was not the case in previous approaches. These aimed to address the lack of a public sphere by fostering a permanent dialogue, however, without defining its particular role and its main instruments. As "there has never been a single authoritative public sphere in which citizens formed a public opinion or a common collective identity" (Nanz 2007, 19), the public sphere should not be understood as a single space of public deliberation and discourse, but as a "communicative network where different publics partially overlap" (Ibid.).

Crucial for this differentiated view of the public sphere is the consideration of civil society as an essential backbone of public deliberation. Although it has to be kept in mind that civil society actors often have their own interests for setting up participation processes which not necessarily represent the opinions of the majority of European citizens, they are an integral part of the public. Their function is crucial as they bring in topics and arguments into the political discourse that would otherwise be underrepresented at the cost of quality of democratic policy-making. And as highlighted in the previous section, the manifold forms of civic engagement also provide examples for innovative forms of participation, which often contribute to fill participatory gaps. While a mere focus on bottom-up participation initiatives would certainly not be the cure for democratic deficits, there is a particular demand for stronger integration of such initiatives, where synergies with top-down initiatives can be expected and achieved. This would be an important step towards advancing the yet fragmentary basis for a deliberative discourse in EU policy-making.

3.4.1. The European Citizens' Initiative

Until recently, the petition instrument including an electronic interaction channel was the main option among formally institutionalised devices at the EU level which provides for a specific form of connecting bottom-up and top-down action. A new opportunity for constructive ways to bridge bottom-up initiatives and top-down activities of e-participation in the democratic process could be the European Citizens' Initiative. The ECI is the "first transnational instrument of participatory democracy in world history" and gives European Citizens the right to influence the process of legislative initiation by handing in a proposal to the European Commission (Democracy International 2011, 3). The legal basis of the ECI can be found in the Treaty of Lisbon, which came into force in December 2009. Article 11, paragraph 4 of the Treaty of the European Union says that "not less than one million citizens who are national of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties". The specifics of the ECI had to be suggested by the European Commission and to be adopted by the European Parliament and the Council of the European Union. Citizens will be able to launch European Citizens' Initiatives from April 1st, 2012 on.

How does the ECI work?

After an intensive consultation process between several stakeholders, the European Parliament and the Council of the European Union finally adopted Regulation (EU) No 211/2011¹⁷ on the Citizens' Initiative on February 16th, 2011, where specific legal procedures are set out. According to the regulation, the basic requirements for a European Citizens' Initiative are:

- At least one million EU citizens from at least one fourth of the EU member states (currently citizens of seven different countries) have to support an initiative.
- Everybody who wants to support an initiative has to be citizen of the European Union and be of voting age in the respective country.
- In each of the seven countries, a minimum number of signatories has to be collected. This minimum number corresponds to the amount of Members of Parliament of the respective country, because the number of MEPs has to be multiplied by 750 to figure out the minimum number of signatories.

¹⁷ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:065:0001:0022:EN:PDF>

- A citizens' committee that consists of at least seven different individuals residing in at least seven member states has to be built, hence individuals alone are not allowed to submit an initiative.
- The proposed legislation has to be within the scope of the EU's competences, i.e. an ECI has to refer to EU treaty articles. An initiative can be rejected by the Commission if it "manifestly falls outside the framework of the commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the treaties", if it is "manifestly abusive, frivolous or vexatious" or if it is "manifestly contrary to the values of the Union as set out in Article 2 TEU". If not, the initiative is registered by the Commission and publicly available on a Website.
- After the registration, the necessary amount of signatures needs to be collected within 12 months. If the organizers have collected the necessary amount of signatories and the signatories have been verified, the initiative can be submitted to the Commission.
- The organizers are free to collect statements of support in paper form or electronically or with a combination of both forms. The required personal data (full name, first name, permanent residence, date and place of birth, nationality, signature (only for paper based form)) has the purpose to verify the citizens. In addition, some member states require a personal identification document number.
- In accordance with national law, competent authorities in the member states are obliged to verify the signatories within three months after the collection of the necessary amount of signatures. They are free to do this randomly. After the verification they have to issue a certificate. Authentication of the signatures is not required.
- If all conditions are fulfilled, the Commission allows a public hearing and expresses its legal and political conclusions and intentions to take action or not. The commission is not obliged to submit the initiative to the Parliament.

Implementation in member states

According to the Regulation (EU) No 211/2011 further steps that have to be accomplished by the European Commission is to work out the technical specifications and to provide an open-source software for the online collection of signatures by 1st January, 2012. This software should incorporate the relevant technical and security features to ensure that fraud and modification of data is avoided.

Since February 2011, when the regulation was adopted, the focus shifted from European institutions to the member states, which are obliged to integrate the ECI into national law. The member states are now in the duty to designate competent authorities responsible for the verification of the statements of support and the certification of the online signature collection system in order to guarantee adequate security.

The question is now, how member states will handle the requirements of the regulation and the implementation of the ECI. Currently it seems to be difficult to give a satisfying overview of the realisation status in the different member states, since the situation is in flux. As follows, it is exemplified how the ECI is being legislated and implemented in Germany and which issues are showing up.

Concerning the ECI, Germany is moving onto new grounds since up to now direct democratic tools do not exist on the federal level. The responsible Federal Ministry of the Interior and the *Länder* governments negotiated a first draft for the "Gesetz zur Durchführung Europäischer Bürgerinitiativen" and presented it in an open consultation in July 2011, where representatives of civil society, trade unions and scientific institutions had the chance to discuss the topic. The main discussion point that was raised dealt with additional costs arising from the certification of the online collection system. The certification itself will be conducted by the Federal Office for Information Security and is free of charge. But in a first draft of the act, the Federal Government had proposed to let the organizers of the ECI carry the costs for the technical check that foregoes the certification and will be accomplished by an external authority. Further input was given during the consultation regarding the questions of invalidity of signatures. The participants demanded that a signature should only be invalid if a citizen who signed the initiative is not clearly identifiable. Incomplete identification information should not per se lead to invalidity.

The final draft for the "Gesetz zur Durchführung Europäischer Bürgerinitiativen"¹⁸ is currently passing through the legislative process. It was prepared by the Federal Government, passed the Bundestag and reached the *Bundesrat*, which has to approve of the act. The draft bill takes into account some of the crucial issues that were raised in the consultation. For instance, costs for the certification of the online collection system will not have to be carried by the citizen initiatives. As provided in the final draft, only missing identifiability can lead to invalidity of a signature. Concerning the verification of signatures, the German Government decided to check them randomly. Signatories that use the online collection system will not need a digital signature necessarily, but if technicalities allow it, it can be used. The *Bundesverwaltungsamt* is designated to be the required competent authority that will be responsible for coordinating the process of verification of the statements of support and certifying the number of valid statements. In order to check the correctness of the signatures, the *Bundesverwaltungsamt* has the right to reconcile the given information with data from the registry offices. The Federal Office for Information Security is appointed to be the competent authority responsible for issuing a certificate that confirms that the online collection system meets the necessary security requirements. Data abuse will be penalized by a high fine.

However, whether the ECI will have the potential to realise a better integration of top-down and bottom-up approaches remains yet uncertain. The current implementation of the concrete terms and rules of this instrument may still undergo significant modifications in the final design and implementation steps, but in principle this institutional innovation offers new potentials for enhancing not only the citizens' influence on political agenda setting but also carries the seeds for the formation of a European public sphere. At present it represents to some extent an experiment with many open questions and therefore it has been wise to foresee a clause for possible revision after a period of gathering some experience with the new instrument. To integrate an appropriate online channel is certainly indispensable for an efficient transnational participation process. An online system based on open source software to be provided by the European Commission for registration, including information and communication functions, is in the making. Its detailed functionalities yet have to be elaborated. From the perspective of future initiators of an European Citizens' Initiative, a common online tool and platform at the European level for carrying out an initiative, instead of burdening every initiator with this task individually, will be essential.

¹⁸ http://www.bundesrat.de/cln_161/nn_8694/SharedDocs/Drucksachen/2011/0501-600/523-11,templateId=raw,property=publicationFile.pdf/523-11.pdf

In principle, the Internet's advantage in mobilising support for an initiative could at least partially compensate for disadvantages of initiators who lack the required organisational resources. Appropriate multifunctional online tools could provide support at all stages of the process, from the preparation and registration of an initiative to its promotion, the mobilisation of supporters, collection of support declarations, submission of the initiative, its publication and the formal reply to it as well as its evaluation. An important aspect will be that the design of such a system will have appropriate provisions for privacy protection. This will also include the provision of practicable and secure ways of authentication possibilities, however, without creating barriers which might deter citizens from participation. Given the experiences of still modest acceptance and practical use of advanced means such as digital signatures among the general public, it seems important to provide for alternative options of authentication as well.

It is rather undisputed that the ECI makes high demands on the organisers of an Initiative. Therefore it seems crucial to provide appropriate support to initiators in order to avoid that the ECI becomes an instrument which principally discriminates against initiators which lack the required organisational resources and skills. Otherwise fears that the ECI will empower existing interest-organisations and large companies rather than individual citizen initiatives may well come true. In fact, the conditions of the ECI, such as strict time limits and high thresholds of signatures needed, require a mobilisation infrastructure which better suits established organisations with professional staff and structures. Without provisions for correcting this asymmetry, the ECI could end up in giving still more power to lobby groups and privileged interests instead of enhancing the influence of European citizens and advancing European democracy.

4. EUROPEAN GOOD PRACTICES

Research on e-participation is accumulating a growing body of empirical studies which shed light on practice as well as political significance and impacts. Systematic approaches to an assessment of the existing state of the art have just started, including comprehensive literature studies such as Rose and Sanford (2007), and Sæbø et al. (2008) based on 105 full-text papers. They point out the evaluation challenge as one of the key challenges of the field.

Recent European studies offer a useful starting-point for identifying good practice in e-participation: A broad review of cases across Europe with a main focus on Germany is provided by Albrecht et al. (2008). Another one had its main focus of analysis on European and trans-national level but included also national, regional and local-level cases if linked to European issues (Panopoulou et al. 2009). A third study is based on a survey of e-participation cases across Europe which includes all government levels and identified 255 cases from 23 different countries (Millard et al. 2009). This survey shows a continuous expansion all over Europe representing a wide variety of e-participation activities, the majority providing information and deliberation offers. In most cases the target groups are citizens and other stakeholders at local and national levels.

In order to identify examples of good e-participation practices for the European level, it is important to apply a broad focus by not only examining state-of-the-art activities of governments and parliaments, but also by taking the diverse approaches and solutions implemented by non-governmental actors into account.

4.1. Selected cases

The following examples represent good practice cases in e-participation. Each case stands for an advanced level of integrating top-down and bottom-up oriented processes of e-participation and shows specific strengths regarding important aspects. This does not preclude that there may be a need for improvement in certain respects. Further good practice examples selected under similar criteria can be found in Albrecht et al. (2008).

4.1.1. The Scottish ePetitioner¹⁹

Subject

The online petitioning system of the Scottish Parliament primarily provides an opportunity for individual members of the public to participate in the democratic process by raising issues of public concern with the Parliament. It promotes community democracy through easy access to the decision making body and provides citizens with the ability to influence the political agenda. Specific strengths of this e-participation system are its high degree of integration into the procedures and institutions of the Scottish Parliament together with the high degree of information transparency, the enhanced participation possibilities and the responsiveness of the public petitions committee.

¹⁹ See <http://epetitions.scottish.parliament.uk>. Sources of case description: Lindner/Riehm (2009a,b), Tambouris et al. (2007).

Status

The ePetitioner is active on a permanent basis. It was initially developed by the International Teledemocracy Centre (ITC) at Edinburgh Napier University and officially launched on the 11th of February 2004, but had been piloted since 1999.

Methods and tools

The ePetitioner allows individuals to petition the Parliament and includes online submission of a petition, signing a petition online and an online discussion forum for each petition. The system was designed and developed by the International Teledemocracy Centre (ITC) at Edinburgh Napier University with support from BT Scotland. It provides a means of enhancing accessibility to participation in the political process which in turn intends to strengthen the accountability of Members of the Scottish Parliament to the people of Scotland. A Parliamentary Committee dedicated to the consideration of all petitions provides robust and transparent management of the Parliamentary process for responding to petitions. The Scottish Parliament's e-Petitions System has led the way in offering citizens the possibility of a more active interaction with the political process which is readily accessible and transparent, and provides a direct means of holding elected politicians to account other than through the ballot box.

Organisation

Overall responsibility resides with the Scottish Parliament. The Public Petitions Committee (PPC) of the Parliament manages the process. Rules include an explicit privacy statement and a condition of use statement. The discussion forum is post-moderated. The Clerk to the Public Petitions Committee makes the moderation decision based on the conditions of use. Moderator functionality includes: removing a selected comment from public view if the moderator decides it breaches the condition of use statement; adding any moderation comments; and viewing statistics such as the number of comments removed. The e-petition system also provides an online evaluation questionnaire, presented to the user after signing an e-petition, to monitor what users think of the system in terms of its usability, clarity, and overall purpose. The responses provide a means for the PPC to readily assess the perceptions of those who have signed e-petitions.

4.1.2. Participatory budgeting Berlin-Lichtenberg

Subject

The idea to integrate citizens into the process of budget allocation in the city district Lichtenberg in Berlin²⁰ came up in 2003. After an unanimous resolution of all political parties by the end of 2004, the first "Bürgerhaushalt" (citizens' budget) in Berlin-Lichtenberg was conducted in 2005/2006. A major driver of this approach was the increasingly stressed budget situation of local communities. This pilot project was one of the first approaches for participatory budgeting on a larger scale; Lichtenberg has a population of approx. 250000, and a total budget of about 504 million euro. In 2005, the citizens were involved in allocating the parts of the budget which are controllable investments (approx. 30 millions) (Klages 2006). Due to its success, the process became institutionalised. Since the first attempt in 2005, citizens are constantly involved in annual budget allocation with an increasing number of participants (BHLB 2010).

²⁰ <http://www.buergerhaushalt-lichtenberg.de>

Project objectives

Based on the general goal to raise awareness among the population for the problems and challenges of local budgeting, the participatory approach aims to use the knowledge of citizens for identifying urgent problems in order to set usable and reasonable priorities in budget allocation. This should contribute to a mutual agreement in policy decisions, effective and fair budgeting and increasing transparency of local finances. In a long-term view, the stronger integration of citizens and civil society should lead to a partnership between citizens, local politics and administration with the intention to work out solutions for the local community (Klages 2006).

Status

First pilot: July 2005 – January 2006; since then on a regular basis.

Methods and tools

The process was based on a mixture of different instruments including online media as well as traditional offline channels. The core element is the web-platform www.buergerhaushalt-lichtenberg.de which offers broad information about the different budget areas, the process and its different stages, reports and results of earlier participatory budgets, etc. A budget-calculator allowed to experiment and learn about the relations between the different funding areas. The platform was also the main entry point for dialogue and discussion. In their member-area, participants used online-fora and wikis to discuss their opinions and bring in their suggestions. To avoid exclusion and allow for broad participation, citizens also had the possibility to bring in their opinions and proposals over traditional channels (opinion boxes, postal mail) as well as in the regularly held citizen meetings in the different boroughs of the district during the dialogue-phase of the process.

Organisational design

The process consisted of four main phases: information and mobilisation, dialogue, review and the voting phase. The first phase emphasised on information and mobilisation citizens and is initiated by postal information material about the process, including an invitation letter of the mayor which was sent to 25,000 households in the region. In this phase, a number of PR measures were initiated to raise public interest for the project, e.g., flyers and posters, press articles informing about briefly about the project, its initial event and the web-platform as core of the dialogue. The dialogue was the main part of the second phase. Online discussions were combined with different offline channels (a kick-off event, citizen meetings and postal material). The initial kick-off event represented the official start of this phase and aimed to explain details about the process stages and how the dialogue-results become integrated in the budget-plan. In the dialogue phase, participants were invited to discuss their opinions and views in several discussion fora and wikis on the web-platform. A moderation team supported participants and ensured a constructive discussion culture.

The procedure of the online-dialogue was as follows: Participants were asked to bring in their opinions and ideas regarding relevant topics and spheres of activity; coherent topics were consolidated in subfora and wikis for further elaboration; eventually arising open questions and legal aspects were clarified with the local administration; the different suggestions were specified further in online-documents. The offline collection of ideas and proposals in citizen meetings followed a similar structure. During the third phase, the input of the dialogue phase was reviewed and weighted regarding realisation. This phase was carried out by an editorial team consisting of local administration members as well as volunteer participants of the dialogue. Tasks included e.g., sorting out duplicate suggestions, checking the jurisdiction for the different issues and their feasibility. The proposals of the dialogue were clustered and prepared in form of a list. This list is the input for the fourth and final process phase, during which participants vote on the listed proposals. The voting consists of three different options: Online participants could vote via the web-platform, 5000 randomly selected citizens received the proposal-list via a postal questionnaire, and the last voting was during the final citizen meeting. The voting results of all three options were delivered to the city council.

To give account to the public whether and how local administration considered the results of the process, another citizen meeting was held where local authorities presented the planned measures for realising the different proposals. Citizens were invited to discuss this final result of the participatory budgeting (BHLB 2010, Klages 2006). Reports about the realisation of the results are published on the process portal.

Results

In 2005/2006 in almost 400 suggestions were brought in; and 37 of the complete list of 42 proposals were eventually realised by the local administration. About 300 citizens participated in the kick-off event, in total about 600 persons attended on the decentralised events in the different boroughs. In total, almost 10000 users visited the web-platform, whereas about 500 of them were registered users and approximately 300 were entitled to vote.

The mix of different channels contributed to a comparatively balanced representative composition of the participants. However, a corrective function on all three participation channels in this respect demands a higher number of participants. The process evaluation revealed that participants did not visit all meetings. Instead, they tended to focus on particular events.

The process design contributed to mitigate lobbying efforts (i.e. that interest groups try to enforce their concerns), e.g., by conflating suggestions from different sources and different voting procedures. The overall process conveyed transparency and accountability but also demanded high efforts for motivation of the participants. In this respect, different PR communication measures proved to be very important. The content of the different proposals revealed a high voluntary potential in the local communities which could contribute to the partnership between civil society and the local administration. The genuine consideration of the final proposals and the reporting about the realisation is a *sine qua non* for a successful participation process (BHLB 2010, Klages 2006), and might be one important aspect for the continuous relevance of the participatory budgeting in the Lichtenberg case.

4.1.3. www.Theyworkforyou.com

Subject

The portal makes parliamentary information available to the public and fosters communication between citizens and their representatives. It was created by the British NGO mySociety (mysociety.org) and became its most successful project. The portal increasingly established itself as a relevant contact point between the public and the political system, and acts as a cluster of different options for information and communication.

Status

It was created in 2004, and since then became a constant channel between citizens and political representatives.

Project objectives

Based on the premise that “yet most people don’t know the name of their MP, nor their constituency, let alone what their MP does or says in their name”, the site aims to reduce the distance between citizens and their political representatives. Fostering transparency of the political system and enabling public engagement are seen as vital aspects in this respect.

Methods and tools

The portal aggregates publicly available data such as content from the official Hansard record and provides access to a broad range of parliamentary information. With the assistance of a number of different search functions, users can inform themselves about debates, speeches and statements in the Parliament as well as about their political representatives (e.g., who their local MPs are, in which policy issues they are engaged, their voting records, etc.). The information is often not only available in hypertext but also as audio or video. The project also has some communication features integrated²¹: Beside the possibilities to comment on available information, users can send e-mails to MPs in their constituency and can subscribe to receive e-mails from their MPs.

Organisational design

Users have many different options to access information. The general search allows filtering by date, persons, departments, parties, etc. Detailed information about local MPs of a particular constituency is available by entering the postal code; information on MPs includes voting records, topics of interest, most recent appearances in debates, etc.

²¹ These are also accessible via separate websites, e.g., www.writetothem.com, www.hearfromyourmp.com

With the communication tools provided by the portal, citizens have two different options to establish contact with their MPs. Over the service www.writetothem.com as an integral part of the portal users can send a message to representatives. To avoid spamming and other abuse, messages are reviewed by an editorial team. Another integrated option is www.hearfromyourmp.com where users can subscribe with their contact details to receive e-mails from their MPs. To ensure that subscriptions are of some relevance, messages are forwarded to an MP if at least 25 users contacted her/him. If the MP answers, then questions and answers become published on a website for further discussion among the involved communication partners.

Results

The portal includes a broad range of parliamentary data and the amount of available information is constantly growing. It includes debates in the House of Commons reaching back to 1935 and general information on MPs available from the beginning of the 19th century. The scope of the project has expanded considerably. In addition to the UK Parliament it also covers information about the Scottish Parliament, the Northern Ireland Assembly and the Welsh Assembly. The concept was adopted in other countries such as New Zealand, Australia, the USA and Germany. Its main functions – to increase transparency of the political system and to foster communication between citizens and political representatives – is broadly acknowledged in the UK, and its capacity to operate as a catalyst for political interaction is also accepted among most members of the Parliament. With over 100 000 visitors a month, the portal is a well-established interface between civil society and the political system. The user statistics of the communication tools also point to the relevance of these services. For instance, in 2008, about 185 000 messages were sent to elected representatives via Writetothem with an average response rate of 60%²² (TWFY 2010, POST 2009).

²² <http://www.participedia.net/wiki/MySociety>

5. WORKSHOP ON E-PARTICIPATION

To discuss the findings of our e-participation analysis and to exchange ideas about the future of European e-participation an expert workshop was organised within this STOA-project. The title of the workshop was "E-participation: Can political communication via the Internet and e-participation contribute to the emergence of a European public sphere?" and took place at the European Parliament in Brussels at 26th of May 2011 under the patronage of the Head of the STOA panel, Member of the European Parliament Dr Paul Rübig.

The workshop was structured into two sessions, the first one dealt with chances and restrictions for an Internet-mediated public sphere in Europe, and the second one with the potential of e-participation to act as a pacemaker for a European public. This chapter documents the presentations and the following discussions in the two sessions. Based on the impulses and ideas of the workshop, we derive conclusions and recommendations for the final report in the last part of this report. The slides used by the presenters as well as the background paper, which was distributed to the participants in advance, can be found in the appendix A together with the agenda and the flyer for the workshop.

5.1. A European e-public: Chances and restrictions of an Internet-mediated public opinion in Europe

The first session went from 9.30 to 11.15 hrs and dealt with "A European e-public: Chances and restrictions of an Internet-mediated public opinion in Europe". Mr Rübig opened the workshop with a short introduction to the subject of the workshop in which he emphasized the importance and relevance of research in the field of e-participation and the contribution of scientific advice to policy-makers at the European level.

Before Mr Aichholzer, as a representative of the project team, gave the word to the speakers, he introduced the STOA-project "E-Democracy in Europe – Prospects of Internet-based political participation", named the project team and outlined the role of the workshop in the context of the project. He then explained the objectives of the workshop and sketched key issues to be addressed as they were summarized in the background paper which was prepared as a hand-out for the workshop (see appendix).

Presentations

Prof. Stijn Smismans: E-public, citizenship and functions of e-participation

Prof Stijn Smismans is Professor in Law and holder of the Jean Monnet Chair in European Law and Governance at Cardiff University. He is interested in, amongst others, Law, political science, political theory, democratic theory and policy analysis on a European level. A main research focus lies in the field of European Civil Society and European Governance.

In his presentation Mr Smismans focused on defining concepts and issues that are relevant to grasping the interrelations between e-democracy and the public sphere. He pointed out that in the discourse at a European level these interrelations would rather play an implicit role and the concepts are not explicitly treated as interconnected. He explained the concept of citizenship and outlined the discourse on civil society and how these concepts are related to each other as well as how the discourse on civil society and actors of the public sphere (in particular civil society, citizens and various interest groups and stakeholders) are interrelated.

There are different concepts and functions of the public sphere but the public sphere is generally understood as broad public debate. Key aspects are its role for agenda setting and challenging/maintaining/creating legitimacy in politics. It relates to different stages and levels of the policy cycle. Issues of transparency (of institutions, actors and actions) are key issues in this respect.

Regarding citizenship, this is not defined in legal terms and the right to use e-channels for participation is not a defined right either. Civil society organizations do not represent all citizens. There is also no definition of European citizenship. The Lisbon Treaty allows for a reformulation of European citizenship: there are provisions for a strengthening of democratic principles through all kinds of participatory processes. The role of civil society is very important and a central question of e-participation is who should be targeted in European consultations. A related question is the issue of representativeness in e-participation. A definition of representativeness for EU-consultations is lacking. Concerning transparency its enhancement is a central issue and how ICT can contribute to foster transparency.

Two conclusions have been pointed out:

1. E-participation is closely linked to a broader definition of citizenship and the idea of an active democracy.
2. Objectives of e-participation have to be clear and certain (e.g., what are the aims of a specific consultation process? Is the aim agenda setting, should it have an influence on policy-making?)

Dr Georgios Papanagnou: The role of ICTs and obstacles for a European public sphere

Dr Georgios Papanagnou is a consultant at UNESCO with a background in political science. He has been working on participatory policy-making and science-policy links. Special research interests are issues of political opinion formation, deliberation and the role of ICTs.

Mr Papanagnou started with a brief overview of general aspects of the public sphere, which is to be understood as "a discursive space in which individuals and groups congregate to discuss matters of public interest and, where possible, to reach a common judgment". He underlined that the deliberative quality of the public sphere is crucial for backing political decision making and political will formation. Hence, to overcome contemporary problems of current political processes such as a "perceived democratic deficit of the EU" and the "crisis of representative democracy" carried by "mistrust and disengagement", the formation of a European public sphere is essential. As general obstacles hampering this demanded development Mr Papanagnou pointed out: the lack of a common civil society and a political European identity, the problem of language barriers within the Union and the absence of a common language and the lack of a common media landscape that reports topics also in a European framing. In his opinion there is a demand for "greater degrees of participation in policy-making". Particular challenges to foster deliberation in Europe have to include a comprehension of citizenship as an ongoing communicative achievement and to develop "notions of EU citizenship via transnational deliberation and interaction". Due to their particular character and design, ICTs can play a significant role in addressing these challenges and in promoting and fostering deliberation, Mr Papanagnou argued and named some particular aspects: the Internet allows to access high amounts of retrievable data which can contribute to a well-informed public, a prerequisite for political engagement; online channels facilitate "peer-to-peer and many-to-many interactive exchange" and online-deliberation processes can now involve larger numbers of users to enable participation at a broader level.

"The Internet supports a transnational space for political communication" and can be understood as "an interactive means of an emerging global civil society". At the end of his presentation, Mr Papanagnou highlighted the importance of deliberation towards making policies more democratic and participatory. He argued that "deliberation could act as a corrective to representative democracy". ICT is an important means to support political processes but the focus should not be only on providing information or consultation but on "fostering processes of transnational interaction and deliberation".

Discussion

Eva Lichtenberger (MEP, Group of the Greens/European Free Alliance, Vice-Chair)

Mrs Lichtenberger argued that a crucial aspect for the future development of e-participation is the way issues are discussed. Here, the language problem would be a particular obstacle. She inquired about the increasing role of translation tools to overcome this barrier. Mrs Lichtenberger also referred to the still highly important problem of a digital divide which would remain a key challenge because general access to new media and ICT skills are basic requirements to get involved in electronic participation processes.

Vittorio De Crescenzo (STOA secretariat)

Mr De Crescenzo suggested, referring to Mr Smismans's commitment about a lack of representativeness, talking about what exactly can be meant with "representativeness".

Stijn Smismans

In his reply Mr Smismans pointed out that civil society organizations do surely not represent the whole civil society and that two elements have to be distinguished when defining representativeness: the material scope of interest, that an organization represents in a particular field, and the scope of internal organizational structure, e.g. if there are links between the national organization and the European representation.

Jeremy Millard

Mr Millard underlined the problem of a persisting digital divide as one key barrier of representative e-participation. Although he stated that the focus should lie on solving the problem of the digital divide to make sure that it does not get worse, he also raised the question if this is different from other forms of participation, since the people who participate are only part of the whole population. In his opinion electronic participation should complement other political channels instead of replacing it.

Stijn Smismans

Mr Smismans remarked that there are two kinds of digital divides: besides the problem of access to ICTs, the individual computer skills someone has are of importance.

Andy Williamson

In his reply to Mrs Lichtenberger, Mr Williamson pointed to the need for education in "democratic citizenship" and for enhancing "political literacy" since it is necessary not only to talk about the digital deficit, but also about the democratic deficit. "Getting everybody online does not make everybody politically interested".

For enhancing e-participation he recommended the example of social services/pension services in the UK which is designed according to the principle of “digital by default”. Being aware of the problem of the digital divide, for him this nevertheless is an “enormous opportunity for a digital inclusion of the society”.

He furthermore remarked that translation tools are improving steadily, in particular with the development of semantic tools. Nevertheless the present performance levels are not yet satisfactory.

Sandra González-Bailón

A further statement was given by Mrs González-Bailón, who emphasized that more research is needed in how people are using online tools. She agreed that on top of the digital divide there are other divides for Internet user, considering especially the existence of different languages.

Eva Lichtenberger (MEP, Group of the Greens/European Free Alliance, Vice-Chair)

In her reply Mrs Lichtenberger advanced serious doubts about an automatic electronic option for a typical service to be used by elder people such as the pension service but recommended such a practice to services targeting the young generation. She emphasized that it highly depends on the topic if someone participates online or not. “People will express their will if they see the necessity”. She furthermore agreed that besides the digital divide, a democratic divide exists as well.

Andy Williamson

Mr Williamson remarked that we do know a lot about how we engage online and mentioned two important things: first people tend to polarize when they engage online, second what works is when the engagement is clear and transparent and a clear process can be seen, otherwise trust is missing.

David Lowe (Head of Petitions' Committee secretariat)

Mr Lowe pointed to the problem of the declining role of political parties. Before making institutions responsible, parties should try to include members, which leads to a stronger political interest and fruitful debates. “Party involvement is policy development”.

He also advanced the view that citizens often are less concerned with contributing to policy development but with reacting against specific policies.

Mr Alexander Balthasar (Federal Chancellor, Austria)

In his statement, Mr Balthasar pointed out the importance of the regional level for participatory processes. In his opinion, e-participation is closely linked to the principle of subsidiarity which should be incorporated here as well. Participation should include the closest possible level to citizens and then be raised from level to level. Political processes “need to be merged and aggregated”.

Sandra González-Bailón

Mrs González-Bailón sees political institutions in the duty to pay more attention to what is happening online. Although many technical problems still have to be solved to aggregate and analyse this information systematically, she sees some promising research going on.

Stijn Smismans

Mr Smismans considered that for him the principle of subsidiarity might make sense in a certain way and that the advantages are obvious. But the big problem for him is that since policy-making competence lies at the European level, the question of what kind of discussion could be held on the regional level. He sees demanding tasks concerning the flow of information, a bias in debates resulting from the national contexts and responsibilities.

Andy Williamson

Mr Williamson agreed with Mr Smismans that concerning the principle of subsidiarity the upwards aggregation of political debates is a huge challenge.

Georg Aichholzer

Referring to Mr Lowe's statement about the fact that people rather react than act, Mr Aichholzer sees a necessity to include people in the whole policy process.

Eva Lichtenberger

Mrs Lichtenberger remarked that participation is also a question of resources, since "as a simple citizen you don't have the possibility to travel to Brussels and discuss transnational issues". To overcome this, electronic means offer good prospects.

5.2. E-participation in Europe: Internet-based political participation as a pacemaker for a European public

The second session went from 11.30 to 13.00 hrs and dealt with the potential role of e-participation as a pacemaker for the formation of a European public. As in the previous chapter, the presentations of the speakers will be summarized first and then the main points of the discussion will be presented.

Presentations

Dr Sandra González-Bailón: Internet-Based Political Participation as a Pacemaker for a European Public

Dr Sandra González-Bailón, works at the University of Oxford, Oxford Internet Institute, and Nuffield College. She is involved in several projects that explore the structure and evolution of political discussion networks and use the contents of those discussions to track public opinion. Her research interest lies especially in the field of the Internet, social networks and political engagement. She is an editor of the Oxford Internet Institute-edited journal *Policy and Internet*.

Dr González-Bailón provided a text-version of her speech:

"I would like to start my contribution with a disclosure: I am a sociologist and the focus of my research lies on what people do rather than on what they should do to approximate some normative ideal of citizenship, or political engagement. What this means is that the running theme of my contribution will be that we need to conduct more empirical research on how citizens discuss and self-organise online before we can devise tools for the encouragement of those activities. Conducting that research is important because (a) it might show that we need to redefine what we understand as political engagement; and (b) it might reveal that there is already a public sphere to which we just don't pay enough attention. The Internet allows us to tap into the opinions and preferences of the public to an unprecedented extent. There are obvious technical difficulties in making sense of that overwhelming amount of information, but we are getting better at processing the data. With this contribution, I hope to give some examples of how we can harness the opinions and preferences that people voluntarily express online and throw some ideas of how to best insert that information into formal decision making processes.

The starting point of this assessment is the legitimacy crisis to which the background papers (as well as much academic research) point, that is, the lack of connection between elected representatives and the people they represent. We have seen a lot of mass mobilisations lately, in Greece, in the UK, more recently in Spain. What these mobilisations reflect, in addition to the obvious discontent with how the political class is managing the economic crisis, is the pervasive feeling among citizens that they are not being heard, the feeling that there is a lack of communication, that those who represent them want to get their votes but they don't want get their reasons. The irony of the situation is that this is happening at a time when those voices are louder and potentially more consequential than ever before: today representatives do not have to go down to pubs, or markets, or coffee houses to listen to what people have to say and adapt their policies accordingly; they just need to sit in front of a screen and follow up those discussions as they unfold online, in the discussion sections of the digital editions of newspapers, and in the diversity of fora that emerge within the blogosphere and across SNSs.

Before you call me naive, I am aware that there are two big problems with this image of representatives listening to their citizens, two problems that a priori seem contradictory: the first is that we still don't know how to put together all those opinions that citizens are expressing online in a way that makes sense, to allow navigating this sea of information where opinions are formed without drowning; the other big problem is the lack of representativeness (in demographic terms) of those opinions: because not everybody goes online to discuss about politics, if we only monitor the opinions of those who do, we will be missing a great deal of what the public thinks. And I say that these two problems are contradictory because, on the one hand, it seems that we have too many opinions and, on the other, it seems that we do not have enough. I do not have the big solution to overcome these two problems, but I am going to tell you what researchers have done so far to tackle them, and what kind of things they have managed to uncover by doing so.

The first problem related to the question: how can we process the vast amounts of information that online discussions contain about the opinions of the public? There are three main research areas in the academic community that are relevant to answer this question. The first measures the sentiment of online conversations as a way to indentify how the public reacts to offline (or real world) events; the second tracks the diffusion of news through online networks, which is important to find out which news generate higher levels of interest; and the third uses search engine queries (so the topics that people ask Google about) to identify changes in the priorities of people when it comes to searching information. Put together, these three lines of research give complementary views of what the public think and how they react to current events or policy debates.

Facebook status updates, for instance, have been used to build a "happiness index" that reflects changes in how the public, spanning several countries, feel: the assumption is that the words used in those updates reveal the emotional state of users and that these, when put together, reveal significant shifts in the mood of society. Something similar has been done with Twitter posts, which have also been used to build aggregated maps of public mood, and identify changes in generalised sentiment over time. There is a project that tracks and visualises emotional states in the blogosphere in the form of interactive maps that allows users to find how people feel in a given day, on a given spot in the world; and numerous other projects have used similar methodologies to understand the ideological lean of online discussion, or how disagreement encourage political discussions. This technology can also be used to track public opinion.

Researchers are also developing automatic methods for assessing the credibility of news propagated in Twitter; they are trying to identify what can help predict cascades in information diffusion, and they are using changes in the volumes of search queries to produce real time estimates of public interest around particular topics. This type of analysis has been used, for instance, to predict epidemics and it can also be used to identify emerging areas of public concern.

All these studies rely in some sort of filter that reduces the amount of information being analysed and therefore makes it more manageable – for instance, by focusing on one emotional dimension (like general levels of happiness) or by tracking interest in domain-specific topics, say tweets about mobilisations in Iran (or more recently in Egypt). But each of these studies reveals relevant data about different but complementary dimensions of what the public thinks or feels at a given moment and over time; these dimensions are not only comparable to more traditional opinion polls, but also richer and more informative if only because they give us a more immediate and dynamic picture of what is in the mind of the public, a picture that technology allows us to assemble more efficiently and to which representatives can therefore react more quickly. An additional advantage of mining opinions from online conversations is that we do not impose a list of topics on which the public should have an opinion, but extrapolate those opinions from the topics that they choose to discuss about.

These online indexes of what the public think are important because they contain enough information to be able to predict offline events, from stock market fluctuations to flu epidemics, but also approval rates for elected representatives. Researchers always like to qualify their findings and add a lot of caveats as to how to interpret those findings without stretching their evidence too much, but I think it is fair to say that we have enough evidence already to suggest that online discussions can be used to draw consistent indicators of what the public think and of their priorities, to an extent that is difficult to match with traditional opinion polls.

This takes us to the second problem I mentioned before: the lack of demographic representativeness in online conversations. While it is true that not everybody goes online to discuss about politically relevant issues, what these empirical studies suggest is that those who do (and they are still hundreds of thousands) express opinions that are representative enough of the opinions of society at large – this is why we can use that information to predict offline events.

Being able to track changes in public opinion is a fundamental element in the political process because accountability depends on drawing a bench-line of what people expect of their politicians and that allows assessing how closely politicians met those expectations. Online conversations draw that bench-line in a way that it is more reactive to the political cycle, or to the evolution of policy debates. Again, there are many technical problems that we need to solve to make the most out of the opinions that citizens voluntarily express online, and for that more research is needed; but we have an unprecedented opportunity to give citizens the resonance they have been lacking for a long time, which is the main reason for their estrangement from politics. The challenge for us researchers is how to build better interfaces that will connect their voices with the decision making process.

In doing so, I think it is important not to try to reinvent the wheel and invest much time or effort in designing platforms for civic participation – citizens are already engaging in politics online, maybe not where we would like them to, but they are discussing policies, and current events, in their own networks. So I think efforts have to be directed to creating a bridge that connects the opinions that citizens voluntarily express in already existing platforms, rather than trying to create a specific platform that reproduces an ideal (but fake) agora; this is the equivalent of trying to be spontaneous: the harder you plan it, the worse it will go. The public sphere should essentially be a self-organised space and we researchers should find better ways to monitor what happens in that public domain so that we can strengthen the tools that citizens can use to demand accountability, and improve the quality of their communication with politicians. This, in my opinion, is the best chance to counteract citizens' disenchantment with politics: to listen to their reasons (also to their passions) wherever they choose to voice them – and the Internet has made that a real possibility.

Summing up, online discussions give us a great thermostat of what the public thinks, we just need to devise better tools to monitor changes in that temperature, and design better mediating tools between the voice of the people and their representatives. In my opinion, this is a matter of observing what is already there. If we do, we might find that there is, after all, a European public sphere hidden under the cacophony of online conversations. Drawing an empirical map of online political discussion, of its borders and rhythms, is a necessary step before we can decide what is missing and what we can do to encourage it."

Mr Jeremy Millard: Moving towards a European public sphere

Jeremy Millard is a Senior Consultant at the Danish Technological Institute. He has a lot of experience working with new technology and society in Europe and globally. He has worked with governments, regional development agencies, and the private and civil sectors in all parts of the world, e.g. the UN, the OECD and the Council of Europe, on Information Society topics. He led a pan-European study on e-participation for the European Commission and was involved in several EU e-government projects.

Mr Millard started with some major issues of the European public sphere and a perspective to include also regional and local levels. He argued that the importance of a European public sphere is evident as the other speakers already pointed out. In his opinion, there already is a European level and for the context, i.e. how to support the public sphere with e-participation, it is important to integrate regional and local levels into the perspective as well because these are crucial for political processes. He underlined this argument by a survey showing that most e-participation initiatives happen on local and regional level.

Mr Millard identified two main contradictory trends: on the one hand, a “decline in (formal) political engagement”, visible e.g. in voter turnout, membership of political parties, loss of trust; But on the other hand an increase in single issue political engagement, mainly in form of grassroot activity. He concluded that politics is changing in many ways and that new media enables new forms of political processes by briefly referring to the Arab spring where social media played a crucial role. He argued that technical tools did not trigger ongoing change of politics but can be useful to support the related mechanisms.

In his opinion, there is already a lot of knowledge already available about technical tools and how to organise e-participation. In Mr Millard’s view, a major challenge for supporting a European public sphere by e-participation is the “marriage between bottom-up and top-down” initiatives. He located a demand for a stronger cooperation between governments and civil society actors, also in order to re-establish accountability and trust. In this respect, Mr Millard mentioned the importance of the bi-directional role of trust. Governments demand more trust in citizen input and there is also a need for a cross-institutional coordinated “service for public engagement”, which should be backed by trusted third-party institutions (e.g. an ombudsman), he argued.

He also pointed out a number of empirically validated success criteria of e-participation (e.g. communicate clear objectives of an e-participation process, understandable wording, provision of feedback, ...).

Mr Millard finished his speech by making a case for a stronger focus on long-term stable participation and not only on short-term aspects such as e-voting, because deliberative democracy would demand for public debate and longer-ranged political development.

Dr Andy Williamson: Can e-participation contribute to the emergence of a European public sphere?

Dr Andy Williamson is the Director of the Hansard Society’s Digital Democracy Programme. He has an extensive background in research and consultancy relating to digital media and social policy, with a focus on digital engagement, digital inclusion and broadband. Andy has held numerous public and private board positions, is the former Deputy Chair of the New Zealand Government’s Digital Strategy Advisory Group and advisor to a number of governmental and parliamentary agencies.

Subsequent to his presentation Dr Williamson provided the following summary of his statements:

“There are discourses within the European Union relating to citizenship and the role and value of civil society. These acknowledge that work needs to be done to promote a sense of collective belonging amongst the citizens of member states, where the focus (often fuelled by national media) remains strongly domestic. Civil society organisations are seen as playing a role in this and models of e-participation have perhaps been more focused on the EUs relationship with these groups rather than directly with the wider public sphere.

Within Europe there are signs of citizen discord and disaffection with the political status quo. Party political membership has been in constant decline for a very long time and today trust in politicians remains low. Recent citizen responses have tended toward public protest rather than direct engagement with the systems of government, with examples of large scale public demonstrations seen in the UK and Spain amongst others. Our societal shift from the communitarian to a more individual focus has perhaps ironically also accelerated the demise of ideology such that today's citizens are driven by pertinent issues, not led by party manifestos.

Civil society organisations have filled a void created by the general shift towards neo-liberal ideas and were a product of the 1980s and 1990s. Now, twenty years later the landscape has changed again, driven in part by the rise of the Internet and social networks but also through a generational shift in attitudes. Whilst some argue that we have experienced a decline in social capital over the last four decades, we have in recent years seen a rise in the more informal networks of association, where weak ties connect people more loosely through interests and timely response to events. The Internet is important because it is ideally suited to the forming of rapid, viral and temporal loose networks around issues.

Political institutions remain firmly rooted in the old ways of thinking, despite some attempts to trial new media. The physical building of a Parliament can be seen as a metaphor for the democracy it supports; is it open, welcoming and engaging or cold, closed and difficult to reach? This old world is not the online world and political systems risk being left behind if they do not adapt and adopt new media as core attributes of their process of engagement. It is not a case of when but how and resistance to embracing social media and the more open and transparent models of politics and government that this requires is not an option. Social media itself changes the nature of constituency for our elected representatives and it changes the processes of government. Engagement can be proactive, effective and transparent. It is now necessary not simply to be seen to engage but to be demonstrably able to show the processes for managing the response from such engagement and the actions that result. If the public are to take part they must see value and authenticity in the process. Government must also be willing to hand over responsibility for engagement to others and then be able and willing to take the input from these third party tools. Not only must public data be open and available for public use and re-use, this process must be seen as two-way and data from the public sphere needs to be fed into the policy and legislative processes too.

There are challenges, particularly within the EU, where language is a major issue. Although a barrier to more effective engagement across the member states, this is a temporal issue and translation technology is improving rapidly, however, in the short term, more efforts are required to manage and encourage multi-lingual engagement. We understand a lot about engagement but more research is needed about how we behave online. But we must also recognise that the Internet is action led, not research led and we cannot wait to understand these things before pressing ahead. Public bodies must become more willing to behave like technology start-ups and to innovate, explore and even fail (and then learn and try again).

The speed of change is seen in the nature of online engagement. We have moved from standalone websites and asynchronous topical discussions to a much tighter integration with existing digital social spaces and more dynamic forms of communication. In an age where Facebook connects, Twitter coordinates and YouTube stands testimony to the result, there is no space for complacency and no time to 'gold plate' solutions that can quickly become redundant. Equally, the Internet and e-participation offer a window of opportunity to embrace and nurture a new European public sphere that will be lost if institutions do not take bold steps now."

Discussion

After the presentations by the panel, *Mr Alexander Balthasar* from the Federal Chancellery of Austria was given the opportunity to make a brief statement on the issue of e-participation in administrative procedures, in particular on the need for an electronic system to support large-scale participation. He pointed to a recent study on the design of such a system undertaken for the Federal Chancellery the results of which are summarized in a paper in English which will be made accessible via the website of the STOA project.

Daniel van Lerberghe (Politech Institute, Brussels)

Mr van Lerberghe suggested thinking about how to bridge successful e-campaigning tools with e-participation. While e-participation tools already cover thousands of people, e-campaigning even attracts millions of people.

Another aspect he raised deals with the role that the mass media can play in creating a public sphere, thinking about the large amount of recipients they have anyway.

David Lowe

As someone who works within a European institution, he liked to point out the huge role that authorities play and that the success of e-participation initiatives depends on the acceptance and support of the responsible institutions. He stated that "in fact they are very afraid of it, because they won't be able to control".

Leonhard Hennen (Institute for Technology Assessment and Systems Analysis (ITAS))

Mr Hennen reemphasized the importance of clarity about the purpose of an e-participation process and of meaningful provisions for transparency and feedback mechanisms. He then suggested to concentrate on the role of e-participation as a formal element of the European Parliament and invited the panel to contribute their views on this issue.

Stefan Strauß (Institute of Technology Assessment (ITA))

In his statement, he brought up the role of civil society actors as being among the first to make use of ICTs and asked Mr Williamson about his view on what could be learned from these experiences by naming the UK NGO "mysociety.org" as an example which in Mr Strauß' view became to some extent institutionalized and relevant for political communication in a broader scope in the UK.

Thanassis Chrissafis (eParticipation co-ordinator, European Commission, DG INFSO)

Concerning the ECI Mr Chrissafis does not see the biggest challenge in technicalities, because he experienced that people do not care about technicalities. The central question for him is who launches initiatives.

He furthermore remarked that a European public sphere should not be looked at in national terms, the main point is that not all citizens can be represented, therefore politicians should be more careful about citizens' interest to be engaged in politics.

Andy Williamson

In his response to Mr Strauß, Mr Williamson admitted that there are good examples of NGOs that are starting to catch up in using social media. Nevertheless he underpinned that he sees accumulated needs for organized elected institutions to get leading roles. As an example he mentioned the national union of students in the UK that failed lately in taking a leading role, thus the groups that leaded "came from nowhere".

A further comment of Mr Williamson dealt with the ECI: he stated that democracy "is by its very nature deliberative and discursive and qualitative" and that he is terrified of a participatory democracy that is based on quantitative measures. "A number of signatures should not be the only measure of whether governments listen or not".

Jeremy Millard

Mr Millard agreed with the comment Mr Williamson made about the students union in the UK. He described the following tension as being typical: on the one hand the deliberative character of the Internet facilitates to take action, which is often organized by groups, where no one knows who they represent. On the other hand organized, elected organizations fail to take action.

Furthermore he underpinned that governments have to listen to citizens and that the opportunities that are presented by online tools are useful to enhance this. But he also sees a need to stick to the necessity that politicians have a leading role, which they should live, if we want to hang on to representative democracy.

Thinking about what the formal role of e-participation could be Mr Millard has the opinion that it can be used as an obligatory channel in some cases, but it should not be the only one and should not replace the usual processes.

Stijn Smismans

Also referring to the example of the student unions in the UK, Mr Smismans pointed to the problem of how protest can be proceduralised in a way that policy is affected. For him, the ECI is a big challenge to achieve this. One main challenge is how participation can be structured concerning the acceptance of the governing institution and concerning the weight of the participating actors.

Sandra González-Bailón

In her concluding remark, she wanted to emphasize that "everything that has been discussed needs to be supported by empirical evidence".

Giorgios Papanounou

Mr Papanounou put the emphasis on the need of adapting to a process of challenging representative characteristics by adding more collaborative and discursive elements to our democracy.

Georg Aichholzer (chair of the panel, ITA)

In his concluding remarks Mr Aichholzer summarised some results of the workshop: One of the main challenges is to reconcile the practice of e-participation with the principles and structures of representative democracy. Some constructive recommendations have been brought forward: a number of validated success criteria and good practice cases have already been accumulated which can be used to enhance the design and implementation e-participation processes. More scientific research and empirical evidence is needed to increase our understanding of the potentials of e-participation and its contributions to supporting the formation of a European public sphere.

6. CONCLUDING REMARKS

This part of the report analyzed the different forms of e-participation, their functions, potential effects and empirical evidence of impacts on the democratic process. To cover the broad scope of different initiatives, participatory approaches from the established political system as well as from civil society have been examined.

The analysis revealed that the intended effects of e-participation can hardly be obtained by relying only on the technical means. A common fallacy is that the deployment of ICT for participatory approaches will directly lead to, e.g., more transparency, increased engagement, community empowerment and, as a consequence, to fostering the quality of deliberation on political issues. While there is some evidence towards such effects of e-participation in specific cases, there are several crucial determinants which are often neglected. On the technical and organisational level, ICT usage entails high requirements regarding organisation, structure, knowledge etc. for initiators as well as for participants; the employed technology needs to be embedded in the participation process in an appropriate way, i.e., the tools need to be suitable for the objectives of the participation and need to be in accordance with the organisational structure of the process. The mere offering of e-participation without convincing structural adaptations, provisions for integration into the political process and transparent feedback cannot lead to higher and better balanced levels of involvement and contribution quality. Besides this demand for an appropriate techno-organisational setting, the process as a whole needs to be well-structured and made public to its audience, i.e., the actors of the public sphere.

A particularly relevant aspect is institutional responsiveness, i.e., how the political system responds to the output of the participation process. It needs to be clearly communicated to the participants why they are asked to engage and to what extent their input can be considered in policy-making. This also refers to the demand for a stronger integration of deliberative components into the political process. Electronic modes of participation can considerably amplify this development but it cannot be expected that they replace the demand for stronger linkages between public engagement and political decision making.

In other words, the democratic value of e-participation cannot be created simply by applying ICT. It rather demands a coherent combination of participatory mechanisms with online and offline instruments. One key factor in this respect is the connectivity of e-participation, i.e., its integration into the political process. The effective integration demands a consideration of partial public spheres, i.e., creating reasonable possibilities for citizens to engage in specific public issues. This refers to the selected cases which include top-down and bottom-up e-participation. They are examples of possible connections between government and civil society initiatives characterised by a well established integration into the political system.

The Scottish *e-Petitioner* represents a formalised mode of embedding civil society initiatives into the political process which has become a reference case due its high level of transparency and successful integration into procedures and institutions of the Parliament. *Participatory budgeting* in Berlin-Lichtenberg has become an integral part of local planning in this region. The case shows how public administration and civil society can act as partners in local policy-making. The mix of different online and offline channels fostered the connections between online and traditional partial publics and the transparent process design fostered the connectivity to the political process.

The bottom-up initiated platform *Theyworkforyou.com* became an established interface between citizens and political representatives, not least due to its low threshold and pragmatic approach to alleviate the connection between the public and parliamentary work. It contributes to increased transparency of the political system and facilitates public engagement as citizens gain better insight into parliamentary work.

These examples illustrate the potential for strengthening integration and synergies between e-participation initiated by the established political system and by civil society actors. The intersections between those two poles play a key role in the discussion about the emergence of a (European) public sphere. The European Citizens' Initiative might offer new opportunities to integrate bottom-up initiated political contributions by civil society actors into the political process.

REFERENCES

- Albrecht, S. (2010). Reflexionsspiele. Deliberative Demokratie und die Wirklichkeit politischer Diskurse im Internet, Bielefeld.
- Albrecht, S., Kohlrausch, N., Kubicek, H., Lippa, B., Märker, O., Trenel, M., Vorwerk, V., Westholm, H., Wiedwald, C. (2008). eParticipation – Electronic Participation of Citizens and the Business Community in eGovernment. Study on Behalf of the Federal Ministry of the Interior, Division IT 1, Bremen.
- Baringhorst, S. (2009). Introduction. Political Campaigning in Changing Media Cultures – Typological and Historical Approaches, in: Baringhorst, S., Kneip, V., Niesyto, J. (eds.). Political Campaigning on the Web, Bielefeld, p. 9-30.
- BHLB (2010), Bürgerhaushalt Berlin-Lichtenberg, Projektportal <http://buergerhaus-halt-lichtenberg.de>
- Boucher, S. (2009). "If citizens have a voice, who's listening? Lessons from recent citizen consultation experiments for the European Union." EPIN Working Paper No. 24/June 2009.
- Bruns, A. and J. Wilson (2009). "Citizen Consultation from Above and Below: The Australian Perspective." EDEM 2009 – Conference on Electronic Democracy 7/8. Sep. 2009, Vienna.
- Coleman, S., Ross K. (2002). The Public, Politics and the Spaces Between: Election Call and Democratic Accountability, London.
- Crickman, R., Kochen, M. (1979), Citizen Participation through Computer Conferencing. In: technological forecasting and social change 14, p. 47-64.
- Dahlgren, P. (2005). The Internet, Public Spheres, and Political Communication: Dispersion and Deliberation, in: Political Communication, Vol. 22, p. 147-162.
- Delakorda, S. and Delakorda M., E-participation – a new sphere of NGO activity? originally published in June 2009 at the Trust for Civil Society in Central and Eastern Europe (CEE Trust) Civil Society Forum web site <http://csf.ceetrust.org/paper/19/>
- Democracy International (2011). European Citizens' Initiative, Köln.
- Donges, P., Jarren, O., (1999). „Politische Öffentlichkeit durch Netzkommunikation?“, in: Kamps, K. (ed.). Elektronische Demokratie? Perspektiven politischer Partizipation, Wiesbaden, p. 85-108.
- Dunne, K. (2009). Cross Cutting Discussion: A form of online discussion discovered within local political online forums, in: Information Polity, Vol. 14, p. 219-232.
- ECC (2010), European Citizens' Consultations 2009. Evaluation Report. King Baudouin Foundation, Brussels, August 2010.
- ECI (2010). Proposal for a regulation of the European Parliament and of the Council on the citizens' initiative SEC(2010) 370, Brussels, 31.3. 2010. http://ec.europa.eu/dgs/secretariat_general/citizens_initiative/docs/com_2010_119_en.pdf
- Eder, K. (2007). The public sphere and European democracy. Mechanisms of democratisation in the transnational situation. In Fossum, J. & Schlesinger, P. (Eds.) The European Union and the public sphere: a communicative space in the making? London: Routledge, 44-64.

- European Commission (2001). European Governance. A White Paper, COM(2001) 428 final, 25.7.2001, Brussels.
- European Commission (2009). European eParticipation Summary Report (ICT for Government and Public Services), Brussels.
- EU (2010). Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union, in: Official Journal of the European Union, Volume 53, 30 March 2010
- Fuchs, C. 2006. "eParticipation Research: A Case Study on Political Online Debate in Austria", ICT&S Center, Austria, Paper No. 1.
- Garrett, R. K. (2006). Protest in an information society: A review of literature on social movements and new ICTs. *Information, Communication & Society*, 9(2), 202-224.
- Grande, E. (2000), Post-national democracy in Europe, in: Greven, M.T., Pauly, L.W. (eds.). *Democracy beyond the state?* Lanham.
- Grönlund, K., Strandberg, K., Himmelroos, S., (2009). The challenge of deliberative democracy online – A comparison of face-to-face and virtual experiments in citizen deliberation, in: *Information Polity*, Vol. 14, p. 187-201.
- Grunwald, A., Banse, G., Coenen, C., Hennen, L.(2006). *Netzöffentlichkeit und digitale Demokratie. Tendenzen politischer Kommunikation im Internet. Studien des Büros für Technikfolgen-Abschätzung beim deutschen Bundestag*, Bd. 18, Berlin.
- Heidelberger, C. A. (2009). "Electronic Participatory Budgeting: Supporting Community Deliberation and Decision-Making with Online Tools." Conference Paper Midwest Decision Sciences Institute conference, Miami University, Oxford, OH. April 16–18, 2009.
- Innes, J.E., Booher, D.E. (2004). Reframing Public Participation: Strategies for the 21st Century, in: *Planning Theory & Practice*, Vol. 5, No. 4, p. 419-436.
- Jann, W., Wegrich, K. (2007): "Theories of the Policy Cycle", in: Fischer, F., Miller, G.J., Sidney, M.S. (eds.): *Handbook of Public Policy Analysis*, Boca Raton, p. 43-62.
- Jensen, J.L. (2003). Virtual democratic dialogue? Bringing together citizens and politicians, in: *Information Polity*, Vol. 8, p. 29-47.
- Jessop, B. (2003). Governance and Metagovernance: 'On Reflexivity, Requisite Variety and Requisite Irony' in H.P.Bang (ed.) *Governance as social and political communication*. Manchester, Manchester University Press: 101-116.
- Kampen, J.K., Snijkers, K., 2003, E-Democracy. A Critical Evaluation of the Ultimate E-Dream, in: *Social Science Computer Review*, Vol. 21, No. 4, p. 491-496.
- Kamps, K. (1999). Perspektiven elektronischer Demokratie. Elektronische Demokratie? Perspektiven politischer Partizipation. K. Kamps. Wiesbaden: p. 7-17.
- Kann, M. E., Berry, J., Gant, C., Zager, P. (2007). The Internet and youth political participation, in: *First Monday*, Vol. 12, No. 8.
- Kies, R., Mendez, F., Schmitter, P., Trechsel, A. (2002). Evaluation of the Use of New Technologies in order to Facilitate Democracy in Europe. STOA Working Paper 116 EN, European Parliament.

- Klages; H.: (2006), Bürgerhaushalt Berlin-Lichtenberg, Partizipative Haushaltsplan-aufstellung, -entscheidung und -kontrolle im Bezirk Lichtenberg von Berlin. Begleitende Evaluation des ersten Durchlaufs. Abschlussbericht. Deutsches Forschungsinstitut für öffentliche Verwaltung Speyer.
- Kubicek, H., Aichholzer, G., Allhutter, D., Cimander, R., Pina, V., Strauß, S., Torres, L., (2010). Comparative Evaluation of the Impact of E-participation in Local Climate Change Policy Programs, in: Chappelet, J.-L., Glassey, O., Janssen, M., Macintosh, A., Scholl, J., Tambouris, E., Wimmer, M. A. (eds.), *Electronic Government and Electronic Participation. Joint Proceedings of Ongoing Research and Projects of IFIP EGOV and ePart 2010*, Linz: Trauner, p.377-382
- Kubicek, H., Lippa, B., Westholm, H., unter Mitarbeit von Kohlrausch, N. (2007), *Medienmix in der lokalen Demokratie. Die Integration von Online-Elementen in Verfahren der Bürgerbeteiligung. Abschlussbericht an die Hans Böckler Stiftung (Teil I)*. Institut für Informationsmanagement Bremen GmbH (ifib)
- Leggewie, C. (2003). Von der elektronischen zur interaktiven Demokratie. Das Internet für demokratische Eliten. <http://www.bpb.de/files/MG4WJ9.pdf>
- Levine, P. (2002). Can the Internet save democracy? Toward an on-line commons, in: Hayduk, R., Mattson, K. (eds.). *Democracy's moment: Reforming the American political systems*, New York, p. 121-137.
- Lindner, R. (2007). Politischer Wandel durch digitale Netzwerkkommunikation? Wiesbaden.
- Lindner, R. (2008). „E-Konsultationen in Kanada – Vorbild für Deutschland oder Sonderfall?“, in: TAB Brief, Nr. 34, Dezember 2008, Berlin, p. 14-19. <http://www.tab.fzk.de/de/brief/brief34.pdf>
- Lindner, R. (2009). "Communication and Campaign Strategies of Intermediary Organizations – A Comparative Analysis ", in: Baringhorst, S.; Niesyto, J.; Kneip, V. (eds.): *Political Campaigning on the Web*, Bielefeld, p. 235-257.
- Lindner, R., Riehm, U. (2009a), „Modernisierung des Petitionswesens und der Einsatz neuer Medien“, in: Zeitschrift für Parlamentsfragen (ZParl), Jg. 40, Heft 3/2009, p. 495-512.
- Lindner, R., Riehm, U. (2009b). "Electronic Petitions and Institutional Modernization. International Parliamentary E-Petition Systems in Comparative Perspective", in: JeDEM – eJournal of eDemocracy and Open Government, Vol. 1, No. 1 (2009), p. 1-11. <http://www.jedem.org/article/view/3>
- Lindner, R.; Riehm, U. (2011). "Broadening Participation through E-Petitions? An Empirical Study of Petitions to the German Parliament", in: *Policy & Internet*, Vol. 3: Iss. 1, Article 4. <http://www.psocommons.org/policyandInternet/vol3/iss1/art4/>
- LSE (2008), What is civil society? http://www.lse.ac.uk/collections/CCS/what_is_civil_society.htm
- Lührs, R., Albrecht, S., Hohberg, B., Lübcke, M. (2004). „Online Diskurse als Instrument politischer Partizipation – Evaluation der Hamburger Internetdiskussion zum Leitbild „Wachsende Stadt“, in: *kommunikation@gesellschaft*, Jg. 5, Beitrag 1, 1-23.
- Lührs, R., Feil, B., Rathmann, H. (2010), E-Participatory planning: necessity and advantage, in: Götze, J. (ed.), *state of the eUnion – Government 2.0 and onwards*. Christian Bering Pedersen, p.217-231.

- Macintosh, A. (2003). Using Information and Communication Technologies to Enhance Citizen Engagement in the Policy Process, in: OECD (ed.): Promise and Problems of E-Democracy. Challenges of Online Citizen Engagement, Paris, p. 19-142.
- Macintosh, A. (2004). "Characterizing E-Participation in Policy-Making". Proceedings of the 37th Hawaii International Conference on System Sciences 2004.
- Macintosh, A., Coleman, S., Lalljee, M. (2005). E-Methods for public engagement. Helping local authorities to communicate with citizens. Research Report, Bristol City Council.
- Macintosh, A., Whyte, A. (2008). "Towards an evaluation framework for eParticipation", in: Transforming Government: People, Process & Policy, Vol. 2, No. 1, p. 16-30.
- Margolis, M., and Resnick, D., (2000) *Politics as Usual: the Cyberspace 'Revolution'*. London: Sage.
- Millard, J., Nielsen, M., Warren, R., Smith, S., Macintosh, A., Tarabanis, K., Tambouris, E., Panapoulou, E., Efpraxia, D., Parisopoulus, K. (2009). European eParticipation Summary Report.
- Min, S.-J. (2007). Online vs. Face-to-Face Deliberation: Effects on Civic Engagement, in: Journal of Computer-Mediated Communication, Vol. 12, No. 4, article 11.
- Mosca, L. and Santucci, D. (2009). Petitioning Online. The Role of E-Petitions in Web Campaigning. Political Campaigning on the Web. S. Baringhorst, V. Kneip and J. Niesyto. Bielefeld, p. 121-146.
- Nanz, P. (2007). "Multiple Voices: An Interdiscursive Concept of the European Public Sphere", in: Fossum, J. E., Schlesinger, P., Kvaerk, G. (eds.). Public Sphere and Civil Society? Transformations of the European Union, ARENA Report No 2, p. 11-28. <http://www.arena.uio.no/cidel/Reports/702.pdf>.
- OECD – Organisation for economic co-operation and development (2003). Promise and problems of e-democracy – challenges of online citizen engagement.
- OECD – Organisation for economic co-operation and development (2007): Participative Web and User-Created Content. Web 2.0, Wikis and social networking. <http://akgul.bilkent.edu.tr/oecd/9307031E.pdf>
- Panopoulou, E., Tambouris, E., Tarabanis, K. (2009). eParticipation good practice cases and diffusion, Deliverable 4.2c
- Peixoto, T. (2009). "Beyond Theory: e-Participatory Budgeting and its Promises for eParticipation", in: European Journal of ePractice 7 March 2009.
- PETI (Committee on Petitions) (2011). Report on the activities of the Committee on Petitions in 2010, 17.6.2011, 2010/2295(INI), European Parliament. <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=//EP//NONSGML+REPORT+A7-2011-0232+0+DOC+PDF+V0//EN&language=EN>
- Pichler, Johannes W. (2011). The Citizens' Participatory Democracy's „Holistic" Architecture beyond the ECI – from Articles 10. 3 to 11.1 to 11.2 to 11.3 to 11.4 TEU to 17 and to 24 TFEU. Paper presented at the European Citizens' Initiative Summit 2011, on May 7th 2011 at the Ministry of the Interior, Vienna, Austria.
- Plake, K., Jansen, D., Schuhmacher, B. (2001). Öffentlichkeit und Gegenöffentlichkeit im Internet, Opladen.

- POST (2009), Parliamentary Office of Science and Technology, E-Democracy, postnote January 2009, No. 321. <http://www.parliament.uk/documents/post/postpn321.pdf>
- Pratchett, L., Durose, C., Lowndes, V., Smith, G., Stoker, G., Wales, C. (2009). Empowering communities to influence local decision making. A systematic review of the evidence, London.
- Price, V., & Cappella, J. N. (2002). Online deliberation and its influence: The Electronic Dialogue Project in campaign 2000. *IT and Society*, 1, 303-328.
- Quittkat, Ch., Finke, B. (2008). The EU Commission Consultation Regime, in: Kohler-Koch, B., De Bièvre, D., Maloney, W. (eds.): *Opening EU-Governance to Civil Society. Gains and Challenges*, CONNEX Report Series No 05, University of Mannheim, Mannheim Centre for European Social Research (MZES), Mannheim, p. 183-222.
- Riehm, U., Coenen, C., Lindner, R. (2009a), „Zur Öffentlichkeit des Petitionsverfahrens beim Deutschen Bundestag und beim Schottischen Parlament“, in: *Zeitschrift für Parlamentsfragen (ZParl)*, Jg. 40, Heft 3/2009, p. 529-543.
- Riehm, U., Coenen, C., Lindner, R.; Blümel, C. (2009b). *Bürgerbeteiligung durch E-Petitionen. Analysen von Kontinuität und Wandel im Petitionswesen*, Berlin.
- Roeder, S., Poppenborg, A., Michaelis, S., Märker, O., Salz, S. R. (2005). Public Budget Dialogue - An Innovative Approach to E-Participation.. Böhlen, M. et al. (eds.). TCGOV 2005, LNAI 3416. p. 48-56.
- Rose, J. and C. S. Sanford (2007). "Mapping eParticipation: Four Central Research Challenges." *Communications of the AIS* 20(55): 909-943.
- Sæbø, Ø., Rose, J., Flak L. S. (2008). The shape of eParticipation: Characterizing an emerging research area, in: *Government Information Quarterly*, Vol. 25, p. 400-428.
- Saurugger, S. (2010). The social construction of the participatory turn: The emergence of a norm in the European Union, in: *European Journal of Political Research*, Vol. 49, p. 471-495.
- Scharpf, F.W. (1997). Economic integration, democracy and the welfare state, in: *Journal of European Public Policy*, Vol. 4, No. 1, 18-36.
- Scolve, R. (1995). *Democracy and Technology*, New York.
- Smith, S., Dalakiouridou, E. (2009). "Contextualising Public (e)Participation in the Governance of the European Union", in: *European Journal of ePractice*, 7 March 2009.
- Street, J., Scott, A. (2001). "From Media Politics to E-Protest. The Use of Popular Culture and the New Media in Parties and Social Movements", in: Webster, F. (ed.). *Culture and Politics in the Information Age: A New Politics*, London, p.32-51.
- Tambouris, E., Macintosh, A., Coleman, S., Wimmer, M., Vedel, T., Westholm, H., Lippa, B., Dalakiouridou, E., Parisopoulos, K., Rose, J., Aichholzer, G., Winkler, R. (2007). *Introducing eParticipation*, DEMO-net booklet series, 1, available at <http://www.demo-net.org/>
- Tolbert, C. J., Mcneal, R., 2003, *Unraveling the Effects of the Internet on Political Participation? Political Research Quarterly*, 56(2), 175-185.
- Tomkova, J. (2009). "E-consultations: New tools for civic engagement or facades for political correctness?" in: *European Journal of ePractice* No. 7, March 2009.

- Tsoukas, H. (1997) *The Tyranny of Light: The Temptations and the Paradoxes of the Information Society*. Futures, 29: 827-43.
- TWFY (2010), Theyworkforyou.com, <http://www.theyworkforyou.com>
- Walter, F., Rosenberger, S. (2007). Skilled Voices? Reflections on Political Participation and Education in Austria, EDU Working Paper No.11, www.sourceoecd.org/rpsv/cgi-bin/wppdf?file=5l4cpg4s1gtg.pdf.
- Westholm, H. (2009). Wandel der Formen politischer Partizipation und der Beitrag des Internet. Schlussfolgerungen aus Bevölkerungsbefragungen in Deutschland, in: ITA manu:script, No. 09-03.
- Whyte, A., Renton, A., Macintosh, A. (2005). eDemocracy from the Top Down: An Evaluation of eDemocracy Activities Initiated by Councils and Government, published by Bristol City Council for The Local eDemocracy National Project.
- Wilhelm, A. G. (1999). Virtual sounding boards: how deliberative is online political discussion? Digital Democracy. Discourse and Decision Making in the Information Age. B. D. Loader. London, Routledge: 272.
- Wimmer, J. (2009). "The Publics behind Political Web Campaigning. The Digital Transformation of 'Classic' Counter-Public Spheres", in: Baringhorst, S., Kneip, V., Niesyto, J. (eds.). Political Campaigning on the Web, Bielefeld, p. 31-51.
- Winkler, R. (2007). "Online Deliberation. Towards a research framework for the assessment of online debates", in: Avdic, A., Karin Hedström, Jeremy Rose, Åke Grönlund (eds.), Understanding eParticipation. Contemporary PhD eParticipation research in Europe, Örebro, p. 183-198.
- Winkler, R., Kozeluh, U., Brandstetter, G. (2006): „Deliberation im europäischen Kontext: Online Debatten und Online Konsultationen auf der EU Plattform ‚Your Voice in Europe‘“, in: Langenbucher, W.R., Latzer, M. (eds.): Europäische Öffentlichkeit und medialer Wandel. Eine transdisziplinäre Perspektive, Wiesbaden, p. 378-400.
- Wojcik, S. (2007). How Does eDeliberation Work? A Study of French Local Electronic Forums, in: Avdic, A., Karin Hedström, Jeremy Rose, Åke Grönlund (eds.), Understanding eParticipation. Contemporary PhD eParticipation research in Europe, Örebro, p. 153-166.

PART C: E-VOTING IN EUROPE: A MEANS TO INCREASE ELECTORAL PARTICIPATION?

Part C: E-voting in Europe: A means to increase electoral participation? 108

1. Introduction and definition of electronic voting	109
1.1. Definition of e-voting: The different forms of e-voting	110
1.2. Chances and risks	111
1.2.1. Chances	11
1.2.2. Risks	11
2. E-voting in practice: Selected cases	114
2.1. Estonia	114
2.2. Other cases	119
3. Legal and technical issues	128
3.1. E-voting and e-commerce	128
3.2. Legal requirements	129
3.3. Absentee voting in general	133
4. Social and cultural issues	134
4.1. Digital divide	134
4.2. Symbolic meaning of elections	134
4.3. Social identity and trust	135
5. Political issues	136
5.1. E-voting and electoral turnout	136
5.2. Types of non-voters	136
5.3. Explanations for non-voting	137
5.4. Empirical observations	139
6. Cost effectiveness	140
7. Workshop on e-voting	141
7.1. Technical and general issues of e-voting	141
7.2. European perspectives of e-voting	145
8. Conclusion	149
References	151

1. INTRODUCTION AND DEFINITION OF ELECTRONIC VOTING

Decreasing participation in elections on the one hand and increasing use of the Internet in the population on the other have given rise to speculations about using e-voting as a means to increase turnout rates in general elections. To some, Internet voting is considered to be the “ultimate in convenience voting” (Alvarez/Hall/Trechsel 2009, 497) because everyone with a computer and an Internet connection can vote at the time that best suits them. Also, Internet voting is seen especially promising for bringing young voters into the electoral process as they are familiar with using the Internet for many daily purposes already. Whatever made people refrain from voting in elections, so the argument goes, could now be overcome because casting one’s vote is just one click away. It can be done in-between watching YouTube videos and blogging on Facebook.

Prima facie, e-voting seems to be a promising approach to win back lost voters. Also, e-voting can give politically interested people the opportunity not only to comment on political issues online but also to engage in a formal and official procedure online. Elections to public office represent the most fundamental, common and egalitarian channel of political participation. But exactly because elections are at the core of representative democracy, special prerequisites apply for transferring the offline, paper-based election process into an online process. The most important prerequisites are: Correct identification of the voter, transparency of the voting process, traceability of the cast ballot, secrecy of the vote, transparency of the tabulation, and provisions against multiple voting.

In this part of the report we will analyse e-voting as a possible means to increase electoral participation, especially with regard to the elections of the European Parliament. We will use conceptual as well as empirical evidence in order to answer the question under which circumstances Internet voting could result in a higher voter turnout. When approaching this question, the legal, technical, and social aspects of e-voting have to be addressed. In addition it has to be asked what the general explanations for low participation in elections are in order to answer the question if and perhaps how e-voting might be able to contribute to alleviate this problem.

Thus, there are four lead questions which structure the paper:

1. What are real-life experiences with e-voting and what can be said with regard to the expectation that e-voting could increase voting participation?
2. What are the legal and technical requirements to be fulfilled in order to comply with the principles of democratic elections?
3. Which role do social issues, like the digital divide, play when implementing e-voting procedures? Also, how is the symbolic meaning of voting being affected by e-voting?
4. What are the reasons for low participation in elections and which role could e-voting play in this context?

For this purpose, the analysis of the technical solutions and procedures of the e-voting systems and concepts will be discussed in and assessed against the broader context of established election procedures and democratic values.

This part is structured as follows: After a definition of electronic voting and an overview of chances and risks which introduces into the subject, we will provide an overview of the experiences with e-voting in the different countries and on different political and administrative levels. Here, the Estonian case will be analysed in more detail because Estonia is the only country where binding e-voting procedures were implemented on a national level and where a series of official elections have already been carried out during the last five years.

In the third chapter we will analyse the legal and technical issues in the context of e-voting. This will be done by asking how the principles of democratic elections, e.g., the principles of universal, equal, secret, direct and free suffrage can be transposed to the technical realm of online voting.

Social and cultural issues addressing problems of different access to the Internet as well as the question in which way the symbolic meaning of voting might be affected when voting electronically will be dealt with in chapter four.

Chapter five will deal with the reasons for citizens to abstain from voting. In this chapter we will present current state of research in political science and electoral behaviour and confront it with the expectations concerning e-voting.

Chapter six will investigate another hypothetical effect of e-voting: Saving costs with e-voting compared to traditional voting procedures in which personnel has to be organised for the polling stations to oversee the voting process and to tally the ballots.

Obviously, e-voting touches upon several aspects of the political self-conception of western democracies. Although it may seem only logical to be able to cast a vote via the Internet just as we buy books and clothes over the Internet, it will be shown that there are major differences between e-voting and e-shopping, and that there is no technological quick-fix to the current low participation rates in general elections in Europe.

1.1. Definition of e-voting: The different forms of e-voting

The type of e-voting we consider is characterised by two features: the user can cast a ballot remotely over the Internet and during more than a few hours on or prior to voting day without supervision of official authorities. In this definition we follow Alvarez, Hall, and Trechsel (2009, 497) who state that what is revolutionary with Internet voting is the fact that ballots can be cast remotely via the Internet. This definition explicitly excludes the different systems of electronic voting that are based on direct recording machines (DRM) that replace the traditional ballot box and are basically intended to make the election process more efficient and less costly.

This concentration on remote Internet voting does not deny the fact that other forms of Internet voting exist. In literature, Internet voting systems are usually grouped into three general categories: poll site, kiosk and remote (see for example IPI 2001, 1; Neymanns 2002, 26; Enguehard 2008, 3f.):

Poll site Internet voting offers the promise of greater convenience and efficiency than traditional voting systems in that voters can cast their ballots from many polling stations. They are not restricted to their residential polling station but can vote from any location in the country. Since election officials would control identification, the voting process and the whole physical environment, security risks seem to be manageable in such a setting (see IPI 2001, 1).

Kiosk voting means that voting machines would not (only) be located in official polling places but in places such as kiosks, gas stations, shopping malls, libraries, etc. The advantage of the kiosk voting model is that voting could be done in between daily routine activities; the polling station would come closer to the voter (see Neymanns 2002, 27).

Remote Internet voting seeks to maximize the convenience and access for the voters by enabling them to cast their ballots from virtually any location that is Internet accessible. Since the voting act takes place in the private sphere, security and intervention issues become of importance. Without official control of the voting platform and physical environment, there are principally innumerable conceivable ways for people to intervene and affect the voting process and election results (see IPI 2001, 2).

Whereas poll site Internet voting and kiosk voting systems may increase voter participation to a certain extent because they enable casting one's ballot from "on the road" and not only at the specified polling station, the main focus of these systems is to make the voting and tabulation process more efficient. There is no principal difference to the traditional voting process except for the fact that ballots are cast using an electronic display.

In contrast to this, remote Internet voting changes the act of voting in a fundamental way. As mentioned above, the fact that votes can be cast remotely from almost everywhere and that the voting process could be integrated in the daily online routine creates the revolutionary potential of this new way of voting. Internet users could potentially cast their ballot on public elections just as they take part in opinion polls, consumer surveys or in discussions in social web platforms. E-voting makes it easier for people to participate in an official election because the voting act can be done from home or – via mobile Internet – from everywhere on the road. However, there are concerns about this kind of electronic voting that are not only related to security issues but also to the fact that transferring a public act into a private setting may change the way public elections are perceived by individuals and the very nature of the election process (see for example Neymanns 2002, 27).

In the next section we will list chances and risks of voting over the Internet in a systematic way before analysing e-voting in practice by taking into account prominent empirical cases.

1.2. Chances and risks

Although the main purpose of this part of the report is to find out whether or not Internet voting is capable of increasing voter turnout in official elections, it is clear that the subject of

e-voting is embedded in a wider discussion about modernising the election process. Thus, in this chapter we will list the chances and risks associated with Internet voting in order to gain an overview of the discussion.

Why should we care about Internet voting at all? What are the reasons for the interest in e-voting? The most basic argument why we should deal with Internet voting is of course the explosive development of the Internet and its ubiquitous presence in almost all areas of life. The question raised by many is, why should we not be able to cast our ballots in the same way as we order books on the Web – from home, from work or on the road? Many analysts see the move to Internet voting as inevitable as the Internet gains increasing dominance in communication, business and also in public administration processes (see for example IPI 2001, 5; Neymanns 2002, 28f.).

In the US-American discussion it is stated that voters perceive themselves as customers and expect governments to make the business of voting more convenient. In Europe, voters do not seem to have such a strong customer orientation; here, elections are rather considered to be attributes of political citizenship. However, also in Europe, voting procedures are subject to innovations following the IT-based modernisation of the entire administrative process. For many countries, the introduction of e-voting is also a matter of prestige and a symbol of innovativeness.

1.2.1. Chances

The following list enumerates the perceived chances and expectations of Internet voting. As the list on risks, this list was compiled from a variety of sources concerning e-voting such as the article by Pippa Norris (2004) "Will new technology boost turnout?" or the report of the Internet Policy Institute (IPI) (2001) on Internet voting. Other examples are the article of Neymanns (2002) concerning the question how online voting changes the symbolic meaning of an election, and Enguehard's work (2008) on the challenges of bringing transparency to e-voting.

- E-voting could make voting more convenient for the voters. Allowing citizens to cast a ballot from home or the workplace or even on the road using mobile devices could reduce the time and effort required to participate in person at the polling station and make the voting procedure much more flexible. People with limited flexibility such as the elderly, people confined to the home or employees and shift workers with little flexibility in their work hours as well as travellers and citizens living abroad could take part in the election quite easily. In this respect, e-voting would substitute the established mail voting procedure.
- E-voting could potentially reduce the information costs of participation by providing relevant information at the time people are actually casting their vote. For example, this can be done by incorporating an optional web page which displays a picture, biographical and political information of the persons to be voted for. Or a webpage in conjunction with a referendum could provide a short description of the issue at stake explaining the arguments of each side. The referendum example shows that in general, e-voting could also be used to integrate more plebiscitary elements into the public decision-making process and lead to a better informed voter.

Whereas these two potentials or chances of e-voting are in principle suited to increase voter participation, the next two issues relate to the efficiency of organising the voting and tabulation process as such:

- E-voting could improve the process of electoral administration by increasing the efficiency, speed and accuracy of recording and counting votes.
- In the long run, e-voting could save personal costs and be a cost-efficient way to carry out elections and referendums.

1.2.2. Risks

As to the risks of e-voting, the following items are mentioned in the relevant literature:

- Although it may seem to be a convenient solution for voters just to click on a web site to participate in a public election, the actual need for proper identification and authentication of the voter introduces just another barrier to voting. Identification procedures usually require the use of e-signatures or digital ID cards and sometimes, personal identification numbers (PINs) or transaction numbers (TANs) are required which – for security reasons – are currently not distributed online but via postal mail.

As of today, there is no technical solution available which would guarantee transparency, accessibility, resistance to intimidation and vote selling and, last but not least, resistance to fraud or errors. Some of the technical problems may be solved in the future, some are of principle nature and would require a different attitude towards voting standards. In the next four paragraphs these aspects will be addressed in detail:

- Resistance to fraud or errors: There are many security flaws related to remote voting because devices are used which cannot be fully controlled: personal computers can be affected by malware, and different attacks can affect the server or the connection can be spoofed and manipulated by third parties.
- Accessibility: E-voting can affect election results by excluding a certain part of the population. Theoretically, e-voting could increase voter participation of the elderly or of people confined to the home for any reason. However, this is a group of the population which is mostly reluctant to use computers and the Internet. The so called digital divide is also running between educated and the lesser-educated, rich and poor, urban and rural as well as natives and immigrants.
- Transparency: Voters can not verify if their vote is correctly stored and counted. It is the nature of computers that their inner workings are not visible. Thus, it is not possible for humans to observe exactly what a computer is doing with their votes. This is particularly important in the context of binding elections because the traditional offline process was designed exactly to guarantee transparency and verifiability.
- Resistance to intimidation and vote selling: Because people vote in an uncontrolled environment, there is no protection against intimidation or vote selling. The basic requirements for confidentiality are not guaranteed.

For some of these issues, technical or social solutions at least in the long run seem to be possible. However, the way e-voting changes the symbolic act of voting requires a different attitude towards voting, a fact which is widely criticised by analysts (see for example Neymanns 2002, 24ff.):

- E-voting alters the symbolic act of voting: In the view of many observers the actual walk to the polling station on election day symbolises the equality of the election. The principle of one person, one vote materialises in going into the public building where the election takes place, and by demonstrating participation to other people. Also, the speed of voting is an issue: By having to walk to the polling station, the act of voting is slowed down. One has to leave home and has the opportunity to think about the decision which party or candidate to vote for.

2. E-VOTING IN PRACTICE: SELECTED CASES

An often cited case for a successful introduction of e-voting is Estonia. In fact, it seems that until today there is no other country where online voting in elections to national parliament was introduced as a regular and guaranteed feature. Most governments which have seriously inquired into the issue and which already have carried out pilot projects or test voting eventually refrained from introducing regular e-voting due to unresolved political, legal and technical challenges. In this context, the Estonian case is even more interesting and it seems worthwhile to report in more detail about the e-voting experience in this country.

In contrast to general elections on a national level, e-voting procedures have been tested and even introduced on a regular basis on lower levels, like local elections, referendums, party pre-elections, elections for student's parliaments etc. Although these elections are also binding elections, the formal level they have to comply with is comparatively low.

In the next sections, we will first report from the Estonian e-voting experiences and then analyse cases of lower level elections in other countries.

2.1. Estonia

Supporters of Internet voting often use Estonia as an example where e-voting was successfully introduced and claim that strategies to put online voting procedures into practice could be derived from these experiences. The increase in turnout at the European Parliament election of 2009, where approx. 44% of all Estonians had cast their vote compared to only approx. 27% voter turnout in 2004²³, is particularly striking. The increase is often associated with the newly introduced opportunity to vote online. In fact, Estonia had started to include the Internet voting option in public elections as early as 2005 in an election for local offices and had offered the first Internet voting on the national level in 2007. In 2009, in addition to the European elections in June, the Internet voting option was also offered for local elections in October. And in March 2011, voters could vote online in the national parliamentary elections.

Before analyzing the Estonian case in more detail it has to be noted, however, that there is currently no other country which could be used to contrast or support the Estonian experiences. From a scientific point of view this is very disappointing and general recommendations which are based on just one case should be handled with care.

Estonia is a country of 1.3 million inhabitants and a former Soviet republic on the Baltic Sea. Since 2004, Estonia is a full member of the European Union and the country has entered the Eurozone in January 2011. Estonia has a reputation to be the most advanced e-society and has the farthest developed e-voting system in Europe. In Estonia, e-Learning, online drivers licence tests and mobile payment of bus tickets are a matter of course. Also, Estonia was a victim of a major cyber attack in 2007 immediately after the national elections, which sensitised the country for matters of e-vulnerability.

²³ http://www.idea.int/vt/country_view.cfm?CountryCode=EE

Estonia has conducted five nationwide elections in which all voters could use Internet voting as an additional voting method. The first election, in October 2005, was for local offices and the overall voter turnout was low, reaching merely 47.4%. Only 1.9% of the voters made use of the option to vote online in this case. The second election, in March 2007, was for parliamentary elections at the national level. The turnout for the 2007 elections was approximately 62%, a figure reportedly higher than in the previous two elections held in 2003 and 1999. The percentage of voters making use of the Internet option in the 2007 election had increased to 5.5%. The third occasion was the election to the European Parliament in June 2009 in which 43.9% of all Estonians participated, up from about 27% in the 2004 election for the European Parliament. In this election, almost 15% of all voters voted online using their digital signature and two dedicated PINs. The local elections in 2009 showed a turnout of approximately 60%, of which almost 16% used the Internet option. In the latest elections which were held in March 2011, 63.5% of eligible voters participated, of which 24.3% voted online (see Table 1).

Table 1: Internet voting in Estonia

	Local elections 2005	Parliamentary elections 2007	European Parliament Elections 2009	Local elections 2009	Parliamentary elections 2011
Eligible voters	1 059 292	897 243	909 628	1 094 317	913 346
Participating voters	502 504	555 463	399 181	662 813	580 264
Voter turnout	47,4	61,9	43,9	60,6	63,5
I-voters	9 317	30 275	58 669	104 413	140 764
I-voters among eligible voters	0.9	3.4	6.5	9.5	15.4
I-voters among participating voters	1.9	5.5	14.7	15.8	24.3
I-votes counted	9 287	3 0243	5 8614	10 4313	140 846
I-voting period	3 days	3 days	7 days	7 days	7 days

Source: National Electoral Committee (<http://www.vvk.ee/voting-methods-in-estonia/engindex/statistics>)

The Estonian e-voting experience itself was researched intensely by Alvarez, Hall, and Trechsel (2009), all three professors of Political Science at the universities of California, Utah and Florence. Their article in *Political Science & Politics: "Internet Voting in Comparative Perspective: The Case of Estonia"* reports in detail about the e-voting experiences in Estonia between 2005 and 2007. In their analysis, Alvarez, Hall, and Trechsel (2009, 498f.) see four dimensions to be of importance for the success of e-voting in Estonia:

- (1) widespread Internet penetration,
- (2) a legal structure that addresses Internet voting issues,
- (3) an identification system that allows for digital authentication of the voter,
- (4) a political culture that is supportive of Internet voting.

Whereas Internet and broadband penetration rates as well as the common use of public administration services (e-government) are quite common in the European Union these days, the legal structure, the technical infrastructure and the political support of e-voting are not. Thus, these factors need to be described in more detail:

Legal structure: Today, all Estonians have an identification card which includes a digital certificate (signature) embedded in the card. In combination with a unique personal identification number (PIN) the card can be used for online authentication. The basis for this infrastructure was the Digital Signature Act (DSA) of 2002 which allowed individuals to use approved digital signatures to authenticate themselves in online transactions, including e-government transactions and e-voting. Concomitant with the passage of the DSA, Estonia began the process of mandating and introducing the identity card that includes the digital signature.

With the authentication system in place, the second component of the legal framework that facilitates Internet voting was put in place: A series of statutes – the Local Communities Election Act, the Referendum Act, and the Riigikogu Election Act – were passed in 2002. Each statute enabled the use of Internet voting in specific types of Estonian elections and specified the administration of such elections (Alvarez/Hall/Trechsel 2009, 499).

Identification system: With the legal structure in place and the signature cards available, a proper digital authentication procedure needed to be set up. Throughout the years in which Internet voting was offered to the Estonian citizens, the whole Internet voting electoral process with its five stages testing, set-up of the system, conduct of voting, counting and destruction of the data (OSCE/ODHIR 2011, 9), was constantly revised and optimized. However, the voting system itself used in 2011 remained largely the same as in 2007, only with small changes. How exactly identification and authentication takes place will be described in the following²⁴.

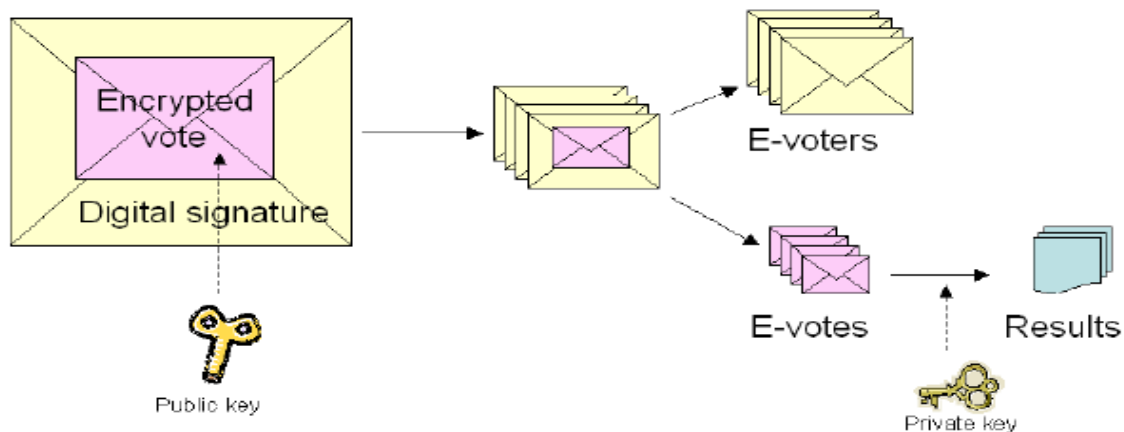
First of all, an Estonian voter inserts his or her ID card into the card reader. The electronic ID cards hold the digital signature of the respective person. Digital signatures consist of a private and a public key: The private key is secret and stored on the smart card, the public key is assigned to the identity of the holder of the identity card. After inserting the smart card into the card reader, the voter has to open the voting homepage of the National Electoral Committee in order to download and initiate the voter application. After that, the private key is activated with the submission of a secret PIN. After selecting a candidate from a list and casting the vote, a second PIN is provided and the voted ballot is encrypted. Analogue to voting by mail, an “inner/outer envelope principle” is used. The inner envelope contains the cast vote and the outer envelope the identity of the voter.

Before the votes are counted, the digital signatures are removed and the anonymous encrypted votes are put into the ballot box. The cast vote is encrypted with a public key and can only be decrypted with a corresponding private key, which is officially known by the National Electoral Committee. After it is checked that the voter has not cast a paper ballot as well, the encrypted vote is decrypted on Election Day (Alvarez et al. 2009, 500;

²⁴ <http://www.vvk.ee/voting-methods-in-estonia/engindex>

The Estonian National Election Committee 2005). With this technique the decoupling of identity and cast vote can be enabled. Nevertheless, further possibilities to hack into the system and harm the principle of secret suffrage still exist due to the open infrastructure of the Internet and personal computers as security risks.

Figure 1: The envelope-in-envelope-principle transferred to e-voting



Source: The Estonian National Election Committee (2005), p. 8.

One essential requirement for the usage of Internet voting in Estonia is the existence of the broad usage of the electronic national identity card that contains the digital signature. This is a main advantage and facilitation of a realisation of Internet voting since the Estonian population is used to this identification and authentication technique. The possession of card readers is widespread, and the usage does not pose a problem. Nonetheless, the existence of an electronic national identity card is not the exclusive solution for introducing Internet voting (see Chapter 2.2), but it facilitates the use of it.

Technical solutions for the usage of Internet voting for parliamentary elections obviously exist. Nevertheless, as stated before, this has to be seen in the special context of Estonia. As a matter of fact, the principles of universal, equal, secret, direct and free suffrage are in effect in Estonia as well, and in the forefront of the introduction of e-voting in Estonia, discussions about the question if Internet voting meets constitutional requirements were held. Doubts about a violation of the principle of secret suffrage were ruled out by referring to the argument that the secrecy of the vote is guaranteed through the so called "vote updating", that is the possibility to overwrite cast votes (Drechsler/Madise 2004, 102).

Besides technological safeguards to prevent election fraud, which will be discussed in Chapter 3 in general, special safeguards were built into the e-voting procedure in Estonia. Estonians could not use the e-voting option on election day itself but only in an Internet voting period lasting seven days prior to the actual election. This was to make sure that on the actual election day, a Web-crash or an electricity outage would not result in erroneous results. Also, if, for some reason, an e-voter was concerned that the privacy of the ballot had been compromised, the voter could still cast a ballot in the polling stations on election day. The e-vote was deleted, respectively overwritten, and the paper ballot was counted. Technically this could be done because the Internet ballots were electronically tagged (Alvarez/Hall/Trechsel 2009, 500). A further measure to ensure that a vote is not cast under pressure is the possibility for the voter to "cast a ballot via the Internet as many times as he/she wished with only the last cast vote taken into account." (OSCE/ODHIR 2011, 8).

Political Culture : E-voting in Estonia was supported by political elites and the public administration from the beginnings in 2002. The initial proposals for Internet voting were made by the Estonian prime minister and the minister of justice. Their decision to champion this option provided high level support and helped to overcome initial hurdles for implementing Internet voting. Although there have been governmental changes since the initial legislative initiative, Internet voting remains a voting mode that almost all parties support. In addition, Internet voting has had strong champions within the Estonian government's administrative structure. The public too has championed Internet voting, with more than 30,000 individuals voting via that platform in the 2007 parliamentary elections. Internet voting in Estonia belongs to a broader and long-term effort to develop the information and communications sector in the economy as well as to put the Internet at the very heart of intra-governmental activities (e.g., the Estonian government is very proud about its "paperless government") and government-citizen interactions. Therefore, many experts in the information and communications technologies (ICT) sector humorously refer to this country as "e-Stonia" (see Alvarez/Hall/Trechsel 2009, 500).

Assessing the Estonian case of the 2005 and 2007 elections, Alvarez, Hall, and Trechsel come to a cautious conclusion: "Although we are somewhat reluctant to use the term success to refer to the Estonian experience, the system there has been an innovation used by the electorate, accepted by the political parties, and has pushed the technological envelope." (2009, 498) If they had included the results of the election for the European Parliament in 2009, their assessment would probably have been even more positive. As mentioned before, in the 2009 election it turned out that voter participation had increased from about 27% in 2004 to 43.9%, which is an increase of over 16% points.

However, it has to be noted that this sharp increase in voter turnout was presumably motivated by internal political events rather than by the option to vote over the Internet. As is the case in many regional elections, politics on the national level play a dominant role, and elections for the European Parliament are dominated by events on the national political level. Thus, in addition to Estonia, other turnout increases took place in the 2009 European Parliament election in 11 other countries, including Germany, Denmark, Poland, Hungary, Slovenia, Slovakia, Bulgaria, Ireland and Austria. Also, Latvia, a neighbour of Estonia, saw an increase from 41 to 54% voter turnout – all of these countries had no e-voting option in place.

Interestingly, a sharp change in voter turnout could also be observed in the other neighbouring country of Estonia, Lithuania: There, voter turnout fell from 48% in 2004 to a mere 21% in 2009. In small countries with less than 3 million inhabitants it seems that certain events may have much stronger effects on voter turnout than the option to comfortably vote over the Internet.

Another observation may be of much greater interest here: In Estonia, more and more people actually made use of the option to vote over the Internet from election to election. The percentage of votes cast over the Internet in Estonia increased from 2% (of all votes cast) in 2005 to 5.4% in 2007 to 15% in 2009, and finally around 24% in 2011. It seems that Estonians have gradually built up trust in the system as they actually were able to use it.

Regarding the question whether e-voting increases the turnout of younger people, the research results by Alvarez, Hall, and Trechsel (2009, 501) are ambivalent. Whereas the age distribution of the Internet voters does not show any preponderance of young voters, they also state that within the younger age group e-voting is more attractive and enhances participation. Their research does not allow reliable statements concerning a potential age group turnout increase.

However, what their research shows is that e-voting mobilizes more casual voters. These are voters who say that they either vote "from time to time" or "never". Also, a fair amount of e-voters said in the survey that they "probably wouldn't have" or "for sure wouldn't have" voted if Internet voting had not been an option. Both groups taken together made up for 20% of all Internet voters (see Alvarez/Hall/Trechsel 2009, 502).

Another more current examination by Trechsel and Vassil (2010) shows that the age of Internet voters between 2005 and 2009 is matching more and more. While in the early Internet elections particularly younger people used this option, age as an explanatory variable lost its strength over time.

In sum, the positive experiences with e-voting in Estonia have to be seen in the context of the specific conditions in a country with a relatively small population, the specific Internet-fondness of Estonians, and the will of Estonian politicians to become a leader country in e-voting (Goos 2011).

Some critics also claim that there were incidents about vote-buying in the 2007 election in Estonia (Enguehard 2008, 10), and others state that the Estonian-made e-voting system – just as any other e-voting system – is far from providing the same level of security as regular pen and paper voting. The only known protection against hacker attacks, says for example Internet security specialist Barbara Simons, is the ability to conduct a manual count of the paper ballots or records that represent the voters' choices: "That capability is clearly lacking in the Estonian system" (Simons 2010). Another development deals with the most recent elections. Although obvious election fraud has never been detected, this possibility was highly discussed after the parliamentary elections in 2011. An Estonian student claimed that it would be easy to hack and manipulate the Estonian Internet voting system. Similarly, the OSCE, which observed the elections in 2011, recommends some changes and sees "scope for further improvement of the legal framework, oversight and accountability, and some technical aspects of the Internet voting system" (OSCE/ODHIR 2011, 8).

2.2. Other cases

Apart from Estonia, e-voting procedures were also introduced or were experimented with in other countries, although not for general parliamentary elections on the national level but on lower levels or with certain restrictions. In the following, some of these projects will be presented. This list is not exhaustive, nevertheless it gives an impression of the different approaches and the results of the projects of the last decade, mainly in Europe, but also in the USA.

Following the three-level-classification of Krimmer, Triessnig and Volkamer (2007), we will assort the cases according to their political importance, legal commitment and real-life relevance.²⁵ The three levels stand for the following:

²⁵ Originally, Krimmer, Triessnig and Volkamer (2007) developed a five-level model. We decided to skip levels 4 and 5 because they do not seem relevant for our special research question. Levels 4 and 5 both describe non-binding elections without real-life relevance because the outcome of the e-voting is not relevant for the election. The aim of level 4 and 5 e-votings is to either test e-voting procedures with a larger electorate (level 4) or with a smaller group of "friendly users" for the purpose of testing the system (level 5).

- **Level 1** denotes the introduction of e-voting on the national or supra-national level, such as presidential or parliamentary elections. E-voting procedures are made possible on the basis of specific laws and the votes cast via e-voting are legally binding. Estonian parliamentary elections and the Estonian elections of the European Parliament are examples for level 1 e-voting. In the following, we will also include the e-voting possibility for residents staying abroad at the 2006 parliamentary election in the Netherlands as level 1 (absentee voting). Although e-voting was not made available for all citizens in the Netherlands but only for a certain portion of the electorate – citizens staying abroad at the time of the election –, the e-voting procedure was a real-life procedure, e.g. special laws were passed and the e-votes were binding.
- **Level 2** stands for elections at the regional and municipal level and includes referenda. It also includes elections of political figures in public administrations and within political party organisations. We will describe the following cases as level-2-cases: the UK pilot schemes in which local authorities were elected, the waterboard elections in Rijnland in the Netherlands, the Swiss case which includes referenda, and the Arizona primaries in which the Democratic Party nominated their presidential candidate.
- **Level 3** stands for elections in associations and corporations with lesser formal political impact, such as trade union elections. They are organizationally binding, but not necessarily legally binding. The following three cases will be presented as level-3-cases: the election of the Board of Directors for ICANN in the first worldwide e-voting procedure in 2000, the election of the university committee in Austria in 2009, and the election of the councillors of the assembly of the French nationals living abroad.

Level 1

Parliamentary Elections in the Netherlands

The history of electronic voting in the Netherlands actually reaches back to the 1960s, when voting machines were introduced for the first time (Loeber 2008: 21). Therefore, voters of all ages have become accustomed with using electronic devices in elections over time. In the forefront of the parliamentary elections for the Lower House in 2006, a controversy about these voting machines was triggered in which vulnerabilities for manipulation of these machines were discussed. Although this debate had nothing to do with remote Internet voting, e-voting was affected nonetheless and led to the end of further Internet voting projects. A leading role in this discussion about voting technologies played the citizens initiative “Wij vertrouwen stemcomputers niet”.

The Internet voting option was offered at the parliamentary elections for Dutch citizens living outside the Netherlands as an additional voting method besides voting by mail for the first time in 2006. As an experiment and alternative to postal voting for voters living abroad, the government decided to use the Internet voting system RIES. RIES stands for Rijnland Internet Election System and was developed in 2004 for the election of the board of representatives of the Dutch local authority on water management in Rijnland (see next paragraph). After these trials on a local level in 2004 were declared as a success, Internet voting was also offered for Dutch citizens living abroad.

Voters abroad opting to use RIES had to register their request no later than four weeks prior to the election. If the registration was completed in time, the voting procedure took place as follows: After the eligible voter had requested to vote via the Internet, he or she received a 16 digit authorization code and an instruction booklet by mail.

After having entered the code at the voting web site, the voter could cast his or her vote. In order to guarantee security, it was recommended to destroy the authorization code after use. After voting, each voter was given a "technical vote", so that he or she could verify on the web, after the closure of polls, that their votes were counted. This technical vote did not disclose for whom the voter voted, but only the fact that she or he did (OSCE/ODIHR 2007).

The number of total voters who registered to vote from abroad (either via mail or via the web site) was 32,126, and the number of valid votes cast was 28,170. A total of 19,929 valid ballots were cast online. The remaining votes were mailed by post (OSCE/ODIHR 2007). No fundamental security flaws were reported in this election. Compared to the national election in 2003, the number of Dutch people living abroad and who registered for voting had increased. But it also has to be mentioned that in the elections 2010 (where the Internet voting option did not exist), the number of citizens living abroad who registered themselves remained on the same level as in 2006 (when the Internet option was offered). The effect of Internet voting on the voter turnout must therefore remain open.

Furthermore, there is a broad consensus amongst developers and critics of electronic voting that up to now, RIES is not yet a suitable solution for nationwide Internet elections due to some safety-related questions. One problem, for example, is the observation of the storage of the code, which has to be safe until polls close. The theoretical possibility that the custodian releases the code or changes anything unauthorized can never be eliminated (OSCE/ODIHR 2007, 14).

Level 2

Local elections in Norway

A recent example for a country where Internet voting is pressed ahead is Norway. In September 2011 the first Internet voting trials were conducted for municipal council elections and county council elections²⁶. The long-term goal is to introduce Internet voting for parliamentary elections, mainly in order to improve accessibility to voting for all voters. The project is accompanied by expert teams from universities and several scientific institutes who investigate the whole project. Quantitative data is collected, qualitative interviews are conducted, voters are observed, literature and e-voting experiences worldwide are reviewed, and media coverage is analysed.

In 2008 the Ministry of Local Government and Regional Development (KRD) initiated the E-vote 2011-project. The Norwegian voters are believed to have a very high public trust in the Government and the election administration, making Norway a well suited candidate for e-voting trials.

The Norwegian election law allows for the possibility to try out other ways to conduct elections – as long as the basic voting principles are not violated. In order to guarantee the principles of direct, secret and free suffrage, e-voting is only a supplement to traditional paper-based voting methods. In addition, e-voting will only be possible in an advance period, voters can vote as many times as they wish and the paper vote will always override any electronic vote.

²⁶ <http://www.regjeringen.no/en/dep/krd/prosjekter/e-vote-2011-project/about-the-e-vote-project.html?id=597724>

The evaluation process of the Internet election is still going on and the final report is currently in the making. Thus, lessons learned, future implementation plans and flaws cannot be reproduced here. What already has been evaluated is the number of e-voters: a total of 55320 votes were cast online²⁷. The total voter turnout was 62.9%²⁸, which represents an increase compared to the previous election. Nevertheless, reasons for the increase are seen in current political circumstances.

UK pilot schemes

In 2002, 30 pilot areas in the UK carried out municipal elections using innovative technologies. The goals of the pilot projects were to encourage participation in the elections, to increase the diversity of voting methods, to improve the efficiency of vote counting and to increase the information available to voters (The Electoral Commission 2002). The projects were embedded in so called electoral pilot schemes, a program which seeks to technically update and improve the election processes in the UK.

Under the representation of the People Act 2000, local authorities in England and Wales can submit proposals to the Secretary of State for Justice to carry out electoral pilot schemes. Since 2000, a broad range of local authorities in the UK has applied to take part in the program. Every pilot that has been conducted was observed by the Electoral Commission, which is an independent public body with the duty to oversee and analyse elections. Their published evaluation reports are useful sources for the analysis of the different technologies being used. Due to these trials and the activities within this programme, the UK is often stated as being a pioneer on the road to electoral innovations.

In the 2002 election Internet voting was introduced as an alternative voting method within the 30 selected areas besides other innovations such as electronic counting, voting over precinct-based touch-screen machines, over text messaging systems, via the telephone or with interactive digital television services. Of all eligible voters on that date, approximately 2.7 million people were eligible to vote in the 30 pilot areas, which represents about 7.4% of the electorate.

Different localities emphasized different aspects in their pilots, some tested all-postal voting, some concentrated on e-counting, others on Internet voting. St. Albans, Swindon, Liverpool, Sheffield and Crewe were the five local authorities that tested Internet voting as one element of a multi-channel voting approach. Each of them used slightly different voting procedures, however the common principle concerning identification was a combination of PIN and password (Will 2002, 53ff.).

An analysis of Internet turnout rates and overall turnout rates of the 2002 local elections revealed that Internet voting could not contribute to an increase in turnout. On average, 14.6% of the voters used Internet voting. However, these participants would have voted anyway, but this time chose to cast their vote over the Internet. As a result, remote electronic voting in the UK pilot schemes in 2002 expanded citizen choice, but did not increase the overall turnout.

Pilot schemes including online voting were held for the last time in 2007. In the analysis of this election, the Electoral Commission criticized the lack of a comprehensive modernization strategy and the fact that security risks in the e-voting process were not predictable. Also, the lack of transparency was criticized. Further testing of e-voting systems from private suppliers was recommended before they were utilized the next time.

²⁷ <http://www.e-voting.cc/stories/38780304/>

²⁸ <http://www.newsenglish.no/2011/09/13/voter-turnout-lower-than-expected/>

Waterboard elections in Rijnland

In 2004, the Rijnland Internet Election System (RIES) was used for the first time to carry out elections for the board of representatives of the Dutch local authority on water management in Rijnland. In the Netherlands, 35 such authorities exist. They are responsible for everything related to water in their region: the quality of the water, the quantity of the water, the quality of the dikes and so on.

The Dutch local authorities are free in organizing their elections. Internet voting is seen as a means to increase voter participation and to reduce costs.

The voting procedure took place as described in the previous paragraph on the parliamentary elections for residents living outside the Netherlands in 2006. With a 16 digit authorization code and an instruction booklet the voting web site could be entered and the vote be cast. Internet voting was possible in addition to voting by mail.

The previous Rijnland election in 1999 was an election by mail – with a voter turnout of 22%. In 2004, the turnout decreased to 17%, of which 33% had cast their vote via the Internet. This means that about 70,000 people cast their vote online (Hubbers et al. 2004). This data is not adequate to draw a conclusion on the general impact of Internet voting on voter turnout as the informative value is not sufficient and the decrease cannot clearly be linked to the voting method.

Switzerland

A very prominent example of level-2-voting is Switzerland. This is due to the fact that there are many elections every year on different political levels, and that referenda play an important role in Switzerland. In order to pursue the goal of bringing forward e-participation, e-information and communication, the Federal Council of Switzerland launched three pilot projects in cooperation with the regional units (cantons) Geneva, Neuchâtel and Zurich in 2004 and 2005. Since then, a gradually growing number of communities of different cantons were included. The pilot projects are embedded in the "Strategy for an Information Society in Switzerland" which was adopted in 1998 from the Federal Council, and updated in 2006. Two elements of this strategy are worthwhile mentioning: The first is the "Guichet virtuel", which is an online portal that was set up in order to inform about administrative activities. Second, the "vote électronique", which should enable people to vote or sign petitions over the Internet. The long-term objective of the initiative, that also envisions a series of e-voting pilot projects, is a nationwide introduction of Internet voting. The fact that Switzerland holds elections and referenda on several levels, the local, regional and national, describes a challenge as well as a chance: first of all a challenge, because for electronic voting, the different requirements of the political entities need to be met. But it is also a chance to try out different systems and approaches. Pilot projects on a cantonal level are therefore seen as an important step to test the introduction of e-voting on the federal level. It is being discussed as an additional voting method next to voting by mail and voting at the polling station. The main reasons for pursuing e-voting projects in Switzerland are to facilitate voting for Swiss people living abroad and disabled people, furthermore, due to the high frequency of elections and referenda, to speed up vote counting.

The three cantons that were involved in the first e-voting projects, Geneva, Neuchâtel and Zurich, used different systems due to different requirements. For example, Geneva seems to be ideally suited for e-voting experiments since it is the only canton that already operates a centralized voter registry.

Starting in 2001, the projected e-voting system in Geneva went through a number of trials and was then used from January 2003 onwards for several official elections, including cantonal and federal referenda. The pilots were conducted in a varying number of communities of Geneva. On February 8th, 2009, the Geneva citizens approved with a 70.2% majority the inscription of Internet voting in their Constitution. With this vote, they ended the Internet voting pilot phase at the cantonal level.²⁹

The system used in Geneva works as follows: The usual voting card is sent to the voter, containing an individual identification number and an additional scratch-away opaque layer, which hides a special code. For voting online, no additional software is needed. After being verified on the election Web page with the individual identification number, the voter can cast his or her ballot. After this, the system asks for the user confirmation. For this purpose, the rubber seal has to be scratched off and an individual code is revealed. The verification is accomplished by entering the code in combination with the year of birth. This code can only be used only once (Gerlach/Gasser 2009).

In Neuchâtel the e-voting pilot project was part of a larger e-democracy project. The goal of this project was to make available public services in general using the "Guichet Unique" mentioned above. Instructions on how to use e-voting were embedded in this information and services aggregation web site (Schweizerischer Bundesrat 2006). After an e-voting pilot project with four phases with administrative employees was completed, the "vote électronique" was firstly introduced for a legally binding vote in several communities in Neuchatel in 2005.

Since electronic voting is one of the different services offered by the Guichet Unique, anyone who wants to vote online has to apply for access to the Guichet Unique. After eligibility is proven, the voter receives an access code and a password. A central cantonal registry has to be created and a unique code is allocated to every person in the registry. The casting of a vote is only possible with the access code, the password and the unique code.

The first implementation of the Zurich e-voting-system was for student elections at the University of Zurich in 2004. After being stated as successful, further pilots for public elections in different communities were conducted.

A specific challenge concerning Zurich is the fact that this canton has highly decentralized and heterogeneous voter registration systems. Each community – from small ones containing 200 inhabitants, to large ones such as the city of Zurich with 350,000 inhabitants – has its own software system, and no central voter registry is in place. Nevertheless, the cantonal ministry has access to the databases of each community. To solve the problem of the missing centrality, a virtual voter registry is generated prior to each election.

Zurich also used postal delivery of the unique identification numbers that were printed on the voting card. The voting card contained a barcode and a PIN-code as well. With the identification number the vote could be identified on the election homepage and the barcode allowed to control if a voter, who would go to the polling station, has already voted via Internet or not (Gerlach/Gasser 2009). After voting, the user had to enter his or her date of birth and the PIN-code in order to submit the vote. An additional feature in the pilots in Zurich was the permission to vote via SMS as well as via interactive television systems.

²⁹ <http://www.geneve.ch/evoting/english/welcome.asp>

The pioneering systems used by the mentioned pilot cantons are adopted by other cantons: Basel-Stadt applied the system of Geneva in 2009 for Swiss people living abroad; other cantons used the e-voting system of Zurich for referenda in November 2010.

Generally Switzerland has a special interest in trying to increase electoral participation due to its low turnout compared to other European countries. Concerning the actual effect of Internet voting on turnout in the Swiss trials, a general statement is not possible due to a lack of longitudinal comparable research data. Nevertheless, some selective research projects were conducted and can be reflected here.

Christin and Trechsel (2005) accompanied Internet voting projects in Geneva in 2004. Regarding one specific referendum in 2004, the researchers observed a transfer of postal ballots towards electronic ballots (Christin/Trechsel 2005: 12). As to the determining factor to choose Internet voting they observed that "subjective elements in the voters' relation to the Internet, e.g. their frequency of Internet use, their type of connection, their confidence in Internet communications and their confidence in the procedure of Internet voting, predominate in their reason for using Internet voting" (Christin/Trechsel 2005: 37).

Another interesting conclusion can be made by investigating the percentage of voters who actually voted via the Internet over the years: There the tendency can be observed that those elections or referenda that offered Internet voting for Swiss people living abroad show a higher percentage of Internet voters than those that offered the option only for Swiss people living in Switzerland (see data Council of Europe 2010).

Recently, in May 2011, the canton Bern offered the Internet voting option for Swiss citizens living abroad in a cantonal referendum by using the e-voting system of Geneva. Although the pioneering cantons of Geneva and Zurich cancelled to offer e-voting for national elections in October 2011, it was recently decided that other cantons, namely Aargau, Basel-Stadt, Graubünden and St.Gallen, will introduce Internet voting for a part of Swiss people living abroad.

Arizona Democratic Primaries

In 2000, the Arizona Democratic Party held Internet elections for their Presidential Primaries. Their goal was to increase turnout and save resources. The Democratic Party assigned the company election.com to develop a suitable election system. This was possible because the primary election does not fall under federal law, but under private law (Hanßmann 2004, 41ff.).

Prior to the election, Internet voting instructions and personal identification numbers along with an application to receive a mail ballot were sent to all registered Democrats in Arizona.

Several possibilities to vote were given: For those who wanted to cast a ballot with pen and paper, the polling station was opened on election day. From four days prior to election day onwards, remote Internet voting or voting by mail was possible. Furthermore, those who wanted to vote via the Internet but not from home, or did not have Internet access at home, could vote via Internet at the polling station.

Internet voting took place in the following way: With the received PIN, correctly answered personal questions and the confirmation of the home address, the ballot could be cast on a secure election homepage.

Of the 821,000 registered members of the Democratic Party, 86,907 (10.56%) cast a vote in the election 2000. Half of them (39,942) voted via Internet (Hanßmann 2004, 44).

In comparison to the previous Primary Election in 1996 (12,844 cast votes), the voter turnout increased significantly. Due to a number of technical problems, the turnout could have probably been even higher. Some people reported they had no access to the voting web site because the system was overloaded or their Internet browser was too old. Moreover, the registration process did not work well as some people did not receive a PIN (Solop 2001, 290ff.). Since many problems occurred, the service hotline was busy most of the time (Hanßmann 2004, 44; Will 2002, 48).

Analysing the impact of e-voting in this election it has to be noted that sharp increases or decreases in voter turnout are quite common in Primary Elections in the USA (Hanßmann 2004, 44). Moreover, high media coverage could have had an impact on turnout as well. It is unclear what role the newly offered possibility to vote online had in this process.

Concerning the composition of voters, in the Arizona Democratic Primaries the following findings can be noted: Internet voting was most popular among white, non-Latino voters, more popular among males rather than females and middle-aged voters rather than younger or older voters. People with higher socio-economic status were more likely to vote via the Internet than people with lower socio-economic status (Solop 2001, 291).

Level 3

ICANN

The first worldwide Internet election took place in 2000, when the Internet Corporation for Assigned Names and Numbers (ICANN) elected a part of their Board of Directors. ICANN is responsible for the coordination of IP-Addresses, the administration of the Domain Name System, the Root-Name-Server and IP-Parameter. Everyone with a minimum age of 16, an existing postal address and an e-mail address was entitled to vote. Election.com organized the election. If anyone wanted to vote, a registration on a special web site between February and July 2000 was necessary. Everyone who was registered was a so-called "At Large Member". Then a personal identification number, a membership number and password were sent to the voter by mail. With this information the voter could activate her or his membership online. After the registration period, 158,593 people had applied for membership.

Technical problems already occurred during the registration phase. ICANN underestimated the interest in their election and therefore their servers were overloaded. Moreover, in the voting phase, several voters were not able to vote due to technical flaws.

From the 158,593 registered users, 76,000 activated their electronic PIN and 34,035 people finally voted (Hanßmann 2004, 45ff.). The election in 2002 was planned to be an Internet election as well – but the ICANN Board of Directors decided not to use this method again due to a lack of representativeness and the relatively easy manipulation possibilities (Khorrami 2006, 51).

Student elections Osnabrück

The student elections in Osnabrück in 2000 are stated to being the first legally binding Internet elections in Germany. Eligible voters were about 10,000 students who were given the possibility to vote either by Internet or at the polling station. The elections were organized by the "Research Group of Internet Voting" from the University of Osnabrück.

Internet voting took place as follows: A prerequisite to vote online was a registration in advance and the application of a digital signature. The students received a card reader, a CD-ROM with election software and a driver unit, a smart card and a PIN. After the installation of the software on a personal computer and the verification with the electronic signature, the students could cast the vote with a mouse click. 409 eligible voters registered for voting online, and 313 cast their vote online.

The election procedure suffered under several problems. First of all, not enough card readers were available. And if a student could get hold of one, problems concerning the compatibility between card reader and digital signature card occurred. Furthermore, technical problems with the installation of the software appeared (Hanßmann 2004, 54ff.).

Assembly of French Nationals Living Abroad

After trials in 2003 and 2006, the "Assemblée de français de l'étranger" (AFE) invited the French residents in Africa and America in 2009 to vote for their councillors over the Internet. The AFE represents French citizens living abroad. It is a public law body that consists of about 155 councillors and is allowed to elect twelve members of the Upper House of the French Parliament, the Senate. Traditionally, voter turnout is low (in 2006 about 14% for AFE elections), therefore the main objective in 2009 was to increase voter turnout by using a safe and user friendly voting system. Besides Internet voting, French citizens living abroad may vote by mail or by going to the consulate closest to their residence. More than 6000 voters chose to cast their vote online in 2009, which is about 9% of all registered voters (69,381). This is, compared to the elections of 2003, a slight increase.³⁰

³⁰ http://www.diplomatie.gouv.fr/fr/les-francais-etranger_1296/vos-droits-demarches_1395/elections-afe-2009_19513/index.html

3. LEGAL AND TECHNICAL ISSUES

3.1. E-voting and e-commerce

One reason that is often mentioned in support of the implementation of remote Internet voting is the fact that people frequently use other Internet transactions such as online banking or online shopping. Obviously, public confidence in such e-commerce activities seems to be high. Nevertheless, Jefferson et al. (2004) point out that this is a far mistaken attitude. Besides the fact that people underestimate the threats of online transactions, online voting requires more security than usual commercial transactions do. Jefferson et al. name three main reasons for that: first, they point out the high stakes. Voting is an essential part of democracy and therefore anything that potentially threatens core values of democracy, such as flawed elections, must be avoided. They state that “e-commerce grade security is not good enough for public elections.” (Jefferson et al. 2004, 7). Second, they underline that there is a structural difference between securing Internet voting and securing e-commerce. Attacks to online elections, such as denial-of-service attacks, have more severe consequences compared to attacks on commercial transactions. As Jefferson et al. (2004) explain, “a denial-of-service attack on e-commerce transactions may mean that a business is lost or postponed, it does not de-legitimize the other transactions that were unaffected. However, in an election, a denial-of-service attack can result in irreversible voter disenfranchisement and, depending on the severity of the attack, the legitimacy of the entire election might be compromised” (Jefferson et al. 2004, 7).

Moreover, the voter cannot be sure that the voting decision was transmitted, even if there is no detected attack. The result of a commercial transaction is seen in any way, whether failed or not. Finally, the required anonymity for Internet voting makes it difficult to trace errors and fraud. While Internet purchases must be traceable in order to know who bought what from whom, Internet voting must guarantee anonymity while assuring that individuals only vote once.

Elections are one of the key elements of democracy (Garrone 2005, 111) and accordingly have to be protected with great care. Every reform of the election process underlies the challenge to comply with the constitutional framework, especially when this reform has to do with the Internet, which poses specific technical challenges.

Therefore, in the following the main legal issues concerning elections, namely universal, equal, secret, direct and free suffrage, are presented, and the ability of e-voting to fulfil them will be discussed. The explanations are mainly based on the recommendations of the Council of Europe concerning legal, operational and technical standards for e-voting.³¹ European constitutional principles of electoral law are enshrined in international agreements such as the Additional Protocol to the European Convention on Human Rights (Garrone 2005, 112). For high level elections these requirements have to be fulfilled obligatory.

³¹ www.coe.int/t/dgap/democracy/Activities/GGIS/E-oting/Key_Documents/Rec%282004%2911_Eng_Evoting_and_Expl_Memo_en.pdf.

3.2. Legal requirements

Universal Suffrage

The principle of universal suffrage contains that “everybody is entitled to the right to vote and the right to be elected” (Garrone 2005, 112). It must be guaranteed that every voter has the chance to cast his or her vote, irrespective of age, gender, state of health, profession or literacy. Thus nobody is allowed to be hindered to vote for political, social or economic reasons (cf. Will 2002, 75ff.). Since this is hard to guarantee, e.g. thinking about disabled or elderly people, the objective is at least to enable as many people as possible to vote.

Although voting over the Internet is in principle available to everybody, there are, compared to traditional voting, new restrictions which need to be considered. The first difficulty refers the previously mentioned digital Divide (for a detailed discussion see chapter 4.1 of Part C). As not everybody is familiar with new technologies and has the knowledge how to use a personal computer and the Internet, or has access to the Internet, some people’s right to vote is impinged upon. In addition, universal suffrage is also at risk because there is the principal possibility to lose votes (Will 2002, 83). Therefore, organizational security must be assured (Hanßmann 2004, 101) and the transmission of votes must be organized in a way that makes vote losses most unlikely.

This nevertheless is a challenging task. Potential reasons that infringe universal suffrage can derive from vulnerabilities of remote voting systems. Attacks that disrupt the correct cast and transmission of a vote, can affect three main parts of the online voting system: the server, the client and the communications path (IPI 2001, 13).

A main threat in the area of the client and the server is malicious payload. “A malicious payload is software or configuration information designed to do harm” (Rubin 2001), once such a software is installed on a voting client or the server, people can be disenfranchised or votes can be altered (Jefferson et al. 2004, 12). The distribution of malicious payload is typically executed by remote control programs or Trojan horses (IPI 2001, 13). Malicious payload can be transferred by any communication medium, such as CD-ROMs, or e-mail attachments, Internet downloads or by exploiting existing security flaws in host programs such as Internet browsers (Will 2002, 90; IPI 2001, 13). Jefferson et al. (2004) state that up to date no virus checking software can prevent this threat altogether.

The main threats concerning the communications path are so called denial-of-service attacks (DOS). Connections between the voting client and the server are disrupted by flooding the communication channel with more requests than it can handle. The network is clogged up and legitimate information cannot be transferred (IPI 2001, 14; Jefferson et al. 2004, 19). An advanced version of DOS are distributed denial-of-service attacks (DDOS), where a cluster of computers is infected by software programs called daemons that increase the threats caused by DOS. In this case, many attackers collaborate and can control a large amount of bandwidth (IPI 2001, 15; Jefferson et al. 2004, 18).

Another problem which points to the vulnerability of Internet voting systems is Web Spoofing (Will 2002, 88; IPI 2001, 16; Jefferson et al. 2004, 16). In this case an attacker functions as a man-in-the-middle. Fake voting sites are programmed and as it is not guaranteed that all home computers are fully protected against such attacks, eventually the voter does not see the difference between the real voting site and the fake one. Votes can be lost or altered. A typical method to accomplish this malicious fraud is emailing a link that seems to establish a connection to the voting server, but in fact does not.

These are just a few possible threats to exemplify current vulnerabilities of the Internet infrastructure that can lead to an altering of votes or a manipulated or late transmission of votes. If these problems can ever be solved in order to guarantee secure vote casting and vote transmission, is a highly discussed topic in different research areas. To guarantee integrity of a voting platform is a very demanding task due to the highly open infrastructure of the Internet.

Nevertheless, a differentiation is needed here. Concerning the previously mentioned problems, remote Internet voting being the only voting channel would disenfranchise a certain group of voters. However, several authors do not see the principle of universal suffrage violated when it is used in combination with other voting methods (Hanßmann 2004, 125; Will 2002, 98). The Council of Europe even claims that “adding additional electronic voting channels to traditional forms of voting may make elections and referendums more accessible, strengthening the principle of universality.” (Council of Europe 2004). Thus, the critical point here is the question whether Internet voting is expected to replace traditional voting methods or if it is to be an additional voting channel.

Equal Suffrage

The principle of equal suffrage is closely connected to the principle of universal suffrage. It can be seen as a special case of universal suffrage. The main point here is that every vote has to be counted equally, which means only once (Council of Europe 2004). Each citizen must have the same influence on the election result, the possibility of multiple voting must be prevented. In contrast to universal suffrage, here the weight of each vote comes to the fore (Khorrami 2006, 81).

What does this mean for remote Internet voting? Three different aspects of remote Internet voting can touch upon the principle of equal suffrage: the secure cast of a vote, the secure transmission of a vote and the secure counting of votes.

Secure cast of a vote

In order to guarantee that each eligible voter casts one vote and that each vote has the same value, authentication and identification of the voter plays a crucial role.

Traditional voting procedures at polling places guarantee that every voter casts a ballot only once by identifying with an ID and registering the vote which makes it impossible to cast it again (Khorrami 2006, 82). The voting procedure is supervised by authorities. This seems to be more complicated in the case of remote Internet voting. The main challenge lies in the field of identification, thus assigning personal data clearly to the voter, and secondly, authenticating the voter to prove eligibility. Concerning this, Gritzalis (2002) lists three issues that could infringe upon the principle of equal suffrage: prevention of duplicability of the vote (either by the voter herself or by someone else), prevention of reusability of the vote (either by voting online more than once or by voting both online and offline), and prevention of modification of the cast vote (after a voter has dispatched his or her vote).

Identification works with a clear assignment of a personal information to a voter. In order to solve the challenge of authentication, several practical approaches exist: to avoid multiple casts and ensure that people just vote once, Krimmer et al. (2007, 5) differentiate three identification technologies. First, the use of a combination of username and password, where the identification relies on the voter *knowing a secret*, e.g. a TAN can be used with which the voter can identify him/herself. Second, individual *biometric properties* can identify the voter with a specific reader with biometric features.

These applications are probably the safest, but nevertheless it has to be acknowledged that current technological maturity and infrastructure does not allow to use this technique on a larger scale. Third, the voter can be identified by possessing something, e.g. a smart card with specific information. Smart cards can be produced and used especially for elections or already existing cards can be utilised. Ideally suited are electronic ID's because they would probably not be passed on to someone else and they already work with a digital signature. Thus vote buying can be avoided.

As it is seen, an authentication procedure can, in order to satisfy legal compliance, be quite complicated and eventually counter usability requirements. In fact it may be very complicated for potential voters to undergo the online identification procedure which to some extent also compromises the principle equal suffrage.

Next to identification and authentication, registration also poses a challenge. It has to be assured that, especially when Internet voting functions as an additional voting channel, a voter cannot vote more than once. In order to solve this problem, a central registration after the vote was cast is necessary so that this person can be hindered to vote again. As an alternative (like it is practiced in Estonia), voters can vote as often as they want, and only the last vote will be counted. A further advantage of this system is that fraud from outside is quite difficult.

Secure transmission of a vote

The problems of the secure transmission of the original voting intention apply here similarly as in the case of the universal suffrage question. As long as the secure transmission of the original voting intention is not guaranteed and system vulnerabilities allow manipulation, the principle of equal suffrage is not met. Hence, from a technical perspective the previously mentioned problems concerning universal suffrage can be applied. Several kinds of attacks can compromise the process of casting a vote. Moreover, the aspect of the digital divide comes into play again, since equal suffrage is not realized when voting is not accessible by everybody (Garrone 2005). Again, this is only relevant in those cases in which Internet voting is the only voting channel. Certainly, fraud cannot be foreclosed in the case of voting by mail; Internet voting, however, allows fraud on a much larger scale.

Secure counting of votes

The last issue deals with the correct counting of the vote. Security flaws in the tallying process and possibilities of wrong election results must be eliminated.

The most critical aspect concerning the guarantee of equal suffrage is that the correct identification of the voter has to go hand in hand with anonymity of the voting process. This leads to next legal principle – secret suffrage.

Secret Suffrage

The principle of secret suffrage states that no one besides the voter him- or herself is allowed to know anything about the voting decision; it is a prerequisite to guarantee a free vote. For this reason the principle is also closely related to free suffrage (Hanßmann 2004, 164). Neither in the voting, nor in the tallying process shall it be possible to reconstruct the voting decision (Khorrami 2006, 85). Compared to traditional voting procedures, in which the separation of voter identification and vote is organized by physical separation and surveillance by election officials (Council of Europe 2004, 34), remote Internet voting transfers this responsibility to the voter (Neymanns 2002, 27; Khorrami 2006, 86).

While accomplishing the act of casting a vote at home via the Internet, the possibility that some other than the eligible voter votes or that the voter is observed while voting cannot be eliminated altogether (as it is the case for voting by mail as well). Furthermore, guaranteeing secrecy while the vote is transmitted is, again, a technical challenge.

The tension between authentication and anonymity of voting was illustrated in the description of the Estonian e-voting solution in chapter 2.1.

In contrast to Estonia, where lawmakers emphasized the secrecy of the vote, other countries have focused other aspects. In Germany for example, the Federal Constitutional Court attached great importance to the verifiability of a vote. Verifiability of the voting process, ergo the perceived secrecy of the vote, is highly connected with trust (see also Chapter 4.3), which again is dependent upon technicalities. Verifiability in general is possible by using systems that allow each voter, also without deeper knowledge of technology, to verify the voting process. This can be realized by three steps: First of all the voter should be able to individually verify that the vote is "cast as intended", second it must be assured that the vote is "stored as cast", and in a third step it must be universally guaranteed that the vote is "tallied as stored" (Grimm 2011). As it was said, this is generally possible, but currently one of the main challenges for a large scale use and actually not usable in the time being.

Direct Suffrage

The principle of direct suffrage prohibits intermediaries in the voting process (Gritzalis 2002, 544). Since assemblies of every level – local, regional, national or European – are voted directly by the people, and a mathematical calculation is the only thing that is interposed between the casting of a vote and the election result, there are no concerns about Internet voting with respect to the principle of direct suffrage (Garrone 2005, 112; Khorrami 2006, 76ff.; Hanßmann 2004, 135ff.).

Free Suffrage

The principle of free suffrage requires that the voting procedure takes place without any violence, coercion, pressure, manipulative interference or any other influence (Gritzalis 2002, 542). Two aspects have to be considered here: voters must be free to form their opinion and be free to express their opinion (Garrone 2005, 113). This principle is fundamental for the legitimacy of democracy, because when opinion formation and expression is not of the voters' own free will the vote is not legitimate (Khorrami 2006, 78).

In contrast to the traditional voting procedure at a polling station, where the casting of a ballot is observed and intimidation or manipulation can be detected, this is not the case with remote Internet voting. The so-called "family voting", which counters the principle of free suffrage, could be a problem in regard to remote Internet voting as well (Garrone 2005, 116). Again, this can also be applied to voting by mail, which actually is practiced in most democracies. Nevertheless, the possibility to vote incorrect on purpose must be possible and easily applicable. One solution for this could be that the voter can decide, before confirming the vote, if he or she wants to transmit it as it is.

3.3. Absentee voting in general

Thus, a comparison should be drawn to currently used voting systems. Are there differences compared to different absentee voting methods? Should remote Internet voting be liable to the same requirements as voting by mail? Actually, in some aspects remote Internet voting is very similar to voting by mail. The fact that the compliance of the secrecy of the vote is transferred to the voter affects all absentee voting methods. A common consideration having to do with the implementation of voting by mail is to balance between the principles of universal suffrage and secret suffrage. Voting by mail privileges universal to secret suffrage.

However, in some respect, the analogy between mail voting and e-voting cannot be drawn. Although voting by mail offers the potential of fraud as well, e.g. flaws in the postal delivery or vote buying, the critical point here is that remote Internet voting allows fraud on a grand scale (Jefferson et al. 2004, 8), which could remain undetected.

The compliance of legal requirements poses great technical challenges for the implementation of Internet voting. Vulnerabilities arising from current fundamental Internet security problems (Hanßmann 2004, 66) need to be taken seriously. Furthermore, procedural issues such as transparency have to be considered. Additional potential susceptibility to flaws accruing from a multiplicity of agents (computers, servers, networks) involved in the voting procedure and multichannel voting (Xenakis/Macintosh 2005) are aspects that may seriously influence the legitimacy of voting. Transparent verifiability of the casted vote is requested (Council of Europe 2004, 35ff.) but difficult to achieve or even principally impossible to achieve. McGaley (2004) states, that "the nature of computers is that their inner workings are secret. Since transactions and calculations happen at an electronic level, it is not physically possible for humans to observe exactly what a computer is doing". Enguehard (2008) even does not see any chance to satisfy the requirement of verifiability with regard to remote Internet voting.

4. SOCIAL AND CULTURAL ISSUES

Apart from legal and technical issues, social and cultural issues are also relevant in the context of Internet voting. Here, three aspects need to be taken into account: the digital divide, the symbolic meaning of voting, and factors of social mediating that could influence the voting process.

4.1. Digital divide

The most important social issue concerning Internet voting is the so called "digital divide". The term "digital divide" refers to the gap between various socio-demographic groups in terms of access to and usage of computers and information technology (IPI 2001). The central question is if a bias is introduced into the election process when Internet voting is applied.

Attewell (2001) differentiates between two digital divides: The first digital divide emphasizes inequalities in the access to technologies and the second digital divide emphasizes differences in usage skills. This distinction between information haves and have-nots and the computer literate and computer illiterate is a widely discussed topic (Lindner 2007, 50-55), as some people may not benefit from the innovation of Internet voting (Bélanger/Carter 2010).

In this context, some authors see the implementation of Internet voting mainly as an advantage for people with higher socio-economic status (Alvarez/Nagler 2001). Thus, the outcome of electronically supported elections would be biased in favour of this privileged group. Obviously, it should not be the intent of policy-makers to introduce biases of any sort in the election process. Thus, the innovation of voting electronically has to be observed critically in respect of an exposure of democratic representation. The aim of election reforms should therefore follow a twofold approach: In order to make elections more democratic and representative, the goal should be to increase turnout by making it more convenient and at the same time ensure that the electorate comes closer to the actual socio-economic distribution of the population (Kenski 2005; Coleman 2005; Bozinis 2007, 26).

4.2. Symbolic meaning of elections

A second aspect which also should be taken into account is the symbolic meaning of the voting procedure. Besides the appointment of representatives which is the central function of elections, a second function is the symbolic one. While the former is not touched by an electoral reform, the latter may be changed by Internet voting. According to Neymanns (2002, 25), the symbolic function of elections includes three aspects: the public character, the equality dimension and the duration of the voting process.

The public character of traditional voting demonstrates the support of the voters for the system of democracy. With an official and public walk to the polling station, the voter expresses his or her agreement with the existing system and shows his or her will to actively take part in shaping public affairs (Neymanns 2002, 25).

The second dimension, equality, stands for the right of each person, whatever his or her race, income, education, etc. is, to participate in elections. All citizens who enter the voting booth are of equal stature (Neymanns 2002, 25).

The last dimension deals with the duration of the voting process. The speed of the voting process is inherently slowed down when people vote at polling stations. The voter has to leave home in order to head for the voting spot and on the way, the voting decision can perhaps be rethought (Neymanns 2002, 25).

It can be discussed to which extent Internet voting affects this symbolic function of elections. Opponents of Internet voting argue that by eliminating the physical act of going to the polls the cohesion within a social community can be affected as the interests of the individual seems to be promoted over those of the community (e.g., convenience trumps civic participation) (IPI 2001, 30). The public aspect is lost, equality is not expressed anymore, and the speed of the process is increased, prompting some authors to label Internet voting as "junk votes".

In contrast, proponents argue that Internet applications in general build social cohesion by enabling better communication among community networks (IPI 2001, 30) and therefore potential negative effects of Internet voting are negligible aspects. In this rationale, Internet voting empowers democracy by making elections more convenient.

4.3. Social identity and trust

Finally, the question can be raised if voting technology influences the way people vote. Oostveen and van den Besselaar (2005) investigated this issue and focused on two aspects: trust and social identity as intermediate factors in the voting process.

First, their assumption is that voting technologies might be an important factor which could have an influence on the election outcome. It might be possible that different voters have different levels of trust in technologies and therefore handle electronic voting in different ways. The level of trust they assign to the technology might influence the level of commitment they have concerning the whole process and the election at stake.

Second, Oostveen and van den Besselaar (2005) refer to social-psychological aspects and suppose that there can be a difference in the election outcome depending on whether the vote is cast in public or in private. Thus remote Internet voting, which takes place in private, can lead to a different voting decision compared to traditional voting at the polling station. They state that the possibility exists that a voter will rather reconsiders his or her voting decision if the vote is cast in a public surrounding, in contrast to the isolated vote in private contexts, for example at home. If one is confronted with any group relevant for a voting decision (e.g., peers, minorities), the actual vote can eventually be thought over. Collectivist concerns may be more salient then.

The researchers conducted an explorative study in which they investigated the mentioned aspects – and although they only found minor effects, they see their assumptions as being supported. Of course, these findings cannot be generalized, nevertheless they can be seen as aspects which need to be kept in mind.

Taking these issues into account one could also ask whether e-voting could eventually lead to a decrease in participation instead of focusing on the question how it could increase turnout. The reason for a potential decrease could be lacking trust in the voting system or missing skills in using the system.

5. POLITICAL ISSUES

5.1. E-voting and electoral turnout

One of the central arguments put forward by proponents of e-voting is that turnout might be increased if this form of electoral participation was made available to citizens. This claim is particularly appealing given the downward trend in turnout and the observed “crisis of disengagement” during the last three decades in most liberal democracies (Lindner et al. 2010, 8f.; see also Kersting 2004). As indicated in the introduction, many e-voting promoters are convinced that particularly younger, Internet-savvy citizens, who tend to participate in elections below average, will be more willing to vote via the Internet than in the traditional voting booth at the polling station (Borgers 2002; Stratford/Stratford 2001).

While this line of argument seems quite compelling at first sight, at this point there is little empirical evidence to support or question this claim. However, research on electoral behaviour in general has a longstanding interest in explaining why eligible voters decide to participate in elections or abstain. Due to the lack of empirical data on the effects of e-voting on turnout, an overview of the key insights provided by the study of electoral behaviour on the main factors influencing electoral (non)participation will be presented. Based on these findings, theoretically informed assumptions can be drawn with regard to the potential influence of e-voting on turnout.

5.2. Types of non-voters

Non-voters are defined as eligible voters who do not participate in one or more elections (Zinterer 2010). The research community studying electoral behaviour agrees that non-voters are by no means a homogenous group. Thus, speaking of the “party of non-voters” is misleading and obscures the different motives and causes of abstention.

The academic literature on the topic has come up with a number of different typologies of non-voters reflecting their diverse motivational patterns.³² A commonly used typology differentiates between three non-voter categories (Eilfort 1994; Zinterer 2010):

1. *Technical non-voters*: This group of eligible voters cannot cast their ballot due to administrative, technical or individual reasons. For instance, voter registries might not be up-to-date or wrong. Also, sickness or other individual reasons can prevent citizens from voting. In Germany, it is estimated that the share of technical non-voters fluctuates between 3% and 5% of the eligible voters (Eilfort 1994, 55-57).
2. *Principle non-voters*: These citizens deliberately refuse to exercise their right to vote due to certain convictions, religious beliefs or due to fundamental opposition to the political system (Zinterer 2010). Abstention based on religious beliefs is estimated to represent about 0.5% of the eligible voters in Western Europe (Eilfort 1994, 59).
3. *Cyclical non-voters*: Members of this group occasionally decide to abstain. Cyclical non-voters represent the largest share within the group of all non-voters and are therefore particularly interesting for researchers (Zinterer 2010). Finding explanations for this type of abstention behaviour is quite challenging and includes context factors as well as individual level factors. Positive turnout effects of e-voting are most likely to be found within the group of cyclical non-voters.

³² For instance, non-voter typologies are presented by Eilfort (1994), Wagner (2003) or Zinterer (2010).

Against this background, Eilfort (2001) assumes that the highest level of turnout that can actually be reached is about 95%.

5.3. Explanations for non-voting

Explanations for cyclical non-voting are numerous and diverse. As mentioned above, turnout levels are influenced by two complex sets of factors: (1) Context factors such as legal requirements, the institutional system, the political culture; and (2) individual level factors (Schultze 2010).

(1) Context or institutional factors include the frequency of elections, type of party competition, political relevance of the election (first or second order elections); registration requirements, compulsory voting rules or the conditions of the actual voting procedure (availability of postal voting and absentee voting, election day on weekdays or on Sundays etc.). Political culture is another important but rather elusive context factor which has impact on turnout rates. Particularly the degree to which – if at all – voting is broadly perceived as a civic duty or not has impact on the level of electoral participation (Goerres 2010).

(2) At the individual level, a number of socio-demographic factors have been identified to influence the likelihood to vote. Age, gender and socio-economic status play an important role in the explanation of different turnout levels within a given society.

The bulk of international academic literature on non-voting agrees that turnout levels are context dependent to a high degree. However, the current knowledge about the individual weight of these factors and the interplay between them remains limited. For instance, while there is clear evidence that compulsory voting increases turnout between 10 to 15%, the findings about the influence of the electoral system or the number of competing parties on turnout are ambiguous (Blais 2010).

Within the scientific community there is a broad consensus that voting fulfils fundamental democratic functions, and that a high degree of electoral participation in free and fair elections is an important quality indicator for democracy. Political inclusion of broad parts of society is mainly achieved via elections, and elections continue to be the most common form of political engagement (Barnes/Kaase 1979). At the same time however, researchers and observers alike disagree on the assessment of decreasing voter turnout. Some view the downward trend of electoral participation during the past decades in Western Europe as a process of normalisation. Others interpret low turnout as an expression of dissatisfaction with political elites and established party politics. According to the supporters of the 'protest or crisis hypothesis', a growing number of non-voters is characterised by a high degree of knowledge about and interest in political affairs.

Renz (1997) presented five different explanatory approaches that continue to dominate the academic debate on vote abstention:

1. *Individual resources:* Explanations of abstention focusing on individual resources emphasise the influence of citizens' socio-economic status (level of formal education, income, profession etc.) (Verba/Nie 1972). Generally, the likelihood to vote increases with the socio-economic status. By and large, the socio-demographics of non-voters confirm this expectation as abstention tends to be more common among individuals with below average income and education levels (Caballero 2005). Yet, explanations based on this so-called 'standard model of political participation' are limited as the composition of non-voters has changed during the last decades. According to the protest-hypothesis mentioned above, people interested in political affairs represent a growing share within the group of non-voters.

2. *Group resources:* The reasoning of this approach is based on a positive relationship between an individual's degree of integration in social structures and networks (such as family, milieu, civic organisations) and political participation. Party identification is often used as the central indicator for the degree of integration postulated within this approach. Findings show that socio-cultural and socio-political integration still has strong effects on electoral participation. A low degree of party identification corresponds with a higher likelihood for abstention. Similarly, strong integration in societal structures (indicated for instance by union membership, church engagement) increases electoral participation. Yet, the long-term trend of individualisation in European societies also means that the degree of integration in social structures is decreasing. Hence, the question is raised what replaces the explanations based on group resources as a growing share of society is less integrated in traditional structures? As long-term determinants of electoral behaviour are weakening, short-term situational factors such as political issues and candidate alternatives seem to become more influential.
3. *Instrumental voting:* The assumptions made by this approach are based on the economic theory of politics according to which individuals make their decisions based on individual cost-benefit calculations (so-called rational choice) and not according to long-term group or partisan ties (Fiorina 1981). The decision-making process is mainly based on retrospective assessments of the performance of parties and politicians and on issue-orientation. Voters' assessment of parties and politicians is operationalised by competence ascriptions. Empirical data shows that low levels of issue-related competence ascribed to the competing parties increase the likelihood of abstention.
4. *Political support and legitimacy:* Abstention can also be explained by withdrawal of political support for parties and/or the political system. Those citizens who are dissatisfied with the reality of democracy and the established political order have a higher likelihood to abstain. From this perspective, low levels of turnout are an indicator of decreasing legitimacy.
5. *Value change:* Theories of value change in western societies (e.g. Inglehart/Abramson 1995) try to explain abstention with long-term socio-cultural changes in industrialised countries. One of the important changes identified by these theories is related to the re-definition of the political arena: values such as stability and economic growth lose importance, other values such as self-actualisation and new forms of political participation become more influential. Traditional forms of political participation in the representative political system are "devalued", unconventional and direct forms of political involvement become more salient (post-materialism). In effect, political participation does not necessarily correspond with participation in elections. Increasingly, unconventional and/or direct forms are preferred. Viewed from this perspective, non-voters are not de-politized, on the contrary. And voting is not dismissed per se, but it is seen as one of many options to participate.

This brief overview shows that the phenomenon of non-voting can hardly be explained by a single approach. Both individual as well as group resources continue to be important factors that influence turnout. However, these approaches are not able to sufficiently explain why citizens with high levels of political interest and an above-average socio-economic status decide not to vote. In addition, weakening social ties due to individualisation cause more electoral volatility, including more abstention. Another important part of the non-voting equation is related to the protest-hypothesis. A certain share of non-voters is obviously dissatisfied with politics and deliberately decides to abstain. Similarly, value change has also contributed to a decreasing social norm of voting in some countries (Renz 1997).

The long-term structural and cultural changes in modern societies are the pre-condition for vote-abstention. Due to the weakening of traditional mechanisms of social integration, group ties or the social norm of voting, rather short-term motives such as retrospective voting, performance assessments, candidate ratings or situational factors become more and more influential. Hence, the question is not whether the normalisation- or the protest-hypotheses are right. Rather, we should look at the interplay of the different explanations presented. The factors identified all seem to play a certain role in the explanation of abstention, but most importantly, they also influence each other.

While the previous overview demonstrates how difficult it is to fully understand non-voting behaviour, the literature gives no indication that lack of convenience is a noteworthy factor preventing citizens from exercising their right to vote. In addition, all the mentioned factors for non-voting apply for all age groups. There are certain variations concerning the strengths of the effects in the different age groups, and younger people in Western European countries have under-average voting participation rates (de Nève 2009, 90). This, however, is an observation that is not new but has a history of over 20 years. Nonetheless, there is one interesting observation in the context of young citizens voting abstention: Until the 1990s abstention of younger people usually turned into voting participation as the generation grew older. Today, observers claim that this development is not self-evident any more. A cohort effect, in which the conceptualization of political activity differs between generations, has emerged. Young people are affected in a way that other age groups are not, and this effect adheres to this group as they age (Phelps 2004). However, empirical evidence on this effect is rare as there is a lack of longitudinal studies.

5.4. Empirical observations

As mentioned earlier, empirical data on the effects of e-voting on turnout are scarce. Next to the observations made in Estonia (see chapter 2.1 of Part C), a further look at the already mentioned pilot schemes at the local level carried out in the UK is worthwhile. The main findings of the evaluation of these pilots are summarised by Norris (2004). In short, the results suggest that effects of e-voting on turnout should not be overrated. Depending on the concrete setting of the pilot (different combinations of e-voting with polling station voting and postal voting), little or no effects of e-voting were observed. The e-voting method was used disproportionately by different age groups, with younger voters more inclined to use e-voting opportunities than the older citizens. Norris therefore concludes that more convenience only facilitates participation of those citizens who are already motivated to cast a ballot (2004, 48).

Judging from the UK evidence, there are weak signs supporting the claim that e-voting will have a certain, but not a substantial impact on turnout. Norris (2004) argues that e-voting might have some positive effects on younger citizens. But one should not expect to solve deep-rooted civic ills by implementing e-voting opportunities. Similarly, evidence from the United States suggests that e-voting fails to reach the disengaged and apathetic (Norris 2002).

Summarizing, the overview of the academic debate on non-voting has shown that abstention is caused by a complex set of context and individual-level factors. Consequently, only a subset of these factors can be intentionally influenced in the short-term, many others would need to be addressed by long-term efforts. The overview also gave no indication that turnout can substantially or generally be boosted by just implementing new technological voting options. There seem to be no quick-fixes to the problem of low voting participation. However, it is plausible that there is some demand for more convenient forms of voting in addition to the traditional onsite-voting at the polling station. But many authors emphasise that the advantages of e-voting will not be enough to activate the disengaged (Kersting/Baldersheim 2004).

6. COST EFFECTIVENESS

One argument that is often used to support the introduction of e-voting is the potential reduction of costs. Therefore it is interesting to take a further look at this aspect. Statistics that allow a detailed analysis of costs arising from the introduction of electronic voting are not available. The lack of data availability and comparable specification of costs limit the possibility to draw a conclusion concerning cost effectiveness. Since Internet voting is often used as an additional voting method, the crucial question is if costs can be separated and allocated to the different ways of voting. Thus, in the following just a few aspects are dealt with.

The Electoral Commission, which observes elections in the United Kingdom, considers the costs of the pilot schemes in 2007 as being high. In the five local authorities where remote Internet voting and telephone voting was tested, the additional costs for e-voting range between £600,000 and £1,100,000. The e-voting costs per elector vary from £1.80 in Sheffield to £27 in Shrewsbury, and the costs per vote cast via e-voting lie between £100 and £600 (The Electoral Commission 2007).

In the evaluation report of the pilot schemes in 2002, the Electoral Commission (2002) also mentions the aspect of cost effectiveness. They compare remote electronic voting with postal voting and kiosk-based voting. Concerning all-postal ballots, it can be stated that the higher the turnout, the higher the costs. Kiosk-based electronic voting causes costs as well, since the machines have to be hired or maintained. In contrast to that, remote Internet voting uses an already existing hardware infrastructure. But, of course, high security standards and usability requirements necessitate high expenditures in software development. Nevertheless, in the long-term perspective, the running costs for remote voting are expected to be significantly lower than for kiosk-based voting.

A further remarkable aspect in the pilot schemes of 2002 are the high expenditures the local authorities had to bear in campaigns promoting the new voting methods.

Braun and Brändli (2006) see the main challenge concerning cost-effectiveness in the balance between the compliancy of security requirements and affordability. They refer to the e-voting projects in Switzerland and mention the 2002 report of the Federal Council, in which the costs of a nationwide introduction of e-voting are estimated. By using the data from the pilot trials they make an estimation of 400-620 million Swiss francs for a nationwide introduction of e-voting including running costs over a 10-year period.

Braun and Brändli furthermore recommend that only if several cantons operate together in order to introduce e-voting, economies of scale can occur, and the financial costs for the development and operation of an e-voting system for both elections and referendums amounting up to 15 million Swiss francs can be shared and amortized.

Referring to Hanßmann (2004), the bulk of costs in German elections are caused by personnel. Each community offers a polling station that has a need for staff. Potential savings are seen in the decreasing need for staff and premises, as remote voting does not require physical observation.

It can be concluded that the cost factor has to be kept in mind and be critically analyzed. On the one hand, a reduction of costs in the long run could be possible under several circumstances. On the other hand, it has to be considered that up to now almost all e-voting pilots are held as an additional voting method to traditional polling station voting. Thus, claims about savings resulting from fewer staff and premises are not fully supportable.

7. WORKSHOP ON E-VOTING

In order to exchange views on e-voting and to discuss findings of this part of the report an expert workshop was organised. The workshop was titled „Can e-voting increase electoral participation? Experiences and policy issues of e-voting and their implications for future elections of the European Parliament” and took place on March 17 in the European Parliament in Brussels.

This chapter documents the presentations and the following discussions in the two sessions “Technical and general issues of e-voting” and “European perspectives on e-voting”.

The slides used by the presenters as well as the background paper which was distributed to the participants in advance can be found in the appendix A together with the agenda and the flyer for the workshop.

7.1. Technical and general issues of e-voting

The first session lasted from 9.30 to 11.15 and the main topic was “Technical and general issues of e-voting”. Mrs Koch-Mehrin opened the workshop with some introductory words, where she emphasized the importance and relevance of research in the field of e-voting and electoral participation.

Before Mr Beckert, as the project leader, yielded the word to the speakers, he briefly introduced the project “E-Democracy in Europe – Prospects of Internet-based political participation”, the project team and the role of the workshop in line with the project.

Presentations

Prof Rüdiger Grimm: Online Voting – Opportunities and Risks

Prof Rüdiger Grimm is a Professor for IT Risk Management at the University of Koblenz, at the Faculty of Computer Science. His research focus lies on IT security, e.g. concerning e-voting, e-commerce or user rights management.

At the beginning of his presentation, Prof Grimm gave a short overview of current Internet voting projects around the world and mentioned the typical advantages, especially the claim, that Internet voting can increase participation. Concerning this, Prof. Grimm was eager to point out that there “is no empirical or scientific evidence for the influence of e-voting on the increase of voter turnout”. The only possible effect he admits is a “curiosity effect” which can appear when i-voting is used for the first time. Referring to security concerns he sees the main challenges in correctness and anonymity. Although security can be provided, at least technically, the main challenge is to allow the voter to check the correctness of the vote by himself. Currently this possibility, to verify the process of Internet voting without deeper knowledge of technology, is missing. “Technical solutions do exist, but not usable at the time being. Until this is not solved, there is no chance to use it for political elections”. Nevertheless he sees a chance that participation might increase one day, because e-voting can give a “richer functionality” since the Internet is part of everyday life.

Dr Barbara Simons: Internet Voting - An Idea whose time has not come

Dr Barbara Simons is a computer scientist and expert on electronic voting. She was a member of the national workshop on Internet voting and authored some reports on e-voting. Furthermore she was president of ACM (Association for Computing Machinery).

As a first statement Mrs Simons said that she wishes that Internet voting did work now, because in theory the developed techniques could make voting securer than anything we've seen before. But it is just not its Prime Time. In her explanation for this claim, she mainly focused on technical vulnerabilities and named several practical examples. Concerning the personal computer of the voter as one security risk, she referred to the Zeus virus and Conficker Worm, whose destruction potentials illustrate existing possibilities to rig a vote. The fact, that millions of dollars are stolen from bank accounts without any knowledge of the customer shows that this threat is no theoretical idea. A second flaw can be found in potential attacks on the Server. Since fraud was possible in an "extraordinary company" like Google, where Chinese Gmail accounts were attacked, this could also happen for government sites. The main problem is, that such manipulations of Internet voting are easily accomplishable without being detected by anyone. And even if it will be discovered afterwards, Simons sees no solution about how to rerun a manipulated election. She also criticizes that the so called "pilots" of Internet voting are no real pilots, because they are not legally open for independent investigation. The only time an Internet voting test was open to be audited from computer scientists was at a local election in Washington in 2010. Within a short time scientists of the University of Michigan had control over the system.

Discussion

Andrew Duff (MEP, Group of the Alliance of Liberals and Democrats for Europe)

In his function as a rapporteur of the European Parliament for electoral reforms, the topic of e-voting is of great concern for him, and he states that since turnout is obviously of importance, he is in the mood to experiment with new electoral systems. But he also remarks to be disappointed about the missing substantial scientific progress compared to the situation about 2 or 3 years ago.

A main problem of participation on the European level in his view is the fact that European citizens do not enjoy the same identification. This seems even more problematic, since there are quite different degrees of identification on a national level. While some countries have a state identity, like Germany, in others, such as the UK, no formal state identity of the citizens exists. Therefore it is also a cultural question and extraordinary difficult to develop a uniform electoral system.

He also points out the important role of the political parties, because they are the managers of the political process. If they are not involved and we do not have any more practical and empirical experience in e-voting, "it will simply not going to happen." It would be more straightforward to him to drop the idea because it could be a costly distraction for other things that ought to be done.

Finally he raises the question of the impact and relevance of the requirements of the European Citizens Initiative for Internet voting: it might strengthen the popular legitimacy, but could also be counterproductive. He furthermore assumes that security aspects for the ECI are not as important as for democratic elections.

Indrek Tarand (MEP, Group of the Greens/European free Alliance)

Mr Tarand is a MEP from Estonia, where Internet voting is regularly used. He states that it is obvious, also thinking about his own experiences in Estonia, that Internet voting cannot increase participation, because people participate of other reasons than the provided way of voting. Nevertheless he sort of supports e-voting, because it is "fancy and comfortable". He supports it although experts say that it cannot be made safe and explains why: he points out, that it is all about trust and belief. As a comparison he mentions nuclear energy: he is against nuclear energy although people from France try to convince him that it is safe and nothing can happen. And in his country, Estonia, people believe that Internet voting is safe.

Mr Wilfred Aspinall (Former member of European economic and social committee)

Mr Aspinall underpins the fact, that the question of how to increase voter turnout is relevant, because the legitimacy of many elections is highly problematic since often representatives are elected on a basis of only 50 percent of the eligible voters. One reason for that he sees in the fact that a lot of young people are quite disillusioned by the nominating procedure of the parties. They select lists, voters do not get to know the candidate, and independents do not have the chance to get into the process.

He is tempted of the direction of e-voting. Especially for the young people, who often haven't got time to vote, he thinks that it can be an interesting option. Nevertheless it has to be kept in mind that the implementation would be a big cultural change and that a lot of elderly people are not familiar with technical devices. Therefore he suggests, and asks for the opinion of the experts, to vote via computer in polling stations as a first stage to accustom people to electronic voting. He asks if anyone has investigated the idea of computer terminals established in polling stations and if such a system can absolutely be secure.

Mr Beckert

Mr Beckert briefly summarizes Mr Aspinall's statement and adds that there might be a chance to introduce e-voting step by step, beginning with an implementation on a lower level or for non-binding elections.

Mrs Simons

Concerning the gradual step by step move to Internet voting via pilots Mrs Simons highlights the danger of this procedure: these experiments are not that kind of experiments which are done in science. In pilots for real elections the vote has to be secret, so it cannot be verified that the vote was correctly recorded. Furthermore she assumes that if one wants to rig an election, he or she would not attack a pilot but the binding election, after everybody is satisfied with the pilot and moves on. Mrs Simons talks about the good guys who will not attack a real election, because then they're violating a law. And when it does not count, the bad boys won't touch it, but the good ones hopefully will. She concludes that she doesn't know how an election can really be tested on a small scale.

Concerning the potential to attract young people she emphasizes that the increase of citizen involvement is definitely important. But from her opinion this is a policy problem and not a technical problem, and therefore a big mistake to solve a policy problem by throwing technology on it. As an example she mentions the 2008 US election, where young people were enthusiastic about the election, and the main reason for that were the candidates and not the voting method.

Answering the question of Mr Aspinall she states that electronic voting from polling stations is not fully safe but somehow safer than voting with personal computers. With this voting method it is possible to generate an additional printed paper version of the vote to give the possibility to recount the votes. She refers to an election example of Florida, where this paper trail was used. But then, she raises the question, that if it is paper printed and counted anyway, then why use electronic voting at all?

Mr Grimm

An important point for Prof Grimm is, that the real world and the computer world are not two separate things, but one world. Therefore the question is not if we shall use technology in order to encourage better voting, but if we should exclude elections from the normal increase of electronic communication. In this sense he points out that he disagrees with Mrs Simons' statement that the system cannot be made safe. It can be made safe, when these two worlds play together, but not in an isolated digital world.

Concerning electronic voting in polling stations he states that the more centralized the system is, the more weak it is. A manifold system is much more difficult to attack. Hence he recommends using many media in elections.

He also emphasizes that verifiability is highly needed, because the possibility to revote and roll back errors must be given.

Mr Hennen

Mr Hennen raises some questions within the topic of the European Citizens Initiative. He asks for the existing technology at hand to verify the signatures of the people and what kind of security is sufficient for 1 million signatures for this purpose.

Mr Grimm

Mr Grimm answers that the technology for digital signatures exists, but that they are not very well accepted. These systems are too expensive and actually not necessary. A less expensive technology is the use of electronic ID cards.

Mr Duff

Mr Duff asks for the actual costs of the technology of digital signatures.

Mr Grimm

Mr Grimm explains that the smaller part of the costs is caused by the card readers and the bigger parts by the necessary infrastructure: e.g. the servers, which are able to verify that a public signature belongs to a private signature. Such an infrastructure actually works very well in closed infrastructures, in open environments, like on an international level, makes great demands on the technical implementation, for which someone has to pay for.

Prof. Vivian Linssen (I.M.N.R.C NewPOL Network)

Mr Linssen does feel uncomfortable regarding e-voting and democracy. As long as a human beings live in a conceptual maze, democracy shall necessary lead to division and conflict. How to get out of the conceptual maze is the top priority for him, and e-voting just explores it. He'd like to remind that despite all the knowledge, education, philosophy, religion, cultures and technology accumulated since the beginning of humanity the world system has turned planet earth into a ticking time bomb. We must look elsewhere. There is a problem in the very way we think.

7.2. European perspectives of e-voting

The second session went from 11.15 to 13.00 and dealt with the "European perspective of e-voting". As before, in the following the presentation of the speakers and the discussion will be summarized.

Presentations

Prof. Alexander Prosser: Internet Voting – Potentials and Issues

Prof Alexander Prosser is from the Department of Production Management of the University of Economics and Business Administration in Vienna. He is an expert for software infrastructure of e-voting and e-voting in general.

Mr Prosser firstly emphasizes the need to foster e-democracy in Europe. He states that the question is not if we use electronic tools, but how they can be used. Thinking about regional and cultural issues it is necessary to use electronic devices to foster European integration. After naming a long list of failed Internet voting trials, he selected main issues, that have to be thought about concerning Internet voting. The current state-of-the-art solves the problems of identification and secrecy, but the main challenge lies in the field of auditability, control by the election committee and transparency. In order to move ahead in the field of e-voting, an election committee should have a central role in the election process and control the infrastructure of the election and "seal" the system. It should not be the technicians who prepare elections, but an independent institution. Furthermore public verification must be allowed by a public source or an open source system. As an example for an applicable tool to guarantee transparency he mentions a public source system developed by him and his research team.

Dr Anne Marie Oostveen: If you build it, will they come? The effect of e-voting on voter participation

Dr Anne-Marie Oostveen is a Research Fellow at the Oxford Internet Institute and works in the field of social informatics. Her research focuses on social, economical, legal and political impact of new technologies – especially of e-voting.

In her presentation Mrs Oostveen focuses on the social implications of e-voting, and the first main point she mentions is the digital divide. On the one hand, many assumptions are made about the potential to encourage the "wired" young generation to go to the polls. Mrs Oostveen does not join these assumptions and states that research shows that young people are reluctant to use the Internet as a political platform for interactive participation, although they have superior ICT competency. Furthermore it has to be kept in mind that there is even a potential to disenfranchise elderly people from the voting process, since this group has less access and skills to use the Internet. Another main point she makes is that "poor levels of turnout are a reflection of wider attitudes in society, and solutions are unlikely to be found in new procedures and voting systems". Finally she refers to her own research project about Internet voting, where she identified trust in the system as a major factor that influences the decision to use an e-voting system. Trust is based on perception and not on the actual security. An important factor lies also in the function of elections as a civic ritual, which bonds the citizens to the government and is destroyed by Internet voting. Mr Oostveen emphasizes that the claim that Internet voting can increase political participation lacks sufficient empirical evidence and that even a decline is possible. Even if people say they would use Internet voting, if offered, the social desirability bias has to be taken into account.

Susanne Caarls: The myth of e-voting

Susanne Caarls works at the Council of Europe as a programme manager for e-voting. She is responsible for the follow-up of the relating "Recommendation on legal, operational and technical standards of e-voting" and initiated the conceptualization of a guide for member states of the Council of Europe who are considering to introduce e-voting.

Mrs Caarls mentions in her presentation several practical examples of Internet voting around the world and its impact on voter turnout. First of all she names Estonia, whose elections are accompanied by scientific research. The results of these studies state that the only difference between the Internet voters and the non Internet voters is the language, since the Russian speaking population does not use the system. Differences between young and elderly people do not exist. According to turnout in elections in the Netherlands, where Internet voting was offered for Dutch people living abroad, the effect on the turnout must be left open. Nevertheless in these two countries, according to surveys, people do see an added value in Internet voting. If so, Mrs Caarls sees the possibility of an increase in turnout. The main advantage in other countries, like Brazil or India, is an administrative added value through electronic voting at polling stations. Mrs Caarls recommends conducting further research because this is highly needed concerning the claim that Internet voting can increase voter turnout.

Discussion*Mr Aspinall*

Mr Aspinall is interested in how exactly verification takes place. He asks if it is possible to see that the vote has been cast, and that it was cast like the voter wants it to be cast.

Furthermore he wants to know if anybody has been done any research about the cost of e-voting, e.g. in comparison to paper ballot elections.

In a last statement he postulates that although everybody is against change, it has to happen and is happening. As an example he mentions the high use of Facebook and proposes to bring in a participation network like that in order to give citizens the possibility to spread information to selected people. However it is a fact that people have to be encouraged to get involved. Concerning the thread of family voting he states that this is a yesterday's thread. In today's world young people are independent minded and not manipulable.

Mr Prosser

Talking about costs he mentions an Austrian example where an e-voting system cost 1.5 million Euros for 2100 cast votes. He proposes to use the cost of postal voting as a fair yardstick to compare. For postal voting 4-6 Euros have to be raised for one postal vote. The main difference is that for postal voting the costs are variable costs and for electronic voting they are fixed. Concerning this, the problem is, that the costs of e-voting do not depend on the amount of voters.

The question of Mr Aspinall concerning verification can be answered as follows: There are two ways of verification, individual and collective verification. For individual verification there are two ways of verifying, either that the vote was cast but not how, or how the vote was cast. The first possibility is useless, the second dangerous. Therefore he is opposed to individual verification. The only reliable and robust solution is collective verification, where it can be assured that the ballot box was empty in the beginning, that all voters were counted, that no votes were added in the process.

The issue of a participation platform is commented by Mr Prosser in the following way: He says the we should get used to a society that gets involved. As nations have their army, either their own or not, it is with participation, nations can have their own participation platform either their own, or facebook.

Mrs Oostveen

The research Mrs Oostveen has done about costs was to compare voting in polling stations to paper ballots. The case she observed in Amsterdam showed that electronic voting was 1 million more expensive compared to balloting.

She does not agree with Mr Aspinall's comment that change has to happen and says that this is a sort of common progress ideology. Since paper ballots have proved to work for hundreds of years for reasons, there is no need to change the system. Although no system is a hundred percent secure, paper balloting does not allow committing fraud on such a large scale as it is potentially possible with e-voting. She also refers to the symbolic meaning of voting, since paper balloting is much more appealing than clicking on the keyboard and that it's a special thing citizens do once in four years.

To assume that coercion and family voting is not going to happen is judged by her to be naive. The opportunity to vote a second time is quite complex, and the sort of people who others vote for are not the people who go out and vote again.

Mr Duff

Mr Duff strongly agrees with Mrs Oostveen, because there is a common culture around the democratic polling, which is deeply embedded in our Western culture. People are proud to declare their vote, and he likes the old culture of going to the polling station. If we throw it over, it has to be for extremely good reasons. He does not think that the Internet generation has done anything for pluralism, community and civic consensus, because young people are extremely fluent on their iPhones, but are not able to articulate in public.

Mr Duff appreciates the workshop to be very interesting and sees his illusions stripped, because the increase of participation for European elections has to be done by other means. He asks everybody to follow the experiment of the ECI, because he thinks that if we are to break through, this is the way we can do it.

He assures that through this exercise the formulation of public policy will be affected.

Mrs Simons

In terms of people and coercion Mrs Simons agrees with Mrs Oostveen, and wants to add another dimension: family voting is a problem of absentee voting and not only of e-voting. She talks about "the beauty of the polling place", because voters go in there and nobody can see how one votes. She does not know "why we are in such a rush to get rid of it".

In terms of costs she mentions the example of e-voting offered for military personal living outside the US in the state of Washington, where a vendor estimates costs between 2.5 and 4.4 million dollars.

Mrs Caarls

Regarding the family voting issue Mrs Caarls mentions that multiple voting could solve this problem if people are already used to it. As an example she brings up Norway and Estonia, where multiple voting was already possible with postal voting. People can vote by mail in advance and can vote again at the official voting day in the polling station. Nevertheless she agrees that it is not a 100 % secure.

Mr Hennen

Mr Hennen asks a further question to Mr Prosser: He cites him from his presentation where he said that there is more about e-voting than just voting, and that it can be an instrument for structured deliberation. He asks for further elaboration and practical examples for that.

Mr Puiggali

As a final comment Mr Puiggali states that the question should not be, if e-voting can increase participation, but how to prevent the disenfranchisement and to prevent the loss of votes. As an example he mentions the voting situation of military personnel in the US, where sometimes postal votes are lost.

Mrs Simons

Concerning the comment of Mr Puiggali, Mrs Simons admits that military civilians living abroad often are not getting their vote in time. As a solution for this problem she proposes to allow the people living abroad to download a blank ballot on a website 54 days in advance, print it and send it back by mail. This is what she hopes we are moving to, because it's much more secure than sending a voted ballot by Internet.

Mr Prosser

Answering the question of Mr Hennen, Mr Prosser explains that one simply comes to the point where normal deliberation is overstrained, because this only works with 200 or 300 comments, but not with a few hundred comments. Then structured deliberation can be introduced, whether this is anonymous or not is another question. It is about the opportunity to comment and rank in a given scale, as a structured way of collecting opinions. If this is combined with anonymity, Mr Prosser talks about e-voting.

As an economist Mr Prosser raises the question of the added value of e-voting. He does not see an added value, if the polling station is next door. But he admits that there are areas where a huge value added exists, e.g. whenever there is a distance situation or less pressure by voting via the Internet.

Finally he wants to underpin that paper voting is not as secure as it was said, as an example he mentions the UK, where thousands of paper ballots were stolen. We should not think that only by holding a sheet of paper as something tangible makes it secure. That is a disillusion.

8. CONCLUSION

Concluding from our analysis of e-voting as a potential means to increase voter participation in elections to public office, it can be said that it is not realistic to expect a sustainable increase in voter turnout merely by implementing e-voting procedures. The reasons for abstention are manifold, and there is no technological quick-fix to the problem. Rather, non-technical aspects such as the relevance of the institution to be elected, the immediacy of the issues, or positions at stake must be considered when attempting to increase voter participation. Especially with regard to elections to the European Parliament these aspects are of relevance.

In addition, the argument that e-voting is more convenient than traditional voting cannot be supported. Contrary to the expected effects and the initial motivation, e-voting currently is not more convenient but more complicated than traditional voting because it requires digital signatures, PINs and TANs, complex authentication processes, encrypted transmission procedures, dedicated server structures, etc. These elements of an e-voting infrastructure are - with the exception of Estonia - currently not available or in practical use in European countries. For the time being, the technical requirements build up new barriers for voters.

These barriers are not easy to conquer because elections over the Internet have to follow the same democratic election principles as traditional elections, meaning they have to be secret, equal, free, and direct.

However, as the member states are beginning to introduce digital signatures via a special chip card or as parts of new passports, and as card readers are becoming more widely available, e-voting will gradually become less inconvenient. The lesson from the Estonian case is that once the technical requirements are fulfilled and people had time to get used to the procedure, the acceptance will increase. This also means that it takes time to build up confidence in a new system and that political, legal and technical procedures need to go hand in hand in order to successfully implement such a system. E-voting as a singular political action point does not seem to work in reality. Rather it has to be part of a wider and comprehensive IT-strategy which has to be implemented and communicated nationwide.

However, it may not be enough to only look at the Estonian case. There is no causality between the distribution of digital signatures in the population, political action plans for ICT-use, accompanying legal measures, etc., and the actual inclination of the population to use e-voting systems. Other countries may well decide otherwise.

Although younger people are seemingly more familiar with Internet technology there is no empirical evidence that e-voting would increase voter turnout in the younger age groups. Here, the same applies as was stated for the whole group of non-voters: There is no technological quick-fix to the problem of low participation. In the cases in which e-voting was offered, we saw that people made use of this new voting form who had planned to vote anyway. The hope to reach formerly non-voters via the Internet was usually disappointed.

In the long run, however, it should not be underestimated that people will ask for the opportunity to vote via the Internet as they become used to doing more and more things online. Governments and public institutions should therefore be prepared to offer this possibility in the years to come. In order to do this, several prerequisites have to be accomplished. These prerequisites concern the technical requirements, social aspects, and the symbolic meaning of elections in the public.

With respect to the discussions at our workshop it can be stated that the experts were by and large even more sceptical concerning e-voting. Although there were as many speakers in favour of e-voting as there were critics on the panel, the general impression was that the critical arguments prevailed. This probably has to do with the severe consequences of flawed elections. Even experts who considered the risks of manipulation or failure as being manageable conceded that the technical requirements for carrying out legally binding elections over the Internet are extremely high.

Confirming our earlier findings, at the workshop it was also said that apart from the current technical shortfalls of e-voting systems there is a necessity to offer more possibilities to Europeans to exchange their political views and participate in political processes via the Internet (see Part B).

In the long run, supporting e-participation processes such as the European Citizens' Initiative (ECI) with available experiences from e-voting projects may be one way forward. Also, testing the possibilities of e-voting in less formal elections (e.g., elections in associations) may contribute to build up trust towards e-voting systems.

REFERENCES

- Alvarez, R.M., Hall, T., Trechsel, A. (2009). „Internet Voting in Comparative Perspective: The Case of Estonia“, in: *Political Science and Politics*, Vol. 42, No. 3, p. 497-505.
- Alvarez, R.M., Nagler, J. (2001). „The Likely Consequences of Internet voting for political representation“, in: *Loyola of Los Angeles Law Review*, p.1115-1152.
- Attewell, P. (2001). „The first and second digital divides“, in: *Sociology of Education*, Vol. 74, p. 252-259.
- Barnes, S., Kaase, M. (1979). *Political Action*, London.
- Bélanger, F., Carter, L. (2010). „The Digital Divide and Internet Voting Acceptance“, in: IEEE Computer Society. Proceedings of the 2010 Fourth International Conference on Digital Society, p. 307-310.
- Blais, A. (2010). „Political Participation“, in: LeDuc, L., Niemi, R., Norris, P. (eds.). *Comparing Democracies. Elections and Voting in the 21st Century*, London, p. 165-183.
- Borgers, T. (2002). Is Internet Voting a Good Thing?, in: *Journal of Institutional and Theoretical Economics*, Vol. 156, No. 4, p. 531-547.
- Bozinis, A. (2007). „Internet Politics and Digital Divide Issues: The Rising of a New Electronic Aristocrats and Electronic Meticians“, in: *Journal of Social Sciences*, Vol. 3, No. 1, p. 24-26.
- Braun, N., Brändli, D. (2006). „Swiss E-Voting Pilot Projects: Evaluation, Situation Analysis and How to Proceed“, in: Krimmer, R. (Hrsg): *Electronic Voting 2006 – GI Lecture Notes in Informatics*, P-86. www.e-voting.cc/topics/conference2006.
- Buchstein, H., Neymanns, H. (2002). *Online Wahlen*, Opladen.
- Caballero, C. (2005). „Nichtwahl“, in: Falter, J.W., Schoen, H. (eds.): *Handbuch Wahlforschung*, Wiesbaden, p. 329-365.
- Christin, T., Trechsel, A. H. (2005). Analysis of the 26th September 2004 ballot as held in four Geneva municipalities (Anières, Carouge, Cologny and Meyrin). http://www.geneve.ch/evoting/english/doc/rapports/rapport_26sept_english_final.pdf
- Coleman, S. (2005). „Just how risky is online voting?“, in: *Information Polity*, Vol. 10, p. 95-104.
- Council of Europe (2004). Legal, operational and technical standards for e-voting. Recommendation Rec (2004)11. <https://wcd.coe.int/ViewDoc.jsp?id=778189>.
- Council of Europe (2010): Third meeting to review developments in the field of e-voting since the adoption of Recommendation Rec(2004)11 on legal, operational and technical standards for e-voting. Interim Report on e-voting in Switzerland. Evolution of e-voting projects in Switzerland between 2008 and 2010 and outlook. [http://www.coe.int/t/dgap/democracy/activities/ggis/E-voting/Evoting%202010/Biennial_Nov_meeting/GGIS\(2010\)16_Switzerland%20evoting%20report%20E.asp#](http://www.coe.int/t/dgap/democracy/activities/ggis/E-voting/Evoting%202010/Biennial_Nov_meeting/GGIS(2010)16_Switzerland%20evoting%20report%20E.asp#).
- De Nève, Dorothee (2009). *NichtwählerInnen – eine Gefahr für die Demokratie?* Opladen & Farmington Hills.
- Drechsler, W., Madise, Ü. (2004). „Electronic Voting in Estonia“, in: Kersting, N., Baldersheim, H. (Eds.), *Electronic Voting and Democracy. A Comparative Analysis*, p.97-108, Basingstoke, New York.
- Eilfort, M. (1994). *Die Nichtwähler: Wahlenthaltung als Form des Wahlverhaltens*, Paderborn.
- Eilfort, M. (2001). „Mobilisierung als Schicksalsfrage?“, in: *Die öffentliche Meinung*, 46, Heft 383, p. 21-28.

- Enguehard, C. (2008). "Transparency in Electronic Voting: the Great Challenge", in: IPSA International Political Science Association RC 10 on Electronic Democracy. Conference on "E-democracy – State of the art and future agenda", Stellenbosch: South Africa (2008). <http://halshs.archives-ouvertes.fr/halshs-00409465/en/>.
- Estonian National Electoral Committee (2005). E-Voting System Overview, Tallinn. www.vvk.ee/public/dok/Yldkirjeldus-eng.pdf.
- Fiorina, M. (1981). *Retrospective Voting in American National Elections*, New Haven.
- Garrone, P. (2005). "Fundamental and political rights in electronic elections", in: Trechsel, A., Mendez, F. (Hrsg): *The European Union and E-Voting – Addressing the European Parliament's Internet voting challenge*, New York, p.111-123.
- Gerlach, J., Gasser, U. (2009). "Three Case Studies from Switzerland: E-Voting" (Internet & Democracy Case Study Series). Berkman Center Research Publication No. 2009-03.1. http://cyber.law.harvard.edu/publications/2009/Switzerland_case_studies.
- Goos, K. (2011): *Wahlen im Internet. Eine Analyse ihrer Bedeutung für die Wahlbeteiligung*. Stuttgart: Fraunhofer Verlag.
- Goerres, A. (2010). „Die soziale Norm der Wahlbeteiligung. Eine international vergleichende Analyse für Europa“, in: *Politische Vierteljahresschrift (PVS)*, 51, p. 275-296.
- Gritzalis, D. (2002). "Principles and requirements for a secure e-voting system", in: *Computers & Security*, Vol. 21, No. 6, p. 539-556.
- Grimm, R. (2011). "Online Voting – Opportunities and Risks" <http://www.isi.fraunhofer.de/isi-de/t/projekte/bb-stoa-e-democracy.php>.
- Hanßmann, A. (2004). *Möglichkeiten und Grenzen von Internetwahlen*, Baden-Baden.
- Hubbers, E., Jacobs, B., Pieters, W. (2004). "RIES – Internet Voting in Action", in: Bilof R. (ed.). *Proc. 29th Annual International Computer Software and Applications Conference, COMPSAC'05*, p. 417-424. IEEE Computer Society. <http://repository.ubn.ru.nl/handle/2066/60604>.
- Inglehart, R., Abramson, P. (1995). *Value Change in Global Perspective*, University of Michigan.
- Internet Policy Institute (IPI) (2001). "Report of the National Workshop on Internet Voting: Issues and Research Agenda." <http://fl1.findlaw.com/news.findlaw.com/hdocs/docs/election2000/nsfe-voterprt.pdf>.
- Jefferson, D., Rubin, A., Simons, B., Wagner, D. (2004). "A Security Analysis of the Secure Electronic Registration and Voting Experiment (SERVE)". <http://www.servesecurityreport.org/>
- Kenski, K. (2005). "To I-Vote or Not to I-Vote? Opinions About Internet Voting from Arizona Voters", in: *Social Science Computer Review*, Vol. 23, p. 293-303.
- Kersting, N., Baldersheim, H. (eds.) (2004). *Electronic voting and democracy*, London.
- Kersting, N. (2004). „Nichtwähler. Diagnose und Therapieversuche“, in: *Zeitschrift für Politikwissenschaft*, Vol. 14, No. 2, p. 403-427.
- Khorrami, E. (2006). *Bundestagswahlen per Internet*, Baden-Baden.
- Krimmer, R., Triessnig, S., Volkamer, M. (2007). „The Development of Remote E-Voting around the World: A Review of Roads and Directions.“ www.e-voting.cc/files/VOTE-ID-2007
- Lindner, R. (2007). *Politischer Wandel durch digitale Netzwerkkommunikation?* Wiesbaden.
- Lindner, R., Beckert, B., Aichholzer, G., Strauß, S., Hennen, L. (2010). *E-Democracy in Europe – Prospects of Internet-based political participation. Interim Study* (European Parliament, Science and Technology Options Assessment STOA), Brussels.
- Loeber, L. (2008). *E-voting in the Netherlands; from General Acceptance to General Doubt in Two Years*. Paper presented at GI Edition-Lecture Notes in Informatics, August, 6-9, 2008 in Castle Hofen, Bregenz, Austria.

- McGaley, M., McCarthy, J. (2004). "Transparency and e-voting – Democratic vs. commercial interests", in: Prosser, A., Krimmer, R. (Hrsg): *Electronic Voting in Europe – Technology, Law, Politics and Society*, P-47, p. 153-163. <http://www.e-voting.cc/files/E-Voting-in-Europe-Proceedings/>.
- Neymanns, H. (2002). „Die Wahl der Symbole: Politische und demokratietheoretische Fragen zu Online-Wahlen.“, in: Buchstein, H., Neymanns, H. (2002): *Online Wahlen*, Opladen, p. 23-37.
- Norris, P. (2002). "Revolution, what revolution? The Internet and U.S. Elections, 1992-2000", in: Kamarck, E., Nye, J. (eds.). *Governance.com? Democracy in the Information Age*, Washington D.C., p. 59-80.
- Norris, P. (2004). "Will New Technology Boost Turnout? Experiments in e-Voting and All-Postal Voting in British Local Elections", in: *International IDEA (ed.). Voter Turnout in Western Europe since 1945*, Stockholm, p. 41-50.
- Oostveen, A.-M., van den Besselaar, P. (2005). „Trust, Identity, and the Effects of Voting Technologies on Voting Behavior“, in: *Social Science Computer Review*, Vol. 23, p. 304-311.
- OSCE/ODHIR (2007): *Final Report on the 22 November 2006 Parliamentary Elections in The Netherlands*. http://www.osce.org/documents/odihr/2007/03/23602_en.pdf.
- OSCE/ODHIR (2011): *Estonia Parliamentary Elections 6 March 2011. OSCE/ODHIR Election Assessment Report*. <http://www.osce.org/odihr/77557>
- Phelps, E. (2004). "Young Citizens and Changing Electoral Turnout, 1964-2001", in: *The Political Quarterly*, Vol. 75, No. 3, p. 238-248.
- Renz, T. (1997). „Nichtwähler zwischen Normalisierung und Krise: Zwischenbilanz zum Stand einer nimmer endenden Diskussion“, in: *Zeitschrift für Parlamentsfragen (ZParl)*, Vol. 28, No. 7, p. 572-591.
- Rubin, Avi (2001). "Security Consideration for Remote Electronic Voting over the Internet." <http://avirubin.com/e-voting.security.html>.
- Schultze, R.-O. (2010). „Wahlbeteiligung“, in: Nohlen, D., Schultze, R.-O. (eds.). *Lexikon der Politikwissenschaft*, München, p. 1196-1198.
- Schweizerischer Bundesrat (2006): *Bericht über die Pilotprojekte zum Vote électronique*, Bern. www.bk.admin.ch/themen/pore/evoting/00776/02793/index.html?lang=de&unterseite=yes.
- Simons, B. (2010): Paper delivered at the Conference "Internet, Politics, Policy 2010" in Oxford. Title missing.
- Solop, F. (2001). "Digital Democracy Comes of Age: Internet Voting and the 2000 Arizona Democratic Primary Election", in: *Political Science and Politics*, Vol. 34, No. 2, p. 289-293.
- Stratford, J. S., Stratford, J. (2001). "Computerized and Networked Government Information", in: *Journal of Government Information*, 28/3 (2001), p. 297–301.
- The Electoral Commission (2002): *Modernizing Elections – A strategic evaluation of the 2002 electoral pilot schemes*. <http://www.electoralcommission.org.uk/document-summary?assetid=13156>.
- The Electoral Commission (2007): *Electronic voting May 2007 electoral pilot schemes*. http://www.electoralcommission.org.uk/elections/modernising_elections/May2007.
- Trechsel, A. H., Vassil, K. (2010). *Internet Voting in Estonia – A Comparative Analysis for Four Elections since 2005*. http://www.vvk.ee/public/dok/Report_-_E-voting_in_Estonia_2005-2009.pdf.
- Verba, S., Nie, H. (1972). *Participation in America*. New York.
- Wagner, S. (2003). „Nichtwählertypen bei Europawahlen und Bundestagswahlen“, in: Brettschneider, F., van Deth, J., Roller, E. (eds.). *Europäische Integration in der öffentlichen Meinung*, Opladen, p. 303-334.

- Will, M. (2002). Internetwahlen, Stuttgart.
- Xenakis, A., Macintosh, A. (2005). "Trust Analysis of the U.K. e-voting Pilots", in: Social Science Computer Review, Vol. 23, p. 312-325.
- Zinterer, T. (2010). „Nichtwähler“, in: Nohlen, D., Schultze, R.-O. (eds.). Lexikon der Politikwissenschaft, München, p. 659f.

OVERALL CONCLUSIONS AND RECOMMENDATIONS

1. E-voting

When analysing e-voting options for Europe it first of all has to be stated that e-voting is a highly sensitive and passionately discussed topic in the member states and worldwide, and that different positions and approaches exist. While some researchers, stakeholders or governments are in favour of introducing e-voting because it seems to be a more convenient way of voting, others are strictly opposed to e-voting claiming that no safe and reliable technological solution exists yet. Estonia for example, being the leading country in implementing e-voting in Europe, was subject to a series of different hacker attacks and many experts have repeatedly emphasized the vulnerability of the system. Nonetheless, the country sticks to e-voting and claims to further improve its e-voting system. Norway is currently working on a larger e-voting project simulating elections with the aim of introducing the e-voting option on the regional level in autumn of 2011. Furthermore, Switzerland is very active in the field of e-voting and some experts there see huge potentials to increase the traditionally low turnout rates in the country. On the other hand, the German government, having been a leader in the development of e-voting systems in Europe one decade ago, is no longer active in the field. Also, in Great Britain, initially promising trials on the local level were stopped after several years. And Austria discontinued an e-voting project for the election of the national student assembly.

These variations in handling the case of e-voting reflects the general difficulties with e-voting and hints to problems of a possible introduction of e-voting on the European level, e.g. for elections of the European Parliament. Although the Internet may seem the ideal tool for bringing together 27 countries and over 500 million Europeans in one election, the actual implementation of such a pan-European e-voting system would mean to develop a platform which must satisfy all the different and specific national political, administrative, legal, technical and social needs. Based on our analysis, the build-up of such a comprehensive system or even the proposal to introduce e-voting on the national level cannot be recommended for the time being. The reasons for this are primarily cost-benefit considerations, technological issues and reasons of political legitimacy. Underlying our analysis is the conviction that elections are at the heart of the democratic process and that existing and working election routines in the countries shall not be changed without good reasons.

Concerning cost-benefit considerations we have investigated the expectation of an increase of electoral participation by making available e-voting at elections. We neither have found convincing theoretical nor sound empirical evidence that could support this expectation. In the e-voting cases analysed in this paper there was no indication for a sustainable increase in voter participation at national elections. Although a striking deficit of data has to be discerned, 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. Also, experts at our e-voting workshop stated that within organisations and on regional levels, where more data is available, a novelty effect is responsible for an increase of voter participation - an effect which wears out quite fast, however.

Especially younger people are often expected to make use of the option to vote via Internet because they are more familiar with Internet technology and use it intensely for everyday purposes. Again, there is no empirical evidence for such an effect. Instead, there are specific reasons in this age group for not taking part in elections and as with other age groups there seems to be no technological quick-fix for the problem of low electoral participation. Especially the argument that e-voting is more convenient because it can be done from everywhere and at anytime was found not convincing because the actual procedure of e-voting is currently quite complicated and cumbersome as it requires digital signatures, PINs and TANs and multiple identification processes. The costs related to introduction and operation of e-voting systems are difficult to assess, but data derived from trials in the UK and Switzerland indicate that considerable investments need to be made if high-standard systems are to be established. With regard to the expected operation costs, savings seem rather unlikely as traditional and e-voting procedures will need to be made available simultaneously for a considerable period of time. Given the low likelihood of positive effects of e-voting on electoral turnout, the additional expenses related to e-voting will be difficult to justify.

Also, technological issues 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 system uses 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 last and in our view 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 cover all of these aspects and which trade democracy requirements for user friendliness, efficiency or cost savings should generally be rejected. Suggesting to lower the requirements or claiming that total security has never been possible and should hence also not be expected from e-voting systems, seems to reflect the fact that people in Western European democracies tend to take democratic achievements for granted. However, as the current struggles for democracy in several developing countries show, these are high goals and achievements which shall not be given up easily. A perceived lack of security or just a missing understanding of the different stages that are passed through the e-voting process, can lead to a decline of trust and negatively affect the legitimacy of the whole political system.

From a democratic theory perspective, voting is the only kind of participation that conduces the direct legitimation of the democratic system. Thus, voting as a universal right shall be guaranteed for every citizen irrespective of material and intellectual prerequisites - a critical requirement in the light of the digital divide which is still relevant in Europe.

While there are currently many substantial arguments against the introduction of e-voting on the European level, the question is what can be done in the meantime? Based on our analysis, three activities can be suggested: improvement of the technology, trust and transnational participatory projects.

As stated above, technology advances should be observed in detail. Although there is currently no e-voting system available that fulfils the basic requirements for democratic elections altogether, new technologies are being developed and tested all around the world. These technologies and approaches need to be assessed respectively.

Trust in e-voting systems will only develop as citizens have the chance to actually use them. If there is a political consensus to promote e-voting in the long run, elections in associations or local level elections may be suited to test the e-voting option and to get citizens in contact with the new technical possibilities. In contrast to elections in associations or organisations, e-voting shall generally not be imposed in binding political elections. E-voting should always be offered as an option in addition to the traditional way of voting. Building trust on the national level also includes the adaption of the legal environment, the tackling of the different digital divides (young/old, natives/ immigrants, highly educated/less educated, etc.), the enhancement of the technical system and political leadership.

Encouraging and supporting transnational participatory projects is the most eminent recommendation deriving from our analysis. E-voting is not a vehicle for European integration, European citizenship or the development of a European public, but 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.

2. E-participation in Europe: Internet-based political participation as a pacemaker for a European public?

It is a widespread view that the Internet has the potential to fundamentally change democratic politics and democratic citizenship. Easy and universal access to information is expected to democratize the processes of agenda-setting, increase the rates of political participation, improve the quality of deliberation and make plebiscitary forms of decision-making feasible. New Internet-based formats of extended citizen participation are also discussed as a possible remedy to major problems of European Union's political system, in particular existing democratic deficits, the distance of European citizens from EU institutions and representatives, and the lack of a genuine European public sphere as a space for deliberation on European policy issues besides or above the existing national public spheres.

Previous sections of this report were dedicated to different aspects and functions of the public sphere in a European context as well as different options and modes of ICT-supported participation. These instruments include a variety of options for enhancing the involvement of citizens and civil society communities into political processes (such as novel modes of information provision, awareness-raising, increasing transparency, improving opinion formation, community empowerment, new spaces for deliberation, etc.). In combination, these options contain high potential for improving legitimacy and quality of policy-making and thus trust in the political system.

To arrive at a realistic assessment of this potential, the electronic forms of participation have 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, 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 from 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.

European institutions have embraced these new technological means to support and facilitate 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 of 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 effects 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”). The effect is a lack of issue-related participation, i.e. the offerings are too general to allow interest groups to bring in their ideas and opinions. A further explanation is that participation projects often trigger false expectations about how their input is considered in EU policy-making. While the provision of consultations on emerging policy issues on a regular basis (as given via the “Your Voice in Europe” platform) is a highly relevant participation opportunity, its current realization only offers very limited opportunities and actual voice for actors who otherwise enrich the discourse in the public sphere and especially for citizens. The consultations are too much focused on institutionalized 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 suggests a revision of a consultation regime which tends to confine the integration of the wider public to a mere “participation strategy” with little impact on policy decisions, in contrast to the use of input from interest-organizations 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 not succeed. Thus, to counteract the diagnosed democratic deficit of the European Union, top-down offers for public participation are not sufficient as they fail to integrate the particular nature of the European public sphere.

A major precondition to deploy e-participation for stimulating participatory culture and democratic decision-making is to design opportunities for (e-)participation as a continuous discourse and interaction process between different actors and stakeholders of the public sphere with the political-administrative system. The public sphere is not to be understood simply as a form of public communication, but always implies a certain (deliberative) quality that transforms public communication into public opinion and will formation. The discourse of actively participating citizens is the backing for political decision-making in the representative system, as the citizenry (directly or via the media) provides the political institutions with ideas, interests and demands that have to be taken into consideration in the political process.

Efforts to stimulate a dialogue between the European public and the political-administrative system of the European Union with new forms of (ICT-supported) political interactions have to take the multifaceted character of the public sphere as a set of overlapping partial publics into account. This implies to extend spaces within the political-administrative system fostering deliberation for a common exchange of political opinions between European policy-makers and the European citizenry, and for enhanced involvement in decision-making processes. Besides a general demand for an explicit focus on enhancing deliberative processes, the challenge is thus to properly define the role of these processes in EU policy-making.

A stronger focus on civil society e-participation activities is also in line with the EU's stated objective to establish a "permanent dialogue" between citizens and EU institutions. Recent forms of bottom-up (e-)participation point into the same direction of a continuous discourse between the public sphere and the political system. Stronger efforts to integrate these bottom-up initiatives could thus revitalize this generally desirable objective of a permanent dialogue with a more fruitful understanding of the mechanisms of participation within the arising European public sphere and its actors, respectively. A crucial aspect here is to foster the linkability between those partial publics and the political processes by setting up (formal) interfaces where top-down and bottom-up participation initiatives can become integrated to identify possible synergies.

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) aspects to be considered should constitute major elements:

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

The growing amount of e-participation projects initiated by civil society actors with a focus on improving communication, deliberation and public discourse plays a genuine role for an active democracy. Provisions for a systematic monitoring and consideration for integration into the EU level political process of such bottom-up participation initiatives should be in place. As far as they contribute to establish common spaces for European citizens and their political representatives, they would alleviate finding proper strategies towards a revitalization of deliberative quality in the public sphere. In a next step, these initiatives should become visibly linked to top-down participation opportunities.

- *Reconsidering the role of national and regional levels*

The frequent assumption that new e-participation offerings with a focus on common European issues would boost the democratic quality of EU institutions has turned out as a fallacy to date. Instead, there is a particular demand for an integrative approach that considers the special role of national, regional and local levels and issue framings as these are the spaces nearest to the citizens where partial publics emerge. In the current setting, national and European issues are seemingly separated and not interrelated. This quasi-separation constrains the possibilities to participate as it does not embrace the nature of the public sphere as a set of heterogeneous partial publics. Thus, a setting, where the interrelations between national and (related) European issues and vice versa become more explicit would offer better chances to strengthen deliberative quality of participation and integration towards a European public sphere. This requires measures to improve the visibility of European issues at local and regional levels as well as the visibility of regional affairs at a European level that are of concern in a transnational context (e.g. regional affairs regarding environmental issues on local level that are also relevant for other member states, etc.).

- *Increasing the visibility of (e-)participation offerings*

A suitable strategy for removing an important barrier to engagement in the democratic process at the EU level could be creating a single point of contact for citizens and the public sphere (e.g., a one-stop portal for participation). This would require viewing this from the citizen's perspective who is overwhelmed by the variety of different sites offered by each of the EU institutions separately. One of the current problems for public engagement at European level is that opportunities for participation are unequally distributed and often hardly detectable. A central participation portal to access the different participation offerings at European level would improve visibility and facilitate the interested public to get involved. A one-stop participation portal could also contribute to establish the integration of national contexts and bottom-up initiatives mentioned above.

- *The European Citizens' Initiative as a window of opportunity*

The ECI offers a great window of opportunity to strengthen the participatory culture at the European level. On the one hand, it is a top-down installed formal instrument to consider input from the public sphere into political decision-making. On the other hand, it gives bottom-up initiatives a chance to influence the policy agenda at the EU level and provides enough room for manoeuvre which is necessary for partial publics to develop. However, provisions need to be put in place to balance the disadvantages of initiators lacking professional organizational structures and staff, by offering appropriate support. The electronic means of participation could to some extent compensate disadvantages of actors of the public sphere who have fewer resources. At the same time the ECI is a promising way to bring about a suitable integration of top-down and bottom-up driven participation initiatives. It allows interested civil society actors and partial publics to conduct what currently is missing: to mobilize like-minded European citizens for context-specific participation that has room to grow in a national context and at the same time can be linked to European issues. This occasion should be used to link the ECI with other, already existing participation offerings (e.g. Your Voice in Europe, Citizens' Agora). A suitable way to provide this could be to use the planned ECI-portal as a one-stop portal for participation, i.e. a single point of contact for European citizens and the public sphere. This increased visibility might contribute to foster participation and thus the quality of democratic decision making within the Union.

Of course, this should not be seen as a panacea to cure the EU's democratic deficit, but properly designed, it can stimulate the further development towards more participation and deliberation in the political system and the European public sphere. To avoid that this potential becomes nipped in the bud, a balanced design of the ECI regarding avoiding abuse and enabling input from the public sphere should be ensured. The designated flexibility how to implement this instrument seems reasonable to consider national peculiarities and the specific participation culture of the different member states.



ЕВРОПЕЙСКИ ПАРЛАМЕНТ PARLAMENTO EUROPEO EVROPSKÝ PARLAMENT EUROPA-PARLAMENTET
EUROPÄISCHES PARLAMENT EUROOPA PARLAMENT ΕΥΡΩΠΑΪΚΟ ΚΟΙΝΟΒΟΥΛΙΟ EUROPEAN PARLIAMENT
PARLEMENT EUROPÉEN PARLAIMINT NA HEORPA PARLAMENTO EUROPEO EIROPAS PARLAMENTS
EUROPOS PARLAMENTAS EURÓPAI PARLAMENT IL-PARLAMENT EWROPEW EUROPEES PARLEMENT
PARLAMENT EUROPEJSKI PARLAMENTO EUROPEU PARLAMENTUL EUROPEAN
EURÓPSKY PARLAMENT EVROPSKI PARLAMENT EUROOPAN PARLAMENTTI EUROPAPARLAMENTET



**STOA Workshop at the European Parliament, Brussels,
17 March 2011, 9-13 hrs, room A1G – 3.**

Under the patronage of Vice President of the European Parliament **Dr. Silvana Koch-Mehrin**

Can e-voting increase electoral participation?

Can e-voting increase electoral participation?

Workshop at the European Parliament, Brussels, 17 March 2011, 9-13 hrs, room A1G – 3.

In view of the low participation rates at elections of the European Parliament, voting over the Internet (e-voting) is suggested as one possibility to involve more Europeans in the political and electoral process. E-voting is seen as an especially promising way to motivate younger voters to participate in the elections, because they are already familiar with using the Internet daily for many reasons. Voting could be done in-between watching YouTube videos and blogging on Facebook, so the argument goes.

However, voting is at the heart of the democratic process and elections not only have to fulfill special requirements like transparency, security, and anonymity, but also have a special symbolic meaning. E-voting is not the same as e-business. Some critics even dismiss the idea of e-voting altogether, for technical reasons and also on principle. In the workshop the chances and risks of e-voting will be discussed.

Programme

- 9.00 **Registration**
- 9.30 **Welcome address** by Vice President of the European Parliament Dr. Silvana Koch-Mehrin
Introduction and Presentation of STOA-project by Dr. Bernd Beckert, Fraunhofer ISI
- 9.45 **Session 1: Technical and general issues of e-voting**
Prof. Rüdiger Grimm, University of Koblenz, IT Risk Management.
Dr. Barbara Simons, IT security expert, formerly IBM Research, USA.
Prof. Peter Purgathofer, Vienna University of Technology, Faculty of Informatics.
- 10.30 **Inquiry** by Members of Parliament and discussion
- 11.00 **Coffee Break**
- 11.30 **Session 2: European perspective of e-voting**
Prof. Alexander Prosser, University of Economics and Business Administration Vienna.
Dr. Anne-Marie Oostveen, University of Oxford, Oxford Internet Institute.
Susanne Caarls, Council of Europe, Strasbourg, Programme Advisor.
- 12.15 **Inquiry** by Members of Parliament and discussion
- 13.00 **End of workshop after closing remarks** by Dr. Bernd Beckert, Fraunhofer ISI

The workshop is free of charge, but you need to register in order to be able to enter the European Parliament. To register please send an e-mail to Kerstin.Goos@isi.fraunhofer.de until **13 March 2011** indicating your name, date of birth, nationality and city of residence.

Further information: Dr. Jarka Chloupkova, tel. +32 28 28 40606; Dr. Bernd Beckert, tel. +49 721 6809 171.



A background paper for the Workshop on „E-voting in Europe“
on March 17, 2011 in the European Parliament in Brussels

E-Voting in Europe: Why we should look at it, which arguments we should consider and what to expect in the future.

Why should we look at e-voting in Europe at all?

Considering the low participation rates at elections of the European Parliament, efforts to increase the participation rate and to get Europeans involved in European policy-making seem to be necessary. One possibility to achieve this may be e-voting. Internet voting is considered the “ultimate in convenience voting” (Alvarez, Hall, Trechsel 2009, p. 497) because everyone with a computer and an Internet connection can vote at the time that best suits them. E-voting also does not require that people actually go to a polling station, voting can be done from anyplace, supposed there is an Internet connection available.

Also, Internet voting is seen especially promising for bringing young voters into the electoral process because they are familiar with using the Internet for many daily purposes already. Participation rates of the younger age groups at parliamentary elections are particularly low. Whatever made people refrain from voting in elections, so the argument goes, could now be overcome because casting one’s vote is just one click away. It can be done in-between watching YouTube videos and blogging on Facebook.

And there are some promising experiences with e-voting which make politicians think about introducing e-voting at a European level. The most prominent example of a successful introduction of e-voting comes from Estonia. There, e-voting was introduced in 2005 and has been offered as an option at national parliamentary elections as well as at elections of the European Parliament since. Using their digital signature card and two PINs Estonians can vote over the Internet and they have increasingly made use of this possibility. The percentage of votes cast over the Internet in Estonia increased from 2 percent of all votes cast in 2005 to 5.4 percent in 2007 to 15 percent in 2009.

Another observation is that voter turnout at European parliament elections in Estonia increased from 27 percent in 2004 (when e-voting was not offered) to 43 percent in 2009. The reason for this increase is only loosely linked to e-voting. In fact, other reasons seem to be responsible for this steep increase (see Beckert, Goos, Lindner 2010, p. 90).

Although the effect of e-voting on voter participation remains unclear, the Estonian e-voting experience is a central reference point in the discussion about e-voting in Europe and has started many discussions about the prospects of introducing e-voting in national and European elections. Despite the fact that e-voting systems are already being used or are being introduced in lower political and organisational levels, critics have argued that as of today, there is no technical solution available which would guarantee transparency, resistance to intimidation, fraud and errors. The only known protection against hacker attacks, says for example Internet security specialist Barbara Simons, is the ability to conduct a manual count of the paper ballots (Simons 2010).

In the following, we summarize the arguments in favour of and against e-voting. The arguments are taken from our paper “E-voting in Europe. A means to increase electoral participation?” which is part of deliverable 2 of the STOA project „E-Democracy“ (Beckert, Goos, Lindner 2010).

Arguments in favour of e-voting

- E-commerce, e-education, e-administration: Why shouldn't we also elect our parliaments over the Internet? The Internet is ubiquitously present in almost all areas of modern life. The question raised by many is, why should we not be able to cast our ballots in the same way as we order books on the Web – from home, from work or on the road? As the Internet continues to spread, many analysts see the move to Internet voting as inevitable (see for example IPI 2001, 5; Neymanns 2002, 28f.).
- Younger people already use the Internet in a very intense way for almost all daily purposes. By offering e-voting, young people could be motivated to take part in elections which they would otherwise have ignored.
- E-Voting is also considered the final step in the process of the information technology based modernisation of the entire administrative process. The introduction of e-voting just seems logical in the light of the comprehensive computerization of administrative processes.
- E-voting could make the voting procedure more convenient for voters. Allowing citizens to cast a ballot from home or the workplace or even from on the road using mobile devices could reduce the time and effort required to participate in person at the polling station and make the voting procedure much more flexible. People with limited flexibility such as the elderly, carers confined to the home, or employees and shift workers with little flexibility in their work hours as well as citizens living abroad could take part in the election. In this respect, e-voting would substitute the established mail voting procedure.
- E-voting could potentially reduce the information costs of participation by providing relevant information at the time people are actually casting their vote. Information, opinion building and voting would take place in the same medium. For example, links to the candidates' webpages or to neutral collectors of information and positions could be incorporated in the voting website.
- Also, a webpage in conjunction with a referendum could provide a short description of the issue at stake explaining the arguments of each side. The referendum example shows that in general, e-voting could also be used to integrate more plebiscitary elements into the political decision process and lead to a better informed voter.
- E-voting could improve the process of electoral administration by increasing the efficiency, speed and accuracy of recording and counting votes. In the long run, e-voting could also save personal costs and be a cost-efficient way to carry out elections and referendums.

Arguments opposed to e-voting

- E-voting is not the same as e-commerce: Voting is an essential part of democracy and therefore anything that potentially threatens core values of democracy, like flawed elections, must be avoided. There is a structural difference between securing Internet voting and securing e-commerce. Attacks to online elections, like denial-of-service attacks have farther reaching consequences compared to attacks to commercial transactions. As Jefferson et al. (2004, p. 7f) explain, a denial-of-service attack on e-commerce transactions may mean that a business is lost or postponed, it does not delegitimize the other transactions that were unaffected. However, in an election, a denial-of-service attack can result in irreversible voter disenfranchisement and, depending on the severity of the attack, the legitimacy of the entire election might be compromised.
- Moreover the voter cannot be sure that the voting decision was transmitted, even if there is no detected attack. In contrast, the result of a commercial transaction is seen in any way, whether failed or not. Finally the required anonymity for Internet voting makes it difficult to trace errors and fraud. While Internet purchases must be traceable in order to know who bought what from whom, Internet voting must guarantee anonymity while assuring that individuals only vote once.
- Transparency: E-Voters can not verify if their vote is correctly stored and counted. It is the nature of computers that their inner workings are not visible. Thus, it is not possible for humans to observe exactly what a computer is doing with their votes. As trivial as this may sound, it gets a special importance in the context of binding elections because the offline process was designed exactly to guarantee transparency and verifiability.
- Resistance to fraud or errors: There are many potential security flaws with e-voting because devices are used which can not be fully controlled: personal computers can be affected by viruses or Trojan horses and different attacks can affect the server or the connection can be spoofed and manipulated by third parties.
- Resistance to intimidation and vote selling: Because people vote in an uncontrolled environment, there is no protection against intimidation or vote selling. The basic requirements for confidentiality are not guaranteed. In this respect similar concerns as in the case of postal voting are put forward against e-voting.
- Accessibility: E-voting can affect election results by excluding a certain part of the population, e.g. those who are reluctant to use computers and the Internet or who reject to use them. The so called digital divide is running between the young and the old, the educated and the non-educated, the rich and the poor, the urban and the rural, etc.
- E-voting alters the symbolic act of voting: In the view of many observers the actual walk to the polling station on election day symbols the equality of the election. The principle of one person, one vote materialises in going into the public building where the election takes place and demonstrates participation to other people. Also, the speed of voting is an issue: By having to walk to the polling station, the act of voting is slowed down. One has to leave home and has the opportunity to think about the decision whom or which party to vote (see for example Neymanns 2002, 24ff.)

A tentative outlook

Concluding from our more comprehensive empirical and theoretical analysis (Beckert, Goos, Lindner 2010) it can be stated that the mere opportunity to vote online will not automatically result in a higher voter turnout. The reasons for voting abstinence are manifold and there is no technological quick-fix to the problem. Rather, non-technical aspects like the relevance of the institution to be elected or the immediacy of the issues or positions at stake must be considered when attempting to increase voter participation. Especially with respect to elections of the European Parliament these aspects are of central relevance.

Although younger people are more familiar with Internet technology there is currently no clear empirical evidence that e-voting would in fact increase voter turnout in the younger age groups. Here, the same applies as was stated for the whole group of non-voters: There seems to be no technological solution to the political and social problem of low participation at elections.

One reason for the rather sceptical conclusion is that the technical requirements to carry out legally binding elections over the Internet are very high. Most European countries today are not in a position where they can guarantee that the principles of general, free and anonymous elections and a transparent counting of votes can be assured in e-voting. The technical requirements for e-voting in fact build up new barriers for voters. Contrary to the expected effects and the initial motivation, e-voting currently is not more convenient but more complicated than traditional voting because it requires digital signatures, PINs and TANs and multiple identification processes.

However, as the member states are beginning to introduce digital signatures via a special chip card or as parts of new passports and as card readers are becoming more widely available, technological barriers are consecutively lowered. The lesson from the Estonian case is that once the technical requirements are fulfilled and people had time to get used to the procedure, the acceptance will increase.

This also means that it takes time to build up confidence in a new system and that political, legal and technical procedures need to go hand in hand in order to successfully implement such a system. Elections are one of the key elements of democracy and accordingly have to be protected carefully. Every reformation of the election process underlies the challenge to comply with the specific national constitutional framework. Also, the symbolic meaning of elections will change – a process which requires social and political consensus and which needs time to develop.

Bernd Beckert, Fraunhofer ISI, February 2011

Literature

- Alvarez, R.M., Hall, T., Trechsel, A. (2009). „Internet Voting in Comparative Perspective: The Case of Estonia“, in: *Political Science and Politics*, Vol. 42, No. 3, p. 497-505.
- Beckert, B.; Goos, K.; Lindner, R. (2010): E-Voting in Europe. A means to increase electoral participation? In: Beckert, B.; Lindner, R.; Goos, K.; Hennen, L.; Aichholzer, G.; Strauß, S. (2010): E-Democracy in Europe – Prospects of Internet-based political participation. Deliverable No. 2 of the STOA Project “E-Democracy: Technical possibilities of the use of electronic voting and other Internet tools in European elections”, commissioned by STOA (Science Technology Options Assessment Panel of the European Parliament) and carried out by ETAG, Karlsruhe: Fraunhofer-Institut für System- und Innovationsforschung ISI, p. 79-121. Unpublished.
- Internet Policy Institute (IPI) (2001). “Report of the National Workshop on Internet Voting: Issues and Research Agenda.” Online:
<http://fl1.findlaw.com/news.findlaw.com/hdocs/docs/election/2000/nsfe-voterprt.pdf>.
- Jefferson, D., Rubin, A., Simons, B., Wagner, D. (2004). “A Security Analysis of the Secure Electronic Registration and Voting Experiment (SERVE)”. Online:
<http://www.servesecurityreport.org/>
- Neymanns, H. (2002). „Die Wahl der Symbole: Politische und demokratietheoretische Fragen zu Online-Wahlen.“, in: Buchstein, H., Neymanns, H. (2002): Online Wahlen, Opladen, p. 23-37.
- Simons, B. (2010): Internet Voting: An Idea whose Time has NOT Come. Paper delivered at the Conference “Internet, Politics, Policy 2010”, Oxford. Online:
<http://ekarine.org/2010/09/ipp/>

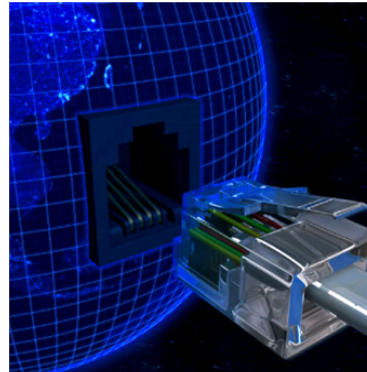
E-VOTING IN EUROPE: CAN INTERNET-VOTING INCREASE ELECTORAL PARTICIPATION?

Introduction and Presentation of the STOA-Project „E-Democracy“

Dr. Bernd Beckert

Fraunhofer Institute for Systems and
Innovation Research ISI, Karlsruhe
on behalf of the ETAG Consortium

EP | STOA-Workshop | 17 March 2011



ETAG

Fraunhofer
ISI

STOA Workshop at the European Parliament, Brussels,
17 March 2011, 9-13 hrs, roomA1G – 3.
Under the patronage of Vice President of the European Parliament Dr. Silvana Koch-Mehrin

Can e-voting increase electoral participation?

Overview

1. The STOA-project "E-democracy"
2. E-public, E-participation, E-voting
3. E-voting and participation at elections
4. Structure of the Workshop

ETAG



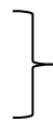
1. The STOA-project "E-democracy"

STOA Science Technology Options Assessment Panel
of the European Parliament

ETAG

European Technology Assessment Group
ITAS • DBT • FCRI • ISI • IST • ITA • TC • Rathenau

Fraunhofer ISI
ITAS
ITA



Involved institutes in this project

Overall aim: to give decision-makers realistic and useful
account of e-democracy's potential in Europe.

ETAG



1. The STOA-project “E-democracy”

- E-public:** How can the Internet contribute to the development of a genuinely European public sphere?
- E-participation:** How can public organisations profit from opening their processes to an Internet audience
- E-voting:** Is E-voting a realistic means to increase electoral participation and what are prerequisites for implementations on a European level?

Method:

- 18 months, 3 working papers, 2 workshops, final report.
- desk-research (literature reviews, secondary data analysis, expert interviews, workshops)
- interactive exchange with interested MEPs and experts in the area of E-democracy

ETAG

Fraunhofer
ISI

2. E-public, E-participation, E-voting

Working paper 1: E-public in Europe

- preliminary findings suggest that emerging European public sphere will be multilayered, dispersed and largely issue-oriented → Internet supports / suits these rather fluid structures

Working paper 2: E-participation in Europe

- numerous e-participation pilots/ activities carried out by member states and EU (e.g. e-petitions, e-consultations) → identification of good practice examples for EU level

Working paper 3: E-voting in Europe

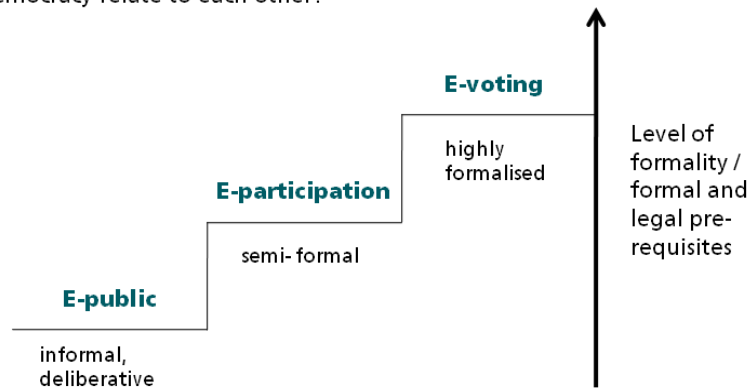
- assessment of potential benefits, risks and obstacles of Internet-voting solutions

ETAG

Fraunhofer
ISI

2. E-public, E-participation, E-voting

With a focus on e-voting, how do these three dimensions of E-democracy relate to each other?



ETAG

3. E-voting and participation at elections

E-voting: Voting over the Internet, not via voting machines at polling stations.

Why is it interesting at all?

- because there are some hints that e-voting may increase participation in elections,
- because e-voting seems to be the natural consequence of an increased use of the Internet in everyday life (vote between watching Youtube videos and blogging on Facebook)
- ...

Why is it so strictly rejected by many?

- because elections are at the heart of the democratic process and e-voting changes the whole process (symbolic meaning of voting process, E-voting not the same as E-business).
- because there are no absolutely secure systems available today (or in principle).
- ...

ETAG

Contact Details

Project leader

Dr. Bernd Beckert

Fraunhofer Institute for Systems and
Innovation Research ISI

Breslauer Straße 48 | D-76139 Karlsruhe

Ph. +49 (0) 721 / 6809-292

Bernd.Beckert@isi.fraunhofer.de

www.isi.fraunhofer.de

Project consortium:


- Bernd Beckert, Kerstin Goos, Ralf Lindner
(Fraunhofer ISI, Karlsruhe)
- Leonhard Hennen (ITAS, Karlsruhe)
- Georg Aichholzer, Stefan Strauß (ITA, Vienna)

ETAG


European Technology Assessment Group
ITAS · DBT · FORI · ISI · IST · ITA · ITC · Rathenau

ETAG

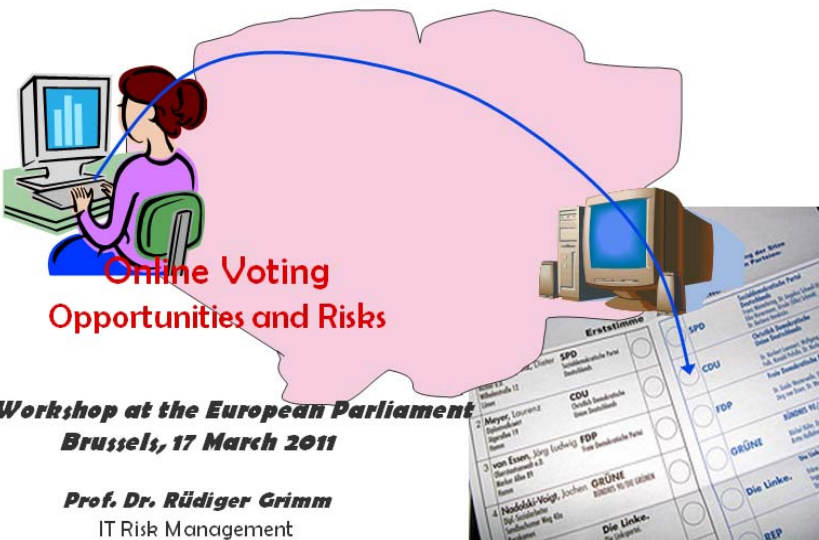
Fraunhofer
ISI



UNIVERSITÄT
KOBLENZ · LANDAU




FB 4
Informatics




Online Voting
Opportunities and Risks

STOA Workshop at the European Parliament
Brussels, 17 March 2011

Prof. Dr. Rüdiger Grimm
IT Risk Management
Universität Koblenz-Landau



UNIVERSITÄT
KOBLENZ · LANDAU




FB 4
Informatics


Agenda

- **How it is today**
- Security concern
- Trust challenge
- Solution

Grimm 2011: Online Voting

2/20


 UNIVERSITÄT
KOBLENZ · LANDAU


 **FB 4**
Informatics

Legally Binding Internet Elections in Europe in 2011

- **Switzerland**
 - Legally binding internet elections in February 2011 for all cantons
 - since 2002, pilots in Zürich, Neuenburg and Geneva
- **Norway**
 - legally binding municipal elections in 2011
 - Internet voting and paper-ballot voting
 - voter can recast his/her electronic vote multiple times
 - terminal voting overrides Internet voting
 - paper votes override electronic votes
 - open source system (ErgoGroup & ScytI)
 - cryptographic protocol integrated into high school maths

Grimm 2011: Online Voting3/20


 UNIVERSITÄT
KOBLENZ · LANDAU

 **FB 4**
Informatics


Legally Binding Internet Elections in Europe in 2011

- **Estonia**
 - legally binding Internet elections since 2005
 - Internet voting and paper-ballot voting
 - voter can recast his/her electronic vote multiple times
 - newer electronic vote overrides older vote
 - paper vote overrides electronic vote
 - new for elections in March 2011: mobile authentication

Grimm 2011: Online Voting4/20



UNIVERSITÄT
KOBLENZ · LANDAU




FB 4
Informatics

Estonia


	2005 Local Elections	2007 Parliamentary Elections	2009 European Parliament Elections	2009 Local Elections
Eligible voters	1.059.292	897.243	909.628	1.094.317
Participating voters	502.504	555.463	399.181	662.813
Voter turnouts	47,4%	61,9%	43,9%	60,6%
I-Voters	9.317	30.275	58.669	104.413
I-Voters among eligible voters	0,9%	3,4%	6,5%	9,5%
I-Voters among participating voters	1,9%	5,5%	14,7%	15,8%

[<http://www.vvk.ee/voting-methods-in-estonia/engindex/statistics>, 04.03.2011]

Grimm 2011: Online Voting
5/20



UNIVERSITÄT
KOBLENZ · LANDAU





FB 4
Informatics

Online voting out there in the world

- ...
- France, French citizens abroad, 2003 tests
- The Netherlands, citizens abroad
- Germany, more than 30 real voting in private area
- UK, tests 2002, 2003, 2007
- Portugal, 2004 EU and 2005 Parliament Tests
- Austria, since 2003, voting in academic area and for citizens abroad
- ... and a lot more in the USA

Grimm 2011: Online Voting
6/20


 UNIVERSITÄT
KOBLENZ · LANDAU


 **FB 4**
Informatics

Online voting systems in use

- **Polyas, Germany**
 - Association of Computer Science (GI) Bodies
 - Research Funding Association (DFG) Bodies
- **Helios, USA/Belgium**
 - Undergraduate Student Government at Princeton in Spring 2011
 - Student elections at the Université catholique de Louvain in 2010
 - International Association for Cryptologic Research (IACR) in 2010
 - voter turnout ~30% (compared to ~20% with paper-based elections)
 - Presidential election at the Université catholique de Louvain in 2009
- **Many more for research and demonstration**
 - Bingo, ThreeBallot, Prêt à Voter, Punchscan, ...

Grimm 2011: Online Voting7/20

 UNIVERSITÄT
KOBLENZ · LANDAU

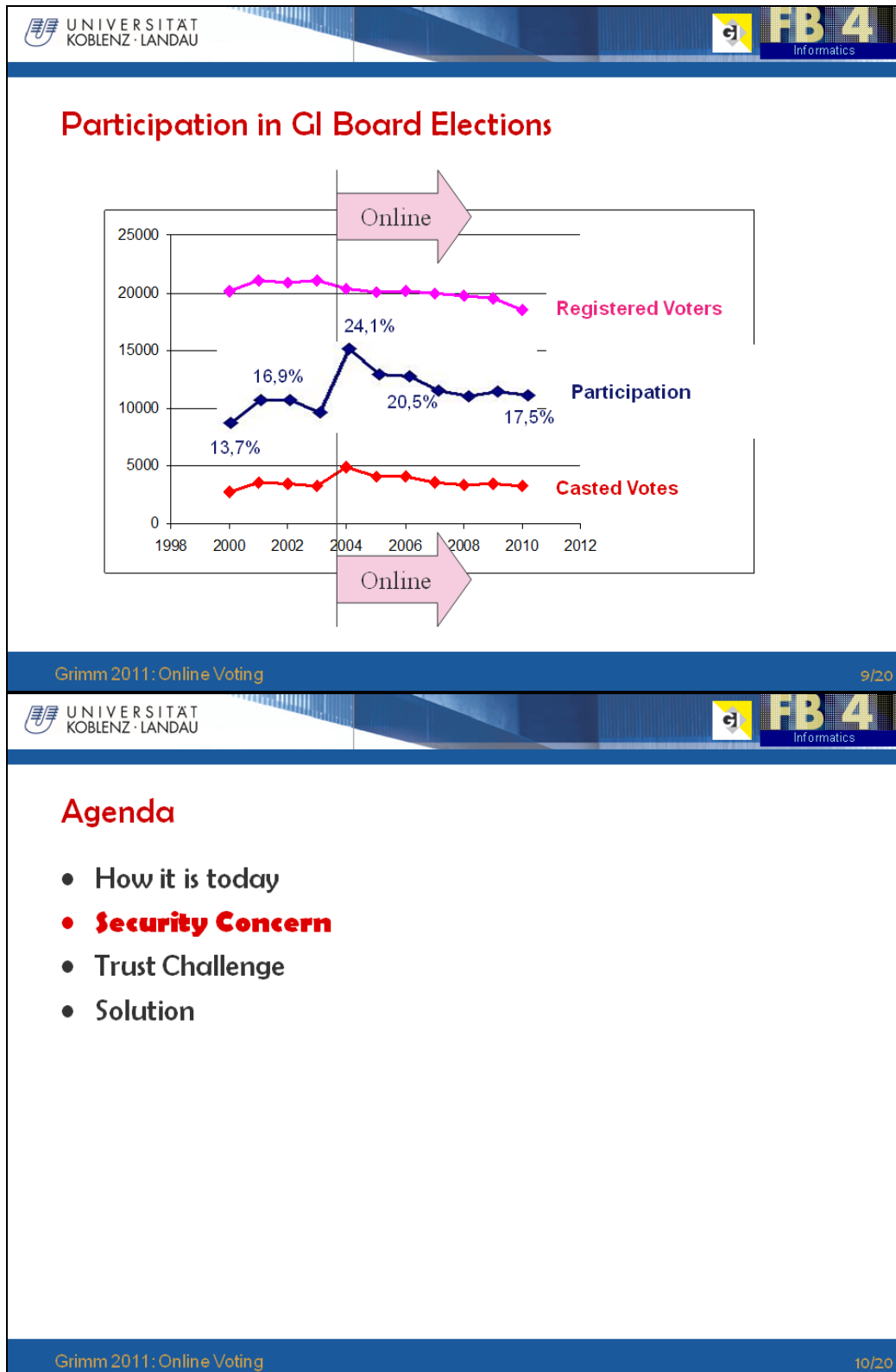
 **FB 4**
Informatics


Classical advantage


- Ubiquity and 24-7
- Seamless integration in everyday communication, esp. of Internet generation
- Easy-to-use, also for complex applications

⇒ Increase of participation

Grimm 2011: Online Voting8/20



 UNIVERSITÄT
KOBLENZ · LANDAU

 **FB 4**
Informatics

Correctness and Anonymity

- Do machines
- Does network


} work as we expect ??


- Are our votes
- Will our votes remain

} secret ??

- Are there hidden access points for manipulation ??

Grimm 2011: Online Voting11/20

 UNIVERSITÄT
KOBLENZ · LANDAU

 **FB 4**
Informatics


Security can be provided, technically


- Several solutions for anonymity, e.g., blind signatures and separation of duty
- Organizational approach of protection profile and system security evaluation by Common Criteria
- See BSI basic protection profile and Polyas evaluation

⇒ Security is manageable

But How do people KNOW that these security features work?

Grimm 2011: Online Voting12/20


 UNIVERSITÄT
KOBLENZ · LANDAU


 **FB 4**
Informatics

Security can be provided, technically

- But how do people KNOW that these security features work?
- Cars work safely, if they do not crash
- Voting systems work safely, if ... they do not crash??
- Public relies on experts certification
- Is trust in experts' statement sufficient?
- Are there better procedures to feel (see, touch, experience...) security
... and to check correctness?

Grimm 2011: Online Voting13/20

 UNIVERSITÄT
KOBLENZ · LANDAU

 **FB 4**
Informatics

Agenda

- How it is today
- Security Concern
- **Trust Challenge**
- Solution

Grimm 2011: Online Voting14/20

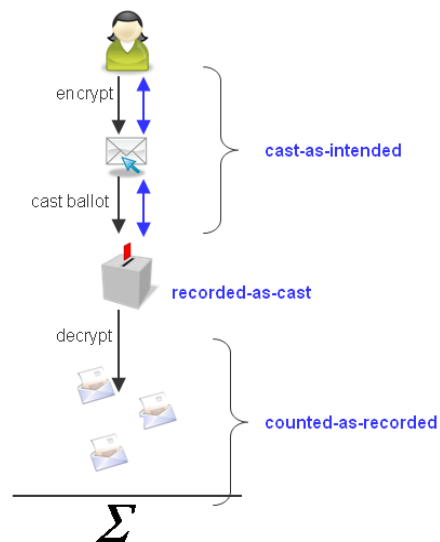
Verifiability

- **March 2009, German Constitutional Law has stated as basic requirement:**
 - Verifiability of voting process by everyone
 - Even without deeper knowledge of technology
- **What is verifiability?**
 - Cast as intended (individually)
 - Stored as cast (individually, universally)
 - Tallied as stored (universally)

Grimm 2011: Online Voting

15/20

Verification



Grimm 2011: Online Voting

16/20



UNIVERSITÄT
KOBLENZ · LANDAU



Verification by Bulletin Board



Bräunlich/Grimm, 25.2.2011

Grimm 2011: Online Voting
17/20




UNIVERSITÄT
KOBLENZ · LANDAU




Agenda

- How it is today
- Security Concern
- Trust Challenge
- **Solution**

Grimm 2011: Online Voting
18/20


 UNIVERSITÄT
KOBLENZ · LANDAU


 **FB 4**
Informatics

Solution

- **Internet Voting can provide better functionality than paper voting**
 - Ubiquity and 24-7
 - Seamless integration in everyday communication, esp. of Internet generation
 - Easy-to-use, also for complex applications
- Universal and individual verification
- Multiple voting (recast)
- Multiple media (paper, terminal, Internet)
- Integration with eParticipation

Grimm 2011: Online Voting19/20

 UNIVERSITÄT
KOBLENZ · LANDAU

 **FB 4**
Informatics

References

Johannes Pichler (Hrsg.): Überlegungen zur Hebung demokratischer Partizipation – Provokationen und Optionen. Schriften zur Rechtspolitik, Band 31, Neuer Wissenschaftlicher Verlag, Wien, Graz 2010.

Krimmer, Robert; and Grimm, Rüdiger (Eds.): Electronic Voting 2010, 2008, and 2006. Lecture Notes in Informatics, Bonn 2010, 2008, and 2006, resp.

Volkamer, M., Vogt, R.: Common Criteria Protection Profile For Basic Set of Security Requirements for Online Voting Products. BSI-CC-PP-0037, Version 1.0, 18. April 2008. <http://www.bsi.bund.de/>

Estonia: <http://www.vvk.ee/voting-methods-in-estonia/engindex/statistics>

Helios: <http://heliosvoting.org/about-us/>

Polyas: <http://www.polyas.de/>

Grimm 2011: Online Voting20/20

Internet Voting An Idea Whose Time has NOT Come

Barbara Simons

What is Internet Voting?

- Internet voting: Sending a voted ballot over the Internet
 - Voting at a website
 - Sending a voted ballot as an email attachment
 - Phone voting that uses the Internet
- Fax voting (of any kind) also unsafe
- Does not include:
 - Posting a blank ballot on a website
 - Downloading a blank ballot

Recent News from Estonia

- March 7, 2011: website for internet voting for Parliament failed while providing results
 - Software error
- Also, a browser error during election
 - At least 3 voters not able to view several candidates, but were able to cast their votes
- Company to be fined

More News from Estonia

- Paavo Pihelgas, Univ of Tartu student: found “major flaw”
 - A virus could block an attempt to vote for a particular candidate
 - Voter would not know, because virus would make it appear to the voter that vote had been correctly sent
- Could change election outcome!

The Washington, DC Hack

Background

- Internet voting for military and civilians living abroad planned for 2010 midterm election
 - Open Source Digital Voting Foundation (OSDV) source code available for people to examine
 - Voters could vote over Internet at website
 - Agreed to first conduct a pilot test, allowing anyone to test fake ballots and/or try to break into system (legally)
 - Test began Sept 28, 2010
 - Real voting scheduled to begin 2 weeks later

The Attack

- Oct 1: U. of Mich Fight Song started playing 15 seconds after the test ballot submitted
- Later that day, test was suspended
- 3 days later website voting portion cancelled
 - Email and fax voting still allowed
 - Voters could download blank ballot

More news comes out

- Oct 5: Prof. Alex Halderman announced his team at U. Mich had penetrated the system
 - Within 36 hours of system going live, had found and exploited a vulnerability giving them complete control over system. Could:
 - 1.Change already cast and future ballots
 - 2.Reveal voters' secret ballots
 - 3.Install "calling card" of U Mich fight song

PRECINCT 22 - SMD 04-ANC 1B

Official Ballot District of Columbia Mock Election PRECINCT 22 September 17, 2010		
INSTRUCTIONS TO VOTER <small>1. TO VOTE YOU MUST DARKEN THE OVAL TO THE LEFT OF YOUR CHOICE COMPLETELY. An oval darkened to the left of the name of any candidate indicates a vote for that candidate. 2. Use only a pencil or blue or black medium ball point pen. 3. If you make a mistake DO NOT ERASE. Ask for a new ballot. 4. For a Write-in candidate, write the name of the person on the line and darken the oval.</small>		
DELEGATE TO THE U.S. HOUSE OF REPRESENTATIVES <small>Vote for not more than (1)</small> <input type="checkbox"/> Alice Example Democratic <input type="checkbox"/> Bob Example Republican <input type="checkbox"/> Carol Example Statehood Green <input type="checkbox"/> or write-in Skynet	AT-LARGE MEMBER OF THE COUNCIL <small>Vote for not more than (1)</small> <input type="checkbox"/> Joan Example Statehood Green <input type="checkbox"/> Kimberley Example Democratic <input type="checkbox"/> Liam Example Republican <input type="checkbox"/> or write-in Johnny 5	UNITED STATES REPRESENTATIVE <small>Vote for not more than (1)</small> <input type="checkbox"/> Latoya Example Republican <input type="checkbox"/> Marcus Example Statehood Green <input type="checkbox"/> Newton Example Democratic <input type="checkbox"/> or write-in Colossus
MAYOR OF THE DISTRICT OF COLUMBIA <small>Vote for not more than (1)</small> <input type="checkbox"/> Duane Example Republican <input type="checkbox"/> Edward Example Democratic <input type="checkbox"/> Frances Example Statehood Green <input type="checkbox"/> or write-in Master Control Pro	MEMBER OF THE COUNCIL WARD ONE <small>Vote for not more than (1)</small> <input type="checkbox"/> Mary Example Republican <input type="checkbox"/> Niton Example Democratic <input type="checkbox"/> Odell Example Statehood Green <input type="checkbox"/> or write-in GLaDOS	MEMBER OF ADVISORY NEIGHBORHOOD COMMISSION 1B DISTRICT FOUR <small>Vote for not more than (1)</small> <input type="checkbox"/> Orlando Example Democratic <input type="checkbox"/> Phyllis Example Statehood Green <input type="checkbox"/> Quincy Example Republican <input type="checkbox"/> or write-in Deep Thought
CHAIRMAN OF THE COUNCIL <small>Vote for not more than (1)</small> <input type="checkbox"/> Gregory Example Statehood Green <input type="checkbox"/> Helen Example Republican <input type="checkbox"/> Inez Example Democratic <input type="checkbox"/> or write-in HAL 9000	MEMBER OF STATE BOARD OF EDUCATION WARD ONE <small>Vote for not more than (1)</small> <input type="checkbox"/> Abigail Example Republican <input type="checkbox"/> Yvonne Example Democratic <input type="checkbox"/> Zachary Example Statehood Green <input type="checkbox"/> or write-in Bender	Thank you for voting. Please turn in your ballot

PRECINCT 22 - SMD 04-ANC 1B

A bombshell at Oct 8 DC Hearing

- Halderman: since beginning of test his team had control of network
 - Default master password unchanged
 - A common security vulnerability
 - Found default password in manual
 - Could watch network operators configure and test equipment – brought pictures from video feed to hearing
 - Since security cameras didn't have passwords, could watch what operators were typing, including passwords
 - Could have reprogrammed switches to steal votes in a real election

Still more from Hearing

- Halderman: while in control of network, saw other attacks coming from China and Iran
 - Defended network by changing password and adding other security measures
 - Probably not aimed directly at test – always floating around Internet
- A file used to test system included 937 invitation letters sent to registered voters
 - Contained voters' PINs
 - U Mich team could have subverted real election

How an election could be rigged
by malware

Malicious viruses: Zeus

- Primary goal is to steal money from on-line bank accounts
 - So clever that can mimic financial statement so that victim is unaware of theft – until a check bounces
 - Over £675,000 stolen from about 3000 customers of unnamed UK bank
 - As of 2009 about 3.6 million PCs infected in US
 - New credit card verification system scam being used to steal personal info
 - I received copy from Commerce Bank when in UK

Verified by Visa | MasterCard SecureCode | Enrollment - Microso...

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites Go Links

Address <https://www.verifiedbyvisa.com/enrollment>

Verified by VISA **MasterCard SecureCode**

Verified by Visa / MasterCard SecureCode Enrollment:

Due to recent changes in FDIC Deposit Insurance Rules all our customers must be enrolled in Verified by Visa or MasterCard SecureCode program depending on type of your Check Card. To continue complete this form and click **Activate Now**.

Social Security #: - -

Card Number: (16 digits)

Expiration Date: / (MM/YY)

Signature Code: (Last 3 digits on the back)

Card PIN Code: (4-6 digit code that you enter in ATM)

Choose Password: [How will it be used?](#)

Confirm Password: (6-12 characters length)

Activate Now

If you already enrolled in Verified by Visa or MasterCard SecureCode program to continue please enter current password or select new then click **Activate Now**.

More about Zeus

- Zeus being marketed
 - Upgrades available for purchase
- Spread via legitimate websites
 - Paul McCartney's website, German Wikipedia, etc.
- Avoids detection by using SSL (encryption) to communicate with handler
- **Vote rigging on voters' computers a relatively easy problem**

Conficker Worm

- “Phones home” for more instructions
 - Infected machine can remotely install malicious software without computer owner's knowledge
- In 2008 had infected 9 – 15 million machines
- In 2009 discovered in >300 imaging machines in hospitals – could have send patient info
 - Devices not supposed to have been connected to Internet, but were
- Could install election rigging software/names

If the voter's computer is infected with an election-rigging virus or worm, the virus will be voting, not the voter.

The voter will never know.

How an Election could be Rigged
by an Attack on the Server

Recent attacks on Google, etc.

- China-based: Google, Yahoo, Adobe, Juniper Networks, Northrop-Grumman, Symantec, etc.
 - Attacks appeared to be from trusted sources
 - Victims tricked into clicking on link or file
 - Malware downloaded by exploiting vulnerability in Microsoft Explorer
 - Attacker gained complete control over compromised system
 - Systems used by software developers to build code
 - Gmail accounts of Chinese human rights workers

Government Sites Vulnerable

- FBI Dir. Robert Mueller: FBI's computer network penetrated; attackers “corrupted data”
- Gen. Michael Hayden, former Dir. CIA and National Security Agency:
 - “The modern-day bank robber isn't speeding up to a suburban bank with weapons drawn and notes passed to the teller. He's on the Web taking things of value from you and me.”

Internet voting organizations do not have the resources of Google or many of the other companies that were successfully attacked.

How do they expect to defend themselves against attacks?

Insider Threat

- With computers a single insider (programmer) could possibly rig an election
 - Jerome Kerviel: convicted of losing about \$7 billion in unauthorized transactions at Société Générale by exploiting insider status
 - CIA agent Aldrich Ames
- Money loss eventually discovered – secrets passed to the USSR eventually uncovered
- How can you PROVE an election was stolen?

Distributed Denial of Service Attacks

- Prevents people from accessing website by overwhelming website with requests
 - Typically done with “botnets”: large number of infected computers (zombies) controlled by creators
 - FBI: Mariposa Botnet may have infected 8,000,000 to 12,000,000 computers internationally
 - Virus used to create Mariposa can steal credit card data and online banking passwords
 - Customized versions sold
- Could disenfranchise voters on Election Day

Examples: Estonia

- April – May, 2007 massive attack against Estonian websites
 - Speculation originated in Russia because of Estonian decision to move a Soviet war memorial
- Earlier in 2007 national parliamentary elections
 - Estonian could vote over Internet or at polls
 - If DDoS attacks held during vote, could have disenfranchised many voters

Canada

- Political party (New Democratic Party) held leadership vote over Internet Jan 2 - 25, 2003
- Jan 25 NDP voting site down for several hours
 - Because of secrecy, we don't know exact reason
 - Either Denial of Service attack or Slammer Worm
 - Vendor claims to have patched for Slammer, but no independent examination ever conducted and no logs or other proof released

It can be very very hard to find cleverly concealed malware

- Similar to the problem of finding software bugs
 - If finding all bugs (and risks) were easy, major software vendors would not need to send out periodic security updates
- The US tax code
 - No one claims to completely understand it, even though it is written in English
 - Provisions benefitting a single company have been inserted and not found until after passage

Concealed Malware

- In addition to hiding election rigging code, an insider can insert a “backdoor”
 - Allows someone later to insert code and information, e.g. candidate names
- Sometimes intentional
 - SonyBMG rootkit had been distributed on millions of music CDs in 2005 to gather information about users surreptitiously
 - Was discontinued when exposed
 - Lawsuits against Sony – affected CDs recalled

Internet Voting may Not save Money

- Swindon, UK; the Electoral Commission:
 - “The pilot scheme led to an overall increase in expenditure by the Council. . . . The average cost of the 2007 pilot scheme per elector was £8.33, compared with £2.30 for a conventional election, while the cost per electronic vote cast was £102.50.”
 - Each internet vote over 44 times more costly than conventional vote
- No way to check if reported election results were correct

Tarvi Martens' Response

- Acknowledged that individual computers were weakest link
 - “Fundamental problem, that the state of the user's computer cannot be checked”
 - “We identify such anomalies”
- How????
 - Virus detecting software can detect only viruses that it already knows about
 - Being up to date necessary - not sufficient

Martens' claim

- “It is not possible if only because it would take time to spread such a virus and since each time the voter application is different, it would have to be attacked in a different manner. If the voter application is released on the first day of election, it would be impossible so quickly to construct such malware and circulate it in sufficient quantity”
- Conficker Worm

Need Accountability

- Computer software can be buggy or might contain malicious code
 - Open source not an adequate defense, though better than proprietary software
 - Open source used in DC system that was hacked
- Votes are secret
 - Current voting systems do not allow me to verify that my vote was accurately received and counted
 - Even if were possible (via use of crypto), what happens if discrepancy is uncovered?

Must be able to Audit/Recount

- Pure internet voting cannot be recounted
 - Paper copy printed at home NOT a voter verified ballot
- Audits and recounts require paper ballots
 - Maybe some day there will be a technological break-through
 - Consensus among computer security experts that internet voting cannot now be made secure
 - Internet voting statement

Why is Internet Voting Unsafe?

- Malware: viruses, worms, etc. that attack the voter's computer
- Attacks on the computer managing the election (the server)
- Insider threats
- Fake websites: spoofing/phishing
- Impossible to audit or recount
- Denial of Service attacks
- “False flag” attacks

Zeus attacking Charles Schwab

- Computerworld: Zeus attacking Schwab investment accounts
- Fake LinkedIn reminders with disguised links to malicious sites
 - Sites hit Windows PCs looking for exploit that works
 - Once get onto PC, silently captures log-in credentials for online banks + Schwab usernames and passwords
 - Can get additional info via a bogus form
 - Mother's maiden name, driver's license number, employer

Internet voting

Potential and Issues

Alexander Prosser

eDemocracy in the EU

- A Union of 500m
- 27 countries, 23 official languages
- 4,3m km² surface

=> How can such a Union involve citizens other than in "e" media?

- European Citizens' Initiative mainly in "e" mode
- May become a major driver in electronic citizen engagement generally

eDemocracy in the EU



- Not only for elections:
 - Referenda
 - Inner-party debate
 - Large-scale administrative procedures

- e"Voting" as element for structured deliberation



eVoting Pilots – eVoting Failures



- U.K.: Driver in Rec 2004(11) – discontinued in 2007
- Finland: Pilot 2008 – discontinued in 2009
- Austria: Pilot 2009 – discontinued in 2009
- Zurich: discontinued in 2010
- Germany (polling station eVoting): discontinued after Ruling of Constitutional Court in March 2009
- Italy, Ireland, Netherlands, ...
officially discontinued or no further plans for pilots

=> Why?



A Selection of Issues



- Votes had to be manually edited by support staff as they would not fit into a counting application.
- Votes are manually "verified" by support staff before being counted.
- Ballot sheet was manually changed by support staff during ongoing election.
- Several hundred votes "disappeared".
- Undocumented software changes on servers during ongoing election via USB sticks.
- No data available for judicial review.



A Selection of Issues



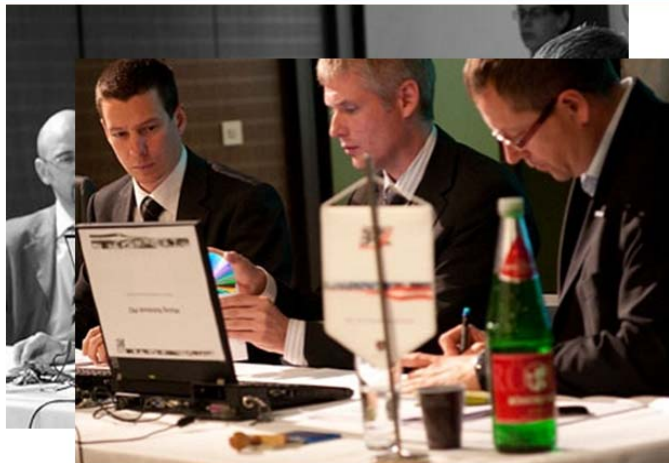
Only support staff

No member of the election committee

© futurezone.orf.at 28.5.2009 (c) Günther Hack also on 2 following pages



A Selection of Issues



A Selection of Issues



Is that what we want for our democracy?



A Selection of Issues



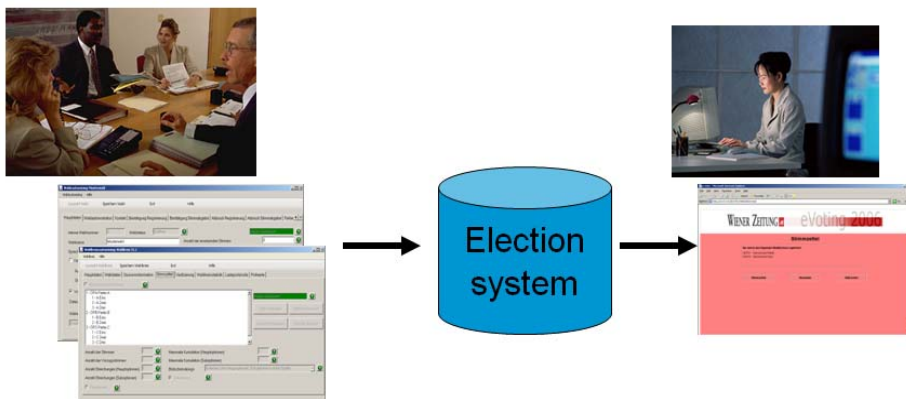
- The issues are not identification or voting secrecy
- The issues are:
 - Auditability, protection from manipulation
 - Control by election committee
 - Transparency



How to move ahead



- The election committee has to control the system



... at all times

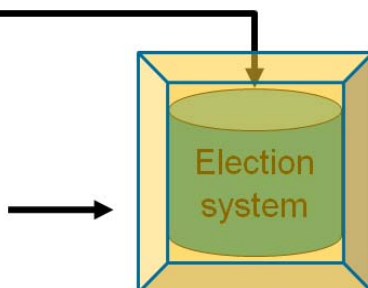


How to move ahead

- Including control of the infrastructure



Election committee "seals" system

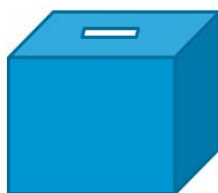


How to move ahead

- Independent recount



Cast incl. voting right



Open

How to move ahead



- Independent recount



Cast incl. voting right

Open



How to move ahead



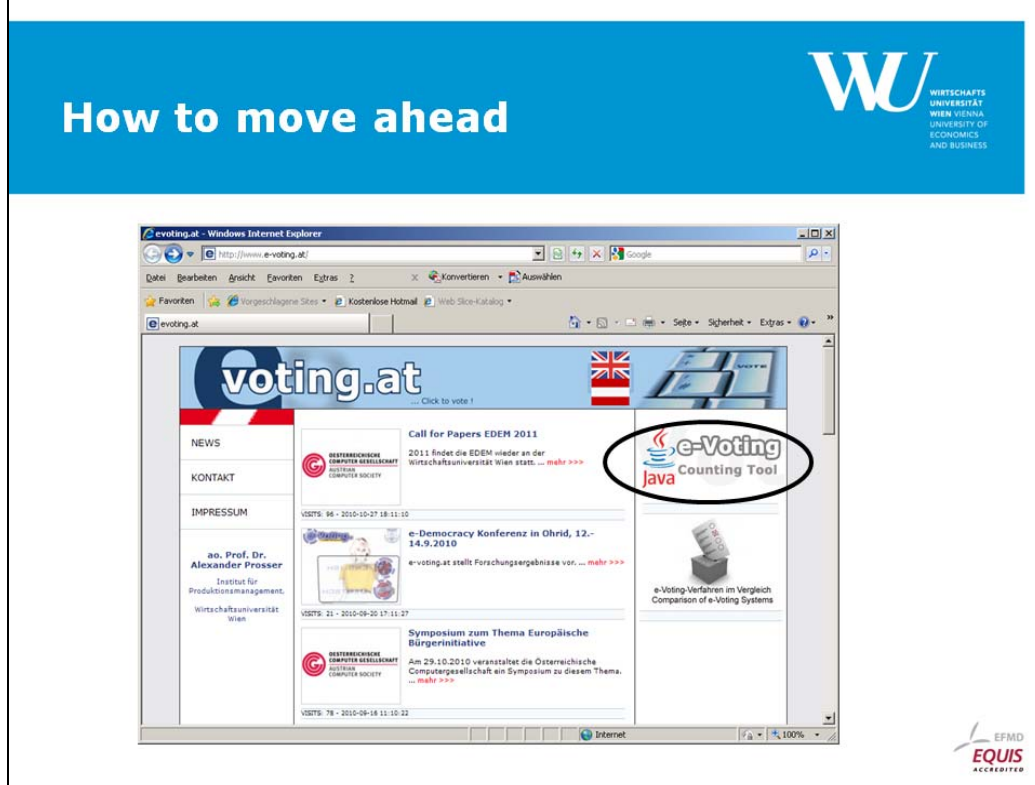
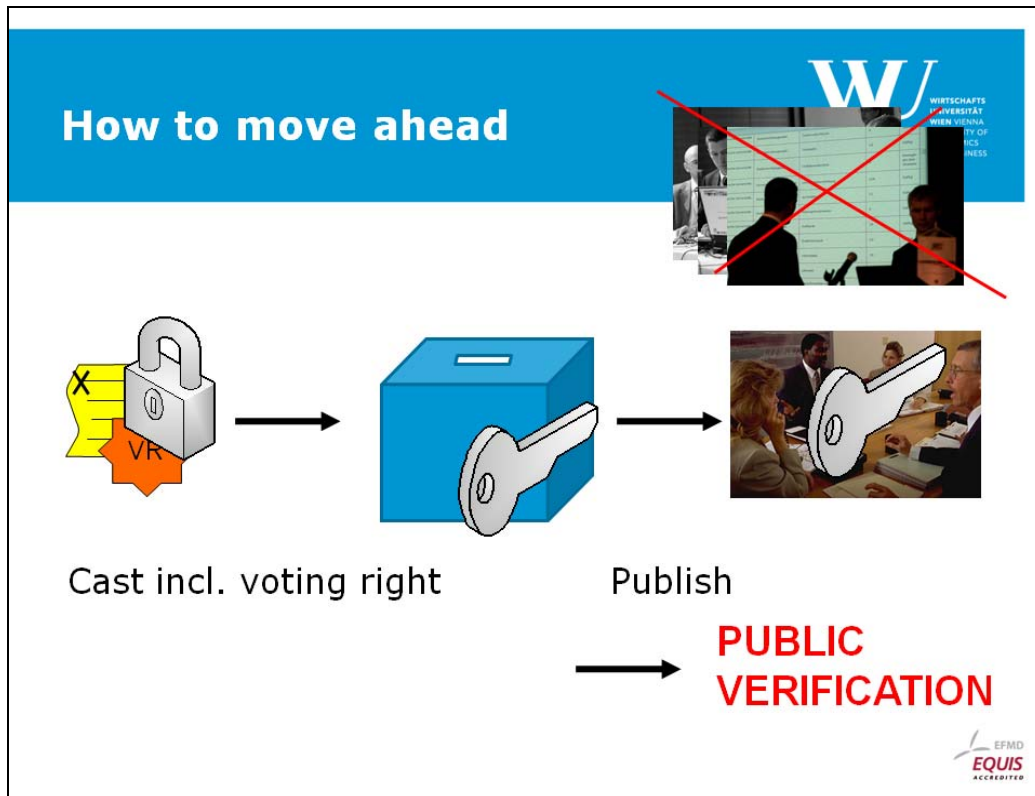
Cast incl. voting right

Publish



**PUBLIC
VERIFICATION**








Alexander Prosser
Univ. Economics and Business, Vienna

prosser@wu.ac.at
<http://e-voting.at>

<http://EDEM2011.ocg.at>






If you build it, will they come?

The effect of e-voting on voter participation

Anne-Marie Oostveen

STOA workshop, Brussels, March 17, 2011

1



Can e-voting increase turnout?

- E-voting as a tool for increased political participation rests on claims about the *potential* of the internet in this domain.
- Potential alone, however, does not make for good policy!
- There is still an absence of sufficient empirical evidence.

2



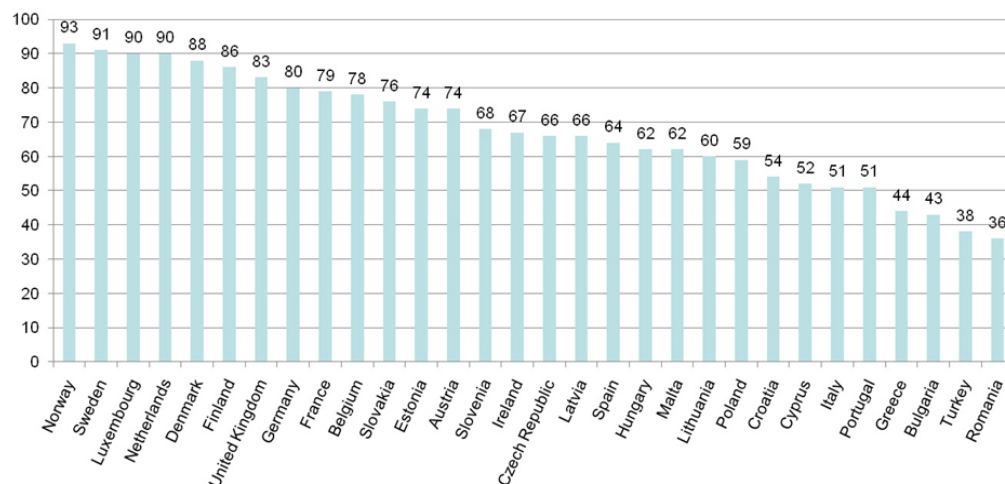
oxford internet institute university of oxford

Overview

- This talk focuses on the effects on of e-voting on turnout based on existing literature and own research.
- We will look at turnout related to
 - Digital divide (location, age, computer literacy)
 - Civic ritual
 - Trust in security
 - Trust in secrecy

3

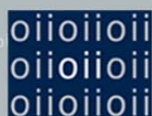
Internet Users



Users of internet at least once in last 3 months, EU27 = 69%. Source: Eurostat 2010

- By implementing e-voting the EU might be making it easier for some people to vote, but not for others.

4

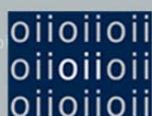


The young

“There is an opportunity to build on young people’s generally strong uptake of the Internet as a medium for entertainment and learning and use this as a lever for democratic involvement that addresses young people’s current dissatisfaction and apathy towards politics”

(OECD, 2003: 67)

5



The young

- It is **true** that overall young people have superior ICT competency relative to most other demographics.
- It is a false assumption that the youth’s willingness to use ICTs *generally* will lead to a willingness to use ICTs for political participation *specifically*.
- Research shows they are reluctant to use the internet as a political platform or for broad, public, interactive participation - of a political nature or otherwise.
(Livingstone, 2010; Livingstone & Bober, 2003)
- There is an inaccurate understanding by public institutions of underlying factors.

6



The elderly

- It is **true** that e-voting would be convenient for older people who are more house-bound, less mobile and often suffer from illnesses.
- However, this group also has less access and skills to use the internet which could lower the turnout.
- Most home computers are insecure. An estimated 98% of all home computers are vulnerable at some level to hackers and other unwanted intrusions.
- E-voting identification procedures are complicated, requiring PIN's, digital signatures, etc.

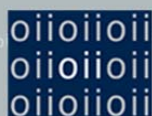
7



Current non-voters

- Assumption: the increased convenience should make it more appealing to vote.
- Although several studies show that non-voters say to be willing to vote *if* they could do it online, these claims do not mean much because of the 'social desirability bias' where subjects give an answer which is viewed as more socially acceptable (people try to behave idealistically).

8

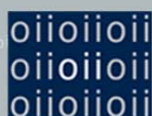


Current non-voters

- Poor levels of turnout are a reflection of wider attitudes in society and solutions are unlikely to be found in new procedures and voting systems:

“If European elections are widely regarded as largely irrelevant to the policy outcome, or if people do not feel that they are presented with choices which represent their interests, then no matter if casting a ballot becomes as easy as clicking a mouse, participation levels will, unfortunately, probably remain miserably low” (Norris, 2002: 12)

9



The TruE-Vote Project

- Objective: design and implement a secure internet based voting system using PKI and smart cards.
- Tested in 5 locations (4 countries, 14 ballots)
- Methodology: Surveys, focus groups, interviews, observation of users, log files, structured evaluation per demonstrator
- Topics: Privacy and surveillance concerns, trust issues, usability & organisational aspects, media effects (social identity), digital divide, and turnout

10



Variables

Independent variables:

- | | |
|----------------------------------|---|
| 1. Characteristics of the voter: | Age, gender, income, nationality, education, attitude, experience with new technologies. |
| 2. Voting technology/medium | Paper; CAWI, TRUEVOTE |
| 3. Voting place | Kiosk, home, school, work |
| 4. Characteristics technology | Personal information needed for the smart card; availability of tools for audit and verification. |
| 5. Organisation of the ballot | Who 'owns' and organises the ballot. |
| 6. Experience with e-voting | Three subsequent ballots. |
| 7. Topic of the ballot | Level of sensitivity of the topic. |

Intermediate variables

- | | |
|--------------------|---|
| 8. Trust in system | Opinion about privacy, surveillance, behaviour (participation). |
| 9. Social identity | Collective versus individual / social versus individual. |

Dependent (effect) variables

- | | |
|---------------------------------|---|
| 10. Participation in the ballot | Differences in participation between the various voting methods – turnout and demography. |
| 11. Result of the ballot | Different outcomes for the various voting methods . |
| 12. Opinion about e-voting | Acceptance, unavoidable, good or bad. |
| 13. Usability | Is it easy, quick, and transparent, in the various dimensions: use in general, access, vote, correct mistakes, send the vote, verify the vote, and so on. |

11



Some results related to turnout

- No increase in turnout, even a decline. Novelty wears off.
- We saw considerable differences in computer literacy. Technology can be a barrier. If not well designed, hard and software constraints will cause a reduction in voters.
- Civic ritual is considered important, without this ritual, a gap is created between citizens and government, thereby decreasing participation.

12



- If a system is considered *insecure*, e.g. vulnerable for attacks from outside (hackers) or inside (fraud), the voter may be inclined to use another medium or abstain.
- If a voter mistrusts the *secrecy* of a system s/he may be inclined to vote politically correct, less radical, adapt to majority opinions, or not use it at all and lower the turnout.
- How do people form their opinion?
 - Reputation & professionalism of organizing institution
 - Attitude of mass media (newspapers, tv)
 - Views of friends, family and colleagues
 - Past failures

13



Conclusion

Even though e-voting technology doesn't seem to be a very relevant factor in increasing turnout, it obviously may be an important factor that can reduce or change turnout!

14



oxford internet institute university of oxford

Thank you!

anne-marie.oostveen@oii.ox.ac.uk

15



The myth of e-voting

Susanne Caarls

17 March 2011

STOA Workshop - European Parliament - Brussels

Reasons for introducing e-voting

- Facilitation of the casting of the vote
- Improving participation among voters with disabilities
- Deliverance of voting results more accurately and more quickly
- To increase voter turnout

Council of Europe
Susanne.Caarls@coe.int

Estonia

- Internet voting available for all voters since 2005
- Research by European University Institute shows that 2.6% of voters would not have voted if Internet voting was not available.
- No difference in participation between the elder and younger voters.

Council of Europe
Susanne.Caarlis@coe.int

The Netherlands

- 2 binding pilots with voters living abroad
 - 2004: EP elections
 - 2006: Parliament elections

Year	Election	Registered voters
2003	National Parliament	25.000
2004	European Parliament	16.000
2006	National Parliament	35.000

Council of Europe
Susanne.Caarlis@coe.int

The Netherlands

Year	Election	Registered voters
2003	National Parliament	25.000
2004	European Parliament	16.000
2006	National Parliament	35.000
2009	European Parliament	29.000
2010	National Parliament	35.000

Council of Europe
Susanne.Caarlis@coe.int

Other examples

- Electronic voting in polling stations
 - The Netherlands and Flanders (Belgium)
- Voting via the Internet
 - Switzerland
- Electronic voting in polling stations
 - Brazil and India

Council of Europe
Susanne.Caarlis@coe.int

Conclusions

- If there is an added value for the voter, turnout *could* rise
- More research is needed

Council of Europe
Susanne.Caarlis@coe.int



ΕΒΡΟΠΕΪΚΗ ΠΑΡΛΑΜΕΝΤ ΠΑΡΛΑΜΕΝΤΟ ΕΥΡΩΠΕΟ ΕΥΡΩΠΕΪΚΗ ΠΑΡΛΑΜΕΝΤ ΕΥΡΩΠΑ-ΠΑΡΛΑΜΕΝΤΕΤ
ΕΥΡΩΠΑΪΚΗ ΠΑΡΛΑΜΕΝΤ ΕΥΡΩΠΑ ΠΑΡΛΑΜΕΝΤ ΕΥΡΩΠΑΪΚΟ ΚΟΙΝΟΒΟΥΛΙΟ EUROPEAN PARLIAMENT
PARLEMENT EUROPEEN PARLAMENT NA HEOIPA PARLAMENTO EUROPEO EIROPAS PARLAMENT
EUROPOS PARLAMENTAS EUROPAI PARLAMENT IL-PARLAMENT EWROPEW EUROPEES PARLEMENT
PARLAMENT EUROPEJSKI PARLAMENTO EUROPEU PARLAMENTUL EUROPEAN
EURÓPSKY PARLAMENT EVROPSKI PARLAMENT EUROOPAN PARLAMENTTI EUROPAPARLAMENTET



STOA Workshop at the European Parliament, Brussels

26 May 2011, 9-13 hrs, JAN 4Q1

**Can political communication via the Internet and
e-participation contribute to the emergence of a
European public sphere?**

STOA Workshop

Can political communication via the Internet and e-participation contribute to the emergence of a European public sphere?

Workshop at the European Parliament, Brussels, 26 May 2011, 9-13 hrs, Room JAN 4Q1.

The workshop is meant to reflect on the potentials and realistic prospects of Internet-based applications to contribute to the democratic practices of the evolving political system of the European Union and the formation of a European public sphere. There are examples of cases where positive effects of the Internet concerning the political process are visible, including e-consultations, e-petitions and other initiatives to encourage citizens' participation. However, it becomes clear that not all of the potentials of the new technology have been realised so far and that apart from technical aspects, there are different legal, political and social issues which need to be addressed in the future.

Programme

- 9.00 **Registration**
- 9.30 **Welcome address** by STOA
Introduction and presentation of STOA project by Dr. Georg Aichholzer, ITA, Vienna
- 9.45 **Session 1: A European e-public: Chances and restrictions of an Internet-mediated public opinion in Europe**
Prof. Stijn Smismans, Cardiff University, Cardiff Law School.
Dr. Sandra González-Bailón, University of Oxford, Oxford Internet Institute and Nuffield College.
- 10.30 **Inquiry** by Members of Parliament and discussion
- 11.00 **Coffee Break**
- 11.30 **Session 2: E-participation in Europe: Internet-based political participation as a pacemaker for a European public**
Jeremy Millard, Danish Technological Institute, Denmark.
Dr. Andy Williamson, Hansard Society, Digital Democracy Programme, London.
- 12.15 **Inquiry** by Members of Parliament and discussion
- 13.00 **End of workshop after closing remarks** by Dr. Georg Aichholzer, ITA, Vienna.

The workshop is free of charge, but you need to register in order to be able to enter the European Parliament. To register please send an e-mail to Kerstin.Goos@isi.fraunhofer.de until **23 May 2011** indicating your name, date of birth, nationality and ID card number.

Further information: Dr. Bernd Beckert, tel. +49 721 6809 171; Dr. Theodoros Karapiperis, tel. +32 2 28 43812



A background paper for the Workshop on „E-participation in Europe“
on May 26, 2011 in the European Parliament in Brussels

Can political communication via the Internet and e-participation contribute to the emergence of a European public sphere?

A European Public Sphere?

A general claim held by many observers of current trends in modern mass democracies is that the Internet has the potential to fundamentally change democratic politics and democratic citizenship (Coleman/Blumler 2009). Easy and universal access to information is expected to democratize the processes of agenda-setting, increase the rates of political participation, improve the quality of deliberation and make plebiscitary forms of decision-making feasible. Various new Internet-based formats of extended citizen participation have emerged. They are discussed as a possible remedy especially with regard to a fundamental problem of the democratic system of the European Union that seems to persist despite the fostering of the role of the European Parliament: the lack of a genuine European public sphere as a space for deliberation on European policy issues besides or above the existing national public spheres (see e.g. Smismans 2006, Trenz 2008, for an overview see Hennen 2010).

The public sphere as a concept describes features that are necessary for a democracy to function. There must be room for public deliberation, in order to establish a link between the constituency and its representatives – i.e. to process the content of policy-making among those who will be affected by the decisions to be taken and who delegate their representatives to the decision-making bodies. Thus “public sphere” does not simply mean some form of public communication, but always implies a certain (deliberative) quality that transforms public communication into public opinion and will formation. The discourse of actively participating citizens is the backing for political decision-making in the representative system, as the citizenry (directly or via the media) provides the political institutions with ideas, interests and demands that have to be taken into consideration in the political process.

The lack of a space of exchange between the European Institutions and the European citizenry and civil society is not only an issue in academic debates on the theoretical foundations of European democracy but has become a main focus of attention in the European institutions themselves. In its White Paper on a European Communication Strategy (EC 2006, 4) the European Commission’s notion of the problem is phrased as follows:

“The public sphere in which political life takes place is largely a national sphere. To the extent that European issues appear on the agenda at all, they are seen by most citizens from a nation perspective. The media remain largely national, partly due to language barriers; there are few meeting places where Europeans from different Member States can get to know each other and address issues of common interest [...]. There is a sense of alienation from ‘Brussels’, which partly mirrors the disenchantment with politics in general. One reason for this is the inadequate development of a ‘European public sphere’ where the European debate can unfold.”

The EC identified this as a central barrier to the development of democratic governance in Europe (European Commission 2001: White Paper on European Governance) and has set up a plan to “stimulate a wider debate between the EU’s democratic institutions and citizens” (European Commission 2005: Plan-D for Democracy, Dialogue and Debate).

Objective of the Workshop

The workshop is meant to reflect on the potentials and realistic prospects of Internet-based applications to contribute to the democratic practices of the evolving political system of the European Union and the formation of a European public sphere. There are examples of cases where positive effects of the Internet concerning the political process are visible; including a variety of top-down as well as bottom-up driven e-participation initiatives. However, it becomes clear as well that not all of the potentials of the new technology have been realised so far and that beside technical aspects, there are different legal, political and social issues which need to be addressed in the future (see Aichholzer/Strauß 2010).

From the work so far carried out in the scope of the STOA project on E-Democracy we conclude:

The Internet can help to generate a European public although the issues discussed in the Internet show a strong specialisation. This specialisation goes hand in hand with a fragmented rather than a uniform and broadly informed audience. However, this fragmented audience is a transnational audience nonetheless. It can be said that the issue related publics emerging on or supported by the Internet in many respects can be regarded as elements of a European public opinion. An open question is how the specialised public opinions can be linked and how they can be re-connected to the official political processes within the European institutions.

It can be shown that there are many examples of how the Internet can be used to enhance participation in political processes, including e-consultations, e-petitions, e-deliberation and in special domains such as budgeting and urban planning (see Macintosh 2003; Pratchett et al. 2009; Millard et al. 2009; Peixoto 2009; Tomkova 2009; Lindner/Riehm 2011). The examples include top-down initiatives to enhance participation as well as bottom-up approaches, where citizens get mobilised and organise their request over the Internet. However, especially for the different forms of bottom-up initiated e-participation it remains unclear, whether and how these forms can enter the space of political decision making. The linkage of bottom-up and top-down initiatives is an important aspect for improving the connectivity of (e-)participation and its integration into political processes.

Questions to be discussed at the Workshop

A public sphere as a space for political exchange and deliberation still is mainly realised via **mass media communication**. Political mass media communication in Europe is fragmented, and nationally focused and organised. What are the perspectives for a *European* space of mediated political communication to develop? To what extent can we expect that the national mass media become "*Europeanised*"? What are the perspectives of the development of a *European* Media space besides or "above" the national media. And what role can Internet communication, in terms of media portals or websites set up by European institutions or by civil society organisations play to support this?

An active 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 to engagement and political concern. **European citizenship** cannot be based in common language and traditions but only in a sense of belonging to a mere political community with shared values and rights. Are there indications that such a trans-national, political form of citizenship is emerging in Europe? And to what extent can the political articulation via Internet and formats of e-participation offered by European institutions (public consultations, Internet fora and the like) support the development of a European political identity by involving the European citizens in processes of opinion formation?

It is well known that **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. What are the experiences with the “e-engagement” of civil society organisations in European policy-making so far? How can e-participation procedures set up by European institutions contribute to involve civil society organisations and to the Europeanisation of civil society?

Different forms and levels of e-participation have been developed and tried by national and European political bodies. What can we learn from these experiments with regard to the potential of fostering communicative ties between representative institutions (strong publics) and the citizenry and society (weak publics). What can be done to provide for a **democratically meaningful use of e-participation**. What degree of formality and commitment to results of e-deliberation is needed resp. compatible with democratic structures of decision making? How can we avoid long term disappointment of citizens? How can transparent ways of taking up and processing input from civil society be established?

It is often argued that a European (transnational) public sphere for the time being only exists in form of **fragmented transnational expert publics** dealing with separate issues that are subject of EU policies. Can these elite or expert publics on regulatory issues evolve into a more general public sphere? How can these expert-publics be related to and connected with an overarching public of civil society organisations and the European citizenry by means of e-communication?

A new and promising element of opening up the EU policy process to the European citizens and the civil society has been introduced by the recently established **“European Citizens’ Initiative”**. How can this ambitious and challenging element of participatory democracy can be supported by formats of e-participation – with regard to campaigning for and proving of the achievement of the requested quorum of supporting statements; with regard to accompanying e-deliberation formats and web-based information services that provide for interactivity as well as transparency with regard to processing of and follow up to the outcomes of a Citizens Initiative?

Leonhard Hennen (ITAS); Georg Aichholzer (ITA); Stefan Strauß (ITA); May 2011

Literature

- Aichholzer, G.; Strauß, S. (2010): E- participation in Europe. In: Beckert, B.; Lindner, R; Goos, K.; Hennen, L; Aichholzer, G.; Strauß, S. (2010): E-Democracy in Europe – Prospects of Internet-based political participation. Deliverable No. 2 of the STOA Project “E-Democracy: Technical possibilities of the use of electronic voting and other Internet tools in European elections”, p. 33-77. Unpublished.
- Coleman, S., Blumler, J. G. (2009): The Internet and Democratic Citizenship. Theory, Practice and Policy, Cambridge.
- Commission of the European Union (2006): White Paper on a European Communication Policy, COM (2006) 35 final version, Brussels, 1 February 2006.
- Commission of the European Union (2001): European governance. A White Paper, COM (2001) 428 final, Brussels.
- Commission of the European Union (2005): The Commission’s contribution to the period of reflection and beyond: Plan-D for Democracy, Dialogue and Debate. Communication from the Commission to the Council, The European Parliament, the European Economic and Social Committee and the Committee of the Regions, COM(2005) 494 final, Brussels.

- Hennen, L., (2010): E-public in Europe. The European Public Sphere and the Internet. In: Beckert, B.; Lindner, R.; Goos, K.; Hennen, L.; Aichholzer, G.; Strauß, S. (2010): E-Democracy in Europe – Prospects of Internet-based political participation. Deliverable No. 2 of the STOA Project “E-Democracy: Technical possibilities of the use of electronic voting and other Internet tools in European elections”, p. 1-32. Unpublished.
- Lindner, R., Riehm, U. (2010): Broadening Participation through E-Petitions? Results from an Empirical Study on Petitions to the German Parliament. Internet, Politics, Policy 2010: An Impact Assessment : An Academic Conference that Subjects the Relationship between the Internet, Politics and Policy to Multi-Disciplinary Scrutiny. Oxford, Oxford Internet Institute.
- Macintosh, A. (2003): Using Information and Communication Technologies to Enhance Citizen Engagement in the Policy Process, in: OECD (ed.): Promise and Problems of E-Democracy. Challenges of Online Citizen Engagement, Paris, p. 19-142.
- Millard, J., Nielsen, M., Warren, R., Smith, S., Macintosh, A., Tarabanis, K., Tambouris, E., Panapoulou, E., Efpraxia, D., Parisopoulus, K. (2009): European eParticipation Summary Report.
- Peixoto, T. (2009): “Beyond Theory: e-Participatory Budgeting and its Promises for eParticipation”, in: European Journal of ePractice 7 March 2009.
- Pratchett, L., Durose, C., Lowndes, V., Smith, G., Stoker, G., Wales, C. (2009): Empowering communities to influence local decision making. A systematic review of the evidence, London.
- Smismans, S. (ed.) (2006) Civil society and Legitimate European Governance. Cheltenham (U.K.) and Nothhampton (USA).
- Trenz, H.J. (2008): In search of the European public sphere. Between normative overstretch and empirical disenchantment. RECON Online Working Paper (www.reconproject.eu).
- Tomkova, J. (2009): “E-consultations: New tools for civic engagement or facades for political correctness?” in: European Journal of ePractice No. 7, March 2009.



Can political communication via the Internet and e-participation contribute to the emergence of a European public sphere?

Introduction to STOA-Workshop at the European Parliament
Brussels, 26 May 2011

Georg Aichholzer
Institute of Technology Assessment
Austrian Academy of Sciences

A-1030 Vienna, Strohgasse 45/5
Tel.: +43-1-51581
aich@oeaw.ac.at
www.oeaw.ac.at/ita



OAW AUSTRIAN ACADEMY OF SCIENCES

INSTITUTE OF TECHNOLOGY ASSESSMENT



COMMISSION EUROPEENNE PARLEMENT EUROPEEN UNIVERSITÉ PARLEMENT EUROPEEN PARLEMENT
EUROPEAN COMMISSION EUROPEAN PARLIAMENT EUROPEAN PARLIAMENT EUROPEAN PARLIAMENT
EUROPEAN COMMISSION EUROPEAN PARLIAMENT EUROPEAN PARLIAMENT EUROPEAN PARLIAMENT
EUROPEAN COMMISSION EUROPEAN PARLIAMENT EUROPEAN PARLIAMENT EUROPEAN PARLIAMENT
EUROPEAN COMMISSION EUROPEAN PARLIAMENT EUROPEAN PARLIAMENT EUROPEAN PARLIAMENT
EUROPEAN COMMISSION EUROPEAN PARLIAMENT EUROPEAN PARLIAMENT EUROPEAN PARLIAMENT
EUROPEAN COMMISSION EUROPEAN PARLIAMENT EUROPEAN PARLIAMENT EUROPEAN PARLIAMENT
EUROPEAN COMMISSION EUROPEAN PARLIAMENT EUROPEAN PARLIAMENT EUROPEAN PARLIAMENT



STOA Workshop at the European Parliament, Brussels,
26 May 2011, 9-13 hrs, JAN 4Q1

**Can political communication via the Internet and
e-participation contribute to the emergence of a
European public sphere?**



Overview

1. The STOA-project „E-democracy“
2. E-participation and the emergence of a European public sphere
3. Objective of the workshop
4. Some key issues
5. Structure of the workshop



OAW AUSTRIAN ACADEMY OF SCIENCES

INSTITUTE OF TECHNOLOGY ASSESSMENT



1. The STOA-project „E-democracy“

STOA

Science Technology Options Assessment
Panel of the European Parliament

ETAG

European Technology Assessment Group

Fraunhofer ISI

ITAS

ITA

} Project consortium



OAW AUSTRIAN ACADEMY OF SCIENCES

INSTITUTE OF TECHNOLOGY ASSESSMENT





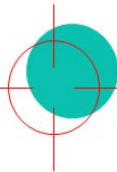
1. The STOA-project „E-democracy“

- Three project foci
 - E-public
 - E-participation
 - E-voting
- Activities differ by levels of formality and legal prerequisites
- Interim results
 - 3 working papers, 2 workshops, exchange with MEPs
 - final report end of September



OAW AUSTRIAN ACADEMY OF SCIENCES

INSTITUTE OF TECHNOLOGY ASSESSMENT



2. E-participation and the emergence of a European public sphere

- Essential role of public sphere for democracy
 - public deliberation; political opinion and will formation
 - link between constituency and representatives
- Existing lack of a genuine European public sphere (despite the fostering of the role of the EP)
- Change with new Internet-based forms of political communication and citizen participation?
 - indications for enhanced (trans-national) participation in political processes (top down as well as bottom-up)
 - far-reaching hopes and expectations in democratic impacts



OAW AUSTRIAN ACADEMY OF SCIENCES

INSTITUTE OF TECHNOLOGY ASSESSMENT





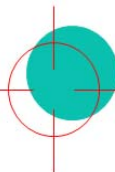
3. Objective of the workshop

- Reflection on potentials and prospects of Internet-based political communication
 - variety of forms (e.g. discussion forums, blogs, e-deliberation, e-consultations, e-petitions)
 - contribution to democratic practices?
 - contribution to the formation of a European public sphere?
- Discussion and exchange among MEPs, scientific experts and practitioners in the field



OAW AUSTRIAN ACADEMY OF SCIENCES

INSTITUTE OF TECHNOLOGY ASSESSMENT



4. Some key issues

- How will e-participation shape the perspectives for:
 - an emerging European public sphere in view of nationally fragmented mass media communication?
 - a European political identity and trans-national political citizenship?
 - a "Europeanisation" of civil society organisations?
 - a fostering of communicative ties between strong and weak publics?
 - connecting fragmented (trans-national) expert publics with civil society organisations and the European citizenry?
 - the new and promising instrument "European Citizens' Initiative"?



OAW AUSTRIAN ACADEMY OF SCIENCES

INSTITUTE OF TECHNOLOGY ASSESSMENT





5. Structure of the workshop

- 9.45 **Session 1: A European e-public: Chances and restrictions of an Internet-mediated public opinion in Europe**
 Prof. Stijn Smismans, Cardiff University, Cardiff Law School
 Dr. Sandra González-Bailón, University of Oxford, Oxford Internet Institute and Nuffield College
- 10.30 Inquiry by Members of Parliament and discussion
- 11.00 Coffee Break
- 11.30 **Session 2: E-participation in Europe: Internet-based political participation as a pacemaker for a European public**
 Jeremy Millard, Danish Technological Institute, Denmark
 Dr. Andy Williamson, Hansard Society, Digital Democracy Programme, UK
- 12.15 Inquiry by Members of Parliament and discussion
- 13:00 End of workshop



OAW AUSTRIAN ACADEMY OF SCIENCES

INSTITUTE OF TECHNOLOGY ASSESSMENT



Contact details

Project leader:

Dr. Bernd Beckert
 Fraunhofer Institute for Systems
 and Innovation Research ISI
 Breslauer Str. 48, 76139
 Karlsruhe, Germany
 Phone: +49 721 6809-292
Bernd.Beckert@isi.fraunhofer.de
www.isi.fraunhofer.de/t

Project consortium:

Bernd Beckert, Kerstin Goos, Ralf Lindner
 (Fraunhofer ISI, Karlsruhe)
 Leonhard Hennen (ITAS, Karlsruhe)
 Georg Aichholzer, Stefan Strauß
 (Austrian Academy of Sciences, ITA, Vienna)



OAW AUSTRIAN ACADEMY OF SCIENCES

INSTITUTE OF TECHNOLOGY ASSESSMENT








THE CHALLENGE OF A EUROPEAN PUBLIC SPHERE: DELIBERATION AND THE ROLE OF ICTs.

Dr. Georgios Papanagnou

WHAT IS A EUROPEAN PUBLIC SPHERE?

- It is a discursive space in which individuals and groups congregate to discuss matters of public interest and, where possible, to reach a common judgment.
 - It is political participation through the medium of talk.
 - And where public opinion is formed.
 - It is a space for debating and deliberating.
 - Making argument for or against policy choices.
- 

- Public sphere not only about communication but has a deliberative quality. Leading to will formation.
- The discourse of actively participating citizens is the backing of political decision making in the representative system, as the citizenry provides the political institutions with ideas, interests and demands that have to be taken into consideration in the political process.

WHY IS IT IMPORTANT FOR EUROPE?

- Perceived democratic deficit of the EU.
- Democratic legitimacy requires procedures of control and participation. Policy makers need to legitimize their policy to the publics. Open policy making to society.
- European issues are presented from a national perspective by mass media.
- Crisis of representative democracy: mistrust, disengagement.

OBSTACLES

- No common civil society and identity.
- No common language.
- No common media.

CHALLENGES

- Citizenship is 'an ongoing communicative achievement'. (Bora et al. 2001)
- Develop notions of EU citizenship via transnational deliberation and interaction.
- Address crisis of representative democracy via the deliberative quality of the public sphere.
- Instill greater degrees of participation in policy making.

THE ROLE OF ICTS IN BUILDING THE PUBLIC SPHERE

- The Internet makes possible involving large numbers of users in a deliberation.
- The Internet provides relatively inexpensive public access to retrievable data.
- By making it easier for individuals to find and follow what concerns them personally, we open the door to political engagement to virtually everyone.
- *The Internet facilitates lateral, peer-to-peer and many-to-many interactive exchange.*
- *People discuss issues over a period of hours, days, weeks or months in an asynchronous fashion.*
- *Time for reflective debate and the space to develop evidence and argumentation.*
- *Participation open to all.*
- *Online discussion in language closer to ordinary people.*
- *Participants encounter new sources of information and new ways of thinking about issues. (Coleman and Blumler 2009: 12-13).*

- 1. The internet supports a transnational space for political communication.
- 2. It is an interactive means of an emerging global civil society.
- 3. Diverse forms of transnational political ids. might emerge from issue related political communities.

TOWARDS A EUROPEAN PUBLIC SPHERE: E-DELIBERATION.

- *The new information technologies may, for the first time in the history of industrial societies under liberal regimes, make it possible to recreate the perfect information arena, the agora of Ancient Greece.* (European Information Society Forum Report 1999).
- Not simply collect information. But deliberate, debate.
- Engage citizens in political participation. Hence, participatory policy making.
- Establish influence of deliberation over policy.
- Otherwise, communication, talk, and representation of interests will not overcome the pitfalls of the democratic deficit. Or of representative democracy.
- Nor would we make great steps towards citizenship building.



STOA Workshop
Can political communication via the Internet and e-participation
contribute to the emergence of a European public sphere
European Parliament, Brussels, 26 May 2011

Moving towards a European public sphere

Jeremy Millard
Danish Technological Institute



**DANISH
TECHNOLOGICAL
INSTITUTE**

1

A European public sphere supported by e-participation ?

Health warning

- A European public sphere is NOT likely to be as important as national or local public spheres in foreseeable future, if ever
-as in politics generally, be realistic but also ambitious
- But some progress has been made and more can be done
- PURPOSE....why is a European public sphere important, does it matter ?

2

Two main contradictory (?) trends

1. **Decline in (formal) political engagement** – turnout, membership of political parties, loss of trust, apathy...
2. **Increase in single issue (mainly) grassroots engagement in 'politics'** – more outlets, more skills, more opportunities, more channels, especially ICT and social media (Web 2.0), web generation emerging

So politics is changing....Question (but not for here!): should our democratic structures and processes change to reflect this; are they changing anyway ?

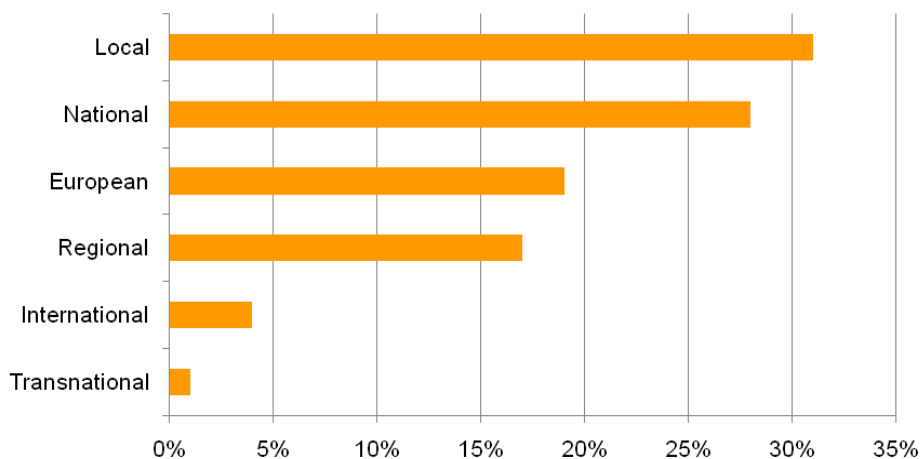
Imagine 1968 with Facebook and Twitter

Arab 'Spring' → Spain → European 'Spring'...?

Not just Web 2.0 also Web 3.0 (semantic participation, mass collaboration, policy modelling, etc.)

3

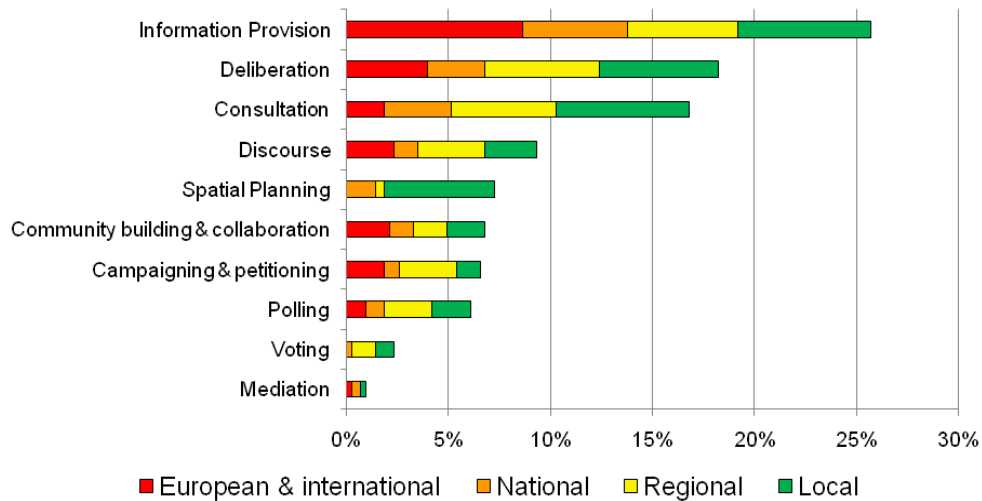
Level of eParticipation initiatives in Europe



2009
Cases = 258
N = 258

4

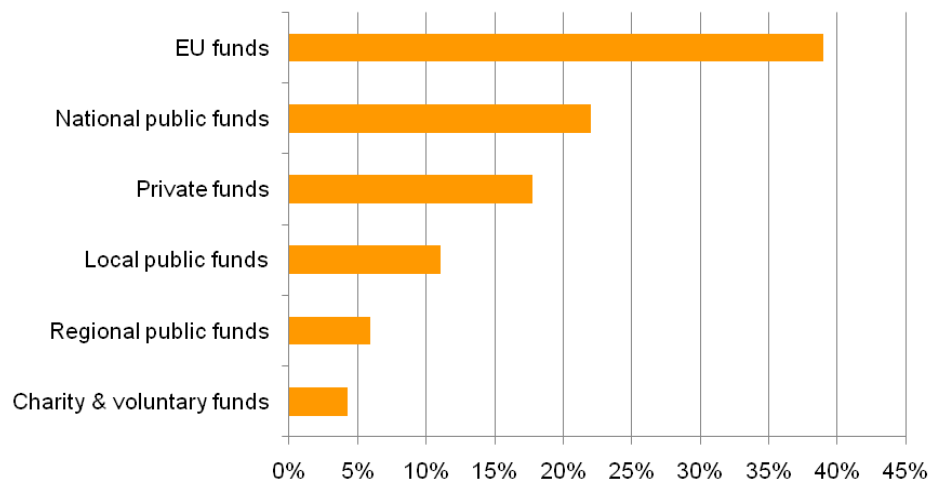
Types of eParticipation initiatives in Europe



2009
Cases = 258
N = 428

5

Funding source of eParticipation initiatives in Europe



2009
Cases = 258
N = 118

6

The challenge

- At the project level, we know how to run eParticipation (technically, organisationally, etc.)
- **But: how do we marry the (out-of-control) groups forming freely and easily with the (necessary) institutions ?**
- How to link bottom-up with top-down ?
- How to align random, anarchic, inward-looking, local, nimby-driven, single issue, polarised engagement **with the clear frameworks, standards and rules needed for accountable and representative democracy at European level ?**

7

Maximising the potential for a European public sphere

European eParticipation Workshop 16 May 2008

“The desire for, and practice of, engagement and participation is certainly not dead, but it's nature has changed in terms of issues, channels, mechanisms, expectations...”

- Single issue politics
- Multiple channel
- Motivation and incentives
- Trust and accountability

8

Success criteria

- “Let’s do eParticipation” is not a policy – be clear why it’s done
- Must be engaging and open
- Use words people understand (e.g. not “eParticipation”, perhaps “Talk to us”)
- Let people express their frustration and anger
- Provide feedback – no ‘blackholes’
- Make clear from start how inputs will be used
- Engage citizens as early as possible
- When appropriate use neutral mediation
- Evaluate and measure

9

Recommendations

1. Establish a cross institutional coordinated “Service for Public Engagement”

- Citizens are not interested in institutions and mechanisms but are in some policy issues
- **Provide one-stop-shop, single-access-point approach**
- Common standards, codes of conduct, charters, guidelines, decision-aids
- Develop good practice guidelines
- Must have real power to help coordinate strategies, share good practice, build expertise, etc. (NOT a PR department)
- Operate effective external awareness raising and communications
- Build on existing initiatives like Commission’s minimum standards for consultation
- Part of a broad ‘Open Europe’ policy
- Establish a European Centre of Excellence for eEngagement and eParticipation – also as a hub of existing expertise – **export potential**

10

Recommendations

2. Help establish or support an independent, neutral trusted third party service for eParticipation

-not controlled by the European institutions – counterpart to “service for public engagement”
- Act as “champion”, “watchdog” for European citizens participating at European level
- Act as “ombudsman” vis à vis European institutions
- Agree and publish a citizen charter of rights and responsibilities, and open to comment and amendment by citizens
- Identify and implement a framework of motivation and incentives
- Monitor and report to citizens on risks of eParticipation
- Provide passive and pro-active moderation services, and help frame debates in a neutral manner

- Monitor and uphold citizens' data protection rights
- Guard against the mis-use of data by EU institutions

11

Recommendations

3. Cooperate with other public, private and civil actors to support the European public space

- Cannot create a European public space in isolation from other actors and activities
- Civil sector, media, private sector, other institutions and public sector
- Go to where citizens already are, including social networking sites
- Ensure linkage to local, regional and national levels

12

Recommendations

4. Open data and resources

- Transparency and availability of EPSI (European PSI) should be default position
- Provide EPSI in easy-to-use, machine readable formats, structured and linked
- Fully respect existing rights and identities
- Establish a web-platform for collaboration
- Run 'innovation camps' and competitions to develop European level apps, widgets, services, games, etc., open to all
- 'Euro-politics-game' platform for use in schools and universities as part of curriculum or special projects – e.g. what happens when Schengen members close their borders, EU budget, Libya, Euro, etc.

13

Recommendations

5. Listen to and exploit the buzz

- Need to listen to everyday needs of citizens, where they live
- Look for common and European relevant issues and AGGREGATE UP
- Look to see how these aggregations can be DISAGGREGATED down to specific interests, localities, sectors
- Use automatic internet crawlers, etc.
- Limit this to the existing public space – respect privacy
- Build on existing initiatives like newspaper monitoring by EP, and EC's proposed system to monitor internet debate

14

Recommendations

6. Build citizen participation from the bottom

- Most citizens interested in single local and immediate issues
- Some also interested in wider European issues like climate, migration, etc.
- Show how local debates link to European relevance and debate, providing hooks to link them together and build
- Show how many 'local' issues are the same across Europe, and help to link them together
- Encourage natural process of widening the debate from single issues to multiple issues where trade-offs are needed

15

Recommendations

7. Empower EU civil servants

- Follow the lead of some Member States (e.g. UK and Denmark) and allow EU civil servants to participate professionally in social media together with citizens
- Develop a code of conduct to govern their behaviour, e.g. always acting courteously and impartially, providing information and advice in a non-binding manner
- Encourage their use of tools, data and platforms, also in their private lives
- The civil servant needs to change – s/he is often both the biggest potential asset but also typically the biggest barrier

16