Initiatives supporting digital democracy at national level

An international comparison

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Preface

The Netherlands has a long tradition of citizen participation in *local* democratic processes, for example the development of a shopping mall or zoning plans for building projects. Nowadays, digital tools are being used more often in such cases. In response to a widely supported parliamentary motion and at the request of the Dutch Ministry of the Interior and Kingdom Relations, we have investigated digital tools for citizen engagement at the *national* level. Our desk research and comparative literature review of experiences abroad reveal the conditions under which various tools – from information systems and interactive online platforms to voting and visualisation instruments – can contribute to democratic legitimacy. Our interviews and expert meeting offer inspiration for enhancing and expanding current Dutch practices.

This study shows that the Dutch national government can encourage the development of helpful applications and platforms by improving its own information management. There is not, however, one type of instrument that lends itself to all forms of citizen engagement and every stage of the policy cycle. What is more, digital tools do not add up to democracy, but they can complement institutionalised offline practices and social media communication. Online citizen engagement faces the same challenges as offline citizen engagement. Well-designed digital engagement expands opportunities for constructive interactions in which parliament, the government, citizens, stakeholders and media can inform and correct one another.

This Rathenau Instituut study asks how technologies can help to build a future-proof democracy. Our previous publications on this topic were *Griffiers en digitalisering* (2019) about digitalisation in local democracy, *Prospects for e-democracy in Europe* (2017) about digital citizen participation and the European Parliament, and *Digital Democracy: Opportunities and Dilemmas* (2015) about digital citizen engagement and the Dutch parliament. 'Knowledge for democracy' is one of the Rathenau Instituut's priority themes and a key question in this area is how citizens can be more closely involved in democratic decision-making, a process in which scientific evidence, special interests and differing values all play a role.

Dr Melanie Peters
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Summary

To forge closer ties between the public and politics, the Netherlands can draw inspiration from digital citizen engagement tools deployed in other countries at the national level.

We differentiate between tools for:
- informative citizen engagement (e-information);
- agenda-setting citizen engagement (e-consultation);
- direct citizen engagement (e-decision-making).

The various categories of tools can form part of a response to (1) citizens wanting to feel adequately represented by politicians and public administrators in debates and decisions, and (2) politicians and public administrators wanting to understand what is happening in society and to harness the knowledge and skills of the public.

In this report, we highlight *how* digital tools contribute to democratic legitimacy and under *what* conditions. To examine this, we studied information systems, interactive online platforms, voting and visualisation tools and ad hoc deliberation processes involving digital elements as used in Estonia, Finland, France, Germany, Greece, Taiwan and Scotland. We have come to the following recommendations and conclusions:

1.   Invest in the basics: accessible information

Transparency about political trade-offs and active sharing of government information are crucial for the workings of a representative democracy. We have three recommendations for the Netherlands regarding e-information:

- **Improve information management**

    Estonia's national information systems make government processes transparent. Such systems can help interested citizens to engage and help MPs and public officials to take responsibility for their actions and decisions. Transparency is not simply a matter of making information available on websites, but also of making it findable and easy to understand. If the Dutch national government were to improve its own digital infrastructures, the public would be able to monitor political decision-making and policy processes (directly) online. Adopting standards for data and information sharing allows other parties to quickly retrieve raw data and use it in their own applications and analyses.

- **Encourage accountability platforms**
  The transparency of parliament can be improved by making the decisions, voting behaviour and lobbying activities of individual members of parliament available online, following the example of Germany and Greece. The Dutch House of Representatives and the government can support public and private initiatives aimed at increasing transparency and oversight and at facilitating direct contact between citizens and individual politicians. Such new tools for online communication between politicians and the public may offer a valuable alternative to current interactions on social media platforms, which were never designed for facilitating democratic debate.

- **Provide for direct question-and-answer channels between citizens and their elected representatives**
  Creating more channels for direct, moderated interaction between citizens and their elected representatives may help to ensure well-balanced information and communication flows, allowing parliament, the government, citizens, stakeholders and the media to influence and correct one another. Examples from Germany and Greece show that a platform with a question-and-answer feature encourages politicians to account for how they are fulfilling their political mandate.

2.   Innovate digital citizen engagement: experiment and learn

In agenda-setting and decision-making citizen engagement, it is important to do justice both to the public's input and the autonomy of parliament. To seize the opportunities offered by digital tools, we recommend the following:

- **Make digital citizen engagement (of every kind) low threshold and accessible**
  Videos, live streaming, digital voting, online interaction, and the analysis and visualisation of arguments all represent opportunities to involve larger groups of people and to better harness society's knowledge and expertise. Public authorities can create or support online citizens' initiative forums and make use of consultation platforms. Online components can also lower the user threshold in citizen deliberation mechanisms and participatory budgeting schemes by facilitating different forms of engagement. Nevertheless, guaranteeing diversity and inclusiveness remains challenging. It remains crucial to run campaigns and proactively communicate with the public about the availability of platforms and how they operate.

- **Be clear about the process and purpose of citizen engagement**
  To ensure that citizens' initiatives, public consultation processes, citizen deliberation mechanisms and participatory budgeting schemes are successful, it is crucial to manage expectations and to be clear about how public input influences formal political decision-making. This requires political will and a commitment from the government or parliament to take the results of these processes seriously. It also involves interim feedback and accountability after the fact.

- **Learn and improve**
  Painstaking design, repetition and reflection are needed to determine how, when and why a participatory process contributes to democratic legitimacy. We know little about the long-term effects and influence of digital citizen engagement on trust between citizens and public authorities. To capitalise on lessons learned when designing new platforms and initiatives, careful monitoring of experiences and flexible structuring are crucial.

3.   Customise the use of digital tools as appropriate

Digital tools are not a miracle cure or quick fix. The challenge is to reach an informed decision – and one that has political support – as to which technologies to use, when to use them, and how to thereby improve institutionalised practices of representative democracy. We have three recommendations in this regard:

- **Combine online and offline tools**
  Digital tools for citizen engagement can help to modernise democratic processes. Online interaction can complement both traditional, physical participation processes and more ad hoc digital interactions on existing social media platforms. It can be difficult to reach new and diverse groups and respond to different needs, however, even online. The effort required to organise productive, unfettered and safe interaction between politicians and citizens goes well beyond mere technological gadgetry.

- **Select or design appropriate digital tools**
  A number of digital tools have been designed and tested for use in various phases of a deliberative process. Before making use of them, it is advisable to look specifically at what such tools can and cannot do. There is no one category of tool that lends itself to all forms of digital citizen engagement.

- **Be aware of security issues and the potential for fraud**
  Digital tools are also vulnerable to certain risks, for example with respect to security and authorisation. It is important to consider which measures and

investments in digital security are proportionate. To make a proper assessment, public authorities and parliament require specific IT knowledge and expertise.

Contents

1   Introduction

1.1   The Van Kooten-Arissen Motion

The present report was commissioned by the Minister of the Interior and Kingdom Relations in response to the widely supported motion, submitted to the Dutch House of Representatives on 31 October 2019 by MP Femke Merel van Kooten-Arissen, stating that 'we in the Netherlands must forge closer ties between the public and the political world' (35300 VII, no. 41). The motion calls on the Dutch government 'to examine whether and how Estonia's successful methods of online democracy can be adopted in the Netherlands'. The Ministry of the Interior and Kingdom Relations regards the motion as an opportunity to undertake a broader investigation of initiatives not only in Estonia but also in a number of other countries.

Based on international comparative research, this report offers lessons about tools that other countries are using to promote digital citizen engagement at national level. We examine institutionalised initiatives aimed at national governments and parliaments abroad and consider what they can teach the Netherlands about forging closer ties between the public and politicians, given existing democratic processes.

1.2   The present study: Research question and point of departure

The *main question* addressed in the study is:

What tools for digital citizen engagement used by other countries at national level (national government and parliament) can the Netherlands adopt to forge closer ties between the public and the political world?

We have divided this question into the following *subquestions*:

- Which other countries have experimented successfully with digital citizen engagement at national level, and which digital tools did they use?
- What requirements must be met for the Netherlands to adopt these digital citizen engagement tools?

- What policy or other measures can the national government and/or parliament develop to help achieve this?

How we interpret the Van Kooten-Arissen Motion

The motion refers to 'Estonia's successful methods of online democracy'. The Estonian government would appear to be leading the way internationally in terms of IT infrastructure and the digitalisation of processes and services (also known as e-governance). Our study, however, focuses on digital citizen engagement (also known as e-participation and e-democracy). Various national governments and parliaments use online methods and initiatives to promote political transparency, effective representation on issues, and the mobilisation of society's knowledge and skills. Despite its leading position in e-*governance*, Estonia does not appear to be at the forefront of e-*participation*.

In this report, we therefore look at experiences in a range of countries, specifically by examining digital tools for information exchange and communication between the public and politicians that support representative democracy at national level.

Our starting point, therefore, is the democratic process as we know it today: Dutch representative democracy. This report is not about making that democracy more or less direct, but rather focuses on promising digital tools that can enhance or expand representative democracy as it now exists in the Netherlands. We analyse tools that can improve the democratic legitimacy of our practices,[1] looking specifically at formalised instruments directed towards parliament or the government.

Our literature review and our interviews suggest that there are two needs driving the desire to create more scope for some form of citizen engagement in the political process:

a. People want to feel that politicians are representing them adequately in debates and decisions. This feeling may be driven by various factors, ranging from a desire to better understand democratic processes (e.g. more transparency about the voting behaviour of representatives) to firmer guarantees that the public's input actually influences political decision-making. In effect, this is a call for more interaction between the public and politicians than voting once every four years.

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1   Our approach is consistent with the Council of Europe's definition of e-democracy as 'additional, complementary to, and interlinked with traditional democratic processes' (Council of Europe, 2009). Appendix 3 clarifies a number of key concepts.

b. Public officials and politicians also want to interact more with the public, stakeholders and experts between elections because they then gain access to the information, evidence and expertise they need to take decisions and to involve citizens in policymaking. Digital citizen engagement offers opportunities to satisfy this need.

We recognise both elements in the Van Kooten-Arissen Motion and they consequently serve as the point of departure for our study.

1.3 The relationship between the public and politics

The task of forging closer ties between the public and the political world has acquired new urgency in the Netherlands in recent years, not only in view of the many protests in The Hague by workers and stakeholders in healthcare, education and agriculture but also in light of the recent 'farmers and citizens dialogue', an attempt to arrive at a shared vision of the future of farming.[2]

Research shows that people wish to engage more in governance and politics. For example, according to regular surveys by the Netherlands Institute for Social Research (SCP), around 60% of respondents agree that citizens should have more say in important political issues, with only 15% disagreeing with this view (COB 2018/1).[3]

Many Dutch people feel that politicians are not really listening to them and wonder whether elected representatives are even aware of their concerns. Recent data show that people have a more positive attitude towards democracy and the government than two years ago, but are just as cynical about politics (Wennekers et al., 2019): '51% feel that people like them have no influence over what the government does, 44% feel that MPs and ministers do not really care what they think, and 60% believe that politicians pay too much attention to powerful groups instead of the public interest'. Almost two thirds of those questioned believe that political parties are only interested in their votes and not in their opinions (Driessen et al., 2018).

A national committee on the parliamentary system (Remkes Committee) also noted shortcomings in the way the Dutch parliament represents voters on specific issues: 'A lack of representation on specific issues risks structurally ignoring or undermining

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2   https://boerburgerdialoog.nl/
3   See also SCP (annual), quarterly reports, 'Continu Onderzoek Burgerperspectieven'.

the interests of certain groups of citizens. Their views are often discounted in political debate and, as a result, societal problems often do not make it onto the political agenda' (Remkes et al., 2018).

On 1 July 2020, the Minister of the Interior and Kingdom Relations, Ms Kajsa Ollongren, updated the House of Representatives on action being taken in response to the Remkes Committee's recommendations (*Kamerstukken* 2020Z12861). In her comments, she explained that she will explore the possibility of establishing civic forums created by lottery and a new form of youth participation at national level.

We also see other politicians and public officials wanting to engage more with the public. Several hundred mayors, executive and municipal councillors, business owners, academics and politically active citizens have joined forces in the Code Orange Action Group to express their concerns about the state of political democracy. They advocate empowering citizens to participate in decision-making and mobilising more of society's knowledge and skills in politics and government.[4]

Although the sources cited above show that various parties are pushing for more citizen engagement to forge closer ties between the public and politics, there are also reservations, specifically with regard to the exclusion mechanisms that accompany many new forms of citizen engagement. As noted by political scientist Professor Tom van der Meer (2018), 'Almost every form of citizen participation is dominated by the same groups. Politically active citizens are mainly wealthy, white, male, middle-aged and highly educated'. New forms of citizen engagement therefore lead to the political participation paradox: 'The more channels through which people can become politically active, the greater the risk of inequality in participation.' Researchers Hurenkamp and Tonkens (2019) noted that this inequality is often precisely an argument for even more citizen participation: 'Because citizen participation is not working quite as it should, there must be more citizen participation' – even though more participation often exacerbates inequality.

Furthermore, recent research shows that only 15% of Dutch people would like to overhaul the entire democratic system. A fifth (21%) do not want that but would like to see some changes to the political system. Almost half (47%) think that the system does not need to be amended at all and 17% do not know (Driessen et al., 2018).

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4   https://www.wijzijncodeoranje.nl/

A major challenge in creating opportunities for greater citizen engagement is that it may conflict with the political mandate of elected representatives and politicians, as research by the Rathenau Instituut (2015) has already shown. After all, in today's representative democracy, members of the House of Representatives are given a mandate by their voters to act with relative autonomy in weighing up different interests and values, and to take political decisions or make compromises on that basis. Citizen engagement – especially forms that explicitly involve citizens in actual decision-making – can put pressure on this autonomy. If new forms of citizen engagement are to gain democratic legitimacy, they will have to address this dilemma in their design and implementation.

Citizen engagement at local or national level
The extent to which citizens are involved in decision-making depends largely on their country's democratic traditions and political culture (Hofstede, 1991). The way in which they prefer to participate also varies. Not everyone wants to be actively involved in policymaking. Some people wish to engage in dialogue, whereas others would sooner cast their vote. Forms of engagement that appeal mainly to high-educated citizens (structured dialogue), those that (also) activate the low-educated (voting and informal conversations), and other forms (for example gaming) can be mutually complementary (Rathenau Instituut, 2015). The Netherlands Scientific Council for Government Policy (WRR) identifies different styles of citizenship, each with its own approach to political engagement (WRR, 2012).[5]

In a representative democracy such as the Netherlands, citizen engagement is seen primarily as a means of consolidating and supporting present-day democratic procedures (Michels, 2006), with government maintaining the initiative in policymaking.

The Dutch Council for Public Administration (ROB) describes the concept of citizen participation as follows: 'Citizen participation complements representative democracy and involves the active participation of citizens or groups of citizens in the various stages of the policymaking process. Participation of this kind is proactive and concerns a process that has been politically and civically legitimised and that follows a certain procedure' (ROB, 2004).

The Netherlands has a long tradition of citizen engagement. Recent initiatives abroad, however, suggest that it is not leading the charge to modernise that tradition. For example, firms and interest groups in the Netherlands were invited to

5   The WRR's report *Vertrouwen in Burgers* [Confidence in Citizens] segments engagement styles based on the categories suggested by Motivaction (2011), i.e. the 'accountable,'the 'dutiful, the 'pragmatists', and the 'structure seekers'.

join the government's multistakeholder round-tables on climate change, but input by the general public was only welcome after the outcomes had been presented and questions were raised about the impact on people's energy bills.[6] This approach contrasts sharply with the way in which French citizens were consulted on the country's climate change policy. President Macron organised a national public consultation on the subject in 2019 and on 29 June 2020 announced – as promised – that the resulting recommendations would be adopted unaltered.[7]

Minister Ollongren previously argued in favour of stepping up participation in local democracy, as this would bring decision-making closer to Dutch citizens (Kamerstukken 34775-VII no. 69). But democracy also appears to benefit from greater citizen engagement at the national level,[8] something that the Van Kooten-Arissen Motion also makes clear.

1.4   Digital citizen engagement

Digital facilities offer new opportunities to involve citizens in democratic processes. They facilitate a variety of democratic engagement practices and thus increase options for responding to the demands of the public, policymakers and politicians. Digital tools have the potential to generate significant added value. The internet allows people to contact one another and communicate more quickly and easily and over longer distances. The constraints of time and space are less severe than in the offline world.

Research by the Rathenau Instituut, however, shows that digital tools do not replace but rather complement the more traditional instruments of citizen engagement (Rathenau Instituut, 2017 and Hennen et al., 2020). There are also risks associated with their use, for example with respect to reliability and cybersecurity.

The public and politicians in many countries are experimenting with various digital tools and methods, with a wide variety of websites and apps designed for agenda-setting, information, deliberation or voting purposes. There are interactive notification systems, petition platforms, voting apps, online co-creation instruments

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6   See: Daan Roovers and Eva Rovers (2020), 'Laat burgers politici helpen: organiseer een burgerberaad', in *NRC* 3 July 2020. https://www.nrc.nl/nieuws/2020/07/03/laat-burgers-politici-helpen-organiseer-een-burgerberaad-a4004913

7   See the Citizens' Convention website https://www.conventioncitoyennepourleclimat.fr/en/

8   We – and others (WRR, 2012; Staatscommissie, 2018; ROB, 2018) – have observed that (digital) citizen engagement at national level lags behind local citizen engagement.

and participatory budgeting tools.[9] In some cases, government takes the initiative, while in others private citizens do. Based on previous research and the United Nations' e-participation index,[10] we distinguish between three forms of digital citizen engagement in this report:

1. **E-information**: supplies citizens with public information and ensures access to information, whether or not on request. Citizens can learn about political decision-making and form an opinion on what is happening in politics and in their community.

2. **E-consultation**: involves citizens in public policy deliberations and gives them the opportunity to contribute their input. Citizens help to put issues on the agenda, reflect on proposals or take stock of arguments or options. Politicians may or may not take the results of such processes on board. Examples of citizen-led actions in this category are the petition and the citizens' initiative; political or government-led actions include public consultation processes.

3. **E-decision-making**: empowering citizens to participate in the policymaking process to a certain extent by allowing them help to develop policy (policy co-creation) or to vote on proposals (in the form of advisory or binding referendums by means of e-voting).

The three forms can be seen as steps on a ladder of ever-increasing citizen participation, with intermediate steps.[11] E-information ('one-way communication') gradually transitions to e-consultation ('two-way communication'), and e-consultation (citizens have limited influence) in turn gradually transitions to e-decision-making (citizens have more influence on final policy decisions).

The three different forms of digital citizen engagement and their associated digital tools have their own aims and methods. These aims are not the focus of our study.[12] To assess how successful they are in forging closer ties between citizens and politicians/government, we examined the extent to which they improve the legitimacy of (existing) democratic processes. In line with previous research into the workings of e-democracy, we analyse the extent to which they contribute to input legitimacy, throughput legitimacy and output legitimacy.[13]

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9   The bibliography includes a list of guides and comparison tables for digital democracy tools.
10 https://publicadministration.un.org/egovkb/en-us/About/Overview/E-Participation-Index.
11 The 'ladder of citizen participation' was developed by Arnstein (1969) and consists of eight levels. For Arnstein, 'Citizen Participation is Citizen Power' (Arnstein 1969: 216).
12 The aims are multifaceted and there has been very little research into how effectively the instruments achieve them. Based on their design and use, however, we have some idea of what they contribute to the three forms of legitimacy and what is needed to bolster that contribution.
13 See also Hennen et al. (2020) and De Koster et al. (2010).

- **Input legitimacy**: legitimacy derived from the extent to which legislative and decision-making processes are receptive to the people's interests and ideas. An e-democracy tool contributes to the input legitimacy of democratic processes when it helps citizens to engage with and express themselves in the democratic process.
- **Throughput legitimacy**: legitimacy derived from reliable and transparent processes and procedures for assessing interests and ideas and for linking preferences to political decisions. An e-democracy tool contributes to throughput legitimacy when it promotes the transparency and quality of deliberation and assessment processes, for example by explaining lines of argument and by making it possible to compare, assess and prioritise viewpoints in accordance with agreed mechanisms.
- **Output legitimacy**: legitimacy derived from the extent to which government accommodates the people's wishes and opinions. An e-democracy tool contributes to output legitimacy when its design facilitates the impact of citizen engagement on policymaking and/or legislative processes.

1.5   Approach

The present report is based on the following research phases:

1.   Selection of countries and online participation tools

After a short, wide-ranging survey and consultation with experts from Democratic Society, European Citizen Action Service and Netwerk Democratie, we selected ten digital tools used in various countries that have (many) years of experience with e-democracy, with government and/or parliamentary involvement. The idea was not to select a broad range of countries but to look for variety in the online citizen participation tools. We have chosen a combination of e-information, e-consultation and e-decision-making tools that various sources and individuals[14] regard as successful and that have influenced politics in the country in which they are deployed. We did this by looking at the citizen participation rate (as far as can be determined) and the extent to which the tools are embedded in the mainstream political decision-making process. With a view to improving existing Dutch e-participation tools, we also considered in each case whether similar tools have

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14 For example research by Simon et al. (2017) and Hennen et al. (2020); interviews or correspondence with staff of the Netwerk Democratie, Democratic Society, European Citizen Action Service, and the Parliament of Finland.

already been tested at national level in the Netherlands. We coordinated the final selection of countries with the Ministry.[15]

2.   Description of online tools per country based on an evaluation framework

The second research phase involved using an evaluation framework to describe and analyse the e-participation tools. The framework is based on the three dimensions of democratic legitimacy outlined above.[16] We examined the extent to which the tools contribute to the three forms of legitimacy and consequently impact the quality of democratic decision-making.

Appendix 1 presents the evaluation framework and the corresponding questionnaire, which we used as a guide in describing the various instruments.

3.   Analysis of instruments, with a view to their applicability in the Netherlands

The third research phase involved identifying the success (opportunities) and failure (risks) factors of the relevant tools. We did this by examining the conditions necessary for a specific tool to function properly and which party or parties could or should introduce such a tool. The point of identifying the success and failure factors was to ascertain whether such tools could be adopted in the Netherlands. We clustered the examples from abroad into six categories under the headings e-information, e-consultation and e-decision-making.

4.   Identification of the most promising tools that the Dutch national government and/or parliament could deploy at national level, including related policy and other measures

Finally, we interviewed e-participation initiators and organisers as well as academics and journalists who are experienced in and/or have studied the use of online tools in the Netherlands. Their input gave us a better idea of how effective specific tools would be in the Dutch context. The list of interviewees can be found in the appendix.

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15   In addition to the Ministry, a supervisory committee has assisted us by advising on various aspects of the research, including this selection.

16   We also used this framework in our study for the European Parliament (Hennen et al., 2020). See: https://www.europarl.europa.eu/RegData/etudes/STUD/2018/603213/EPRS_STU(2018)603213(ANN2)_EN.pdf (pp. 18-19).

1.6   Reader's guide

The following three chapters address the different forms of digital citizen engagement described above. Chapter 2 focuses on e-information, Chapter 3 on e-consultation and Chapter 4 on e-decision-making. Each chapter addresses two categories of tools designed to support the form of citizen engagement central to that chapter.

We describe how the tools in question contribute to the various forms of legitimacy and discuss the associated problems. We then consider whether these tools would also fit into the Dutch context and have added value there, and what it would take to implement them successfully.

In the final chapter, we summarise our observations and discuss our conclusions regarding the potential for progress on e-information, e-consultation and e-decision-making in the Netherlands. We conclude the chapter by considering some general criteria for the successful introduction of various forms of digital citizen engagement in the Netherlands.

Figure 1 Digital democracy tools studied
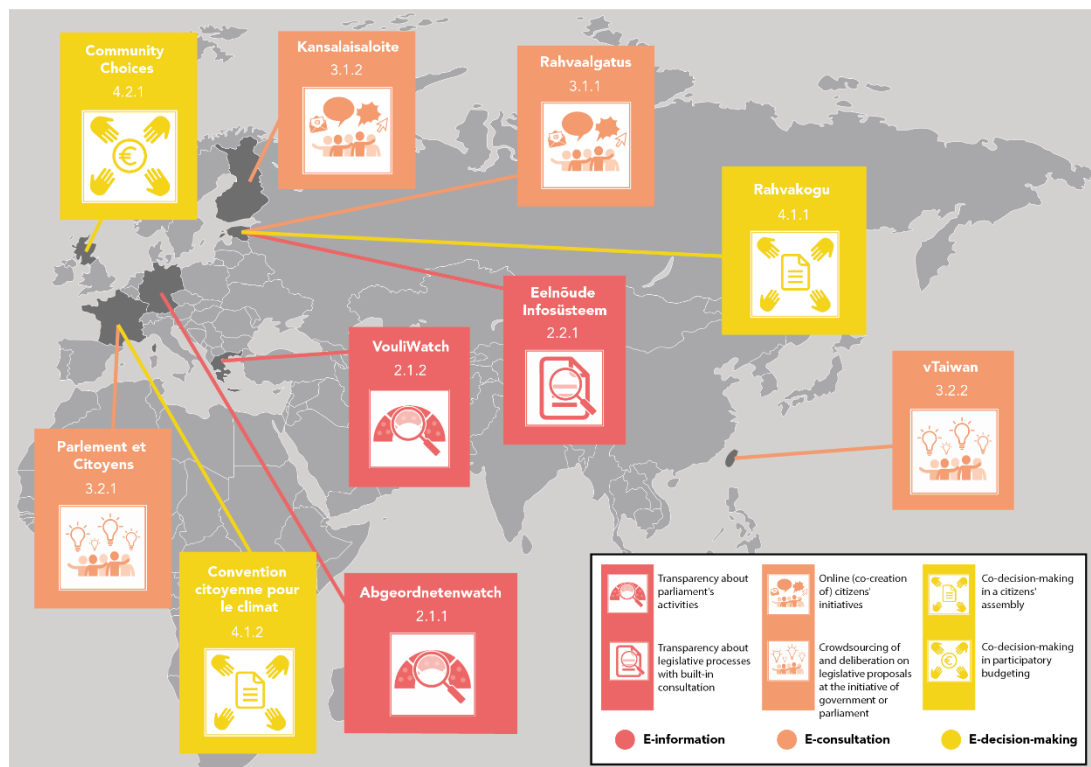
2 E-information

This chapter discusses digital democracy tools aimed at increasing the transparency of policymaking and legislative processes (i.e. e-information). All forms of citizen engagement are grounded in citizens having access to information. The public can form political opinions, and monitor and evaluate democratic processes critically only if the actions of public officials and MPs are transparent to them.

This type of citizen engagement is often overlooked in discussions about democratic innovation, the participatory society and active democracy, but access to information is crucial to the workings of representative democracy (Green, 2011; Schudson, 1998; Zaller, 2010). For example, the Dutch Council for Public Administration (ROB 2012; 2019) emphasises that it is the task of the government and parliament to proactively share the information and arguments that underpin government and political decision-making (i.e. not only when asked to do so). Journalists and the (social) media also play an important role in this form of engagement.

Several examples from abroad show how digital tools facilitate a relatively new, digital form of information-driven citizen engagement. Online access to public information and the opportunity to discuss views, experiences and interpretations can help to bridge the gap between citizens on the one hand and representatives and public officials on the other. Based on our analysis, we distinguish between two categories of tools that differ in terms of initiating party and direction of communication.

Section 2.1 discusses tools that supply 'facts and figures' on the work carried out by the relevant parliament or that have a Q&A feature involving MPs. The platforms that we studied are private initiatives that allow ordinary citizens to communicate publicly with politicians.

Section 2.2 explores tools intended to improve the transparency of decision-making processes. These are attempts by the national government to make legislative processes accessible to the public.

Section 2.3 turns the spotlight on the Netherlands. Based on the lessons learned from abroad, we consider options for adopting such tools successfully in the Dutch system or for improving current practices.

2.1   Transparency about MPs' activities

The purpose of this category of tool is to promote communication between citizens and MPs and to make the work of elected representatives more transparent. It is not, therefore, meant to influence decision-making directly. Examples abroad are the private, independent online platforms **Abgeordnetenwatch** and **VouliWatch**. Both platforms furnish tools for monitoring MPs' voting behaviour, among other things. They also report consistently on MPs' activities, including any ancillary positions. In addition, they give citizens an opportunity to ask their elected representatives questions in a public, online platform – and MPs an opportunity to respond.[17] In doing so, they facilitate direct contact between the public and MPs and offer an alternative to interactions on social media.[18]

2.1.1   Abgeordnetenwatch: Monitoring in Germany

In 2004, two students from the Federal State of Hamburg took the momentous step of setting up the platform Abgeordnetenwatch.de. Two years later, the platform was scaled up to the federal level, and another two years thereafter its monitoring was extended to members of the European Parliament (MEPs). The platform was one of the activities undertaken by Mehr Demokratie (More Democracy), an international NGO that promotes direct democracy. Abgeordnetenwatch (AW) is an independent, non-profit organisation, financed by public donations and financial support from foundations. In 2019, it employed two directors, 15 staff members and 20 freelancers.

AW facilitates direct communication between the public and German MPs (but not direct communication between the site's visitors). Its main objective is to promote transparency in democracy. The platform makes it possible for citizens to:
1) find information on the voting behaviour and ancillary activities of individual MPs;
2) put questions to individual elected representatives (the questions and responses are published on the website);
3) sign petitions (but not start them);

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17 For more information, see the relevant websites: https://www.abgeordnetenwatch.de/ and https://vouliwatch.gr/

18 Although social media platforms facilitate direct contact between politicians, officials and citizens, they are not designed for that purpose. Several authors allude to the emergence of 'echo chambers', to the polarisation arising from these platforms, and to the limited scope for political discussion and engagement of such social media. See e.g. Hazenberg (2020), Arets & Heuts (2020).

4) comment on (critical) blogs or news items published by AW staff. Recurring topics include what MPs earn on the side, lobbying activities and political party finances.

A moderation protocol is in place to ensure a platform free of lobbying or offensive behaviour. For example, all questions are screened in advance and published with the full name of the individual submitting the question. In 2019, the platform processed 12,677 questions and 9,922 answers (Annual Report 2019). Statistics on the number of questions and answers are displayed on the individual MP's profile page.

Input legitimacy: *Does the tool increase the receptiveness of political decision-making processes to citizens?*
As we asserted in the opening paragraph of this chapter, all forms of citizen engagement are grounded in citizens having access to information. The fact that citizens can monitor politicians' activities and answers also means that they can judge them. Answers to questions, or a lack thereof, may prompt individual citizens or groups to take action. In particular, the platform contributes to transparency and facilitates the conditions that allow citizens to respond to democratic processes. It does not help to increase the direct or active participation of citizens in legislative/decision-making processes.

Anyone with an internet connection and basic digital skills can visit the site, look up information about MPs and/or ask a question. Even so, among the platform's visitors, men and high-educated persons are over-represented (Rathenau Instituut, 2015; Krlev, 2018). In addition, the site is popular with (investigative) journalists and academics. The site's newsletters (150,000 subscribers in 2019) and blogs (e.g. giving the names of active parliamentary lobbyists) alert journalists to possible abuses. The platform also functions as a sort of archive or 'memory' of what MPs have said and done.

Throughput legitimacy: *Does the tool help to improve deliberation and assessment processes by engaging citizens?*
By publishing details about citizens' questions and MPs' answers, and by disclosing MPs' and MEPs' voting behaviour, party finances and ancillary sources of income, AW has established a reputation as an organisation that promotes transparency – with respect to lobbying and assessment – in the democratic process. It also forces politicians to account for their parliamentary activities. It does contribute to throughput legitimacy in that sense, but not by involving citizens themselves in deliberation and assessment. The platform makes it possible for citizens to query

politicians on their underlying arguments or motivations. It does not facilitate exchanges of ideas or arguments between citizens.

Output legitimacy: *Does the tool ensure that citizen engagement has an impact?*
In general, users are much more positive about the platform's role as a 'watchdog' than are politicians, whose attitude can be described as one of indifference (Krlev, 2018). Nevertheless, the platform seems to influence their behaviour and what they contribute to debates. For example, one German MP resigned after scoring very poorly in the site's statistics.[19]

The site itself has claimed the following successes, among others:
- In 2012, 300 questions raised in parliament were demonstrably inspired by questions posed by citizens on the AW website.
- In 2014, AW submitted a petition (signed by more than 50,000 people) to the Bundestag judicial committee that ultimately led to anti-corruption legislation.
- In 2016, the German courts forced the Bundestag to publish the names of lobbyists; according to the site itself, this outcome was a direct result of its demand for greater transparency about lobbying.

There are, however, also concerns that Abgeordnetenwatch raises unrealistic expectations. The question-and-answer interaction takes place individually, between voters and elected representatives, whereas parliamentary decisions and the positions adopted by party members are often based on their party's political considerations (Hennen et al., 2020).

2.1.2   VouliWatch: Monitoring in Greece

Inspired by Germany's Abgeordnetenwatch, two young entrepreneurs founded the Greek VouliWatch (VW) in 2014 (*vouli* means parliament). After Greece's deep economic crisis and the public's associated loss of faith in the EU, Greek parliamentary democracy and politics in general, the founders of VW saw the platform as a means of restoring confidence in Greek democracy, especially among young people.

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19 The MP in question was CDU member Carl-Eduard Von Bismarck. He relinquished his seat in the Bundestag in 2007 after the media reported his absence from meetings and votes. The reports were based on data published on Abgeordnetenwatch. See also https://www.abgeordnetenwatch.de/abgeordnetenwatchde-feiert-15-jahre/2007.

VW is an independent organisation, funded by project-based grants (including from the EU and international organisations as The Open Society Foundation), donations from charitable foundations (including The Guerrilla Foundation and Latsis Foundation) and individual donations. The budget for 2020 amounts to € 77,603. At the moment, VW has 3 full-time employees, 3 part-time employees and 1 volunteer.

The platform makes it possible for citizens to:
1) put questions to MPs and MEPs (the questions and answers are published on the website);
2) monitor MPs voting behaviour (via Votewatch);
3) find information on parliamentary activities (questions, votes, petitions) and on budgets and transactions published on parliament's own website;
4) compare and comment on the policy positions of different parties (via the Policy Monitor);
5) keep up with parliamentary news (via The Observatory).

Like its German forebear, VW has put a moderation protocol in place to ensure a platform free of lobbying or offensive behaviour.All questions are screened in advance and published with the full name of the individual submitting it. Between March 2018 and March 2019, the number of questions totalled 869 and the number of answers 397.

VW recently added a feature that facilitates direct communication between site visitors. For example, people can now publish ideas on the platform and comment on and rank ideas.

Input legitimacy: *Does the tool increase the receptiveness of political decision-making processes to citizens?*
As in the case of AW, anyone with an internet connection can visit the VW site, look up information about MPs or ask a question in a public forum. Being able to monitor the activities of elected officials thus allows citizens to express themselves in the democratic process and can lead to their active participation. VW strives to reach young people in particular through social media, TV appearances and public events. In 2018, the website had 139,780 visitors. Little is known about their representativeness..

Throughput legitimacy: *Does the tool help to improve deliberation and assessment processes by engaging citizens?*
Like AW, VW publishes an annual ranking of the most responsive MPs. Unlike AW, however, VW also offers MPs the opportunity to post messages on the platform (about ideas, actions, etc.). In addition, citizens can comment on one another's

ideas. Every other month, the idea that has the most support is submitted to the relevant parliamentary committee. VW also hosts a monthly online debate on the 'topic of the month'. This debate may continue offline between interested citizens.

VW therefore functions as a bridge, with the platform potentially generating more two-way traffic than in the case of AW. In 2017, 55% of Greece's MPs were active on the platform. All political parties, with the exception of the communists and the far-right Golden Dawn, participate in the platform.[20]

Output legitimacy: *Does the tool ensure that citizen engagement has an impact?*
VW is a member of the Open Government Partnership, the United Nations Convention against Corruption (UNCAC), ALTER-EU, and an informal network of European NGOs that have similar ambitions. It is therefore firmly embedded in international partnerships and its employees attend international conferences.

However, MPs are under no legal obligation to use VW or to answer questions, and the response rate is lower than that of AW. Greek MPs are suspicious of the platform; they are also not used to critical monitoring.[21] Moreover, the platform's founders believe that Greece's independent press is not as highly developed as in other EU countries.[22] The platform therefore acts as a critical watchdog in Greece (much more so than AW in Germany), producing reports and publications that are similar in content and style to the Dutch television programme *Zembla*.[23]

2.1.3 Lessons from abroad: Successes and risks

Accountability platforms empower citizens (and organisations) to 'audit' individual elected representatives. As a result, they make the relationship between elected representatives and lobbyists transparent and reveal MPs' voting and other behaviour. Through these platforms, citizens can scrutinise how elected representatives fulfil their political mandate. By making this possible, the platforms contribute to the transparency of parliamentary decision-making processes and in particular increase the throughput legitimacy of policymaking.

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20 https://participedia.net/case/4177
21 See also: https://www.ekathimerini.com/163829/article/ekathimerini/community/vouliwatch-website-helps-make-the-birthplace-of-democracy-more-democratic; interview with Stefanos Loukoupolos 23 November 2017, see: https://www.opendemocracy.net/en/can-europe-make-it/its-sense-of-adventure-how-vouliwatch-is-re/ (3;13 ff)
22 Interview by Gregory Pappas with Vouliwatch CEO Stefanos Loukoupolos, see: https://www.pappaspost.com/gregory-pappas-vouliwatch-interview
23 https://www.pappaspost.com/gregory-pappas-vouliwatch-interview

The platforms' question-and-answer feature also serves to improve direct public interaction between citizens and elected representatives, increasing the receptiveness of the political system to citizen input, and hence boosting input legitimacy. After all, citizens' questions give MPs a good idea of the people's concerns and interests. In turn, citizens can use MPs' responses to ascertain whether their input is influencing the political agenda in parliament.

Such greater transparency runs the risk of putting pressure on the autonomy and self-determination of elected representatives (Rathenau Instituut, 2015). Instead of trusting elected representatives to pursue a particular course of action (mandate model), this type of platform helps citizens to issue specific 'policy orders' to politicians and 'hold them accountable' for the same.

The MPs in our foreign examples[24] are well aware that they are being monitored. Although they are not obliged to respond to citizens' questions, the Q&A statistics posted on their profile pages and the annual rankings of most responsive MPs put them under public pressure. Some MPs regard the platform questions as an additional strain on what is already an overstretched schedule. Others are keen to use the accountability platform to position and promote themselves (Hennen et al., 2020).

In summary, a number of conditions that have emerged from our literature review and additional interviews must be met before this tool can be said to contribute to input, throughput and output legitimacy:

- the platform (information systems, statistics) must be set up and managed by an independent organisation;
- the platform must not permit lobbying or offensive behaviour (e.g. by establishing a moderation protocol and publishing the full name of those submitting questions);
- politicians must answer citizens' questions (publishing both questions and answers puts public pressure on MPs and increases the platform's impact);
- consideration should be given to the additional burden that MPs may experience and the (perverse) incentives of scores/statistics.

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24 Similar sites have been set up in France, Austria and Luxembourg. We also see comparable participation platforms in other countries: WriteToThem and TheyWorkForYou (in the United Kingdom), and riigikogu.ee (in Estonia). The Estonian Parliament's website offers several online e-information channels. It provides detailed information on the bills under discussion in Parliament, including what stage the bill has reached. Every MP has a page providing background information and data on area of expertise and voting behaviour. It is also possible to submit questions directly to MPs.

2.2   Transparency about legislative processes with built-in public consultation

This category of tool is administered by government. It gives citizens and organisations the opportunity to monitor policymakers and to express their views, meeting the demand for open governance, open processes and open data. Examples from abroad include the various websites operated by the Estonian government. In this study, we focus in particular on the open information system **Eelnõude Infosüsteem** (EIS), which, together with the closed information system **Valitsuse Istungite Infosüsteem** (VIIS), connects the various constituents of government. Through these systems, citizens (and civil servants) are able to keep track of proposed legislation and the status of decision-making processes.

2.2.1   EIS and VIIS: Information systems in Estonia

Estonia has advanced digital government processes that make the government's decision-making transparent and receptive to public and other expertise. These processes are rooted in the story of the country's founding. As soon as Estonia gained independence in 1991, the Estonian government advanced digitalisation as an important means of (re)shaping the fledgling democracy. Indeed, almost from the start, digital tools helped to determine the way in which government was structured.

For example, government documents are published and made accessible in digital form, and ministers can attend meetings remotely and sign documents quickly and securely by digital means.[25] Residents of Estonia also have a digital identity that allows them to vote online, to store their patient data digitally, and to monitor and comment on policy and decision-making processes online. This digital infrastructure means that digital tools are not merely supplementary to the established components of representative democracy but instead serve as its foundation.

The open information system, **Eelnõude Infosüsteem** (EIS), also known as e-Consultation, dates back to 2011. Both civil servants and citizens have access to EIS through their IDcard/mobile ID. Initially, it was designed to make legislative processes more efficient and transparent. Although the system currently is used mainly for interministerial exchanges and coordination, it also makes it easier for everyone to track procedures and progress on legislation. For example, it makes it

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25 For more information, see: https://e-estonia.com/solutions/e-governance/e-cabinet/ and
    https://www.riigikantselei.ee/en/organisation-work-government

easy to find dossiers and track the various stages of decision-making procedures. It also has a search function and can be configured to issue notifications for breaking news on specific topics or bills.

Ministries and anyone with an Estonian ID card can use EIS to comment on draft bills during the mandatory 'consultation phase'.[26] Interested parties may comment on documents before draft bills are submitted to the government. In addition to EIS, the government now uses the Osale platform for public consultations.[27] Box 1 briefly describes the relationship between EIS and other consultation platforms.

EIS is connected to a closed information system dating from 2000, **Valitsuse Istungite Infosüsteem** (VIIS) – also known as e-Cabinet – to which only members of the government and certain officials have access. This platform allows ministers to review agenda items before meetings, express their views and cast preliminary votes on bills.[28] It is meant to streamline decision-making processes. VIIS serves as a database (archive) and scheduling tool that organises and updates relevant information. It is linked to several other websites that publish documents, agendas (e.g. of the Council of Ministers) and updates.

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26 See: https://www.riigikantselei.ee/en/news/significant-additions-made-e-consultation-system

27 Like EIS, Osale only accepts comments on draft policy plans or bills during public consultations. The initiator and former coordinator of Osale explains that it was not deesigned as a consultation platform, but merely as a tool for polling opinions and crowdsourcing ideas (Toots, 2019). See also: https://www.riigikantselei.ee/en/news/significant-additions-made-e-consultation-system

28 The Estonian Government has weekly 'government sessions' in which it takes formal decisions in accordance with strict official procedures. For more information, see: https://e-estonia.com/solutions/e-governance/e-cabinet/ and https://www.riigikantselei.ee/en/organisation-work-government

Box 1 Public consultation platforms in Estonia

Several online platforms have been developed in recent years that facilitate online public consultations. In 2001, the Estonian government set up TOM (Täna Otsustan Mina, 'Today I decide'), a platform where citizens could share, discuss and vote on policy ideas. TOM was replaced in 2007 by the existing platform, Osale.ee ('participate'), where government ministers can (1) propose draft bills to the public and (2) crowdsource policy proposals. Since 2011, EIS has also served as a channel for presenting draft bills to the public. Osale's second functionality is not part of EIS.

TOM was a stand-alone platform, whereas Osale is connected to EIS. It is not obligatory to make every proposal available for public consultation on Osale, however, and it is up to the relevant ministries to decide how they will deal with submissions received from Osale[29] Researcher Maarja Toots (2019) explains that stakeholders underutilise Osale because the level of interest and ability of individuals, interest groups and officials to engage in meaningful online dialogue on bills has been overestimated.

A vicious circle appears to have arisen: to facilitate citizen participation, officials have repeatedly been encouraged to simplify legal texts and to highlight those aspects on which citizens are expected to provide feedback. However, because so few people actually made use of Osale, government officials had little incentive to participate, resulting in an even steeper decline in its use by the public and interest groups (Toots, 2019).

Because civil servants are obliged to make use of EIS, it is more effective than Osale and has become closely integrated with formal procedures. Toots (2019) explains that EIS is not about fuzzy public consultations, but represents a sort of interinstitutional, heavily regulated approval procedure for draft legislation. For example, the procedure requires feedback to be given on all comments. This is one reason why many interest groups choose to submit their input on EIS instead of Osale, even though public consultation on EIS takes place at a later stage in the policy cycle than on Osale.

Input legitimacy: *Does the tool increase the receptiveness of political decision-making processes to citizens?*

Although it is not the primary purpose of the platform, EIS allows citizens to voice their opinion about draft policy and legislation while the relevant processes are under way. They can also track dossiers and receive news alerts on the latest developments. According to the Head of the Government Secretariat, some 3000 people have signed up to receive such notifications.[30]

Stakeholders and interest groups do not use EIS primarily to make their views known. They are in fact already invited to express their wishes and interests at earlier stages of the policy cycle.[31] Public consultations are limited to written comments on specific documents and do not provide for political (or other) agenda-setting opportunities. As a result, EIS-based public consultations do not attract much feedback from 'ordinary' citizens; the participants tend to be members of the 'participatory elite'. No further effort is made to reach out to other groups, although Estonia has other participatory mechanisms for this purpose (see sections 3.1.2 and 4.1.1). Work is under way to improve the user-friendliness and accessibility of the platform, however,[32] and there are also plans to update EIS and make it more interactive in response to criticism in that regard.[33]

Throughput legitimacy: *Does the tool help to improve deliberation and assessment processes by engaging citizens?*

The system allows people to comment on documents but EIS does not currently facilitate further interaction between citizens and politicians or between citizens themselves. Osale does offer more opportunities for this, with people being able to submit ideas and rally support for them. EIS, an open information system, combined with VIIS, a closed system, primarily support ministers and officials. For example, by reviewing agenda items in advance, stating their positions and casting preliminary votes on proposals in the online system, ministers streamline the cabinet's internal decision-making and assessment processes. This saves a great deal of time and – because interested parties can follow these processes – contributes to transparency.

29   Crowdlaw for Congress Series, Rahvakogu: turning the e-republic into an e-democracy (case study). URL: https://congress.crowd.law/files/rahvakogu-case-study.pdf
30   Interview with Aivar Rahno.
31   Interview with Aivar Rahno
32   https://www.riigikantselei.ee/en/news/significant-additions-made-e-consultation-system
33   Interviews with Maarja Olsek and Aivar Rahno

Output legitimacy: *Does the tool ensure that citizen engagement has an impact?*

The fact that officials are required to make use of EIS has facilitated close integration with formal procedures. Public consultation functions as a kind of interministerial approval procedure, with feedback being required on every comment submitted. Participants can also use EIS to review outcomes and find out what has been done with their input. However, there is no standard procedure for processing comments. The information system helps to narrow the gap between public authorities and participants, even though it mainly targets civil servants and attracts only a small number of citizens, in particular members of the participatory elite.

2.2.2   Lessons from abroad: Successes and risks

The information systems described above play an important role in improving the transparency of legislation and policymaking. These systems make it possible for citizens to acquaint themselves with and track policy proposals and for policymakers to benefit from the knowledge and expertise of citizens and stakeholders. They can also boost support for policy.

The members of the public who use the information systems and participate in the consultation phase are self-selected. It is often thought that digital participation projects reach a wider variety of people than offline projects. It turns out that this is not necessarily true. User research shows that digital democracy tools tend to attract mainly young, high-educated white males, the same group that is often over-represented in offline political activities. In other words, online tools do not always reach a more diverse group (Rathenau Instituut, 2017).

Although we have little information on the users of EIS, it is most likely the participatory elite who benefit most from this platform, a group that does not adequately represent the population. However, representativeness is not absolutely necessary to ensure that different interests, perspectives and arguments are taken into account. Individuals and interest groups can also speak for others or for certain special (community, social or commercial) interests. Moreover, participant inclusiveness often appears to be at odds with the participants' presumed expertise. It is important, however, that the process remains open to anyone who would like to

participate. That is also why it is critical to address (new) exclusion mechanisms and risks of fraud arising from the *digital* nature of the tools.[34]

There are a number of elements that the Dutch national government must consider before investing in similar information and consultation systems:

- integration of consultation into formal procedures (e.g. by obliging officials to use the systems);
- the availability of IT infrastructures (e.g. for logging in with an e-ID and for document management);
- citizen awarenessand ease of access to the platform;
- management of expectations about the purpose of the tool (transparency, polling opinions and crowdsourcing ideas, but not a platform for deliberation and dialogue).

2.3   Adoption in the Netherlands

This study focuses on examples abroad of digital citizen engagement at the national level. In this section, we consider whether and how these examples might be adopted in the Netherlands. To make this assessment, we conducted interviews and held expert meetings to explore experiences with e-information in the Netherlands. Based on this admittedly limited impression of what already exists or has been attempted, we offer suggestions for improvements.

We examine two important questions:
- What information is needed?
- Who should be taking action?

2.3.1   Experiences in the Netherlands

The Netherlands has various digital platforms in place that make parliament's *activities* transparent.[35] Some, such as partijgedrag.nl, openkamer.org and lobbywatch.nl, are private initiatives. The public can also monitor politicians' behaviour on social media, and the House of Representatives' website lists MPs' e-mail addresses. According to a number of our interviewees, past experience shows

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34   A recent essay published by Urban Futures Studio also touches on this discussion: 'Vormgeven aan inclusieve ontmoetingen in de energietransitie'. See: https://www.uu.nl/en/research/urban-futures-studio
35   See also: Edwards and De Kool, 2015.

that even when MPs are unable to answer questions personally by e-mail, their personal assistants are generally very willing and approachable. Citizens and politicians also interact through online channels, such as Facebook and Twitter. The Netherlands does not currently have a platform with a moderated Q&A feature designed specifically to facilitate interaction between citizens, public officials and politicians.

The experts we spoke to believe that a well-structured platform offering transparency about activities in the House and the national government could well be of added value.[36] Such a platform should not only provide access to the results of policy processes (treaties, laws, schemes, by-laws, etc.), but also clarify the policy processes that precede them. For example, it might be helpful to have well-structured online platforms that explain or visualise the various stages of decision-making processes, the status of dossiers and the political context of decisions. An earlier initiative, 'Transparent Netherlands', was launched by a coalition of partners in Netwerk Democratie in 2016. Its aim was to offer transparency about the relationships and connections between politicians on the one hand and individuals and organisations in industry, NGOs, government, universities and think tanks on the other.[37] We have not examined the results and current status of this initiative. Our experts, however, pointed out that it would be interesting to see government – and not *only* NGOs and media organisations – commit to an initiative promoting transparency about such relationships and connections.

Various websites currently provide access to policy documents and decision-making processes (e.g. tweedekamer.nl, parlement.nl and overheid.nl) and offer dossier creation or notification features (e.g. 1848.nl[38]). Most of these are websites that 'showcase' documents or news. They have archive and search features, but users must already be reasonably familiar with the dossiers. The websites mentioned do not share draft policies or draft legislation and do not provide for a consultation process. Overheid.nl, for example, acts as a 'guide' to the information and services available from all Dutch government organisations. While it does link to internetconsultatie.nl[39] and the legislative calendar, the site does not function as

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36 It should be noted that the danger of a site such as Abgeordenetenwatch is that decisions are personalised, whereas decisions in our coalition-style democracy are made within the structure of a coalition. Such platforms reveal how a party has voted, but not why. Presented without context, information can be misused to frame decision-making in a certain way, for example by showing that a party voted against a proposal but not that it made a counter-proposal that went much further.

37 See also: Y. Jeuken, 2013.

38 1848.nl serves as an archive and allows users to receive notifications about chosen dossiers. It derives its revenue largely from its usefulness for journalists.

39 The public can deliver feedback on or during decision-making procedures on internetconsultatie.nl. Section 3.3.3 discusses this platform in more detail.

an open information system for interministerial exchanges, coordination or interaction.

Transparency: A question of how you define it

Political and government transparency is a basic prerequisite for any form of participation. It is crucial to be able to access information about politicians' activities, their voting behaviour, ancillary positions, etc., and to track the different stages of decision-making processes (ROB, 2012). Transparency of information is essential not only for citizens but also for journalists and for MPs themselves.

But it isn't easy for the public, journalists, lobbyists, NGOs or even politicians to find out exactly what is happening in the corridors of power in The Hague. The House and the national government produce enormous volumes of data and information. In this case, the obfuscating factor is not a dearth of information but rather the fragmentary and amorphous nature of the information that is available.

For example, although agendas and policy memorandums are currently published in both PDF and html format on the House's website, the large volume of data makes it difficult to quickly track down information (ROB, 2012). Private initiatives such as 1848.nl are addressing this by creating comprehensible and easily searchable websites and lists, based on documents published by the national government and on journalists' reports. They develop their own scraping software to extract this data from government websites.

Who should be taking action?

It is incumbent on government to make decision-making and policy processes transparent. Its primary role is to facilitate by creating the conditions and making the relevant information available and accessible so that everyone can access political and government data. If the need for additional information and transparency persists, the national government and parliament can play a role in supporting initiatives that address this need.

There are those who believe that government information and transparency leave something to be desired. For example, Open State Foundation[40] and 1848.nl (Kamerstukken 2019Z09235) argue that: '…it is difficult to get a handle on the overall decision-making process. The ministries, the House of Representatives and the Senate each have their own publication channels and platforms for each phase of the decision-making process. Denmark and Sweden, on the other hand, have platforms that offer an overview of the entire national decision-making process,

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40   The mission of the Open State Foundation is to promote the digital transparency of government and thus
        contribute to a monitorable and robust democracy.

from A to Z. The Netherlands should similarly seek to cooperate in this way by concentrating information on decision-making in a single, central platform.'

In a letter to the House President Khadija Arib, Lucas Benschop (founder and CEO of 1848.nl), Tom Kunzler (Director of Open State Foundation) and Joep Meindertsma (CEO of Argu.co) explain that the development of the House's Open Data Portal,[41] launched in late 2016, has stalled. To date, the API remains unworkable for developers who wish to build helpful applications, hindering the development of digital tools that will allow citizens to access information. There is too much (government) information, it is poorly structured and difficult to access digitally. This information needs to be made accessible online in an easily searchable form subject to generally recognised standards. The Netherlands' Council of State has also stressed the need to improve the provision of information:

> 'To ensure that relevant information can be traced and accessed more rapidly, the first order of business is to improve information management (including digitisation and archiving) in civil service organisations. This is a major exercise that should not be underestimated and is likely to take some time. It is important to identify the nature of the problems and, in particular, where they occur within the civil service organisation. The next step is to determine what actions need to be taken. Political and government responsibility for this major operation must be crystal clear' (Kamerstukken 35300, no. 78).[42]

Government has an important responsibility: to introduce standards that will make information about decision-making and policy processes transparent, accessible and searchable (e.g. by using standardised APIs).[43] This information includes the documents produced by the House of Representatives (proceedings, motions, amendments, agendas, voting behaviour) and policy documents (white and green papers, bills, policy memorandums). By making this information more accessible and easier to search and use digitally, government can help to create opportunities – including for private parties – to develop all sorts of new digital tools that will improve the supply of information to the public.

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41 https://opendata.tweedekamer.nl/
42 See also: G. Enthoven, 'Geef de Kamer de informatie om de regering écht te kunnen controleren'. In: *NRC* 30 June 2020.
43 An application programming interface (API) is a set of codes that allows a computer program to communicate with another program or program component (often available in the form of libraries).

2.3.2   Options for the Netherlands

In line with the examples from abroad, it might be useful to examine whether:

1.   it is possible to develop an information system that can ease the flow of
     information between government organisations, ministries and parliament
     while also allowing the public to follow policy processes (using notifications
     and dossiers).

2.   existing platforms can be encouraged to play a greater role in accountability
     by allowing politicians to account for their actions, viewpoints and decisions.

3.   adding a (moderated) Q&A feature to existing initiatives gives citizens the
     opportunity to question politicians about their views and choices.

3 E-consultation

In this chapter we discuss digital democracy tools belonging to the e-consultation category, i.e. the online facilitation of agenda-setting citizen engagement. These are digital tools designed to give citizens direct input into laws and policies, thereby enhancing the quality of the deliberative process. The emphasis is on developing policy proposals and reaching consensus on them. In other words, this chapter is about the influence of citizens on the policy of a government body.

Consultations play a particular role in the policymaking phase. Organising citizen participation should help to ensure that policies are responsive to the needs of society. In our international comparison of digital democracy tools, we have identified roughly two categories that facilitate agenda-setting citizen engagement.

In section 3.1, we look at digital tools that facilitate the launch of citizens' initiatives and discussions between citizens. This is a form of engagement initiated by citizens themselves. For example, they might come forward with proposals and seek support for them by collecting signatures. Examples include petitions and citizens' initiatives.

Section 3.2 discusses digital tools that offer politicians and officials an ongoing opportunity to harness the public's wide-ranging expertise: to present proposals to citizens with a view to improving them (mobilising the 'wisdom of the crowd'). The government or parliament can organise citizens' consultations at any stage of the policy cycle.

In section 3.3 we consider how these tools might apply in the Netherlands and the country's past experience with e-consultation. Based on lessons learned from abroad, we identify options to support or improve current practices.

3.1   Online (co-creation of) citizens' initiatives

Citizens' policy or legislative proposals can be submitted to parliament by means of a citizens' initiative. In some countries, it is possible to organise this process entirely online. Examples are **Kansalaisaloite**[44] (Finland) and **Rahvaalgatus**[45] (Estonia). Both of these online platforms were set up after the adoption of a citizens' initiative act. They function as a permanent mechanism for developing, submitting and voting on proposals for legislation or policy. The initiative for this lies with the citizens. In both Finland and Estonia, members of the public may submit a proposal for discussion or a vote in parliament if it has received a minimum number of statements of support. It is then up to parliament to decide what to do with the proposal. We discuss the Finnish and Estonian examples in the following sections.

3.1.1   Kansalaisaloite: Citizens' initiative in Finland

In 2012, Finland gave its citizens the legal right to undertake a citizens' initiative, in which they can contribute actively to public policy by putting topics on the policymaking agenda or by supporting topics and proposals they consider important.

In response to the citizens' initiative act, a number of technology experts set up Avoin Ministeriö ('Open Ministry'), a platform (http://www.avoinministerio.fi/) where citizens could develop proposals, collect or share ideas, discuss and co-create initiatives, and endorse proposals with their online signature. The initiative failed due to a lack of volunteers and funding (Simon et al., 2017).

The official platform, kansalaisaloite.fi, is managed by the Ministry of Justice and is now the most widely used channel for citizens' initiatives.[46] The website has a searchable list of all citizens' initiatives ever submitted. Each initiative has a page describing the proposal, showing how many statements of support it has collected, and stating whether the initiators have received more than EUR 1,500 in funds to organise it.[47] It also provides the initiators' contact details. To date, there have been

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44   https://www.kansalaisaloite.fi/fi
45   https://rahvaalgatus.ee/
46   Other websites managed by the Ministry of Justice are meant for crowdsourcing by local authorities, consultations on ministries' draft policies, youth crowdsourcing and for gathering citizen input on specific projects. Authorities and decision-makers can use these platforms to consult the relevant groups about policies and legislation under development. All these websites can be found at www.demokratia.fi..
47   Initiators of a citizens' initiative must indicate how much financial support they have received and, if they have received at least EUR 1,500 from the same source, what that source is. A search through the list of citizens' initiatives reveals that this scarcely ever happens.

1,122 initiatives, 38 of which received enough votes to be debated in parliament. The Finnish parliament has acted on at least two proposals: a law on same-sex marriage and an amendment to the maternity act.[48]

The procedure for launching and submitting a citizens' initiative is as follows:
- An initiator must log on to the website with an online bank ID or e-identification. The initiator approaches others to share the responsibility. Once the roles of 'initiator', 'spokesperson' and 'deputy spokesperson' have been filled, the proposal is sent to the Ministry of Justice for verification.
- The relevant proposal may be (1) a request that parliament should enact or draft new legislation, (2) a request that parliament should repeal existing legislation, or (3) a bill by citizens to enact new legislation (Van Keulen and Korthagen, 2020). Proposed legislation that has received a sufficient number of signatures is subject to the standard parliamentary procedure for draft legislation (Rathenau Instituut, 2015).
- Others may support the proposal by issuing an offline or online signature/statement of support.
- A spokesperson responsible for a proposal that receives 50,000[49] statements of support within six months must submit the signatures to the Population Register Centre within a year, where they are checked at random by the Digital & Population Data Services Agency (DPDSA).
- A spokesperson must submit the proposal to parliament for discussion no later than six months after approval by the DPDSA.
- The proposal must be debated in parliament.
- During the procedure, the public can track the initiative's progress on kansalaisaloite.fi. The site also shows the number of signatures collected through other channels and the date on which the proposal was sent to parliament. There is also a link to the Finnish parliament's website, where visitors can read whether or not the proposal has been adopted.

Input legitimacy: *Does the tool increase the receptiveness of political decision-making processes to citizens?*
The aim of the citizens' initiative act is to promote unrestricted citizen engagement and to bolster civil society in a way that empowers differing groups to participate and have a say (Korthagen et al., 2018). The act and the online platform are thus aimed at increasing the input legitimacy of the Finnish legislative process. Although all citizens can use the platform and participate in the process, those who do so are not representative of the Finnish population. To raise public awareness of the platform, Open Ministry ran a promotional campaign when the act came into force.

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48   The amendment recognises both women of a female couple as mothers from the moment of their child's birth.
49   Less than 2% of the electorate.

While the campaign helped to inform people about what the platform can do, it only reached a certain segment of the population.[50]

Researchers stress that the self-selection mechanism determines which individuals get involved in online citizens' initiative platforms (Aitamurto and Landemore, 2016). They also found that people who are more knowledgeable about politics and people who place less trust in politics (and in particular these two attributes combined) are more likely to participate in a Finnish citizens' initiative (Christensen, 2017; Christensen et al., 2017). Research by the Rathenau Instituut reveals it is challenging to engage those who are not spontaneously interested in citizens' initiatives or politics (Van Keulen and Korthagen, 2020). We must also emphasise, however, that the aim of this type of crowdsourcing is diversity, not representativeness per se (Rathenau Instituut, 2015). Since the proposals are submitted to parliament, moreover, political representativeness is guaranteed. It is therefore interesting that citizens' initiatives attract people who are less inclined to participate in elections: young people, including those living on a smaller income (Huttunen and Christensen, 2019). As a result, kansalaisaloite.fi is reaching a group that is generally less well represented in representative democracy.

Throughput legitimacy: *Does the tool help to improve deliberation and assessment processes by engaging citizens?*
Because the website kansalaisaloite.fi does not allow for discussions between citizens or between citizens and officials, it appears to contribute to throughput legitimacy only to a limited extent. However, it does contribute to throughput legitimacy by ensuring that any citizens' initiative backed by enough statements ofsupport and submitted to parliament (the Eduskunta) is followed up. The initiator is guaranteed a hearing before a parliamentary committee.

Open Ministry's website – now abandoned – did facilitate deliberation between citizens, although only 7% of visitors made use of this feature (Christensen, 2015). Open Ministry valued co-creation of proposals as a means of meaningful participation. In addition, the founder of Open Ministry, Joonas Pekkanen, foresaw that low-quality citizens' initiatives might tarnish the site's reputation.[51] The platform

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50 A user survey by Open Ministry in 2012 showed that men between the ages of 21 and 40, university graduates and city dwellers were over-represented (Nurminen, Karjainen and Christensen, 2013).

51 Although citizens' bills are discussed in parliament, their quality is not always deemed satisfactory (Edwards and De Kool, 2015). For example, the Chairman of the Finnish parliament's Legal Affairs Committee ruled that the bill concerning same-sex marriage contained technical deficiencies. In the end, the bill was passed by 105 votes to 92, after the centre-right Prime Minister Stubb expressed his support for it in an open letter. See: https://yle.fi/uutiset/osasto/news/committee_chair_blames_gay_marriage_bills_technical_deficiencies_for_reje ction/7320452

had hoped that lawyers offering *pro bono* services would improve the quality of citizens' bills and make it more likely for parliament to adopt them.[52]

Output legitimacy: *Does the tool ensure that citizen engagement has an impact?*
Some 38 proposals have been submitted to the Finnish parliament since 2012. One citizens' initiative (to legalise same-sex marriage) was adopted. What successful initiatives have in common is their vigorous campaigning and media coverage (Christensen et al., 2015). The nature of the individual campaigns depends largely on the initiators and their network, factors that are not inherent to the tool itself.

Nevertheless, the formal embedding of Finland's citizens' initiative does ensure a certain degree of output legitimacy. Parliament has the following options: it first debates a citizens' initiative in plenary session and then refers it to a parliamentary committee. The committee must allow one of the proposal's spokespersons the opportunity to argue their case. The committee may then (1) prepare a report or proposal for plenary discussion, (2) decide not to take any action on the initiative or (3) wait for the government to submit a proposal. A proposal left pending at the end of the electoral term is allowed to lapse.[53] These various options link citizen engagement to the formal legislative process, but since the Eduskunta has no deadline by which it must consider a citizens' initiative, policymaking is less responsive than it could be.

What is critical for output legitimacy is to clarify how a citizens' initiative influences parliament. In particular, it is important for parliament to be transparent about how it deals with proposals. Unless parliament explains its reasons for not acting on a proposal or for voting it down, participants' confidence in politics and democracy will diminish, especially among those who supported the rejected proposals (Christensen et al., 2015).

3.1.2   Rahvaalgatus.ee: Citizens' initiative in Estonia

The digital platform Rahvaalgatus ('people's initiative') helps citizens to draft and support citizens' initiatives. Estonia adopted an act in 2014 requiring its parliament to discuss any proposal to amend a law supported by a minimum of 1,000 signatures. The online platform Rahvaalgatus was founded in 2016 to support

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52   There is no evidence that this was effective, however. The Finnish parliament rejected a co-drafted bill (on copyright legislation). See: https://democracyoneday.com/2013/08/21/what-are-the-finns-up-to/
53   See:
      https://www.eduskunta.fi/EN/naineduskuntatoimii/eduskunnan_tehtavat/lakiensaataminen/kansalaisaloite/

citizens' initiatives as a form of citizen engagement. It is administered by the Estonian Cooperation Assembly, a non-governmental – but state-funded – foundation. In addition to government support, the platform receives donations. A total of €4,326 had been gifted by late May 2018 (an average of €8.60 per donation), covering its technical operational costs.[54] The platform uses CitizenOS, open source software supported by the Let's Do It Foundation and the Estonian Cooperation Assembly.

Rahvaalgatus allows people to develop their own initiatives, debate and vote, sign proposals and, if there is sufficient support, submit them to the Estonian parliament (the Riigikogu). They can also track what is being done with their proposals on the website and share updates (Toots, 2019). Parliamentary committees take receipt of citizens' initiatives and organise activities to involve those submitting them in their deliberations (e.g. a round-table discussion with initiators, spokespersons for relevant government departments and the private sector). As a result, the parliamentary committees are the main coordinators of the participatory policymaking process (Vooglaid and Randma-Liiv, 2019).

Input legitimacy: *Does the tool increase the receptiveness of political decision-making processes to citizens?*
The purpose of rahvaalgatus.ee is to assist citizens in preparing collective proposals to improve society.[55] The platform is aimed specifically at people who are interested in social issues and at NGOs and individuals keen to participate in discussions and in co-drafting proposals. The platform can also be used to monitor what the parliamentary committees think of a proposal and how the proposal might be transposed into law (source: rahvaalgatus.ee). In this way, the platform may increase the input legitimacy of political decision-making.

Established in 2016, by August 2018 the platform had attracted 265,000 visitors and collected 37,000 digital signatures for proposals, and it had 4,600 people following various initiatives[56] Within two years, it was being used by a 'critical mass of users and diverse mix of topics ranging from environment, spatial planning to citizenship and ageing society issues' (Pehk, 2018), and in that sense does indeed appear to be increasing the receptiveness of legislative processes.

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54 Figures taken from a 2018 presentation by Teele Pehk, CEO of the Estonian Cooperation Assembly. See: https://docs.google.com/presentation/d/1ZRe7LhQT-Y7q_aSX-NubuSNCjQbY2iGr9Th3uYVMOv8/edit#slide=id.g4465e2b37b_0_0

55 https://rahvaalgatus.ee/about

56 Figures taken from a 2018 presentation by Teele Pehk, CEO of of the Estonian Cooperation Assembly. See: https://docs.google.com/presentation/d/1ZRe7LhQT-Y7q_aSX-NubuSNCjQbY2iGr9Th3uYVMOv8/edit#slide=id.g4465e2b37b_0_0

Improvements have been made since then to make the platform more user-friendly and there have been various awareness-raising campaigns aimed specifically at young adults, digitally engaged older people and Russian speakers, the latter being the most 'passive group' in terms of political engagement (Simon et al., 2017).

Throughput legitimacy: *Does the tool help to improve deliberation and assessment processes by engaging citizens?*
Unlike the Finnish platform for citizens' initiatives (kansalaisaloite.fi), Estonia's rahvaalgatus.ee allows citizens to collaborate on proposals, comment on drafts and participate in discussions. A proposal is the result of a process in which a group of people assess their various interests and viewpoints and then collect statements of support. The transparency of this process contributes to throughput legitimacy.

Output legitimacy: *Does the tool ensure that citizen engagement has an impact?*
The Estonian parliament discussed 55 citizens' initiatives between spring 2014 and late 2019. Since 2016, more than 55,000 votes have been cast on rahvaalgatus.ee.[57] The website reports the latest status of initiatives.[58]

In Estonia, proposals end up in the parliamentary committee responsible for the issue being addressed by the citizens' initiative. Estonian parliamentary committees have more options for dealing with a citizens' initiative than those in Finland: they can initiate a legislative draft, hold a public meeting accessible to all, submit a proposal to a competent department or agency, ask the government to state its position and respond to the proposal, table a motion to reject the proposal, or raise the issue in some other way (Vooglaid and Randma-Liiv, 2019). This wide array of precise actions prevents the committees from ignoring the initiative, greatly contributing to the platform's output legitimacy.

It is, however, difficult to determine the extent to which these participation processes also lead (directly) to new laws and policy measures (Vooglaid and Randma-Liiv, 2019). Research furthermore shows that the process does not automatically translate into more trust or stronger ties between citizens and parliament. In fact, failure on the part of parliament to provide proper feedback at the end of the process can undo its positive effects.[59]

There is therefore room for improvement when it comes to transparency. Although the Rahvaalgatus webpage explicitly refers to transparency as a guiding principle,

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57 See: https://e-estonia.com/wp-content/uploads/2019aug-e-democracy-timeline-2.pdf
58 https://rahvaalgatus.ee/
59 Correspondence with Anne de Zeeuw.

links between different parts of the overall process are still missing, with the follow-up phase being the most problematic. As parliament has a number of options for dealing with an initiative, it is very difficult to give citizens a comprehensive and user-friendly impression of the output side of this e-participation initiative (Vooglaid and Randma-Liiv, 2019).

3.1.3   Lessons from abroad: Successes and risks

The Finnish example of Kansalaisaloite and the Estonian example of Rahvaalgatus suggest that such platforms can get citizens more engaged in politics and democracy and allow them to fill in gaps on the political agenda. They offer citizens different ways of expressing their opinions, and in that way play an important role in increasing the input legitimacy of policy. They can also increase output legitimacy, since the policy choices resulting from such citizens' initiatives are more closely aligned with the public's expectations and wishes.

Such legitimacy is conditional on citizens' initiatives being clearly and formally embedded, however. The way or ways in which a parliament deals with these initiatives must be transparent, with clear communication and compliance with the procedures. Transparency about how parliament deals with proposals is essential for both output and throughput legitimacy, in particular when proposals are rejected.

Research carried out by the Rathenau Instituut (2015) reveals that the citizens' initiative can lead to tension between legitimacy as viewed from the people's perspective (e.g. those who initiate and support a citizens' initiative) and parliament's autonomy. '[The] citizens' initiative impinges on the governmental and parliamentary monopoly on law-making and puts a certain amount of pressure on parliament's autonomy because it mobilises a large number of citizens in favour of a bill' (Rathenau Instituut, 2015). Finnish MPs feel that their authority is undermined by the citizens' initiative,[60] but it can also promote interaction between citizens and elected politicians by allowing them to discuss their views. In issues that generate a great deal of public discussion, parliament faces the challenge of explaining the political choices involved and not simply sufficing with a technical discussion (Rathenau Instituut, 2015).

To summarise: the following aspects must be considered if this type of tool is to contribute to input, throughput and output legitimacy:

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60   See: http://www.6d.fi/6d/index.php/feature/40-feature/722-power-to-the-people.

- support in developing and co-creating initiatives (to promote the deliberative process and the legal quality of proposals);
- an accessible platform for participants and interested parties (for starting up and monitoring initiatives);
- clear, formally embedded parliamentary actions for dealing with initiatives, with the option of taking a proposal forward (transparency in dealing with the outcomes);
- media exposure/publicity campaigns aimed at reaching various target audiences.

3.2 **Crowdsourcing and deliberation at the initiative of the government or parliament**

During the policymaking phase, MPs and policymakers can also use digital tools to present policy or legislative proposals to citizens. This section is about agenda-setting citizen engagement at the instigation of the government or politicians. This type of tool is aimed at co-creating policy or legislation, drawing on the public's knowledge and skills, with members of the government or parliament putting items on the agenda for deliberation. Box 2 discusses the steps typical of a deliberative process and the difference between the deliberative and the democratic elements of a consultation.

A deliberative process can take place online but also, in part, offline with online reporting. Examples abroad are **Parlement et Citoyens**[61] (France) and **vTaiwan**[62] (Taiwan). The results of such consultation processes, in which parliament or the government not only 'receives' but also 'asks', do not necessarily have the force of a 'decision'; that depends on whether and how the co-creation process is formally embedded. It is up to parliament or the government to decide what to do with the results of the consultation. We discuss the above two examples in sections 3.2.1 and 3.2.2.

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61   https://parlement-et-citoyens.fr/
62   https://vtaiwan.tw/

Box 2 Deliberative and democratic elements

Steps in a deliberative process:

- identify the problem;
- brainstorm ideas for solutions;
- systematise proposed solutions;
- assess proposed solutions;
- synthesise proposed solutions;
- take informed decisions.

In online consultations, **deliberative elements and moderation of discussions** are often seen as important quality and impact factors. Consultation can also be less interactive, however, and more focused on **generating different ideas or opinions**. This means that a distinction can also be made between tools that support policymakers, tools that cater for citizens' need to express themselves, and tools that seek to engage disaffected members of society.

It is therefore helpful to distinguish between 'deliberative' and 'democratic' elements (see Toode, 2020). Deliberative elements refer to decision-making mechanisms, such as argumentation, rationality, impartiality, etc. The fact that any citizen affected by the decision can participate or at least be represented in the debate is a democratic element. The essence of deliberative democracy is that people not only express their preferences but also discuss them and consider other views.

3.2.1   Parlement et Citoyens: Crowdsourcing and deliberation at the French parliament's initiative

The Parlement et Citoyens (P&C) online platform enables French MPs to consult citizens directly, and French citizens to share their suggestions and ideas with MPs. P&C – a non-partisan association of citizens united in Démocratie Ouverte[63] – has had its own website since 2013. P&C enjoys the support of a number of prominent French politicians, public officials and think tanks. Anyone can join P&C

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63   P&C is one of the projects of Démocratie Ouverte (Open Democracy), a group that focuses on transforming the political system in the belief that the world would be a better place if decisions were taken together.

(membership costs €5 for private members, €50 for MPs, €200 for non-profits and €1,000 for profit-making organisations). The digital platform is made possible in part by the Cap Collective.[64]

P&C in fact offers two different participation tools (Defacqz, 2019):
1. Citizens and organisations can comment on and discuss legislative proposals or topics (submitted by *députés* or senators). They can pool ideas, identify various points of view, and search collectively for proposals in an online system that has facilities for voting, commenting and submitting proposals.
2. Citizens can start petitions on the P&C website. If they collect more than 5,000 signatures (votes), *députés* and senators are expected to respond. In reality, this is a seldom-used tool.

Consultations are initiated by MPs. France has a bicameral legislature, consisting of the Senate (Sénat) and the National Assembly (Assemblée Nationale), and members of both (senators and *députés*) make use of the platform. The procedure is as follows:[65]

- An MP introduces an issue or legislative proposal in a video presentation, the aim being to take the public's pulse on a certain topic or to crowdsource a draft text for a bill.
- For 30 days, citizens and organisations can vote on proposals, comment on and discuss arguments, or propose new root causes and solutions. There are no restrictions on their participation. The online platform facilitates exchanges between participants and between participants and the politician involved. P&C facilitators synthesise the input by identifying the different families of arguments and viewpoints.
- A two-hour video debate then takes place between the relevant MP and a number of selected citizens.[66] The debate is broadcast live on the P&C platform so that other participants can comment and ask questions (on social media). The P&C facilitators draw up a summary. In the weeks following the debate, the MP drafts a bill and submits it to the Senate or National Assembly.
- The public can monitor what the MP does with the results by checking the parliamentary agenda and debates. Citizens can support a bill (incorporating

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64 The Cap Collective was founded in 2014 and has the same values and ideals as Démocratie Ouverte (which it co-initiated). It functions as a platform for participatory applications (e.g. consultations, participatory budgeting, questionnaires, ideas boxes, calls for projects and petitions) to disseminate P&C's methods to the whole of society - governments, local authorities and NGOs. See https://cap-collectif.com/ (and the Cap Collective page on the Digital Social Innovation website: https://digitalsocial.eu/org/2190/cap-collectif).

65 The description is taken from https://www.democratieouverte.org/innovateur/parlement-citoyens/

66 These are the three people who received the most votes, three people selected by lottery, and two chosen by Démocratie Ouverte to ensure a balanced panel. See:
    https://www.democratieouverte.org/innovateur/parlement-citoyens/

their input) publicly to help the MP negotiate its inclusion on the parliamentary agenda.

Input legitimacy: *Does the tool increase the receptiveness of political decision-making processes to citizens?*
The purpose of the P&C platform is to help citizens and MPs to work together on legislation.[67] Its explicit aim, then, is to make legislative processes more receptive to the public's knowledge and expertise. All French citizens – interested persons and stakeholders – can join P&C and participate in the consultations. It therefore increases the input legitimacy of legislative processes. Nevertheless, it is up to individual MPs to initiate a consultation process, so citizens have no say on the subjects of consultations. The platform is used to leverage parliament's negotiating position vis-à-vis the government, and to harness the knowledge and expertise of citizens and stakeholders for the law-making process.

Consultations generally attract large numbers of participants, with 9,334 persons taking part in the most popular one. One consultation attracted only 145 participants, but the number of proposals, arguments and votes was relatively high in that case (Simon et al., 2017).

Little is known about the platform's representativeness and inclusiveness. To ensure that the platform remains easily accessible, participants are not required to fill out registration forms collecting personal data (age, demographic and geographic information) (Simon et al., 2017). This low-threshold approach contributes to the platform's input legitimacy. P&C is particularly keen to engage in dialogue with legislators and so it focuses not on representativeness but on reflecting the 'general public interest' (Defacqz, 2019). Nevertheless, P&C wishes to encourage more diversity among participants and to attract people beyond the participatory elite (Simon et al., 2017). The various organisations involved (Démocratie Ouverte and the Cap Collective) play a role in promoting P&C.[68]

Throughput legitimacy: *Does the tool help to improve deliberation and assessment processes by engaging citizens?*
P&C focuses on dialogue between citizens and legislators. The transparent consultation process ensures that the platform boosts the throughput legitimacy of decision-making. The various stages of the process support deliberation between citizens and between citizens and legislators.

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67 https://parlement-et-citoyens.fr/
68 See, for example, this video by Démocratie Ouverte:
    https://www.youtube.com/watch?v=addEG6WnvCk&feature=youtu.be

One of its many successes was Senator Joël Labbé's consultation on the use and sale of pesticides by local authorities (Simon et al., 2017).[69] One of the participants pointed out a potential loophole that would allow local authorities to circumvent the restrictions. That individual proposed an amendment to the bill that was adopted later (Simon et al., 2017). This example shows how citizen engagement can improve legislation.

The information P&C provides on the various stages of the consultation process and the debate livestream make the deliberation and assessment processes more transparent, in turn improving throughput legitimacy.

Output legitimacy: *Does the tool ensure that citizen engagement has an impact?*
There are mixed signals about the impact of P&C on policymaking. The founder of P&C and legislators themselves say that the platform's results are limited and difficult to trace (Defacqz, 2019). This has to do with the political system in France. The executive (the government) controls the parliamentary agenda and usually plays an important role in drafting bills. In a political structure marked by a weak legislature, MPs generally have little influence on legislation. P&C consultations can help to improve opportunities to introduce a law, but parliament's limited power remains an obstacle (Defacqz, 2019). As a result, the platform cannot guarantee that citizen engagement will have an impact.

It sometimes happens that a consultation initiated by an MP has the support of a minister and that the people's input thus has a strong impact on decision-making. For example, the text of the 2015 Digital Republic Act incorporated no less than 90 contributions from the relevant consultation process, with 11 new sections being added to the Act (Simon et al., 2017).[70]

The platform appears to be particularly successful in facilitating direct interaction between citizens and an MP on issues of relevance to them. The decision-making process is transparent and it is possible to monitor the final outcome in parliament. The platform therefore contributes to the input, throughput and output legitimacy of legislative processes. It should be noted, however, that the platform is not very well known.

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69 With more than 2,000 ideas, 51,516 votes and 9,334 participants, this consultation significantly influenced the law that was ultimately adopted by the National Assembly.
70 Lewis and Slitine in Simon et al., 2019.

3.2.2   vTaiwan: Online crowdsourcing and deliberation in Taiwan

To restore confidence in the government and politics after the Sunflower Movement protests, the Taiwanese government, in cooperation with the g0v hacker collective, set up vtaiwan.tw in 2015. vTaiwan ('virtual Taiwan') is an online platform where members of the public can suggest and discuss proposals for legislation. It brings together policy officials, politicians, researchers, experts, NGOs, citizens and businesses in consultation processes.

A consultation begins when a relevant government department or agency agrees to sponsor a specific proposal or issue (suggested by citizens or an authority). Since 2017, each ministry has been obliged to appoint a participation officer responsible for engaging in the process, which is divided into four stages:

- Proposal stage. Discussion and questionnaires regarding which issues to address in a consultation. Stakeholders, including citizens, are identified.
- Opinion stage. Participants ask questions and designated organisations or government departments or agencies respond, with deliberation taking place online using Polis (pol.is), a digital tool that uses AI to group and visualise participants and their opinions (see Box 3) and helps identify common values in discussions of controversial subjects.
- Reflection stage. After opinions are surveyed, stakeholders are invited to attend face-to-face meetings. Minutes are made available online and the meetings are livestreamed with a chatroom to allow online viewers to comment and ask questions. The idea is to determine whether the issue is ripe for advancement to legislation.
- Legislation phase. Recommendations or conclusions are drawn up. In some cases, the process may conclude with new policy and an explanation of why legislation is not being enacted. In other cases, a bill is drafted and sent to the Taiwanese parliament (the Yuan) for consideration.

Box 3 Polis

Polis is a web application developed in Seattle, USA. Founder Colin Megill was inspired by the communication challenges facing the organisers of the Occupy Wall Street and Arab Spring movements in 2011. Megill wanted to design an online comment system that could handle large populations and stay coherent while preserving minority opinions and producing insights automatically (Barry, 2016).

Polis is a survey technology where users can enter statements about an issue or problem on which other users can express their positions, voting either 'agree', 'disagree' or 'pass' in response.[71] An algorithm is then used to cluster users into opinion groups that are then visualised, giving rise to an opinion landscape. It reveals what the groups stand for, how they perceive the problem, which issues are controversial, and what the points of consensus are. This 'crowdsourced consensus-mining' provides a context for policymaking or legislation. Figures 2, 3 and 4 show the opinion landscape for regulating Uber (Megill, 2016).

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71 There are generally ten times as many votes as statements (Megill, 2016) https://blog.pol.is/pol-is-in-taiwan-da7570d372b5/

Figure 2 Group 1 agreed with anti-Uber arguments. 88% of this group agreed with Audrey Tang's argument.

Audrey Tang
I think self-certification on their own without government car carrying business, has threatened Gonggonganquan.

88% of Group 1 Agreed

Group 1 voted tended to agree with anti-Uber comments, in this instance concerning the lack of government issued license.
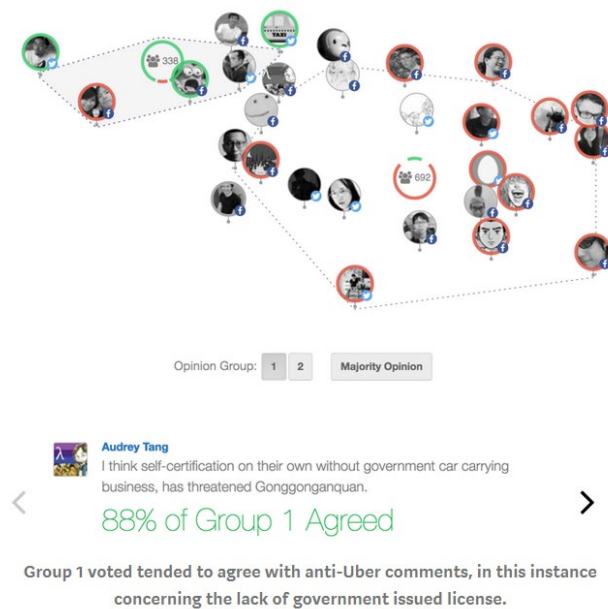
Figure 3 Group 2 agreed with pro-Uber arguments. 85% of this group agreed with Chia-liang Kao's argument.

Chia-liang Kao
If you do not hurry, even if there are many taxis in the street, I would tend to call Uber

85% of Group 2 Agreed

Group 2 tended to agree with pro-Uber comments, in this instance concerning a preference for Uber over cabs on the street.
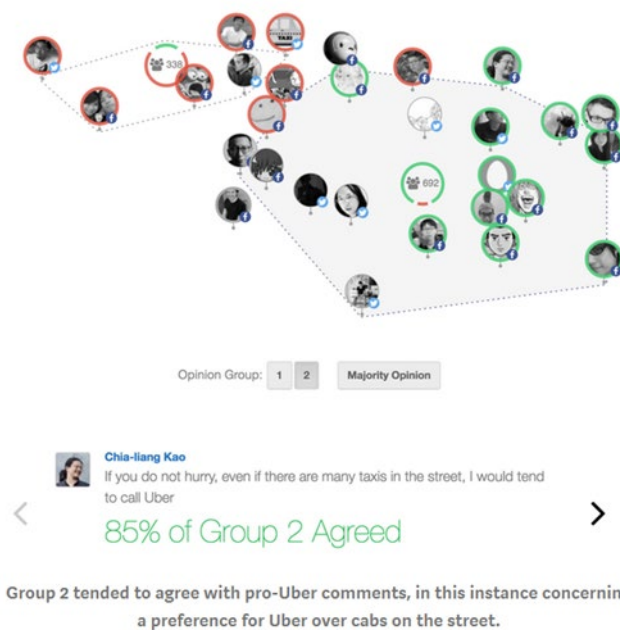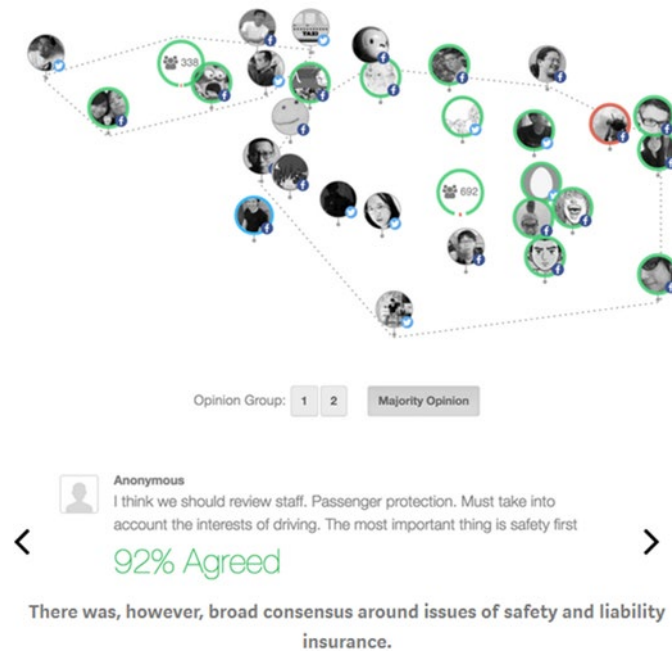
Figure 4 Both Group 1 and Group 2 agreed with arguments in favour of safety and liability insurance.

Input legitimacy: *Does the tool increase the receptiveness of political decision-making processes to citizens?*
In Taiwan, anyone can, in principle, submit a matter for consultation, but the relevant government agency decides whether or not to use vTaiwan for a consultation process.[72] vTaiwan facilitators then involve all relevant stakeholders in the process (Simon et al., 2017). That means that vTaiwan is used specifically by the national government to harness the knowledge and expertise of citizens, experts and stakeholders in policymaking and legislation on controversial issues. The platform is thus used to improve the input legitimacy of decision-making processes.

Little is known about the representativeness of users or the inclusiveness of the consultation process. Taiwan's Digital Minister Audrey Tang says that vTaiwan is particularly successful at attracting tech-savvy internet users (Horton, 2018). This is

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72 See: https://congress.crowd.law/case-vtaiwan.html

not only because the process takes place entirely online, but above all because the topics of discussion are all related to the digital economy.[73]

Because people can also vote on others' arguments without needing to submit new arguments themselves, it is easy to participate. Participants do not need to be good writers or speakers. As this opens up the process to a larger group of people, it contributes to input legitimacy.

Throughput legitimacy: *Does the tool help to improve deliberation and assessment processes by engaging citizens?*
vTaiwan is meant for reflection, for crowdsourcing ideas and for consensus-building. It is therefore often used when it proves impossible to draft legislation on controversial issues. Polis plays a crucial role in the process. It is designed to avoid polarisation in consultations that take place entirely online. Polis[74] visualises the opinion landscape using algorithms that cluster participants based on their comments and contributions. What is unique is how the AI analyses and visualisations highlight points of consensus, making it easier to take difficult decisions (e.g. a breakthrough in regulating Uber, online alcohol sales, the platform economy, etc.). In addition, Polis's voting feature also stimulates ideas. Participants can submit an argument if their view has not been expressed yet.

All things considered, vTaiwan is helping to improve the transparency of decision-making processes. Anything that citizens and stakeholders contribute to the consultation process is publicly available. That means everyone can see how ideas have been conceived and what process underpins decision-making (Simon et al., 2017), improving the throughput legitimacy of legislative processes.

Output legitimacy: *Does the tool ensure that citizen engagement has an impact?*
By 2018, some 200,000 people had participated in discussions using vTaiwan. At least 26 national issues have been discussed on the platform and more than 80% of these have led to government action (Horton, 2018; Narayanan, 2019). Among other things, vTaiwan facilitated a breakthrough in regulating Uber and online alcohol sales and helped in the design of platform economy regulations. One might

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73 Digital Minister Audrey Tang has said in this regard: 'The Tsai administration has chosen to use it only for issues, such as regulating Uber, that have to do with the digital economy. That's because people who care about such issues are the ones most likely to be comfortable using a digital discussion platform. But some think it won't get serious attraction with the public unless it is put to use on non-digital issues that matter to more people' (Horton, 2018).

74 Polis is based on software developed in Seattle, USA. Some of the software is open source. https://github.com/pol-is/

therefore conclude that the platform guarantees the impact of citizen engagement on political decision-making.

But it is more nuanced than that. Although government representatives are involved in consultation processes from the outset, the outcomes are not binding. On several occasions, in fact, the authorities have ignored them (Horton, 2018). In 2018, one of the founders of g0v voiced the concern that disregarding vTaiwan consultation outcomes would ultimately lead to the whole process being seen as 'openwashing' – something that claims to be transparent and supportive of citizen engagement but is not (Horton, 2018).

3.2.3   Lessons from abroad: Successes and risks

P&C and vTaiwan help politicians and public officials to consult citizens and to harness the public's knowledge and expertise for law-making and policy decisions. In doing so, they improve the input legitimacy of policymaking and legislative processes.

There is a risk, however, that this form of legitimacy will be undermined if it is not clear how politicians and officials transpose citizen input into various policy options, or how they reach consensus (throughput legitimacy). 'Uncertainty about who is responsible for a decision, and which actors had more or less leverage, immediately undermines legitimacy' (De Koster et al., 2010, p. 6). This is just as true for digital consultation processes as it is for traditional analogue ones.

In our examples from abroad, throughput legitimacy is an important concern. In some cases, it is unclear to what extent the tool actually influences policymaking. If people do participate but their input is largely ignored in the end, confidence in politics may sag. That is certainly a risk.

To implement this type of participatory tool successfully and use it to improve the legitimacy of legislative and decision-making processes, the Netherlands must bear a number of points in mind:

• Participants should have a clear understanding of the precise issue and the purpose of the consultation.
• Participants' expectations must be managed. It should be clear how much influence their input will have and what has already been defined and established in advance. Such precautions can help to prevent the public losing faith in politics and democracy.

- There must be the political will to act on the outcomes of a consultation process (clear, formally embedded parliamentary or government actions).
- Self-selection means that people who are interested in politics are more likely to participate. Having a more representative sample of participants could, however, help to legitimise the outcomes of a consultation process.

3.3 Adoption in the Netherlands

The examples of e-consultation tools abroad are diverse and can be a source of inspiration. In this section, we examine what conditions must be met to adopt these agenda-setting citizen engagement methods in the Netherlands. We first describe experiences in the Netherlands with each type of tool. Based on these impressions, we suggest how successful elements abroad might be adopted here.

3.3.1 Experiences in the Netherlands (with citizens' initiatives)

Like Finland and Estonia, the Netherlands recognises the citizens' initiative as a civil right. A citizens' initiative is a proposal to submit a topic for consideration by the Dutch House of Representatives. It is intended to prepare, amend or repeal a law or the government's policy. A proposal requires 40,000 signatures to be submitted to the House. At present there is no official online platform for collecting statements of support for a citizens' initiative, but signatures can be collected online[75] on existing websites, such as petities.nl, or on national or international platforms and campaign networks.[76]

Petities.nl[77] is a Dutch private initiative administered by professional volunteers and financed by donations, support in kind (such as office space) and occasional subsidies, for example to build a new website[78] (Van Keulen and Korthagen 2020). People can start petitions of all kinds on petitions.nl[79] and collect signatures and statements of support there. In addition, those who sign can also donate money to help cover the cost of professional support in generating political media attention. Petitioners can also state their availability for a citizens' meeting in their local community (Van Keulen and Korthagen, 2020).

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75 https://www.tweedekamer.nl/kamerleden_en_commissies/commissies/verz/burgerinitiatieven
76 Such as https://www.change.org/ or https://avaaz.org/nl/petition/start_a_petition/
77 https://petities.nl/
78 In 2014, the Dutch Ministry of the Interior awarded petities.nl a subsidy of €30,000 for this purpose.
79 Petitions are not always addressed to the House of Representatives; they may concern a request to take action and can be submitted to any government body.

Petities.nl allows petitioners to send an e-petition directly to 22 local and regional authorities, but not to the House of Representatives. Anyone who wishes to submit a petition or citizens' initiative to the House must do so themselves. The parliamentary Committee on Petitions and Citizens' Initiatives then forwards the petition or citizens' initiative to the appropriate parliamentary committee. If necessary, petities.nl helps petitioners to address their petition to the appropriate government body. Its founder says that many petitioners do not see any advantage in submitting their petitions to a government authority, but this is the opposite of what MPs think: they will not acknowledge a petition unless it has been submitted through official channels (Van Keulen and Korthagen, 2020).

Since 2008, recipients of petitions, such as local authorities, have been able to respond on the website, provided they have opened a virtual 'petition desk' there.[80]

In Finland, the government has chosen to administer various different websites where citizens can collect signatures and drum up support for petitions and citizens' initiatives at various government levels, or where e-consultations take place on draft policies.[81] This approach differs from that of petities.nl. The various Finnish websites make it clear that these are different democratic mechanisms and that they are meant to engage citizens in the decision-making processes of the various authorities.

In Estonia, we saw that the online platform not only allows citizens to launch or support a citizens' initiative, but also to work together with other citizens on drafting initiatives and tracking their progress.

3.3.2   Options for the Netherlands (for citizens' initiatives)

Improving digital citizen engagement through a citizens' initiative
Comparing the Netherlands with other countries reveals a number of options for improving digital citizens' initiatives in the Netherlands.

1.   Public authorities can take responsibility for providing an online platform for drafting, submitting and tracking citizens' initiatives and in doing so acknowledge the legal right of a citizens' initiative. They can choose to administer one or more websites themselves, or to support private initiatives

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80   https://petities.nl/petitions/desks
81   For a list of these websites, see http://www.demokratia.fi/en/home/

that do so.[82] What is important is to consider how the platform is embedded formally in political decision-making processes, its long-term feasibility and sustainability, and whether it is flexible enough to allow for experimentation and improvement.

2. Public authorities can improve the embeddedness of digital tools for citizens' initiatives. They can clarify and broaden the formal actions that can be taken by the authority to which the initiative has been submitted (e.g. parliament),[83] for example by adding the option of a public meeting with petitioners or by making a written response to an initiative mandatory.

3. Public authorities or private initiators can facilitate digital co-creation of citizens' initiatives to leverage the political impact of proposals. Co-creation, for example with experts, can improve the legal quality of proposals, making it more likely that parliament will take action on an initiative. Digital technology can facilitate co-creation.

3.3.3   Experiences in the Netherlands (with citizens' consultations)

The Netherlands is familiar with consultations initiated by the government, such as stakeholder dialogues, expert meetings and the climate-change round-tables. At national level, however, citizens' consultations on draft laws or regulations are less common. There is much more experimentation with digital consultations at the local level, using such applications as Consul[84] and Argu.[85][86] On a national scale, there is the digital consultation platform internetconsultatie.nl,[87] where citizens or organisations can comment on draft policy and legislation.

Internetconsultatie.nl was set up in 2009. The website provides information on legislation under preparation and offers citizens and organisations an opportunity to suggest improvements (source: internetconsultatie.nl). Its aim is to make the process more transparent, to enhance opportunities for public participation, and to help improve the quality of legislation (*ibid*.). Ministries can consult the public online

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82   The example of Finland's Open Ministry shows that the continuity of a platform may be compromised when it relies on volunteers.

83   The Dutch Council for Public Administration has said that the biggest obstacle to the admissibility of citizens' initiatives is the rule that the subject of such an initiative may not concern a matter that the House of Representatives has debated in the previous two years (ROB, 2018).

84   https://consulproject.org/en/

85   https://argu.co/argu

86   Another example that local authorities have experimented with is Participatory Value Evaluation (PVE), a new method that facilitates mass participation in public decision-making. See: https://www.tudelft.nl/en/tpm/pve/

87   https://www.internetconsultatie.nl/

about draft bills, general orders in council and ministerial decrees. The platform can also be used to survey the public's views on policy documents. Various ministries use the platform and the House of Representatives also uses the site at times to consult the public about private members' bills. So far (June 2020), a total of 1,484 consultations have been completed, 19 of which were initiated by the House. All ongoing and concluded consultations are searchable by theme, organisation and date.

Internetconsultatie.nl makes it possible to comment on a bill as an individual or on behalf of an organisation.[88] Participants do not see other people's comments and there is no facility for interaction between users. The website does not provide for the various steps of a deliberative process (as described in Box 2). Comments are not synthesised and feedback on outcomes is not provided directly to users. There is also no uniform procedure for processing users' input,[89] in marked contrast with the two examples from abroad. Both P&C and vTaiwan provide for an iterative process of discussion and reflection that is communicated in advance. The process of discussion, reflection and synthesis such as practised in France[90] and Taiwan[91] helps to build consensus. That is not the case with internetconsultatie.nl, which simply collects individual ideas.

To facilitate citizen engagement, it is important for the e-consultation process to be open and accessible to a broad range of participants. This is often a problem in the Netherlands when it comes to digital consultations at national and local level. If the point of a consultation is to generate as many ideas as possible and to encourage maximum diversity in those ideas, then it is important for the participants to represent a broad segment of the population (Rathenau Instituut, 2015). Representativeness is also a point of concern in our examples of e-consultation from abroad. The extent to which it is a problem depends on what is done with the outcomes of the consultation.

Internetconsultatie.nl only comes into play at a fairly late stage of the policymaking process. There are other digital consultation tools that can be deployed to pool ideas in the agenda-setting phase. Some Dutch experts on citizen engagement and

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88 Anyone can participate in a consultation by commenting on proposed legislation on the website. In some cases participants are invited to answer a few questions, in other cases there are no questions at all. Participants can upload a document with their comments on the proposal and are asked to consent to having their e-mail address and comments made public.

89 Information on e-consultation is a standard component of the explanatory memorandum accompanying an Act, a General Order in Council or a scheme. As a rule, a report on the consultation is also published later. See for example https://www.internetconsultatie.nl/wetelektronischepublicatiealgemenebekendmakingenenmededelingen/berichten

90 See section 3.2.1.

91 See section 3.2.2.

digital democracy have found that crowdsourcing and deliberation in the early stages of policymaking offer the most interesting options for citizens.[92] While it can be daunting to comment on legislative texts because they are often quite technical in nature (ROB, 2018), it is in the interests of those directly affected to do so while policy is still in the draft phase.

Finally, one important lesson for the Netherlands when it comes to digital tools for public consultations is that there must be the political will to deploy such tools and use them at the right time. It is proving difficult to embed consultations properly in the formal decision-making process. Politicians often struggle with consultation tools because they are apprehensive about the results (and what to do with them), or because a political decision has in fact already been taken.[93] It is therefore important to time this form of citizen engagement properly and to ask the right questions – although this applies not only to the digital version of crowdsourcing and deliberation, but equally to offline versions.

3.3.4   Options for the Netherlands (for citizens' consultations)

Based on lessons learned from abroad and the experiences of experts in the Netherlands, we believe that the Dutch government can use online democracy tools to improve agenda-setting citizen engagement at national level in the following ways:

1.   Have government and parliament administer, support or fund a platform through which politicians or policy officials can consult citizens. A platform on which e-consultations adhere to a standard procedure makes it possible to initiate low-threshold consultations.[94] In addition, it is important for the design to embed points at which participants receive feedback.

2.   Use digital technology to facilitate the various phases of a deliberative process. Where possible and appropriate, allow participants (and a wider public) to share information and viewpoints digitally and, if desired, to engage

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92   See a blog by Argu's founder: Meidertsma, J., '8 Tips voor sucessvolle online burgerparticipatie', Medium, 16 July 2018. https://medium.com/argu/8-tips-voor-succesvolle-online-burgerparticipatie-f56f7dc1eaab. The offcials involved in setting up Internetconsultatie.nl also stressed the importance of interaction at an early stage of policymaking (Van Keulen and Korthagen, 2020).

93   Expert meeting.

94   This option is in line with a previous recommendation made by the Dutch Council for Public Administration in 2019 to safeguard the truth in today's democracy, which is being transformed by digitalisation and changes in society. The Council noted the importance of creating digital forums where people can discuss issues, but it also warned of the drawbacks of such platforms (echo chambers, digital shaming) (ROB, 2019). The Council also recommended experimenting with public discussion platforms (p. 64) that involve citizens directly in specific policy issues. We are now seeing examples abroad that combine these two facets of e-consultation.

in discussion; in other words, facilitate an iterative process of discussion, reflection and synthesis. Consider how consultation processes can be redesigned using digital tools. It is possible to verify participants' identities but allow them to comment anonymously (see Box 4). Algorithms (e.g. as used in Polis) can, for example, cluster citizens' and stakeholders' opinions, have participants reflect on their views, and suggest possible points of consensus.

3. Combine offline and online consultation to improve the representativeness and transparency of the participation process. Citizens' participation needs vary. Combining offline and online options makes allowance for such variation.

4. Let the timing of consultation depend on its purpose. Is the purpose to generate ideas and options? Is it to support assessment of the various interests involved? Or is it to get professionals and specific stakeholders to comment on draft legislation? Broad public consultations at the outset of the policymaking process could be an added asset in the Netherlands' consultation repertoire.

Box 4 Anonymity in e-consultations

To lower the threshold for participating and sharing ideas as much as possible, platforms sometimes choose, in certain cases or phases, to forego registering or sharing participants' personal data (such as name, email address, age, gender, place of residence, level of education). People are less likely to self-censor if they can comment anonymously, for example in the case of taboo topics or criticism of government. Businesses may also prefer to anonymise their input (Van Keulen and Korthagen, 2020). In other cases, publishing the participants' full names encourages people to express themselves more carefully and to go into more detail. The need for anonymity may vary depending on the purpose and type of citizen engagement.

Anonymity can also lead to hostility or abuse, however. That is why it may be interesting to explore the option of *verified* anonymity. Participants would then be required to identify themselves, but their personal data would not be disclosed to the public. This can help to keep fake accounts off a platform. The verification routine should be proportionate to the purpose of the consultation. For example, requiring an online ID may guarantee the site's security, but it also expects users to possess more advanced digital skills and may therefore create barriers to participation.

4   E-decision-making

In this chapter, we look at our final category of digital democracy tools. E-decision-making is the digital version of direct citizen engagement. In the previous chapter we discussed various tools that help to 'put forward' or 'map out' different viewpoints or proposals. Politicians and officials can use these tools to gather input for decision-making. In this chapter, we discuss tools that specifically leave decision-making to the participating citizens. We examine how three examples of e-decision-making abroad improve the legitimacy of legislative and decision-making processes.

In the case of e-decision-making tools, the most important question is: how much influence do participative processes have in a representative democracy? It is difficult for politicians to hand over decision-making authority to citizens because in the end, the politicians are still held accountable for the outcomes and consequences of legislation or policy. Relinquishing direct decision-making authority to citizens is also formally at odds with the role of parliament and parliamentary debate. The opinions and preferences being articulated ever more forcefully (online) by individuals and groups of citizens may restrict the freedom that politicians need to form their own opinions on political matters (Rathenau Instituut, 2015).

Section 4.1 considers representative citizens' assemblies. Our international comparative study shows several examples of policy co-creation designed to take on proposals put forward by citizens' assemblies. These assemblies often focus on a specific theme or dossier, with the government in question setting up an ad hoc, one-off, clearly defined participation process tailored to existing needs. Well-designed citizens' assemblies of this kind can be coupled to referendums in which the population then takes decisions by majority vote.

Section 4.2 discusses participatory budgeting. This is not about drafting or proposing new legislation or regulations at national level, but about empowering citizens to decide how public money is spent. As in elections, participatory budgeting processes may involve e-voting.

In section 4.3 we draw lessons from the examples abroad and identify how and under what conditions such tools can be used successfully in the Netherlands.

4.1 Representative citizens' assemblies for co-decision-making

Citizens' assemblies involve the one-off crowdsourcing of policy or legislation on a specific theme considered urgent by a country's government. Examples abroad are Estonia's **People's Assembly** (Rahvakogu) and France's **Citizens' Convention on Climate** (Convention Citoyenne pour le Climat). Estonia's first People's Assembly took place in 2013 and concerned the future of democracy in the country. The French example is a recent citizens' assembly on climate change.

In both cases, the participation process was designed entirely for the specific citizens' assembly. In both, again, the government or political parties were involved early on in the process, and in the French case the government even undertook in advance to adopt the proposals delivered by the citizens' assembly. Nevertheless, there is no guarantee that such proposals will in fact be implemented. They are usually submitted to parliament and may be amended before being passed into legislation and/or adopted in a coalition agreement, for example. In sections 4.1.1 and 4.1.2, we discuss how these assemblies have contributed to the input, throughput and output legitimacy of democratic decision-making processes in Estonia and France.

4.1.1 Rahvakogu: Estonia's People's Assembly

In 2013, a breakdown of public trust following revelations that Estonia's ruling party had accepted anonymous donations – known as the 'Silvergate scandal' – triggered the People's Assembly (Rahvakogu) initiative. With political distrust growing[95] and after mass public protests, a group of activists started a petition ('Charter 12') in 2013 demanding a new social contract between the people and the Estonian government. The Estonian president organised round-table discussions with the petitioners, NGOs and political representatives. The discussions led to a decision to propose new rules on political party financing and to increase citizen participation in democratic processes (Simon et al., 2017). The People's Assembly was established to put forward proposals and to restore confidence in the democratic process. This was the first Estonian People's Assembly and it faced certain challenges related to its legal embeddedness (see Box 4).

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95 The Silvergate scandal erupted in 2012 and led to a breakdown of public trust and opened up a chasm between the people and politicians. MP Silver Meikar admitted that he was funneling money from unknown donors into the coffers of the ruling Reform Party and claimed that other party members were doing the same. When the investigation was discontinued due to lack of evidence, the Minister of Justice was ultimately forced to resign (Simon et al., 2017).

Box 4 Legal embeddedness of the Rahvakogu

Because the Rahvakogu process was not fully planned in advance, it lacked a firm legal basis. The assembly was initiated by the Estonian president in cooperation with NGOs. Although the president was the Head of State, he had no political affiliation with the government and no executive power. Because citizens and NGOs were not empowered to submit draft legislation to parliament, there was a risk that the outcomes of the People's Assembly would end in nothing. The president therefore had to use his power to introduce bills to parliament (Karlsson et al., 2015). The People's Assembly has been successful because, among other things,[96] it led to legislation giving the Estonian people the right to undertake a citizens' initiative and therefore to submit proposals or amendments to parliament.

The first People's Assembly in 2013 began with citizens submitting and commenting on proposals addressing five pre-defined themes online. The crowdsourcing mechanism was based on Your Priorities, an open software platform developed by the Icelandic non-profit Citizens Foundation, but it had a modified user interface and log-in authentication using the Estonian national ID card. The crowdsourced proposals were then clustered, analysed and discussed by various stakeholder groups, resulting in 18 proposals for legislation. The final step was a separate 'Deliberation Day' assembly to select the proposals that would ultimately be submitted to parliament. 550 people were selected by random sample (stratified by place of residence, age and gender) to take part in this assembly, with 314 ultimately deciding to participate. They were divided into discussion groups of ten and given briefings on the proposals and the impact analyses. After voting, 15 proposals remained (De Zeeuw and Pieterse, 2017; Grimsson et al., 2015; Simon et al., 2017). At least three proposals sent to parliament ultimately became law, and four were incorporated into policy.

Input legitimacy: *Does the tool increase the receptiveness of political decision-making processes to citizens?*
This tool is meant to improve input legitimacy to some extent. The goal of the Estonian People's Assembly on democratic reform was to crowdsource ideas for

96 For instance, the minimum membership for establishing a new political party was reduced to 200 from 1000, resulting in 2014 in the founding of the Vabaerakond ('Free Party'), which won eight seats in parliament in 2015. See: https://congress.crowd.law/files/rahvakogu-case-study.pdf

new legislation among the *entire* population, but the five issues on which citizens could provide input had already been defined. The first step of the process was basically accessible to anyone with an internet connection and an Estonian e-ID.[97] Participants' comments and suggestions were not anonymous, which helped to reduce hostility (Jonsson, 2015).

In 2013, 60,000 people visited the website, 2,000 registered users submitted proposals to the Rahvakogu online platform and 3,000 people participated actively in the assembly (Praxis Centre for Policy Research, 2014).[98] Nevertheless, this People's Assembly made only a limited contribution to the input legitimacy of political decision-making because the agenda had already been set by the Charter 12 petition and the protests. It also emerged that input during the first round came mainly from people who were already politically engaged (Jonsson, 2015), with an over-representation of highly educated, right- or left-wing Estonian[99] men. In other words, the platform attracted the usual suspects in political participation (Jonsson, 2015). The participants in the first round were self-selected. Even those selected at random ultimately decided whether or not they wanted to advance to the final selection round. Participants did not receive any compensation.

Media reporting on the protests in 2013 raised public awareness of the People's Assembly, and the ERR, the Estonian public broadcasting network, published a series of online articles about the process.[100] The final assembly of randomly selected citizens ('Deliberation Day') was described as a major media event that attracted a great deal of public attention (Karlsson et al., 2015).

Throughput legitimacy: *Does the tool help to improve deliberation and assessment processes by engaging citizens?*
Rahvakogu was conceived to assess citizens' input at different stages and to come up with proposals through a deliberative process. The participants active in the various phases varied:

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97 In 2015, about 15% of the population had an electronic ID, which is also required to vote in Estonia's e-elections (Karlsson et al., 2015).

98 The 2018-19 People's Assembly involved organising 34 local discussions with a total of 358 people participating. Forty people were selected for the 2019 People's Assembly.

99 Ethnic Russians account for about a quarter of the Estonian population (Jonsson, 2015).

100 https://congress.crowd.law/case-rahvakogu.html

Table 1 Phases and participants

Source: Rahvakogu case study by the GovLab[101]

Phase	Who could participate?	Who did participate?
Crowdsourcing of Proposals	Anyone	Over 2,000 self-selected users. Most were well-educated, politically active Estonian men
Categorisation and Bundling (into 59 scenarios)	Praxis Center Researchers[102]	Praxis Center Researchers
Analysis and Impact Assessment of scenarios; expert advice on proposals	Experts in political science, law and economics, at the invitation of the Estonian Cooperation Assembly	Experts in political science, law and economics, at the invitation of the Estonian Cooperation Assembly
Synthesis Seminars resulting in 18 proposals	Political representatives, experts, and citizens who had submitted proposals during the crowdsourcing phase	Political representatives, experts, and citizens who had submitted proposals in the crowdsourcing phase
Deliberation Day	Randomly-selected, representative, 550-person sample	Self-selected 314-person sample, older and more highly educated than general population
Riigikogu Voting on Proposals	Members of Parliament	Members of Parliament

While the participants in the various phases are clearly identified, what was not very transparent was the categorisation and bundling process and the analysis and impact assessment of the proposals. How the 18 proposals emerged from these processes remains somewhat hazy (GovLab, n.d.). It is also not clear how minority views were factored into the whole process.

Output legitimacy: *Does the tool ensure that citizen engagement has an impact?*

The 15 proposals were submitted to the Estonian parliament (Riigikogu). Three have passed unaltered into Estonian law,[103] and four have been incorporated into policy or the government's coalition agreement. The People's Assembly also led to the founding of rahvaalgatus.ee, discussed in section 3.1.2.

101 https://congress.crowd.law/case-rahvakogu.html
102 An independent, non-profit think tank. See: http://www.praxis.ee/en/
103 One of these is the 2014 Citizens' Initiative Act, which stipulates that proposals for legislative amendments that have a minimum of 1,000 signatures must be debated in parliament.

After 2013, three more People's Assemblies were organised to address other issues.[104] They have varied in scope and structure,[105] but adhere to the standard elements of the deliberative method.

A survey of Rahvakogu participants in 2013 shows that half felt satisfied with the process and that there was a growing demand for citizen participation in political decision-making (Jonsson, 2015). However, this first Estonian People's Assembly has also been criticised for not reforming the political system as originally intended. Research by Karlsson et al. (2015) and by the People's Assembly itself shows that it also failed to build more public trust in government and politics (2015). Failure on the part of parliament to provide proper feedback at the end of a successful process can undo its positive effects (Toode, 2020). Although it is difficult to establish a connection between the Rahvakogu and public confidence in government and politics, the People's Assembly can be regarded as a success because the political climate stabilised and tensions eased after 2013 (GovLab, n.d.).

4.1.2   Convention Citoyenne pour le Climat: France's Citizen's Convention on Climate

On 25 April 2019, French President Emmanuel Macron announced that he would be assembling a panel of 150 French citizens tasked with defining a series of measures to reduce France's greenhouse gas emissions by at least 40% by 2030. The panel, known as the Citizens' Convention on Climate, was allocated a budget of €5,348,740 by the Economic, Social and Environmental Council (*Conseil Économique, Social et Environnemental*, CESE), an institution that operates independently under the French constitution. The budget was meant to cover logistics (transport, accommodation, meals for the 150 Convention members), their compensation, the lottery by which they would be chosen, the hosting of the working sessions, advice by lawyers and experts, and so on.

The participants came up with proposals to reduce greenhouse gas emissions by working through several different phases. This Citizens' Convention may be seen

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104 See: https://uuseakus.rahvaalgatus.ee/ (2017 People's Assembly on the future of ageing in 2017), https://rahvakogu.ee/toimunud-rahvakogud/ (2018-19 People's Assembly on shrinking population issues) and https://rahvakogu.ee/millistest-osadestelementidest-rahvakogu-koosneb/ (2019 Forestry Assembly, on a development plan for forestry in 2021-2030).

105 The proposals drafted by the People's Assembly in 2017/18 were ultimately published, as a 'final phase', on a version of rahvaalgatus.ee made available especially for this process. As with any citizens' initiative, any citizen could vote on the proposals there. Every proposal that received at least 1000 votes was submitted to parliament. This was therefore a combination of a citizens' assembly and citizens' initiative.

as one of the results of France's Grand Débat, a national debate organised in the wake of the 'yellow jackets' protest movement (spring 2019).

Input legitimacy: *Does the tool increase the receptiveness of political decision-making processes to citizens?*
The Convention allowed citizens to deliver direct input on measures to reduce greenhouse gas emissions. The 150 citizens who took part in the deliberations were as diverse and representative of the French population as possible. Participants received financial compensation amounting to €86.04 a day (€1,462 for the whole process), plus compensation for any loss of income when sessions took place during working hours (€10.03 an hour). To ensure participation by people who are generally difficult to engage in this type of public consultation process – such as young people under the age of 18 and persons living in extreme poverty – the organisers worked with intermediaries, who were also available to assist during the working sessions. This approach made it more likely that the participants would be an accurate reflection of the French population, one of the objectives. The cost of childcare was also covered (€18 an hour, including the employer's share), allowing single parents to participate. The Convention organisers reserved and paid for meals, hotels and transport in advance. Citizens and organisations that had not made the cut but still wanted to make proposals could submit them to the Citizens' Convention website.

Throughput legitimacy: *Does the tool help to improve deliberation and assessment processes by engaging citizens?*
The 150 selected citizens were scheduled to attend seven working sessions, each lasting three days. The Harris Interactive Institute recruited the 150 citizens at random to form a body reflecting the diversity of the French population (in terms of gender, age, education, professional background and geographical distribution). In addition to ensuring representation from the various population groups, the organisers considered it important for specific groups of citizens to provide input during the working sessions and they therefore invited a number of guests or experts to talk about their experiences.

Each of the working sessions had a different objective (see Table 2). The manner in which the sessions were structured and conducted increased the throughput legitimacy of the decision-making process, where the focus was on the expertise and arguments of the participating citizens. The Convention members themselves decided which experts to invite to their sessions. All 150 participants could draw on

their own everyday expertise, and that was an important factor in the deliberations. The working sessions were livestreamed (on conventioncitoyennepourleclimat.fr).

A Governance Committee was appointed to support the Citizens' Convention and ensure that it remained independent and that its will was respected. This committee consisted of experts[106] and Convention members chosen at random. Three external guarantors were also appointed to ensure that the process complied with the rules and remained independent.[107]

The participants collaborated with various specialists, including lawyers who helped them translate their plans into legal terms. In late June, they presented an ambitious plan consisting of 149 recommendations on transport, agriculture, construction, nature conservation, consumer behaviour and corporate social responsibility.[108]

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106 https://www.conventioncitoyennepourleclimat.fr/en/comite-gourvernance/
107 They were Cyril Dion (nominated by the CESE President); Anne Frago (nominated by the President of the National Assembly) and Michèle Kadi (nominated by the President of the Senate).
108 https://www.conventioncitoyennepourleclimat.fr/

Table 3 Citizens' Convention Working Sessions

Session	Purpose of session
Session 1.	• Getting to know one another • Understanding the mandate and objective of the Convention • Understanding climate change and its consequences
Session 2. Exploring the themes	• State of play • Controversies • Levers for action
Session 3. Deepening the search for solutions	• Identifying the first paths towards action • Evaluating whether and how these measures meet the objective
Session 4. Prioritising the proposed measures	• Identifying which measures represent a norm and which are a recommendation • Identifying cross-cutting measures • Developing the measures further in various working groups • Starting to draft the final output
Session 5. Deepening and finalising the formulation of the Convention's motivation for each measure	• Presenting the measures to decision-makers • Providing arguments for the measures • Validating the timeline for the Convention's output and developing a first draft • Designating volunteers to prepare drafts
Session 6.	• Validating the measures prepared by the working groups in the plenary session • Validating and compiling the outputs prepared by the working groups
Session 7. Final reading, emendation, adoption and presentation	• Formal adoption of presentation text and Convention's statement of motivation for its final output and measures • Presenting the final output to the government and the press

Output legitimacy: *Does the tool ensure that citizen engagement has an impact?*

After the Citizens' Convention had concluded, President Macron announced that his government would adopt 98% of the recommendations 'unfiltered'.[109] His announcement was consistent with his earlier promise to see that the proposals would be implemented immediately, submitted to parliament, or submitted to a national referendum. The government had undertaken to respond publicly to the proposals and to publish a provisional timetable for their implementation, which contributed to output legitimacy. Citizens may now comment collectively and publicly on the government's response.[110]

4.1.3 Lessons from abroad: Successes and risks

Citizens' assemblies are regarded as an appropriate method for resolving an issue that is polarising society or has resulted in a political stalemate. This method revolves entirely around effecting change in society by harnessing new knowledge, gaining a better understanding of the nature of the problem and possible solutions, concentrating wisdom and experience, and empowering citizens in their relationship with government. It is gaining traction worldwide as an effective means to address complex issues[111]

One of the typical features of this tool is that citizens are selected to participate in at least one phase of the decision-making process. In the **Citizens' Convention on Climate**, an independent institute ultimately selected 150 citizens to participate. This occurred in stages. The institute first assembled a large group at random. People in this group could then indicate whether or not they were prepared to participate. The institute then selected the final 150 participants from this second group. Explicit care was taken to ensure that the 150 participants were representative of the French population and reflected its diversity. For Estonia's 2013 **People's Assembly**, 550 citizens (varying in age, gender and place of residence) were randomly selected for the final phase of the participation process,[112] with 314 ultimately choosing to participate. The two assemblies thus

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109 https://www.elysee.fr/emmanuel-macron/2020/06/29/le-president-emmanuel-macron-repond-aux-150-citoyens-de-la-convention-citoyenne-pour-le-climat

110 https://www.conventioncitoyennepourleclimat.fr

111 The Irish Citizens' Assembly on abortion is a well-known example, as is the G1000 in Belgium. The UK also had a Citizen's Assembly on Brexit in 2017 (see: https://citizensassembly.co.uk/brexit/about/) and on Scottish independence (see: https://www.citizensassembly.scot/). Apart from France, other countries have also organised citizens' assemblies on climate issues. See: https://www.involve.org.uk/resources/blog/opinion/citizens-assembly-climate-change-how-would-it-work; https://rahvakogu.ee/mis-oleks-kui-paneme-eesti-jargmiste-aastate-kliimategevused-rahvakoguga-paika/

112 In which citizens select the final proposals to submit to parliament.

came about by different means. In the Estonian case, self-selection was the deciding factor. The French case is, by comparison, more suitable for assembling a representative and diverse group of citizens. A group is representative of the population when it reflects a number of chosen traits, such as age, place of residence, gender, occupational group, educational level, cultural background, etc. The diversity of views expressed by the group does not, however, depend on its representativeness but on demographic and social attributes. France used various methods to ensure representation of the broadest possible spectrum of views/interests.

What is motivating for the participants and promotes the output legitimacy of the citizens' assembly is that the process does not involve 'non-committal discussion' but that politicians or officials in fact do commit to taking the outcomes on board. For example, the French President, Mr Macron, undertook in advance to see that the Citizens' Convention proposals would be implemented immediately or submitted to parliament or to a national referendum.[113]

Both the French Citizens' Convention and the Estonian People's Assembly focused on a single issue, making it clear to citizens where their engagement would be influential and ensuring that interaction between citizens and politicians had a genuine impact. As we saw in previous research, interaction that has no bearing on a political agenda often has no tangible results (Rathenau Instituut, 2017).

The examples from abroad also show that combining online and offline tools contributes to the various dimensions of legitimacy. In Estonia, stakeholder deliberations took place offline, but ideas were crowdsourced online.[114] Online crowdsourcing alone does not suffice because different demographic groups prefer to participate in different ways (WRR, 2012).[115] Adding offline meetings and events to which randomly chosen citizens are invited promotes participant diversity and ensures that minority views are represented, improving both input and throughput legitimacy.

Mall Hellam (Director of the Open Estonia Foundation) has stated in an interview for the GovLab that it is important for future People's Assemblies to engage the right

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113 See: https://www.conventioncitoyennepourleclimat.fr/

114 A growing number of digital tools are being or can be used. They include social media, live streaming and live audio at meetings. The organisation mySociety has published two practical guides for digital tools that can be used for submitting proposals, for online deliberation and voting, for sharing documents and experiences, for engaging non-participants, and for monitoring the results/implementation phase (Parsons, 2019; Crow et al., 2019).

115 This was echoed by Nele Leosk, CEO and Senior Digital Governance Expert at International Governance Leadership in an interview with D. Gambrell and V. Alsina, the authors of 'Rahvakogu: Turning the e-Republic into an e-Democracy' at https://congress.crowd.law/case-rahvakogu.html

stakeholders (and not the entire population), because not everyone will be interested in joining.[116]

Citizens' assemblies make it possible for NGOs and the public to cooperate on developing laws and policies that are then adopted by the government. If the process is carefully conceived, this tool can improve all three of the dimensions of legitimacy for legislative processes. One of the challenges, for example, is the nature of the 'information' phase. The information provided as input for discussions may be biased or perceived as such. Suspicion may arise if the government itself provides the information, the discussion mediators and the experts. The Dutch G1000 does not kick off with a preliminary information phase; the process lets the participants' need for inspiration and external knowledge lead the way, with 'experts on tap, not on top'.[117]

The following factors are important to consider when implementing this type of tool:

- commitment on the part of government or politicians and clarity in advance about the status of recommendations in formal decision-making processes (transparency about adoption of results);
- guarantee of independence by putting an independent party in charge of the operational organisation and/or by appointing guarantors to monitor the process;
- scrupulous selection of participants for one or more parts of the participation process;
- a combination of offline and online participation options;
- a well thought-out design and deployment of digital resources at various stages of the deliberation process (defining the problem, building knowledge, brainstorming solutions, evaluating proposals, identifying points of consensus, making final recommendations).

4.2   Co-decision-making in participatory budgeting

Participatory budgeting allows citizens to vote on how public money is spent. It is regarded as one of the most direct forms of citizen engagement. There are various forms of participatory budgeting. The process usually starts with (local) government

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116 https://congress.crowd.law/case-rahvakogu.html
117 Interview with Harm van Dijk.

inviting citizens and NGOs to submit proposals, sometimes centred around a particular theme, such as 'sustainability'. Once they have submitted their plans, the public can vote for the proposals that they prefer and those that get the most votes receive funding. One example of participatory budgeting from abroad is Scotland's **Community Choices**,[118] a national programme that assists local authorities in carrying out participatory budgeting processes.

4.2.1   Community Choices: Participatory budgeting in Scotland

Scotland adopted the Community Empowerment (Scotland) Act in 2015, which led to a national support programme, Community Choices, for participatory budgeting (PB) in local communities. Since the adoption of the Community Choices 1% Framework Agreement in 2017, local authorities have been working towards spending 1% of their budget through PB projects (COSLA and Scottish Government, 2017).

In 2015/2016, the Scottish Government invested over £750,000 in promoting and supporting PB up and down the country. With interest in PB growing, the Government announced that it was setting up a £2 million Community Choices Fund (a national stimulus fund) for 2016/2017. Since then, the Government has replenished the fund each year and, on a match-funding basis, awarded funding to local authorities and community organisations supporting local PB activities. Local authorities, communities and local associations can apply to the Community Choices Fund for money to organise and carry out a PB project. There is no single pre-defined format for PB; it is up to applicants to decide how to set up the PB process and adapt it to the local situation and needs. PB projects receiving Community Choices funding can access assistance from PB Partners, Democratic Society and the Scottish Community Development Centre (SCDC).

The national support programme facilitates local PB activities and has invested in learning resources, a PB website and digital tools, for example for online voting on proposals.

Input legitimacy: *Does the tool increase the receptiveness of political decision-making processes to citizens?*
The purpose of the PB processes is to involve people and communities in funding decisions. An evaluation commissioned by the Scottish Government shows that, overall, Scotland's PB projects have been effective at engaging (a segment of) the

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118 For more information, see Tabner, 2018 and https://pbscotland.scot/what-is-pb

population in local decision-making. They therefore improve the receptiveness of certain parts of decision-making processes.

The national support programme must improve project inclusiveness to get a wider range of groups participating in PB (O'Hagan et al., 2019a). There are good examples of PB processes that were organised in a manner that stressed inclusiveness. For example, interpreters can be called in to ensure that online voting is more inclusive and that those who require learning assistance receive it. However, evaluations have also shown that PB projects have not yet succeeded in reaching people beyond the 'usual suspects'. Unlike in the case of elections, the Community Choices programme is not well known (O'Hagan et al., 2019b). Access to events or voting days is also proving more difficult to organise in rural areas. In addition, it appears that sexism and racism have led to exclusion at local meetings organised to discuss or prioritise proposals. The Black Minority Ethnic (BME) community and the disabled are sometimes under-represented, even though some PB projects are aimed specifically at reducing inequalities or helping disadvantaged groups. Another noteworthy feature is that children as young as 8 or 11 can also vote or participate in steering committees. PB therefore also serves as a mechanism for engaging young people in local agenda-setting and decision-making.

PB is gaining momentum in Scotland.[119] In 2017/2018, the number of people voting on local budgets increased by 46%, thanks to the use of digital voting platforms (instead of offline voting) (Tabner, 2018).

Throughput legitimacy: *Does the tool help to improve deliberation and assessment processes by engaging citizens?*
Whether citizens engage with one another or with officials and politicians in deliberation and assessment processes depends largely on how the local PB project is structured. There is no single pre-defined format. It is up to the initiator – whether that be local government or an NGO – to decide how to set up the PB process and adapt it to the local situation and needs. In general, the local community first identifies its priorities, such as poverty alleviation or health. Local organisations then put forward proposals for citizens to vote on. Digital tools can be used for determining local priorities and for submitting and voting on proposals.[120] Annual reports show that the majority of applicants awarded PB funding devote considerable attention to different forms of participatory deliberation and decision-

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119 So far there have been at least 211 PB projects (see: https://pbscotland.scot/map). In 2018, 39,000 people voted on 1,352 projects (Escobar et al., 2018).
120 Democratic Society has tested many of these tools and ranked them in terms of how well they support PB. See https://www.demsoc.org/projects/pb-scotland and https://www.demsoc.org/uploads/store/mediaupload/67/file/DS-Digital-Tools-paper.pdf

making, the latter usually by voting. In the first few years of the Fund, one third of the applicants awarded funding made use of online voting. That share has increased since then.

Output legitimacy: *Does the tool ensure that citizen engagement has an impact?*

Participatory budgeting is a form of citizen engagement that is proving successful at local level. An evaluation of participatory budgeting tools and the national support programme commissioned by the Scottish Government shows that, overall, Scotland's PB projects have been effective at engaging (a segment of) the population in local decision-making. PB also tends to consolidate local networks between citizens and local organisations (O'Hagan et al., 2019b). Despite all this, there has not yet been any substantial change in policy or public services (O'Hagan et al., 2019b).

4.2.2   Lessons from abroad: successes and risks

The Scottish example of participatory budgeting shows that this tool has the potential to open up part of the decision-making process to citizens. Ensuring that the process was truly open to all required the removal of barriers to participation. Online voting tools helped to achieve this.

Participatory budgeting also contributes to output legitimacy, as voting on budgets has a direct impact. Citizens' wishes are immediately fulfilled. Participatory budgeting at local level typically concerns budgets that have little real impact, however. The size of these budgets (which tend to be small) is also one reason that PB has so far failed to bring about substantial changes in policy or public services (O'Hagan et al., 2019b). Some participants also look unfavourably upon the competitive element, especially if the people voting for proposals are not representative of the local population.

Participatory budgeting has raised expectations in recent years. There were hopes that PB would help reduce inequality and transform citizens from passive recipients of public services into decision-makers. These expectations have put a great deal of pressure on local authorities and the organisers of the PB events. A national support programme such as in Scotland can assist local authorities, communities and local associations in organising PB activities and investing in learning resources, websites and digital tools.

At the time that PB was taking off in Scotland, local authorities were being forced to slash their budgets. PB therefore came to be seen as a way of making citizens complicit in the adoption of unpopular measures. As a result, local NGOs have sometimes treated PB as an alternative funding mechanism rather than as a tool empowering communities to decide on funding priorities. In some instances, PB was used to decide where budget cuts should be made, or to finance public services that had just been scaled back by local authorities (such as specific welfare activities).

Based on these experiences in Scotland, there are a number of issues that need to be addressed when implementing PB activities:

- visibility and accessibility of PB activities to avoid exclusion and to facilitate the direct engagement of citizens in governance and politics;
- transparency about the objectives of PB activities and active expectation management among different actors to avoid disappointment and negative impacts in governance and politics;
- national support for the design of the PB process and deployment of digital resources to prevent polarisation in communities, improve networks between citizens and organisations, and identify priorities and develop proposals collectively;
- awareness of fraud and security risks when using digital tools in decision-making processes (e.g. voting). The risk of outcomes being manipulated by cybercriminals merits attention not only in official online elections, but also in digital citizen participation processes.

4.3   Adoption in the Netherlands

In this section, we once again turn the spotlight on the Netherlands. We asked our interviewees and a panel of experts to review the experiences abroad with e-decision-making tools. Based on their comments, we have attempted to identify options that are most likely to improve practices in the Netherlands at national level.

4.3.1   Experiences in the Netherlands

The Netherlands has 'citizens' summits', including the G1000, at local level[121] and participatory budgeting initiatives that are usually organised locally as well. These are generally local community budgets that function more less as sources of subsidies that are awarded by and to the community and that are managed by a local committee[122] (Van Keulen and Korthagen, 2018).

The Netherlands also has a national project that somewhat resembles the Scottish programme, the Digital Democracy Lab (Proeftuin Digitale Democratie). This partnership project between local and national government, aims to enable local authorities to experiment with various digital participation tools.[123] The knowledge and experience gained through the project have been compiled into a guide (*Handreiking Digitale Democratie*, De Zeeuw and Pieterse, 2017). There is a follow-up of this programme, the Democracy in Action partnership programme, which is launched at local level (the partners are the Ministry of the Interior and Kingdom Relations and the Association of Netherlands Municipalities, VNG).[124]

There is much less happening at the national level. Somewhat similar to France's Citizens' Convention on Climate was the Dutch Citizens' Assembly on Electoral Reform, organised in 2006 upon the recommendation of the political party D66. Its mandate was to develop proposals for a new electoral system. After more than six months, the Assembly came up with two concrete proposals, neither of which was taken up by the then Prime Minister, Jan Peter Balkenende, and his coalition government.

One major stumbling block to direct citizen participation in decision-making is the lack of political will among public officials. The relationship between representative and participatory democracy merits particular attention in 'co-decision-making'. A commitment on the part of public officials or politicians is therefore essential.

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121 See: https://www.lokale-democratie.nl/sites/default/files/2017-11/handreiking%20burgertoppen_0.pdf and https://www.binnenlandsbestuur.nl/Uploads/2016/4/G1000-webpdf.pdf

122 In addition to participatory budgeting, Dutch local authorities are also subject to budget monitoring. This mechanism gives citizens an understanding of their local authority's spending and should increase citizen engagement. See: http://budgetmonitoring.nl/

123 We have not explored the impact of the toolkit and the approach resulting from this partnership project. Plans are currently being drawn up to continue developing the Digital Democracy Lab project. See: https://www.digitaleoverheid.nl/overzicht-van-alle-onderwerpen/democratie/proeftuin-digitale-democratie

124 Provincial 'deals' are currently being negotiated in which Democracy in Action supports the process and the technical aspects of pilot projects using the Consul and OpenStad open source digital participation platforms. Expert groups are also being established in which local and provincial authorities and experts can think through and design their own process. For an example, see: https://lokale-democratie.nl/groups/view/57979221/democratie-in-groningen/wiki/view/57980749/lokale-democratie-in-groningen-in-de-praktijk

When are digital tools of added value?

It became clear during our experts workshop[125] that it is important not to simply 'copy' everything online that occurs offline. Indeed, digital participation tools also create an opportunity to revamp existing practices. Some people will feel more comfortable contributing online than speaking in front of a group. They may prefer to record a video because it allows them to prepare in advance. It therefore helps to be aware of the opportunities that digital tools make available, and not to get bogged down in discussions about the relative value of digital interactions versus physical meetings. 'Think of it as an entirely new phenomenon.'

Other experts critiqued the complications involved in using technology and pointed to questions of usefulness and necessity.[126] One issue, for example, is whether the investment made in security measures is in proportion to the importance of ensuring the reliability of the process's outcomes. In decision-making, it often comes down to a vote. Citizens must be able to vote not only in elections or referendums, but also in participatory budgeting projects.

Since voting is about the quantitative weighting of citizens' input, it is important to ensure that participants cast only one or a specific number of votes. Online identification is therefore crucial to e-voting. Far-reaching security and authorisation measures are not always proportionate, however, and complex verification procedures can make participation less attractive.

It is therefore advisable to consider the exact purpose and weight of a vote. For example, one of the interviewees[127] stressed that an 'every vote counts' system (a deterministic approach) was not always the best option. This would require being able to identify precisely who is behind each vote, whereas it is often enough for dichotomous decisions (yes/no, for/against) to have a statistical impression of what people want. Crucially, the participants must be a representative sample of the population. It may also be helpful to track down outliers, for example a disproportionate number of votes from the same IP address.

Nevertheless, digital voting can give rise to (new) problems. For example, some people will find e-voting easier, while others will find it more difficult. That is why many countries are still reluctant to introduce e-voting for their elections. Unresolved and important issues are how to conduct a recount (if doubts arise about the outcome or if the margin of error is exceeded) and how to prevent coercion.

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125 Held on 11 June 2020. See Appendix 2 for a list of interviewees (e.g. during the experts workshop).
126 See also Meijer, Schäfer and Branderhorst (2019, p. 16).
127 Interview with Chris Verhoef.

4.3.2 Options for the Netherlands

If the Netherlands intends to go forward with e-decision-making tools, it would be advisable to examine:

1. whether agreements can be reached on the status of citizens' decisions and whether occasions for providing feedback can be embedded in formal decision-making processes. The use of e-decision-making has a direct impact on the roles of politicians and citizens and the division of responsibilities between them. The question is how and to what extent politicians in a representative democracy want citizens to influence the way in which they discharge their responsibilities;

2. whether the development and use of digital tools can be supported with a view to improving specific aspects of participatory processes (e.g. accessibility, deliberation processes).

    We saw how in France, Estonia and Scotland, digital tools make the participatory process more transparent and inclusive. Online submission of proposals, livestreaming of meetings and digital (interim) reporting all create new opportunities for interaction between the group of selected participants and the general public. Online voting can also make participatory budgeting projects and processes more transparent and inclusive;

3. to what extent investments made in security and authorisation (online identification, DigiD, IRMA) hamper accessibility and thus representativeness and inclusiveness. Such measures must always be in proportion to the purpose of the participation process (voting, collecting input, assessment) and strike the right balance between guaranteeing security on the one hand and not impeding participation on the other.

5   Conclusion

At the request of the Dutch Ministry of the Interior and Kingdom Relations, we have carried out an international comparative study into digital citizen engagement tools at the national level. The main question addressed by our study is: *what tools for digital citizen engagement used by other countries at national level (national government and parliament) can the Netherlands adopt to forge closer ties between the public and the political world?* To answer this question, we divided it into three subquestions:

- Which other countries have experimented successfully with digital citizen engagement at national level, and which digital tools did they use?
- What requirements must be met for the Netherlands to adopt these digital citizen engagement tools?
- What policy or other measures could the national government and/or parliament develop to achieve this?

This study was based on the premise that digital tools can enhance or expand representative democracy as it now exists in the Netherlands. We considered two needs in that context:

a. People want to feel that politicians are representing them adequately in debates and decisions.
b. Public officials and politicians also want to interact more with the public, stakeholders and experts between elections.

We studied and compared experiences with online democracy in Estonia, Finland, France, Germany, Greece, Taiwan and Scotland and found that these countries used a wide range of information systems, interactive online platforms, voting and visualisation tools, and ad hoc deliberation processes with digital elements. Some examples were set up by public authorities while others were institutionalised private initiatives. They can be divided into three forms of online citizen engagement: e-information (Chapter 2), e-consultation (Chapter 3) and e-decision-making (Chapter 4) – categories with which the Netherlands is also familiar.

We have observed that, if properly designed, digital citizen engagement can meet people's need to feel that they are being heard while also giving officials and politicians an opportunity to interact more with citizens between elections. The examples from abroad offer a wealth of insights into the conditions under which

digital tools can improve the democratic legitimacy of legislative and decision-making processes.

What they also reveal, however, is how difficult it is to deliver on the promise of online democracy.[128] Online platforms and digital resources are no miracle cure or quick fix. The effort required to organise productive, unfettered and safe interaction between politicians and citizens goes well beyond mere technological gadgetry.

This chapter summarises our most important findings. Inspired by the examples from abroad, we make three recommendations and reach a number of conclusions concerning digital citizen engagement initiatives.

5.1   Accessible information is the foundation

Informed citizen engagement is crucial for the functioning of a representative democracy (Green, 2012; Schudson, 1998; Zaller, 2010). Transparency about decision-making processes and about what is happening in society and in politics is the foundation of informed citizen engagement. Such transparency is also of crucial importance to MPs as they discharge their responsibilities.

The news media and quality journalism play an important role in ensuring transparency about the activities of politicians and officials. It is also incumbent upon government and parliament to promote transparency. They must be pro-active about sharing government information and explaining the political considerations underpinning their decisions. The examples from abroad show that e-information holds promise for the Netherlands. We have three recommendations.

1.1   Improve information management

Decision-making and legislative processes involve large numbers of documents. In the Netherlands, many of these are (by law) in the public domain. Even so, it is no easy matter to keep track of what is happening in The Hague. While there is no lack of information, it is often not findable, searchable or easy to understand. Parliament can demand that the various stages of decision-making and legislative processes be made more transparent and easier to monitor online, not only for the public but for its own members. An information system such as Estonia's EIS is an inspiring example. To better fulfil its role as a representative and monitoring body that sets

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128 The promise of online democracy is closely bound up with the promise of digital technology. Digital technology gives everyone rapid access to a wealth of information and allows large numbers of individuals to communicate directly with one another. When the internet first emerged, it was thought that digitalisation would be compatible with democratic ideals (Hazenberg, 2020; Stikker, 2019).

the parameters for policy development, parliament can also insist that the Netherlands invest in improving its information management systems and adopt standards for data and information retrieval based on APIs.[129] Allowing other parties to quickly retrieve raw data and use it for their own applications and analyses makes them allies in the battle to extract relevant information and track down important developments. The Netherlands' Council of State (*Kamerstukken 35300*, no. 78) and a number of private initiators (*Kamerstukken 2019Z09235*, no. 78) have already stressed the importance of this.

1.2   Encourage accountability platforms

Examples abroad also provide inspiring material for improving parliamentary transparency. An accountability platform such as those in Germany (Abgeordnetenwatch) and Greece (VouliWatch) would allow citizens, journalists and researchers to monitor the decisions, voting behaviour and lobbying activities of elected representatives. MPs and officials could also benefit from such a platform, however. New forms of organised online citizen engagement may represent a valuable alternative to interactions on social media platforms, which are not designed for democratic debate. Private initiatives that arise out of society's needs can make a significant contribution to informed engagement, and there are initiatives of this kind in the Netherlands. It is not necessary for government to develop every single digital functionality on its own; it can also lend support to independent platforms that facilitate newsletters, personalised notification systems and moderated interaction. Such support can be financial in nature or take the form of enabling conditions.

1.3   Provide for direct question-and-answer channels between citizens and their elected representatives

The platforms described in this study also facilitate moderated, direct contact between citizens and MPs. Information on the activities of individual MPs and a moderated Q&A function help citizens to express themselves in the democratic process. A Q&A function also encourages politicians to account for how they are fulfilling their political mandate. For an accountability platform associated with parliament, it is important for MPs to in fact use it to interact with citizens.

Previously, the Rathenau Instituut argued that digital tools that support transparency and communication between citizens and MPs can 'counterbalance the purely outgoing communication of politicians in their "permanent campaign" and, for example, the ease with which lobbyists and the representatives of established civil society organisations can gain access to parliament' (Rathenau

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129 Application programming interfaces – see note 43.

Instituut, 2015). When applied to the interplay between parliament, the government, citizens, stakeholders and the media, the principle of a 'communicative balance of influence' – with different parties using information and communication flows to influence and correct one another – can offer important guidance when introducing digital tools into parliament's work (Rathenau Instituut, 2015).

5.2   Innovate, experiment and learn

In addition to sharing information and promoting transparency in assessment processes, digital tools can also facilitate and improve citizen engagement in agenda-setting and decision-making. By allowing citizens to participate in drafting bills and policy, parliament and the national government can harness society's expertise and respond more effectively to the wishes and expectations of citizens, ensuring them that they are being heard.

In designing new, digital mechanisms of agenda-setting and decision-making citizen engagement, the biggest dilemma is how to do justice to the outcomes of such engagement without negating parliament's autonomy in political decision-making. It is important for government and parliament to take this dilemma into account when designing and implementing such (new) forms of citizen engagement.

As the Rathenau Instituut argued in a previous report, joining digital forms of citizen engagement with representative democracy creates opportunities. It is important for the issues raised in citizens' initiatives and the proposals that emerge from citizens' assemblies and other public consultation processes to be firmly embedded in a broader political strategy (Rathenau Instituut, 2015). The input delivered by citizens can in fact nurture the work of elected representatives and give them a new burst of energy (Rathenau Instituut, 2015). Digital forms of citizen engagement also make it possible for individual MPs to raise their profile and to breathe new life into their relationship with their constituencies.

We have divided this recommendation into three subsidiary recommendations:

2.1   Make (every form of) digital citizen engagement low threshold and accessible

Our examples from abroad revealed various (digital) opportunities to harness the public's knowledge and expertise for lawmaking and policy decisions. Citizens are able to engage in (new) legislative and policy processes by joining online platforms dedicated to citizens' initiatives (rahvaalgatus.ee in Estonia and kansalaisaloite.fi in

Finland), government and privately-run platforms supporting public consultations (P&C in France and vTaiwan in Taiwan), and citizens' assemblies and participatory budgeting projects (Rahvakogu in Estonia and participatory budgeting in Scotland). In all these platforms and tools, however, we have noted the importance of ensuring a low threshold and accessibility. In particular, the platforms and tools used abroad often failed to sufficiently guarantee the representativeness and diversity of the participating citizens or groups, thus weakening their legitimacy. We can improve on their approaches by doing the following:

2.1.a Government: Create or support a platform for citizens' initiatives

There is, as yet, no official online platform or other facility that allows Dutch citizens to exercise their legal right to undertake a citizens' initiative. A platform of this kind, either managed or supported by government, would make it possible for citizens to submit proposals, collect statements of support, discuss and vote on proposals, or present them to parliament or the government and track their progress. The absence of such a platform makes it much more difficult to exercise the right of citizens' initiative. We therefore recommend that government take responsibility for providing an online platform where citizens can draft, submit and track citizens' initiatives. In so doing, it will not only demonstrate its commitment to the right of citizens' initiative but also guarantee the continuity of the platform and ensure that it remains flexible. An online platform will make it possible for citizens to influence the political agenda while allowing for different levels of engagement according to people's needs. Some people will be keen to come up with their own initiative, others will be interested in joining online discussions about proposals, and still others will prefer to express their support or track the proposals' progress on the website. To reach a broad spectrum of the population and come up with sound proposals, it is also important for the platform to be a safe and secure environment for preparing citizens' initiatives, for expressing support and, possibly, for sharing ideas with a view to building coalitions. Finally, following the example of Finland, government should consider offering expert legal assistance to those who wish to exercise their right to undertake a citizens' initiative. Doing so will enhance the legal quality of proposals arising from such initiatives and make it more likely that they will be taken seriously by government or parliament.

2.1.b Government: Create a platform for public consultation

Public consultation platforms such as P&C in France and vTaiwan in Taiwan offer inspiring examples of agenda-setting citizen engagement that is not aimed at the parliamentary agenda (co-decision-making) but rather supports crowdsourcing of legislation. They furnish well-defined processes, including deliberative elements, for presenting proposals to citizens, polling opinions or crowdsourcing ideas. The platforms have facilities for surveying groups of citizens online, handling different types of input (such as video), expressing public support for proposals, livestreaming debates, and analysing and visualising input in new ways. All this may lower the threshold for citizens to participate because they can gain easy access to new information. The platforms also streamline processes so as to make effective use of the knowledge and expertise of society. Platforms of this kind in other countries have led to several breakthroughs in legislation on politically sensitive issues.

The Dutch Parliament can encourage the development of e-consultation platforms by positioning itself as an active user. Local government is already experimenting with digital tools for public consultation. Parliament should lead the way in seeking to learn from or join existing initiatives.

2.1.c. Government: Let citizens know that these platforms exist

No tool can claim democratic legitimacy if no one knows about it (and, consequently, no one participates). Our final recommendation is therefore to take active steps to inform and update the people of the Netherlands about the existence (and functioning) of citizens' initiative or public consultation platforms. The same recommendation applies if parliament or the government decide to initiate a form of citizen engagement involving more decision-making power, such as a citizens' assembly or a form of participatory budgeting. Whichever method of citizen engagement is adopted, it must be promoted among the broader Dutch population with awareness-raising campaigns or public information activities. It must also be easy to access and understand, and satisfy the requirements of diversity and inclusiveness. While it is possible to lower the threshold online by facilitating various different forms of participation, particular efforts must be made to engage people from outside the 'participatory elite'.

2.2 Be clear about the process and purpose of citizen engagement

Every form of e-consultation or e-decision-making carries a serious risk of disappointment if it lacks transparency about whether and how the participants' input will influence the outcome of the consultation or the relevant decision. In the

examples from abroad, we saw that trust in politics and democracy in fact declined after a citizens' initiative, citizens' assembly or a decision-making process when it was unclear what was being done with the input and when and what role it played in the formal political decision-making process. The purpose, substance and process of such forms of citizen engagement must be well thought-out and firmly embedded. Participants must also be aware of the precise nature of their engagement. Communication about this must be crystal-clear to avoid disappointment. We have divided this recommendation into two subsidiary recommendations:

2.2.a   Start by expressing and mobilising the political will to take the outcomes seriously

Participation in a form of e-democracy will end in disappointment if the participants feel that their input is limited to 'non-committal discussion'. Democratic legitimacy is enhanced when the government or parliament commit themselves to the purpose, substance and process of digital citizen engagement at the outset. First and foremost, this requires the government and parliament to be prepared and to have the political will to relinquish (some of their) power, or to share power with the citizens concerned. It also requires them to actively manage expectations. In addition, the examples from abroad reveal that there are more procedural options for making systematic use of citizens' input.

In the case of a *citizens' initiative*, government could follow the example of Finland by organising a public meeting with petitioners as part of standard procedure, or by obliging the (parliamentary) recipients of a citizens' initiative to respond to it in writing.

In the case of a *citizens' consultation*, government could make active use of an information system such as we saw in Estonia (EIS), which allows citizens to track the legislative or policymaking process and to provide input into it at various stages.

In the case of a *citizens' assembly*, it is important for the politicians responsible to start out by clarifying the status of the proposals and how they will be embedded in the formal decision-making processes, as President Macron did in France. The legitimacy of a citizens' assembly is also defined by a large number of additional conditions (scrupulous selection of participants, appointing guarantors to safeguard the independence of the process, compensating participants for their work, etc.).

In *participatory budgeting*, government can consider designing and managing (or encouraging) a platform through which local communities learn from one another how to develop and implement procedures.

2.2.b Provide interim feedback and be accountable afterwards

In addition to government or parliament's active involvement in and commitment to citizen engagement at the start, it is also important for them to provide feedback during the process and to account for themselves after the process has ended. In the case of a citizens' initiative, a citizens' consultation or a citizens' assembly, it is the responsibility of politicians and officials to explain how they are incorporating or have incorporated the public's input into the various policy options, or how they have reached consensus. This is particularly the case when citizens' proposals have no impact on political decision-making.

2.3 Learn and improve

The Netherlands and other countries have already experimented extensively with new forms of digital citizen engagement. So far, however, many of the tools have failed to live up to what are often far-reaching expectations. In the examples abroad, we saw that these new forms of citizen engagement require constant attention and adaptation. A single experiment is usually not enough to determine how, when and why a participatory process contributes to democratic legitimacy. 'Learn and improve' is therefore the best motto. It is important to set up platforms flexibly so that they can be adapted to a specific purpose or process and so that lessons learned can be incorporated into a new design. We know little about the long-term impact of digital citizen engagement on trust between citizens and government. Additional research on this topic would be useful (also with a view to managing expectations; a few discussion evenings will not restore a breach of trust or resolve a battle over a controversial topic).

5.3 Digital tools must be customised

It is a point worth repeating: digital tools are no guarantee of democracy. Much more is required than technology alone. There is an important difference between e-governance (digitalising public services) and e-participation (digital citizen engagement). Estonia inspires primarily because of the former, but when it comes to e-participation, it too faces challenges. All our examples from abroad have shown that digital tools are no quick fix. They are not a substitute for more traditional forms of citizen engagement or for social media communication; rather, they complement

these methods. Although Facebook, Twitter and other platforms (may) play a role in interactions between citizens, politicians and officials, they have not been designed or set up to forge closer ties between citizens and the world of politics/government or to improve the legitimacy of democratic processes. Online interactions can be structured more precisely to ensure a reliable supply of information, to contribute to constructive dialogue, and to avoid polarisation. Digital citizen engagement requires careful assessment and politically supported decisions regarding which tools may be a useful addition and when. We have three recommendations in this regard:

3.1   Combine online and offline tools and efforts

Digital tools make it possible to track legislative processes, to draft, discuss, submit and vote on (legislative) proposals, and to livestream meetings. Visualisations can help to streamline these processes and also make them more accessible to people who may lack a certain facility with language. Recently, the COVID-19 pandemic has accelerated efforts to organise public consultations and citizens' assemblies online.

Nevertheless, physical meetings appear to be indispensable to the political process. With respect to citizens' assemblies in particular, the participants must be given the opportunity to meet one another in person. Digital tools also make engagement easier for some people but more difficult for others. A hybrid of online and offline tools may be the way forward, but the following requirements remain: provide accessible and comprehensible information; recruit a representative and inclusive group of participants; facilitate accessible and comprehensible procedures; raise awareness of forms of citizen engagement; be clear about the purpose and process; and provide feedback on and embed the outcomes.

3.2   Select or design appropriate digital tools

Both e-consultation and e-decision-making involve the usual steps of a deliberative process: defining the problem, crowdsourcing ideas for solutions, categorising and appraising solutions, synthesising and understanding shared values, and, finally, taking an informed decision. In our examples from abroad, specific digital tools have been designed and tested for each of these steps. Before making use of such tools, it is advisable to look specifically at what they can and cannot do. There is no one category of tool that lends itself to all forms of citizen engagement. Use a tool that is fit for purpose.

3.3   Be aware of security issues and the potential for fraud

Digital tools are also vulnerable to certain risks. Digital voting, for example, faces security and authorisation issues. It is important to consider which measures and investments in digital security are proportionate. When polling opinions or ranking

proposals, it is generally not necessary to trace each vote back to a specific individual. It is, however, important to prevent hacking and trolling. Giving such matters the necessary critical attention requires government and parliament to develop and ensure specific IT knowledge and expertise.

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Appendix 1: Evaluation framework for assessing digital citizen participation tools

Our analysis of e-participation tools was based on the theoretical framework and questionnaire that we used in our earlier STOA study. Allowing for a differentiation between three forms of democratic legitimacy (see below), we drew conclusions concerning which tools might be successful in forging closer ties between citizens and politicians/government in the Netherlands.

- **Input legitimacy:** legitimacy derived from the extent to which legislative and decision-making processes are receptive to the people's interests and ideas. An e-democracy tool contributes to the input legitimacy of democratic processes when it helps citizens to engage with and express themselves in the democratic process.

- **Throughput legitimacy:** legitimacy derived from reliable and transparent processes and procedures for assessing interests and ideas and for linking preferences to political decisions. An e-democracy tool contributes to throughput legitimacy when it promotes the transparency and quality of deliberation and assessment processes, for example by explaining lines of argument and by making it possible to compare, assess and prioritise viewpoints in accordance with agreed mechanisms.

- **Output legitimacy:** legitimacy derived from the extent to which the government accommodates the people's wishes and opinions. An e-democracy tool contributes to output legitimacy when its design facilitates the impact of citizen engagement on policymaking and/or legislative processes.

Evaluation framework for citizen participation tools

Dimension	Demands	Specific questions
Input legitimacy	• Information/equality of opportunity • Tool usability • Interaction support • Voice	• Has the possibility of participating been effectively communicated to the target group? • Is the tool accessible for every member of the target group to participate? • Are the participation tools considered usable, reliable and secure? • How and to what extent are participants able to express their wishes and interests? • How and to what extent are the participants able to set the (political) agenda? • Does the design help to involve citizens beyond the participatory elite?
Throughput legitimacy	• Deliberation quality • Representation • Diversity/Inclusion	• To what extent is information provided about the complete decision-making process and how citizen participation is part of this (during the process)? • How is information provided to the participants about the issues at stake? • Does the tool encourage the interactive exchange of arguments between participants? • Does the tool encourage interaction between participants and officials /politicians on their views?

		• To what extent are the participants representative for the target group? • To what extent is input by and/or conversations between participants moderated? • How is the diversity of participants' views managed (aggregated?) in the process; are minority viewpoints included?
Output legitimacy	• (Cost)-effectiveness • Democratic impact • Accountability • Responsiveness • Trust	• How does the tool contribute to the decision-making process and its outcomes? • Does the tool increase the transparency of the issues at stake? • Does the tool help to enhance accountability: informing who is responsible for what action? • How are participants informed about the outcomes and about what has been done with their input (afterwards)? • Does the tool help to bridge the gap between government and the target group and increase trust in government? • Is the tool considered cost-effective? • Does the process give the official/politician leeway to make their own judgement, selection or assessment?

Appendix 2: Interviewees

We have interviewed the following people individually, in groups during the workshop, or as members of the monitoring committee. We would like to thank them for their input.

Name	Organisation
Aivar Rahno	Government Office of Estonia, Secretariat
Ank Michels	Utrecht University
Anne de Zeeuw	Netwerk Democratie
Anthony Zacharzewski	Democratic Society (UK)
Ayeh Zarrinkhameh	ROB (Dutch Council for Public Administration)
Chris Verhoef	BIT (Bureau ICT Toetsing)
Elisa Lironi	European Citizen Action Service
Erin McAuliffe	Democratic Society (UK)
Frank Hendriks	Tilburg University
Harm van Dijk	G1000 organisation
Haye Hazenberg	Ministry of the Interior and Kingdom Relations
Ira van Keulen	National Ombudsman / formerly, a researcher for the Rathenau Instituut
Jasper Zuure	ROB (Dutch Council for Public Administration)
Joep Meindertsma	Argu
Josien Pieterse	Netwerk Democratie
Karlijn Bink	Democracy & Media Foundation
Koen van der Krieken	Ministry of the Interior and Kingdom Relations
Laura de Vries	Hans van Mierlo Stichting
Lucas Benschop	1848.nl
Maarja Olesk	Institute of Baltic Studies
Maike Popma	VNG (Association of Netherlands Municipalities)
Maurice Berix	Province of Zuid Holland
Mellouki Cadat-Lampe	Movisie
Mieke van Heesewijk	SIDN Fund
Reinder Rustema	petities.nl
Suzanne Melis	Ministry of Justice and Security
Tsjalling Swierstra	Maastricht University
Tom Demeyer	Waag Society
Wilma Haan	Open State Foundation

Appendix 3: Definitions

Agenda-setting citizen engagement: citizen engagement in government policymaking whereby government takes the public's ideas and suggestions into account when framing policy, investigating options and drafting laws. This form of engagement seeks to enhance the quality of the deliberative process in lawmaking and policymaking.

Active democracy (or do-democracy): refers to citizens who take charge of matters in the public domain (community care, maintaining public greenspace, social welfare, etc.), either independently or in cooperation with public authorities. The idea is that a form of co-decision-making arises when citizens themselves tackle societal issues. This is about giving citizens latitude, not making them responsible for public matters that fall within the realm of government accountability.

Co-creation: co-creation of legislation or policy involves harnessing the knowledge and expertise of various parties, including citizens, during the lawmaking or policymaking process.

Consensus: consensus exists when the people who make up a group, assembly or community agree on an issue or proposal. The participants discuss points of disagreement until they have reached a proposal or plan that is acceptable to all. They do not vote but instead seek a conclusion satisfactory to everyone.

Crowdsourcing: an open invitation to citizens to contribute to a policy proposal or other public tasks, the aim being to mobilise the expertise that citizens possess about the relevant subject.

Delegation model of political representation: in this model, elected representatives articulate the specific policy preferences of their voters and defer to those preferences in their decision-making. In other words, representatives take the decisions that their voters would have taken. (The party's election programme is leading, but if that does not provide a definitive answer, then representatives will have to use other means to find out what voters prefer.)

Deliberative democracy: a form of democracy that depends on deliberation (dialogue, discussion) between citizens. An open exchange of information and arguments, in which all the participants are equal, serves to critically examine whether the problem definitions and proposed solutions, as well as citizens'

preferences, are based on sufficient empirical evidence and are normatively appropriate and effective.

Democratic legitimacy: the legitimacy of democratic decisions, laws and policies, based on three factors: 1) the extent to which legislative and decision-making processes are receptive to the people's interests and ideas (*input legitimacy*); 2) reliable and transparent processes and procedures for assessing interests and ideas and for linking preferences to political decisions (*throughput legitimacy*); 3) the extent to which government accommodates the people's wishes and opinions, the impact of citizen engagement being one aspect of this (*output legitimacy*).

Direct citizen engagement: entails that citizens are themselves empowered to participate in the policymaking process or to take decisions themselves, for example through binding referendums. In direct citizen engagement, citizens may draft policy themselves or vote on proposals, for example.

Direct democracy: a form of democracy in which the members of a political community take political decisions themselves by voting (referendums). In this report, the term has been extended slightly to cover many different forms of citizen participation in which individual citizen preferences or expressions of support are mobilised and counted, for example opinion polling and collecting signatures for petitions and legislative initiatives.

Empowerment: having decision-making competence.

Inclusive: describes processes or (e-democracy) tools that everyone can access and use. This means that they do not discriminate or impose (figurative) barriers.

Informed citizens' engagement: citizens are acquainted with information about political decision-making and share (their interpretations of) this information. Critical citizens monitor what is happening in politics and in their own environment.

Input legitimacy: legitimacy derived from the extent to which legislative and decision-making processes are receptive to the people's interests and ideas. An e-democracy tool contributes to the input legitimacy of democratic processes when it helps citizens to engage with and express themselves in such processes.

Mandate model of political representation: in this model, voters, acting on their convictions, give elected representatives a mandate to pursue a certain political course in their upcoming term in office. The party's election programme is leading, but representatives remain free to exercise their own judgement.

Output legitimacy: legitimacy derived from the extent to which the government accommodates the people's wishes and opinions. An e-democracy tool contributes to output legitimacy when its design facilitates the impact of citizen engagement on policymaking and/or legislative processes.

Parliament: the body that represents the people, in the Netherlands consisting of the House of Representatives (Tweede Kamer, elected directly by voters) and the Senate (Eerste Kamer, elected by the members of the Provincial Councils, and thus indirectly by the people). This study tends to refer to the House, but it goes without saying that the Senate can also experiment with and make use of online citizen engagement tools.

Parliamentary democracy: may be regarded as a synonym for representative democracy, except that this term more particularly addresses the democratic relationship between voters, parliament and the government.

Participatory democracy: a form of democracy in which the citizen has an agenda-setting influence on governance. Decisions are not simply left to elected representatives, as is the case with representative democracy. Participatory democracy can be attained by means of a referendum, the right of petition, or the right to undertake citizens' initiatives.

Representative democracy: a form of democracy in which political decision-making is delegated to a small number of professional politicians elected by the people in free, honest and regularly scheduled elections.

Representativeness: refers to the attributes of a group of citizens participating in online democracy or making use of an e-democracy tool. A group is representative of the population when it reflects a number of chosen traits, such as age, place of residence, gender, occupational group, educational level, cultural background, etc.

Throughput legitimacy: legitimacy derived from reliable and transparent processes and procedures for assessing interests and ideas and for linking preferences to political decisions. An e-democracy tool contributes to throughput legitimacy when it promotes the transparency and quality of deliberation and assessment processes, for example by explaining lines of argument and by making it possible to compare, assess and prioritise viewpoints in accordance with agreed mechanisms.

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