

Restoring Trust in Government: The Potential of Digital Citizen Participation



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IBM Center for
**The Business
of Government**

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F O R E W O R D

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On behalf of the IBM Center for The Business of Government, we are pleased to present this report, “Restoring Trust in Government: The Potential of Digital Citizen Participation,” by Marc Holzer, James Melitski, Seung-Yong Rho, and Richard Schwester.

This new report builds upon a previous IBM Center publication by John O’Looney, “Using Technology to Increase Citizen Participation in Government: The Use of Models and Simulation.” In that report, Professor O’Looney described early efforts to engage citizens via the use of models and simulations. Those tools can be used both to educate citizens about complex issues so they can be better informed, and to allow citizens to participate in public debates and decision making. In this report, Holzer, Melitski, Rho, and Schwester present three case studies of how government organizations are now using technology to enhance citizen engagement and participation.

The authors address a fundamental challenge of government in the digital age: How can individuals be engaged in a two-way dialogue on public issues without relying on interest groups or other intermediaries? Technology has now created new tools for allowing citizens to more meaningfully participate in a dialogue with their fellow citizens and their government. In an increasing number of cases, these tools have been successfully employed and are improving the quality of public decisions.

This report describes three of those efforts and offers lessons to policy makers and government executives on ways that they can successfully increase the voice of citizens in the policy and program decision-making process. We trust that this report will be helpful and instructive for government executives, both in the United States and across the world, seeking new ways to use technology to engage citizens.

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EXECUTIVE SUMMARY

Citizen participation is central to democratic governance. But there is a distinct gap between elected representatives and the citizenry, a gap that is evidenced by declining voter turnout, decreased levels of civic participation, and widespread cynicism toward political institutions (Hudson, 2001; Putnam, 2000; Berman, 1997). Information and communications technologies (ICTs) have the potential to help make citizen participation a more dynamic element of the policy-making process. Citizen participation advocates are optimistic that ICTs will facilitate direct interactions between citizens and government through the integration of digital democratic applications.

This study focuses on Internet-based applications wherein citizens can debate policy issues, and highlights a number of digital citizen participation models. Three case studies are highlighted: *Regulations.gov* (United States), the *National Dialogue of Public Involvement in EPA Decisions* (United States), and *CitizenSpace* (United Kingdom). Each case is evaluated on the extent to which information dissemination and citizen deliberation range from static to dynamic.

Static information dissemination is characterized by information acquisition from read-only websites. Citizens merely obtain information on policies and operations of government, and links to other relevant information on the Internet are provided through the government's own websites.

Dynamic information dissemination involves two-way communication and consultation between citizens and public servants. It includes e-mail

communication initiated by citizens, typically leading to a question-and-answer dialogue.

Static and dynamic citizen deliberation differ as to the type of participation in the policy-making process. Static citizen participation includes online polls without direct public deliberation, a bulletin board for complaints and recommendations, or citizen participation by mail, fax, or e-mail. Dynamic citizen participation includes digital town hall meetings, digital policy forums, and online voting. The roles of both public servants and professionals are key elements. Digital public deliberation includes all participants—citizens, politicians, bureaucrats, interest groups, and the media.

Based on the information dissemination framework developed in this study, *Regulations.gov* can be categorized as static at this point in time, while the *National Dialogue* and *CitizenSpace* are both dynamic. Although the *Regulations.gov* website publishes information relevant to digital citizen participation, it does not currently facilitate interaction between citizens and government agencies. *Regulations.gov* engages citizens through e-mail, regular mail, and fax, but interactions between citizens and public servants are virtually absent in the current version of *Regulations.gov*. Both the *National Dialogue* and *CitizenSpace* used additional methods of information dissemination, such as e-mail lists or electronic newsletters.

In terms of citizen deliberation, all three cases are issue centered, whereby the public agency creates broad categories for discussion and citizens are able to comment. *Regulations.gov* is considered

to be static in this regard. The National Dialogue is dynamic. CitizenSpace is a hybrid. More specifically, through the Regulations.gov and CitizenSpace portals, individuals are able to comment on proposed governmental policies. Subsequently, they can view other citizens' comments following the close of the comment period. There is no interactive component to Regulations.gov or to CitizenSpace's consultations index. However, CitizenSpace has maintained a number of forums that are dialogical in nature. Similar to the National Dialogue, CitizenSpace's forums allowed participants to post messages and comment on the views of other participants over the course of a predetermined consultation period.

Public agencies using ICTs have experienced greater levels of citizen participation, particularly in cases where proposed regulations and policies are dynamically discussed between public agencies and citizens. In addition, the effects of digital democracy reach beyond any increases in citizen participation in the policy-making process. They also typically address performance issues that encourage public managers to be more responsive to citizens by acting more quickly and accurately. These actions very likely improve government's efficiency through cost savings related to efficiencies of time and reduced paperwork, effectiveness, and, just as important, perceived efficiency and effectiveness.

Digital democracy presents specific challenges. For example, citizens often find it difficult to keep up with the flood of messages and the large number of conversations going on at any one time. In addition, many citizens do not have time to read all the messages directed at them. Citizens often find digital communications difficult to interpret due to the lack of nonverbal cues, such as facial expressions or voice tone. As a result, it is likely that some comments could be misunderstood. Often digital facilitators or moderators are used to move discussions along and enable democratic deliberation, at the same time maximizing efficiency and minimizing disruptions.

We outline several recommendations for enhancing digital citizen participation in government:

- Establishing a realistic “envelope” is essential for facilitating public-policy deliberation online.
- Much like the time frame for a face-to-face meeting, scheduling a starting and ending time ensures that the issues deliberated are approached as concisely as possible.
- It is also important to establish “frequently asked questions” (FAQs) and guidelines for participation. Guidelines for digital consultation and deliberation in government should be clear.
- It is essential to distribute background materials online, as well as through traditional mechanisms. Public agencies must also become more adept at promoting or marketing opportunities for citizens to participate in digital deliberations.
- When digital moderators or facilitators are used, they need to be properly trained to move discussions along without alienating individuals. Online discussions are often similar to face-to-face discussions in their use of jargon, abbreviations, and informal language. Facilitators need to refrain from using jargon and informal language so as not to alienate citizens unfamiliar with the cultural norms of the discussion.
- Facilitators must be aware that their comments are on the public record, and as such reflect upon their agencies, despite the informal nature of the Internet.

Introduction: Declining Trust in Government

Public confidence and trust in government have been declining for almost four decades. According to results revealed in the National Election Studies' surveys from 1958 to 2002, the peak of trust in government appeared in 1966, and the nadir was in 1994. In 1964, three-quarters of Americans would have preferred to trust the federal government to do the right thing.

In 1964, 62 percent of Americans believed that they could trust the federal government "most of the time," which compares to only 51 percent in 2002. In 1966, 17 percent felt that they could "just about always" trust the federal government, which compares to only 5 percent in 2002 (National Election Studies, 1958–2002). Survey results indicate that in 1994, only 11 percent of Americans had a great deal of confidence in the executive branch of government, while more than three times as many, 35 percent, expressed hardly any confidence in the executive branch. The percentage of people who had a great deal of confidence declined from 14 percent in 1974 to 11 percent in 1994. From survey results, we also know that Americans have had little confidence in Congress. Public confidence in Congress had been declining from 17 percent who had a great deal of confidence in 1974 to 8 percent in 1994. People having hardly any confidence in Congress increased from 21 percent in 1974 to 39 percent in 1994 (National Opinion Research Center, 1972–2000).

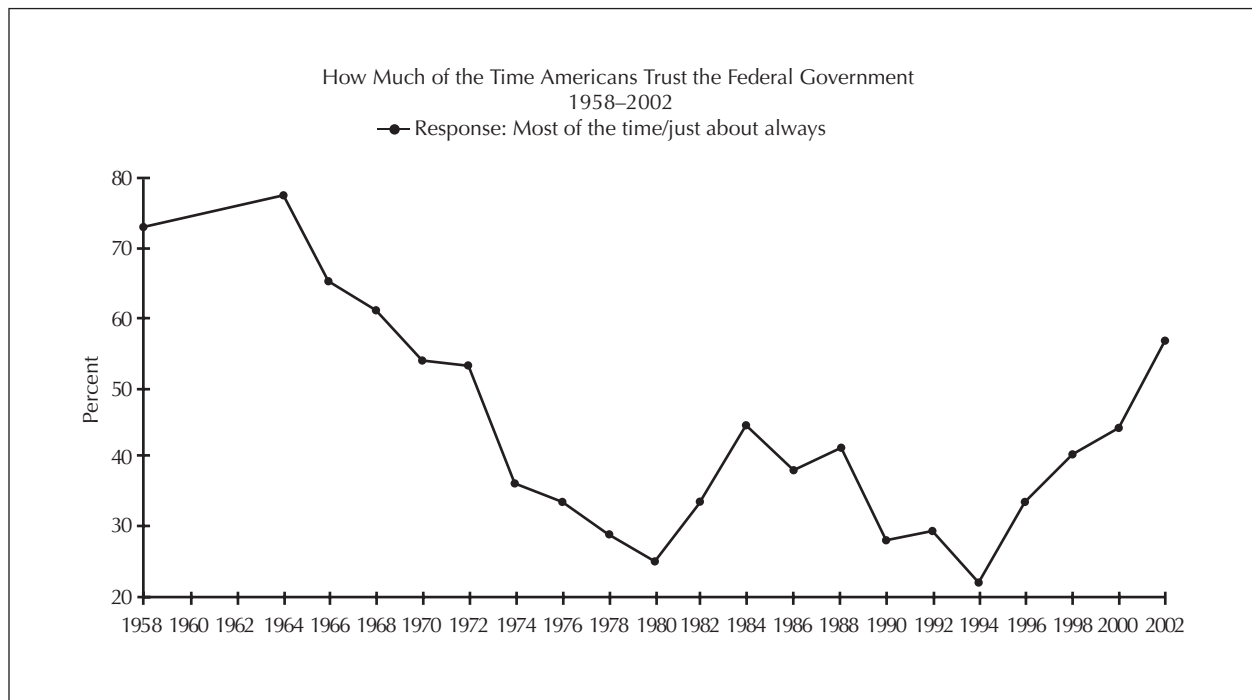
As illustrated in Figure 1, the American citizenry has little confidence in public officials, the degree of trust declined from 1974 to 1994, and although

there has been some improvement, trust is still far short of historical levels. Trust rose to 54 percent in 2002.

According to Berman (1997), cynicism toward government is largely a function of trust and social capital. The relationship between government and its citizens has been strained, which is largely a function of the following: First, the citizenry feels as though government officials abuse their powers in the interest of self-aggrandizement. Second, citizens feel disconnected from government. Third, government service delivery is perceived to be inadequate. With the hope of reversing these perceptions, Berman describes administrative strategies that target cynical citizens, strategies for which emphasis is placed on publicizing the benefits of government, improving service delivery, and—perhaps most importantly—giving individuals a means of influencing public policy and government decision making. Internet-based applications, or e-democracy, may prove ideal in this regard, as such innovations can help cultivate a governmental landscape in which information is more accessible, people feel more connected to government, and citizens are better able to participate in political processes. These changes may reduce cynicism toward government and restore faith in our political institutions and elected officials.

Purpose of This Study

In contemporary democratic society, traditional structures and cultures of policy formation and decision making often minimize citizen participation. But with the rapid development of information and

Figure 1: Trust in the Federal Government (1958–2002)

Source: The National Election Studies 15SEP03

communications technologies (ICTs), traditional models of representation have come under pressure. Proponents of digital democracy believe that ICTs will facilitate more direct interaction between citizens and government. Citizen participation has long been considered an essential component of genuine democracy, and within the context of the policy-making process it can help the public sector become more effective by tapping into wider sources of information. This, in turn, can help improve the quality of policy decisions. Further, greater citizen participation exposes policy makers and implementers to a broader range of issues, helps monitor existing policies, and highlights needed changes.

ICTs create opportunities for receiving important information and participating in policy-making discussions. Because ICTs typically improve interaction between citizens and decision makers, it is important to examine innovative ways in which ICTs are used in the public-policy process. In particular, we need to examine the opportunities for ICT-related citizen input, and how input influences the policy-making and decision-making processes.

This study focuses on Internet-based applications wherein citizens can debate policy issues. In particular, this study addresses the following questions: *What are the expectations for digital citizen participation? What models currently exist? How effective have they been? What is the potential for digital citizen participation?*

The Trend Toward Digital Citizen Participation

Digital Democracy

As ICTs have rapidly developed, the public sector has sought to integrate these technologies. In addition to digital service delivery, ICTs have afforded citizens a more direct means of participating in the public decision-making process. We use the term “digital democracy,” which encompasses the use of ICTs in the practice of democracy. Jankowski and van Selm (2000) suggest that digital democracy is more generally accepted as including activities related to the democratic process.

Democracy is a form of government in which citizens have a measure of influence over the policies that affect their lives. The relationship between government and citizens is foremost within a democratic system. In a digital democracy, the focus is on the processes and structures that define the relationships between government and citizens, between elected officials and appointed civil servants, and between the legislative and the executive branches of government.

According to Hacker and van Dijk (2000: 1), digital democracy refers to “a collection of attempts to practice democracy without the limits of time, space, and other physical conditions, using ICTs or computer-mediated communication instead, as an addition [to], not a replacement for, traditional ‘analogue’ political practices.” In other words, digital democratic applications are envisioned as alternative means of participation. Further, Nugent (2001: 223) refers to digital democracy as “processes carried out online—communicating with fellow citizens and elected representatives about

politics.” Digital democracy may be defined as all practices to improve democratic values using ICTs. Central to digital democracy are specific governance issues, which include government openness, citizen participation in governing processes, and digital elections (Arterton, 1988: 620–626).

Government openness is central to digital democracy, and openness is predicated on improving access to government information. That is, well-informed citizens are more capable of playing an active role in government. Citizens can make their voices more powerful with well-informed, active participation in the policy-making process. Thus, citizens may be empowered via e-mails to elected officials, as well as by debating social issues in digital forums.

Online voting is an advanced digital democratic application. The 2000 presidential primary of the Arizona Democratic Party was the first binding election in the United States that afforded citizens the opportunity to vote via the Internet. The Arizona primary indicated the potential of Internet-based voting systems in terms of increasing voter turnout, especially among segments of the population that are typically most apathetic (for example, younger voters). Nearly 87,000 citizens voted in the 2000 Arizona Democratic primary, as compared to 36,072 in 1992, and even fewer, 12,844, in 1996 (Le Blanc and Wilhelm, 2000).

Skeptics contend that the novelty of the Arizona primary served to inflate voter turnout (Gibson, 2001). According to Solop (2000: 7), however, the Arizona primary “saw the largest growth in turn-

out in Republican and Democratic primary elections held in 1996 and 2000,” which suggests that the substantial increase in turnout cannot merely be attributed to an uncontested primary in 1996. Solop further notes that turnout would have been higher had it not been for technological problems that prevented approximately 4 percent of registered Democrats from voting via the Internet. Even though online voting is in its infancy, with numerous logistical and security problems to be addressed, it has the potential to promote active citizenship.

With digitally available information and advanced ICTs, citizens can participate more fully in the governing process, and consult on policies at all levels of government. In addition, citizens can discuss social issues and government policies in digital forums that include public officials. The Public Electronic Network in Santa Monica, California (<http://www.santa-monica.org/communication/cityforms/pen-signup.htm>) illustrates a public discussion forum. Launched in 1989, the network enables citizens to interact with public servants. While initially designed just to enhance public access to information, such interactive issue forums are now common (Docter and Dutton, 1998: 125–151; Guthrie and Dutton, 1992: 574–597; O’Sullivan, 1995: 93–107; Varley, 1991: 42–51).

Developed in 1996, the Democracy Network (Dnet) in California (<http://www.dnet.org>) is a digital democracy initiative with direct citizen participation (Barbrook and Cameron, 1996 recited in Elberse, Hale, and Dutton, 2000: 133; Western, 1998: 47–56). Designed by the Center for Governmental Studies, a nonpartisan advocacy group dedicated to more effective citizen participation, Dnet is an electronic public-interest website that provides citizens with comprehensive election information, including issue positions, ballot initiatives, campaign finance data, and party information (Elberse, Hale, and Dutton, 2000: 133).

ICTs and Digital Deliberation

Deliberation is the process of thoughtful discussion and consideration regarding an issue or course of action. Deliberative processes comprise discussion and consideration of arguments for and against a proposed measure. Deliberation is necessary when

there is uncertainty, and it proves invaluable when choosing between two equally compelling courses of action (Adams et al., 2002).

A cornerstone of the deliberative process is the nature of the communication involved. Contrary to debate, participants strive to rise above a win-lose exchange (Adams et al., 2002; Roberts, 2002: 660–661; Yankelovich, 1999). Deliberation is a process of “social learning about public problems and possibilities” (Reich, 1990: 8). Participants in deliberative processes are expected to be open to changes in their attitudes, ideas, and positions, although change is not a required outcome of deliberation. It is a process of fostering citizen growth both “in the capacity for practical judgment and in the art of living together in a context of disagreement” (Adams et al., 2002; Roberts, 1997: 124–132; Ryfe, 2002: 359–377; Walters et al., 2000: 349–359; Waugh, 2002: 379–382; Weeks, 2000: 360–372; Zifcak, 1999: 236–272).

Deliberation has long been considered an important element of true democracy, and it is central to public-realm theory (London: 1995: 33–55). Scholars such as Arendt (1958) and Habermas (1989) regard the public sphere as “both a process by which people can deliberate about their common affairs, and as an arena, or space, in which this can happen naturally” (London, 1995). According to Habermas (1984; 1989), the public sphere includes requirements for authenticity, including “open access, voluntary participation outside institutional roles, the generation of public judgment through assemblies of citizens who engage in political deliberation, the freedom to express opinions, and the freedom to discuss matters of the state and to criticize the way state power is organized” (London, 1995).

But, are ICTs conducive to deliberative democracy? The issues raised by this question are complex, abstract, and much more than matters of judgment. There are two broad viewpoints regarding the impact of ICTs on deliberative democracy. First, there are the technological optimists who believe that ICTs are easier and faster, and offer qualitatively better ways of existing, working, communicating, and participating in public life. In his book *Democracy and Its Critics*, Dahl (1989: 339) argues the following: “Telecommunications can give every

Habermas's Critical Public Sphere

Habermas provides a historical and sociological description of European social institutions throughout the 17th and 18th centuries. He conveys the importance of social institutions as mechanisms by which private individuals passed judgment on public acts. The English coffee houses, the literary societies of Germany, and the salons of France are examples of such institutions, and they proved extremely egalitarian in the sense that "the bourgeois met here with the socially prestigious but politically uninfluential nobles as 'common' human beings" (Habermas, 1989: 35). The salons, literary societies, and coffee houses brought together diverse intellectuals, creating forums for ideas and opinions regarding the state of society.

Further, in accordance with his theory of communicative action, Habermas (1984) describes the cultivation of a public discourse that falls outside of the associational matrices relevant to the state, market, and the bureaucracy. The institutions of deliberation (coffee houses, literary societies, and salons) served to revive public opinion as a mechanism for shaping policy or influencing government in a meaningful and reasonable manner. The ideal public arena, in accordance with Habermas's writings, fosters inclusive and voluntary citizen participation within the context of influencing how government power is wielded. In such arenas, ICTs may emerge as mainstream conduits for policy deliberations, whereby elected officials, experts, and citizens can come together and voice their opinions.

citizen the opportunity to place questions of their own on the public agenda and participate in discussions with experts, policy makers, and fellow citizens." Grossman (1995: 15) further holds that the "big losers in the present-day reshuffling and resurgence of public influence are the traditional institutions that have served as the main intermediaries between government and its citizens: the political parties, labor unions, civic associations, even the commentators and correspondents in the mainstream press."

Cross (1998: 139–143) discusses the relationship between ICTs and democracy, focusing on the following democratic norms: (1) informing voters, (2) representativeness, and (3) participation. ICTs play an important role as a mechanism for disseminating government information to citizens (Charlton et al., 1997; Korac-Kakabadse and Korac-Kakabadse, 1999: 216; Langelier, 1996: 38–45; Lips, 1997 recited in Ranerup, 1999: 179; Lee, 2004). McConaghy (1996) argues that publicizing information used in the development of government policies would allow citizens to be more fully involved in the democratic process. Further, in terms of representativeness, ICTs can alert policy makers to the needs and preferences of the citizenry regarding potential policies. With respect to participation, McLean (1989: 108–110) maintains that ICTs make direct participation possible because they overcome the problems of

large, dispersed populations, while Arterton (1987: 189) argues that more citizens can participate because many of the burdens of participation are lowered, which increases equity in public decision making (Arterton, 1987: 50–51; Barber, 1984).

The alternative view is less optimistic, and is centered on the premise that bringing about change in institutions and behavior patterns is a slow and problematic process. According to Conte (1995): "It's so easy to imagine a scenario in which technology is used to get instant judgments from people. If it is used that way, we haven't seen anything yet when it comes to high-tech lynchings.... Real democracy is slow and deliberative." Unless carefully moderated, digital-based forums can become chaotic. Unmediated forums can potentially become abusive and unfocused. Politicians and other community leaders with whom citizens wish to interact may be reluctant to participate in digital forums for fear of being "flamed." Then there is the problem of dealing with the overload of undifferentiated and uncategorized information. In spite of the increasing amounts of information now available, its wide distribution, and the speed with which it is transferred, there is no evidence to suggest that the quality of decision making has improved or that decisions are more democratic given the integration of ICTs and digital-based applications.

ICTs as Participatory and Deliberative Mediums: Noteworthy Examples

Ideally, ICTs offer ignored groups a greater voice, thereby narrowing the democratic deficit (i.e., the participatory gap in public-policy making). Having been applied in a number of cities throughout the United States and Europe (Tsagarousianou, Tambini, and Bryan, 1998), ICTs allow more citizens to participate in the policy discourse of deliberative governance, and they have the potential to reconnect citizens and decision makers, publicizing views presented by consultative parties and providing greater opportunities for citizens to influence public policy. Governments throughout the world are utilizing the Internet as a means of engaging citizens (Holzer and Kim, 2004). The most highly noted “best practices” are in Seoul, Rome, and Singapore (<http://www.andromeda.rutgers.edu/~egovinst/Website/Report%20-%20Egov.pdf>).

Korea’s Government Information Agency (GIA) (http://www.allim.go.kr/public/jsp/ezpol_tlist.jsp) is a department of the central government that provides citizens with opportunities for digital deliberation. GIA websites are portal sites for disseminating information from all departments in the central government and for discussing major policy issues among citizens. The agency collects information on government policies from all departments in the central government and updates the site several times a day, affording citizens an opportunity to keep abreast of day-to-day developments. Via the GIA’s websites, citizens are able to ask public officials for specific information. When citizens request information on specific government policies, public officials then collect the information and post the results within a week.

The Virginia Regulatory Town Hall is a public space online that allows citizens and interested parties to obtain information regarding state regulations and proposed changes (<http://www.townhall.state.va.us/>). It offers citizens a means of participating in the rule-making process. Presumably, the online town hall helps the Commonwealth of Virginia to manage the administrative rule-making process more efficiently and effectively. Information regarding proposed regulations and changes, agency background discussions, economic impact analyses of proposed regu-

lations, and agency guidance documents—help citizens interpret agency regulations and inform citizen participation in the rule-making process.

America Speaks (<http://www.americaspeaks.org/>) is a nonprofit organization dedicated to enhancing citizen participation in the public-policy process through the application of ICTs. America Speaks developed the 21st Century Town Meeting, a digital democratic model designed to facilitate direct interactions between citizens and government. It affords all citizens a means by which they can impact the policy-making discourse. According to Lukensmeyer and Brigham, “public hearings and typical town hall meetings are not a meaningful way for citizens to engage in governance and to have an impact on decision making. They are speaker focused, with experts simply delivering information or responding to questions” (2002: 351). In contrast, the 21st Century Town Meeting enables thousands of people to come together and voice their opinions through the use of networked computers, electronic keypads, and large video screens. Small-group dialogues are a central component of the 21st Century Town Meeting. Demographically diverse groups of 10 to 12 people are convened to discuss various issues. Each group is guided by a trained facilitator, which ensures that the dialogue is focused and that all participants are heard. Networked computers are used to record and transmit each group’s viewpoints to a central computer. The data are coded into themes, and each individual within his or her respective group uses an electronic keypad to vote on each of the themes presented.

The most visible application of the 21st Century Town Meeting, known as *Listening to the City*, dealt with rebuilding lower Manhattan following the World Trade Center attacks. In July 2002, approximately 4,300 individuals from New York City and surrounding areas convened at the Jacob Javits Center to participate in *Listening to the City*. The forum proved to be a dynamic and worthwhile experience, as a significant majority of participants (73 percent) expressed either a high or very high level of satisfaction with the process (Report of Proceedings, 2002).

O’Looney (2002: 276) compares the interaction between citizens and government within the

context of traditional and digital democracy. According to O’Looney, while communications are filtered through representatives and the media in a traditional democracy, direct communications among citizens, public managers, and technical staff are now possible in a digital democracy. Therefore, while public servants’ communications with citizens involve a one-message-fits-all approach in a traditional democracy, official communications within a digital democracy may be personalized based on an individual’s interests and needs. In a digital democracy, citizens can potentially track and influence decision making at every step in the policy-making process, ranging from agenda setting to a final vote.

Case Studies in Digital Citizen Participation

This study approaches digital citizen participation in the context of both information dissemination and citizen deliberation. Based on this model of digital citizen participation, the basic characteristics of each stage are summarized in Table 1.

Static information dissemination is characterized by information acquisition from read-only websites. Citizens merely obtain information on policies and operations of government, and links to other relevant information on the Internet are provided through the government's own websites. Dynamic information dissemination involves two-way communication and

consultation between citizens and public servants. It includes e-mail communication initiated by citizens, typically leading to a question-and-answer dialogue.

Static and dynamic citizen deliberation differ as to whether participation could occur in the policy-making process. Static citizen deliberation might typically include an online poll without public deliberation, a bulletin board for complaints and recommendations, or citizen participation by mail, fax, or e-mail. Dynamic citizen deliberation meets the criteria for the public sphere as suggested by Habermas (1989). It includes digital town hall

Table 1: Characteristics of Each Stage of Digital Citizen Participation

Stage		Characteristics
Information Dissemination	Static (Passive)	<ul style="list-style-type: none"> • Information portal sites • Information search method • Notice of information openness • Links to related websites
	Dynamic (Active)	<ul style="list-style-type: none"> • E-mail communication to request information • Newsletters or newsgroups • E-mail lists
Citizen Deliberation	Static (Passive)	<ul style="list-style-type: none"> • Online poll (instant results, presentation of previous polls) • Bulletin board for complaints • Bulletin board for recommendations
	Dynamic (Active)	<ul style="list-style-type: none"> • Digital town hall meeting • Digital policy forum • Online voting with deliberation

meetings, digital policy forums, and online voting with deliberation. The roles of both public servants and professionals are key elements. True public deliberation includes all participants—citizens, politicians, bureaucrats, interest groups, and the media.

In this context, public spaces created on the web wherein people can debate policy issues are necessary. O’Looney (2002) characterizes digital deliberation in such spaces as having:

- Access to balanced information
- An open agenda
- Time to consider issues expansively
- Freedom from manipulation or coercion
- A rule-based framework for discussion
- Participation by an inclusive sample of citizens
- Broader and freer interaction between participants
- Recognition of differences between participants, but rejection of status-based prejudice

Utilizing these criteria, this report addresses three case studies in depth: Regulations.gov, National Dialogue of Public Involvement in EPA Decisions, and CitizenSpace of the United Kingdom.

Case Study 1: Regulations.gov

Regulations.gov

United States

<http://www.regulations.gov>

Regulations.gov is a “one-stop federal regulatory clearinghouse” that aims to facilitate citizen participation in federal rule making and the American democratic process (<http://www.regulations.gov/help.cfm>, accessed April 16, 2003). Regulations.gov is the first of a three-module e-rule-making initiative. Module Two calls for the integration of an online Federal Docket Management System, whereby individuals will be able to access all publicly available regulatory material, including Federal Register notices and rules, supporting analyses, and public comments regarding proposed regulatory changes. Module Three is envisioned as a tool for regulation writers, including applications such as virtual meeting spaces for regulation writers and analyses of public comments (Morales, 2003).

Through Regulations.gov (Module One), citizens can view a description of proposed and final federal regulations and read the full text of the regulations for 75 agencies. In addition, citizens can submit their comments to the federal agencies responsible for the rule-making action through the Regulations.gov website. Simplification and easy access are central components. According to Mark Forman, former associate director for information technology and e-government at the Office of Management and Budget, “the guiding principles for achieving our e-government vision are also about simplifying the process and unifying operations to better serve citizen needs; that is, ‘uncomplicating’

Table 2: Characteristics of Case Examples

Case Study	Information Dissemination	Citizen Deliberation
Regulations.gov United States	Static	Static
CitizenSpace United Kingdom	Dynamic	Dynamic and Static
National Dialogue of Public Involvement in EPA Decisions, Environmental Protection Agency	Dynamic	Dynamic

government” (Forman, 2002a). Forman has further stressed that accessing government information “should not take a citizen more than three ‘clicks’ of a mouse” (Forman, 2003). In particular, through the Regulations.gov homepage, citizens can identify regulations open for comment by performing a keyword search or by selecting a federal agency from the menu. For example, selecting “Internal Revenue Service” from the agency menu allows individuals to view proposed IRS regulatory changes (in either HTML or PDF format) that are open for public comment. For example, as of May 11, 2003, there were eight regulations open for comment.

Information appearing in the descriptions of a regulation open for comment include:

- **Title.**
- **Subject Category.**
- **Text and PDF files** linked to the description and full text of the regulation.
- **Proposed Rule or Rule:** *Proposed rule* indicates notices of proposed rule making, advance notices of proposed rule making, and extensions of comment periods. *Rule* indicates final rules with request for comment, interim final rules, direct final rules, and reconsiderations of final rules.
- **Docket ID:** Allows agencies to easily track regulatory actions open for public comment.
- **Code of Federal Regulations (CFR) Citation:** Corresponds to the section of the CFR that an agency is amending or proposing to amend.
- **Published:** Refers to the date on which the rule or proposed rule was published in the *Federal Register*.
- **Comments Due:** Refers to the closing date of a consultation period.
- **How to Comment:** Guides citizens through the comment process.



The *How to Comment* section (as illustrated in Figure 2 on page 16) guides citizens through the citizen participation process. Specifically, when citizens click on *How to Comment*, they are directed to a webpage through which they may submit an electronic comment, as illustrated in Figure 3, on page 17.

An example of citizen activity in the rule-making process is the proposed rule, “Security Threat Assessment for Individuals Applying for a Hazardous Materials Endorsement for a Commercial Driver’s License.” With heightened security concerns following the attacks of September 11, the Transportation Security Administration (TSA) promulgated a rule that established threat assessments standards to determine whether an individual should be denied a commercial driver’s license authorizing the transportation of hazardous materials. This rule appeared in the *Federal Register* on May 5, 2003, and comments were due by July 7, 2003. During this period, 99 comments were submitted, available electronically at the following URL: <http://dms.dot.gov/search/searchResultsSimple.cfm>, accessed January 22, 2004. State agencies or departments submitted 52 comments, while trade associations and unions accounted for 29. Individual citizens and businesses submitted 10 and six comments, respectively. Finally, foreign subsidiaries contributed two comments.

Since its launch, Regulations.gov has averaged approximately 6,000 “hits” daily (Miller, 2003) and has established itself as a key component of the digital rule-making initiative by improving quality and access to the government regulation writing process. Neil Eisner, assistant general counsel for the Department of Transportation, is hopeful that Regulations.gov will open the rule-making process to individuals outside of the nation’s capital and the special-interest lobby. Ideally, Regulations.gov will serve as an egalitarian tool that affords the rank and file a means of influencing public policy.

Skeptics, however, are concerned that online applications such as Regulations.gov will become another conduit for the politically powerful and efficacious. For example, the National Association of Manufacturers has reportedly provided its membership with an electronic template for commenting on proposed regulations. Gary Bass, executive director of OMB Watch—an advocacy group that promotes government accountability and citizen participation—believes that businesses and special interests are likely to benefit in the short term because of their access to technology. Over the long term, however, Regulations.gov does have the potential to empower diverse constituencies (Skrzycki, 2003a).

Figure 2: Regulations.gov: Information and Description of a Regulation Open for Comment

TITLE: Approval and Promulgation of Air Quality Implementation Plans; Maryland; Revisions to the 2005 ROP Plan for the Cecil County Portion of the Philadelphia-Wilmington-Trenton 1-Hour Ozone Nonattainment Area to Reflect the Use of MOBILE6
SUBJECT CATEGORY: Air quality implementation plans; approval and promulgation; various States: Maryland
 View this Regulation in HTML Format  View this Regulation in PDF Format
PROPOSED RULE
Docket ID: [MD161-3110b; FRL-7648-2]
CFR Citation: 40 CFR 52
Published: April 15, 2004 [FR Doc. 04-08578]
Comments Due: May 17, 2004
How to Comment: Submit a Comment on this Regulation Submit your comments, identified by MD161-3110 by one of the following methods: A. Federal eRulemaking Portal: http://www.regulations.gov . Follow the on-line instructions for submitting comments. B. E-mail: Budney.Larry@epa.gov . C. Mail: Larry Budney, Mailcode 3AP23, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. D. Hand Delivery: At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information. Instructions: Direct your comments to Docket ID No. MD161-3110. EPA's policy is that all comments received will be included in the public docket without change, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through regulations.gov or e-mail. The Federal regulations.gov Web site is an anonymous access system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through regulations.gov, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; and the Maryland Department of the Environment, 1800 Washington Boulevard, Suite 705, Baltimore, Maryland, 21230.

Regulations.gov has helped to streamline agency processes, as well as engender greater governmental responsiveness and accountability. Mark Forman highlighted these points:

I use the moniker of "simplify and unify" to describe what we are doing. At the end of the day, it's got to be simpler for citizens to get service, to get their results or see their results.... There's a tremendous demand for citizens to see the regulations, the rules that are being promulgated and to get control over that.... Citizens want to drive accountability in government by actually seeing, being able to comment, being heard on their comments as it relates to proposed rules and regulations, the processes of government (Forman, 2002b).

Having been heralded as a model of success, Regulations.gov was nominated for the Showcase of Excellence Award, which honors programs that best exemplify governmental efforts to improve the delivery of services to citizens, at FOSE 2003, the largest information technology exposition serving the government marketplace.

Regulations.gov is a noteworthy effort to provide citizens with an opportunity to participate in the rule-making process. Citizens comment on the rule or proposed rule to the agency. At this point in time, there is little digital deliberation in the rule-making process on Regulations.gov. Only at the end of the comment period may a citizen view public comments on the web.

The General Accounting Office (GAO) reviewed Regulations.gov between February and April 2003. According to Curtis Copeland, former assistant director of the GAO's Strategic Issues Team, "there is greater electronic functionality for rule making, but no one knows it's there" (Skrzycki, 2003b). Throughout the three-month audit, federal agencies proposed 411 rules, 91 percent of which were available for electronic comment using Regulations.gov. Navigating the site and finding the proposed rules, however, proved difficult (GAO, 2003).

Figure 3: Regulations.gov: Comment Form

You may use this electronic form to submit a comment on this rulemaking directly. Comments should be submitted in accordance with the directions in the Federal Register document for the rule you are commenting on. For further information, follow directions in the specific Federal Register document or contact this agency directly.

Title	First Name	Last Name
Mr. ▾	<input type="text"/>	<input type="text"/>
Organization Name		
<input type="text"/>		
Mailing Address		
<input type="text"/>		
City	State	Postal Code
<input type="text"/>	(choose state) ▾	<input type="text"/>
Province^	Country	
<input type="text"/>	UNITED STATES ▾	
Comment		
<input type="text"/>		

Remaining characters: 4000

Continue Clear Cancel/Exit

Case 2: National Dialogue of Public Involvement in EPA Decisions

National Dialogue of Public Involvement in EPA Decisions

United States Environmental Protection Agency
<http://www.network-democracy.org/epa-pip/>

The Environmental Protection Agency (EPA) launched the National Dialogue on Public Involvement in EPA Decisions in July of 2001. The National Dialogue was an experimental 10-day online discussion of public participation at EPA. EPA designed the National Dialogue to complement the formal notice-and-comment process for its draft “Public Involvement Policy,” which is predicated on identifying and implementing effective and reasonable measures that foster greater public involvement in EPA’s regulatory and program decisions. The National Dialogue took the form of messages posted to a website and linked together ongoing conversations among participants. Participants posted messages at their convenience, resulting in exchanges that evolved over hours and days.

The National Dialogue covered a range of issues, such as how EPA could better disseminate information to key stakeholders, what technical or financial

measures are needed to promote citizen participation, and how citizen feedback will be taken into account. The dialogue followed an agenda that was posted before the discussion began, and the discussion was divided into the following 10 topics:

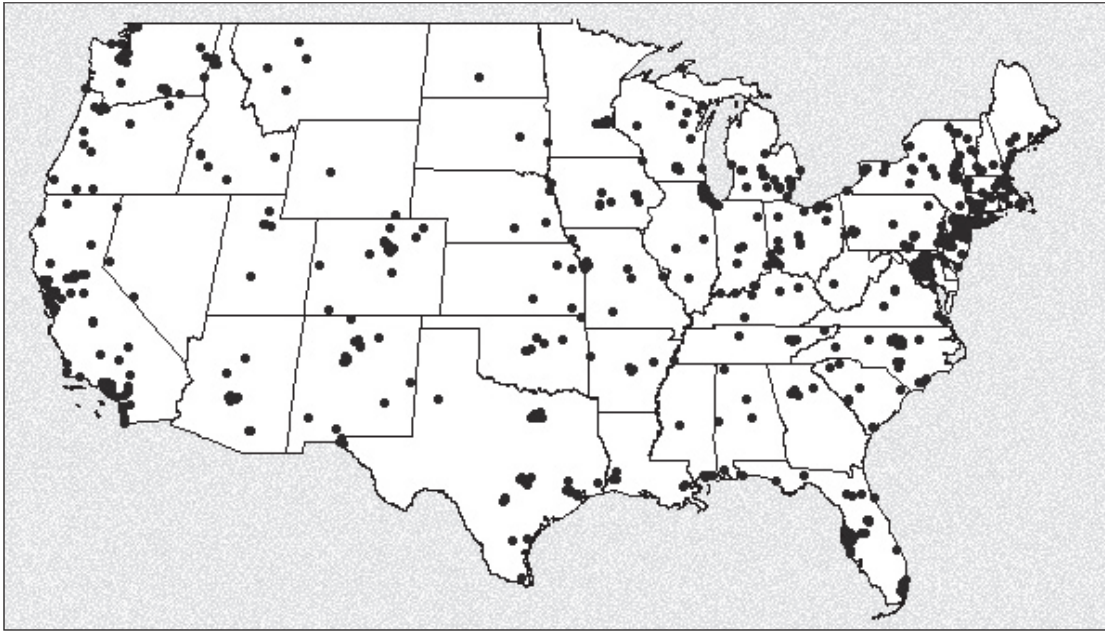
1. Introduction and Public Involvement Goals
2. Outreach
3. Information Dissemination
4. Assistance
5. Catch-Up Day
6. Collaborative Processes
7. Permits and Rules
8. Superfund, Local Environmental Partnerships, and Risk Communication
9. States, Tribes, and Local Governments
10. Evaluation

Each day’s topic was linked to a detailed description of the topic, together with several numbered statements on which dialogue participants were invited to comment. Table 3 on page 18 provides a description of each agenda.

Table 3: EPA National Dialogue: Discussion Agenda and Description, 2001

Date	Discussion Agenda	Description
July 10	Introduction and Public Involvement Goals	Participants introduced themselves and critiqued the goals outlined in the Public Involvement Policy.
July 11	Outreach	Participants discussed how the EPA should go about identifying and notifying the interested public—particularly minority, low-income, and underserved populations.
July 12	Information Dissemination	Participants discussed how the EPA should disseminate timely, useful, and understandable information to national and local audiences and to small businesses.
July 13	Assistance	Participants discussed how the EPA should provide technical and financial assistance to support public participation and help people educate themselves about environmental issues.
July 14	Catch-Up Day	Participants were given a day to catch up on previous days' topics, and an opportunity to participate if they had been unable to do so during the week.
July 15	Day Off	There was no agenda topic this day, but people could post messages on previous topics.
July 16	Collaborative Processes	Participants discussed when and how the EPA could more effectively use processes such as stakeholder negotiations, mediations, regulatory negotiations, and Federal Advisory Committee Act proceedings.
July 17	Permits and Rules	Participants discussed how the EPA could better implement laws and policies regarding public participation in permitting, enforcement actions, rule making, and policy development.
July 18	Superfund, Local Environmental Partnerships, and Risk Communication	Participants discussed how the EPA could be more effective in involving the public in Superfund decisions and other local environmental and risk communication issues.
July 19	States, Tribes, and Local Governments	Participants discussed how the EPA could more effectively partner with states, tribes, and local governments, given these entities' dual role as governments and interested parties.
July 20	Evaluation	Participants discussed how the EPA should use public input, provide feedback to the public, and evaluate its public involvement processes, as well as what lessons EPA should take away from the National Dialogue.

Source: Beierle, Thomas C. 2002. *Democracy On-Line: An Evaluation of the National Dialogue on Public Involvement in EPA Decisions*. Available at http://www.rff.org/reports/PDF_files/democracyonline.pdf. Accessed January 1, 2003.
Available at <http://www.network-democracy.org/epa-pip/join/agenda.shtml>. Accessed January 20, 2003.

Figure 4: EPA National Dialogue: Geographic Distribution of Participants, 2001

Source: <http://www.network-democracy.org/epa-pip/about/map.shtml>. Accessed January 30, 2003.

Within each of these statements, one or more suggested “possible threads” were defined. Participants could initiate a new discussion thread by posting a message with a unique title on the “subject” line. Eighty-three percent of all messages posted were part of threads, which means two or more linked messages.

Throughout the National Dialogue, 1,166 individuals posted 1,261 messages. In addition to the continental United States, the discussion involved individuals from Alaska, Hawaii, Guam, and the Northern Mariana Islands. Citizens from Australia, Brazil, Canada, Morocco, the Netherlands, and South Africa also posted messages. Figure 4 indicates the geographic distribution of participants throughout the contiguous 48 states.

Of the 1,166 individuals registered to participate, 70 percent signed on as active participants prepared to post messages. The remaining 30 percent signed on as observers interested in merely reading messages. Of the 1,166 registrants, 39 percent were affiliated with government (13 percent from EPA, 6 percent from other federal agencies, and 20 percent represented state and local governments), 18 percent worked for an environmental or community group or identified themselves as individual citizens, 14

percent worked in industry, and 14 percent were affiliated with educational institutions. The remaining participants were from tribal organizations, the media, elected officials, mediators, and civic groups.

Some 816 individuals registered as active participants, and 320 posted at least one message. These 320 participants generated 1,261 messages throughout the course of the discussion. In the first three days (July 10–12), many of the participants simply introduced themselves to the group. Subsequently, no more than 60 participants posted between 90 and 130 messages each day. Table 4 on page 20 presents daily statistics regarding the number of messages, site visits, distinct authors, and new authors.

Only a small percentage of participants contributed a large percentage of the total messages. Of the 320 individuals who posted messages, 10 percent contributed multiple messages. Ultimately, 32 participants were responsible for 43 percent of the messages. Of these 32, 10 were members of environmental organizations, community groups, or governmental advisory committees. Seven were university faculty, facilitators, researchers, or librarians, while six were staff members from EPA head-

Table 4: EPA National Dialogue: Daily Statistics, 2001

Date	Topic	Messages	Site Visits	Distinct Authors	New Authors
July 10	Introduction and Public Involvement Goals	171	1,038	120	120
July 11	Outreach	202	823	102	63
July 12	Information Dissemination	223	760	92	34
July 13	Assistance	129	586	59	16
July 14	Catch-Up Day	25	232	17	2
July 15	Day Off	19	200	11	2
July 16	Collaborative Processes	93	577	54	18
July 17	Permits and Rules	87	593	42	19
July 18	Superfund, Local Environmental Partnerships, and Risk Communication	105	628	55	17
July 19	States, Tribes, and Local Governments	115	531	55	17
July 20	Evaluation	92	442	55	12
Total		1,261	6,410	320	NA

Source: Beierle, Thomas C. 2002. *Democracy On-Line: An Evaluation of the National Dialogue on Public Involvement in EPA Decisions*. Available at http://www.rff.org/reports/PDF_files/democracynline.pdf. Accessed January 1, 2003.

quarters. Five represented federal and state agencies other than EPA, including a staff member from a Canadian national agency, and four were tied to industry trade associations or consulting firms. Each of the 32 active participants had a deep level of experience in environmental policy and participation, albeit from quite different perspectives.

The daily panelists, EPA hosts, and project partners—namely, staff at Information Renaissance, EPA, and Resources for the Future—kept the National Dialogue moving along by initiating the day's theme, keeping the discussion on topic, and answering questions. Over the course of the dialogue, 59 of these individuals posted messages. Seventeen were

very frequent contributors, 27 contributed less frequently, and 15 contributed only one or two messages. Thirteen posted no messages.

Approximately 83 percent of the 1,261 total messages were part of threads—two or more linked messages. The 200 threads in the dialogue contained from two to 104 messages. For example, the topic for July 18, 2001, was “Superfund, Local Environmental Partnerships, and Risk Communication.” Within that agenda, panelist Mark Breederland suggested a thread entitled “Ways EPA can partner with local government,” as illustrated in Figure 5. As mentioned earlier, participants can initiate a new discussion thread by posting a message with a unique title on the “subject” line.

Breederland’s posted message suggested a discussion thread based on the following comment: “Often, local governments can feel like they are the last to know about issues [in which] EPA is involved within their own community. What are some practical ways EPA can reach out to local communities of varying ‘local capacity levels’ and partner with them?” Approximately three hours

later, participant Eileen Ringnalda replied to the topic initiated by Breederland. She posted a very thoughtful message in this thread, referring to local governments as “key stakeholders in the EPA process.” Ringnalda stressed the importance of community advisory groups as a means by which local officials can become more active partners with EPA. Three other participants, Emily Wilson, Chuck Raymond, and John Brown, replied and discussed the issue deliberately. Three other participants followed up on this thread by replying to Wilson’s message. Finally, within this thread, a total of 17 participants posted 20 messages, as shown in Figure 6 on page 22.

Designated reporters posted daily summaries of ongoing discussions on the National Dialogue’s website. Figure 7 on page 23 provides an example of these daily summaries.

According to the report by Resources for the Future, deliberation as practiced on the National Dialogue was a great success—clear improvement over the notice-and-comment process that it supplemented. Most people reported being

Figure 5: EPA National Dialogue: Sample Deliberation on Trends—“Ways EPA Can Partner with Local Government”

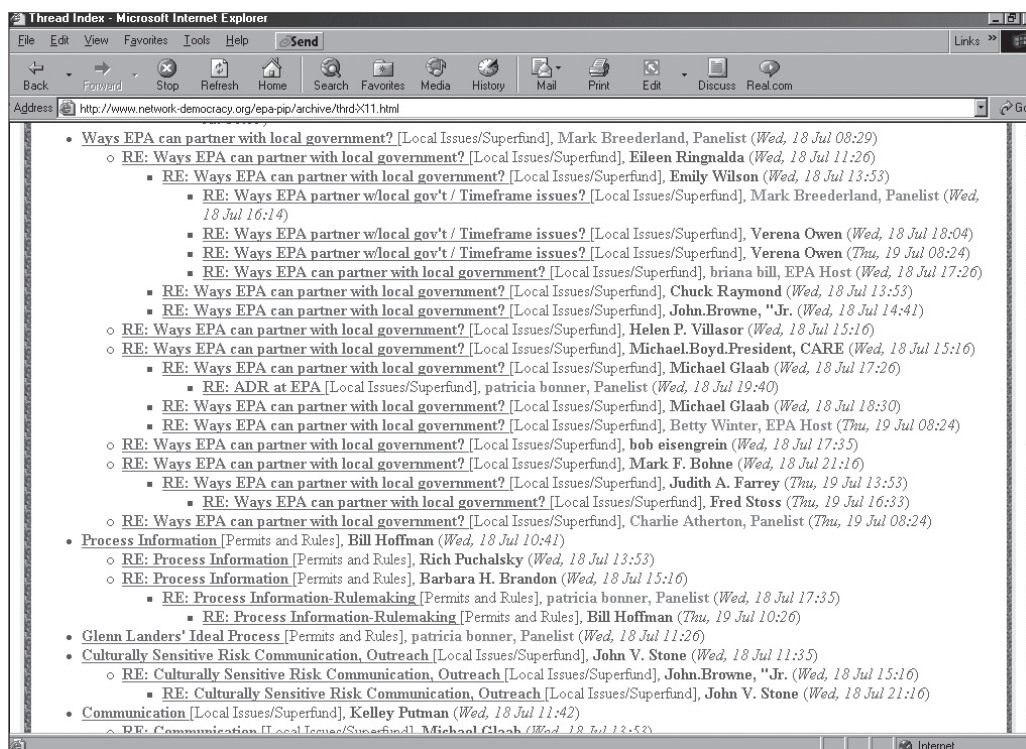


Figure 6: EPA National Dialogue: Pattern of Digital Deliberation on “Ways EPA Can Partner with Local Government”

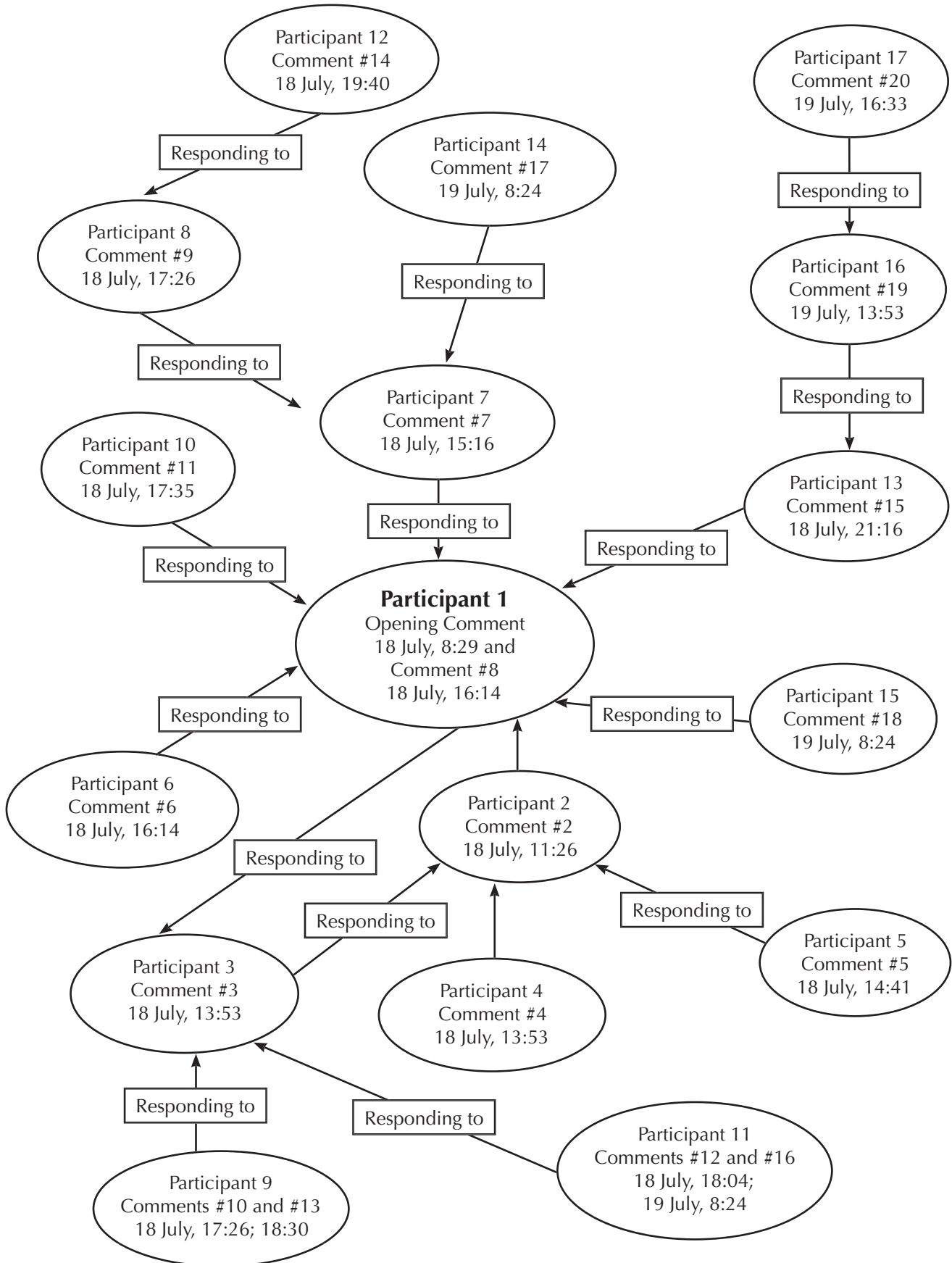
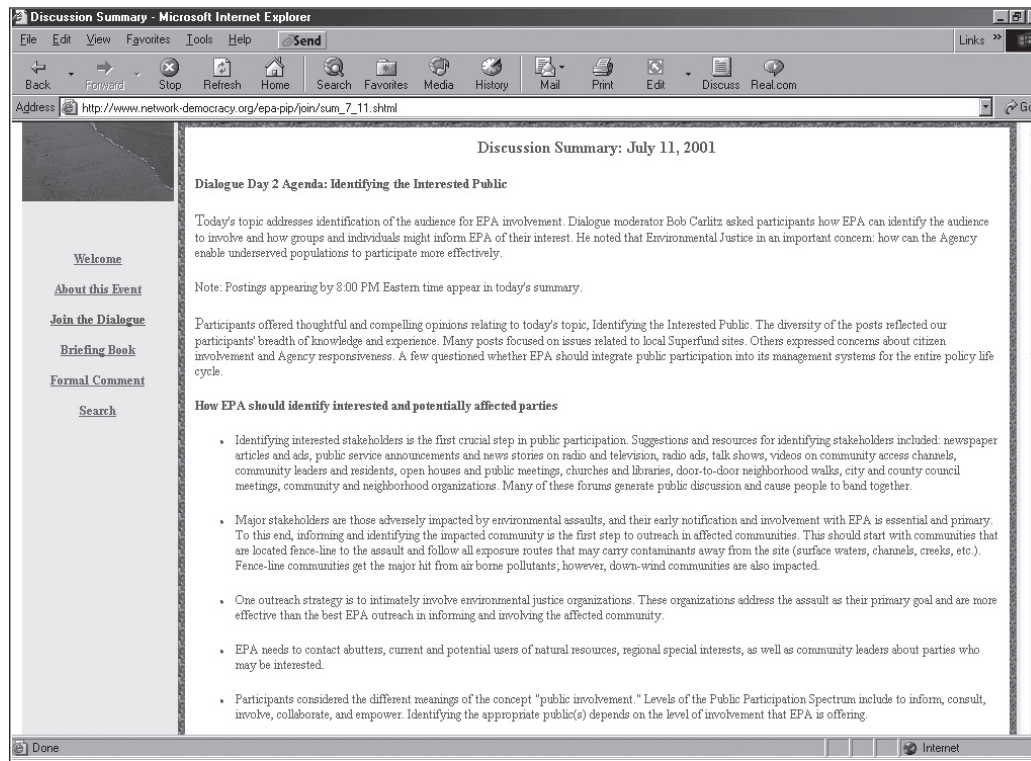


Figure 7: EPA National Dialogue: Daily Summary on the Agenda of Outreach on July 11, 2001



satisfied by the process and thought similar online dialogues should be conducted in the future. Communication in the National Dialogue was rich and respectful. Both participants and EPA staff reported learning a great deal, and EPA gained much broader input to use in finalizing and implementing its Public Involvement Policy.

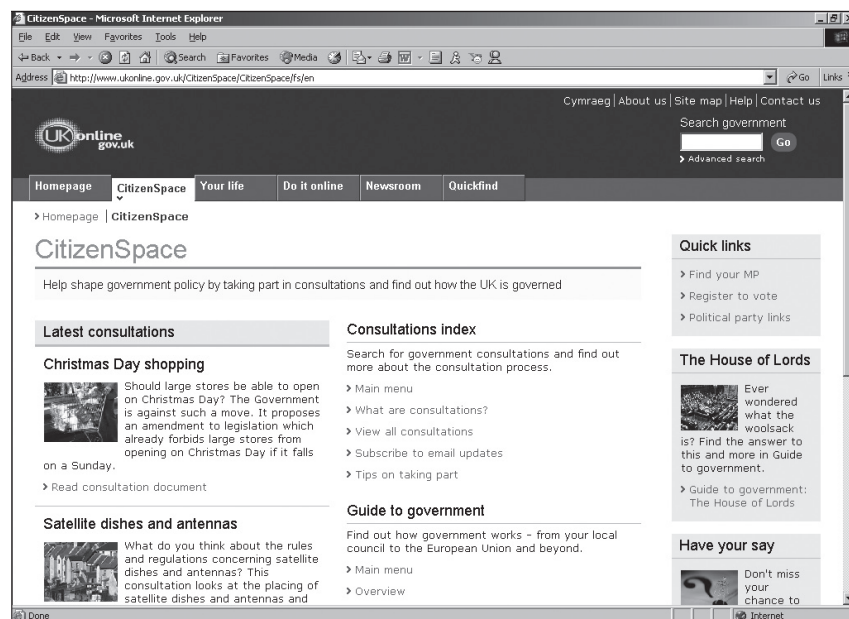
The organizational aspects of the National Dialogue largely contributed to that success. Participants were able to easily track comments, as they were indexed by date, subject, and thread. EPA developed an agenda for daily discussions, and its staff and expert panelists effectively facilitated those discussions. Participants were able to obtain background information by clicking the "Briefing Book" menu, which provided access to reference materials, the EPA online dictionary, draft policies, regulations, and other supporting documents.

Case 3: CitizenSpace, United Kingdom

CitizenSpace, United Kingdom

<http://www.ukonline.gov.uk/CitizenSpace/CitizenSpace/fs/en>

UK Online is a nationwide effort to connect all government departments to the Internet by 2005. The Office of the e-Envoy administers UK Online websites, which include CitizenSpace, an online public space that enables citizens to play a role in public-policy consultations and forums. According to Andrew Pinder, e-Envoy to the Prime Minister, "part of this issue of people not wanting to participate is, in my view, because they are not sufficiently aware of the issues or they haven't found a suitable vehicle to put their views across." Pinder further stressed that the Internet provides tremendous opportunity in terms of disseminating information and giving citizens the opportunity to voice their opinions (Pinder, 2002).

Figure 8: CitizenSpace: Consultations Index

CitizenSpace maintains a comprehensive consultations index that allows one to browse or search proposed governmental policies. As of March 24, 2004, 176 topics were open for comment through CitizenSpace's consultations index. The index provides direct links to consultation documents, which are designed to guide citizens through the consultation process. Figure 8 illustrates CitizenSpace's consultations index.

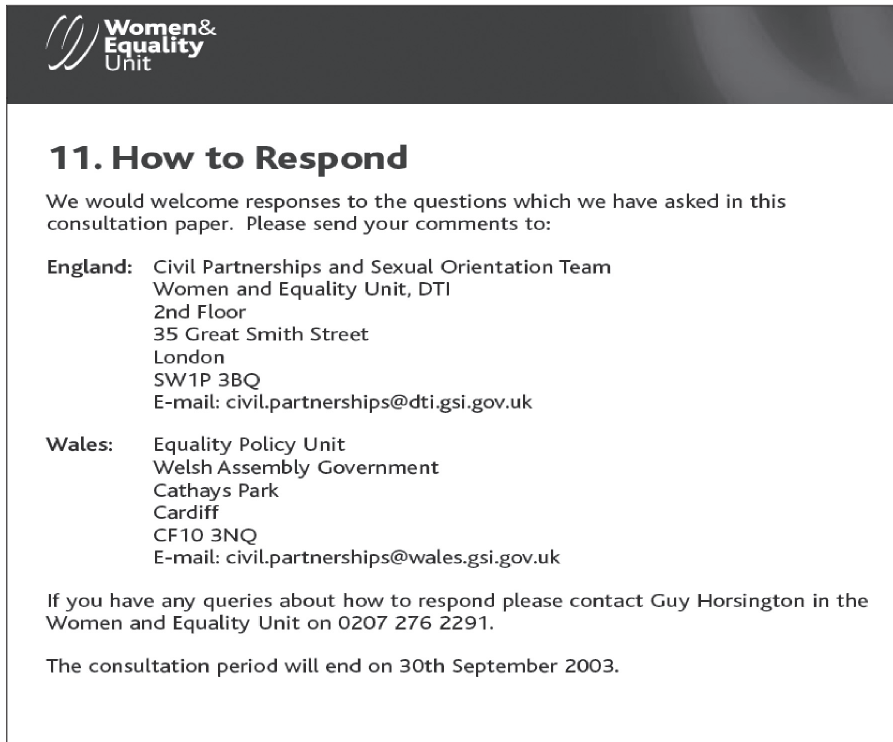
For example, CitizenSpace provides detailed information about its consultations—or policies open for debate. Three recent examples of online consultations available on CitizenSpace are:

- **Choosing health? Improving people's health.** This document seeks views on the role that individuals, the government—both central and local—the National Health Service, the public sector more broadly, the voluntary sector, and industry, the media, and others can play in improving people's health.
- **European Commission proposals to consolidate and simplify European Union food hygiene legislation.** Consultation on policy options for applying the legislation in the UK.

- **High hedges complaints: prevention and cure.** This consultation sets out the government's policy on administering complaints about high hedges in England. It also offers advice on the steps people can take to avoid hedge problems and, where they do arise, how they might settle the matter amicably.

One of the more recent consultations, dealing with whether directors of failing companies should receive large payoffs, is entitled "Rewards for Failure: Directors' Remuneration—Contracts, Performance and Severance." The government proposed the following:

The Government's role is to enable this [more active shareholder engagement] to take place by creating a governance framework in which shareholders receive full information and are able to hold directors to account effectively, particularly in the area of remuneration, where directors face an obvious conflict of interest. This is why we introduced the Directors Remuneration Report Regulations which introduced new disclosure requirements on remuneration policy and an annual vote on the remuneration report for shareholders. These regulations allow shareholders to take a critical look, not only at the pay earned by directors, but

Figure 9: CitizenSpace: How to Respond—“Civil Partnership Registration”


Women & Equality Unit

11. How to Respond

We would welcome responses to the questions which we have asked in this consultation paper. Please send your comments to:

England: Civil Partnerships and Sexual Orientation Team
Women and Equality Unit, DTI
2nd Floor
35 Great Smith Street
London
SW1P 3BQ
E-mail: civil.partnerships@dti.gsi.gov.uk

Wales: Equality Policy Unit
Welsh Assembly Government
Cathays Park
Cardiff
CF10 3NQ
E-mail: civil.partnerships@wales.gsi.gov.uk

If you have any queries about how to respond please contact Guy Horsington in the Women and Equality Unit on 0207 276 2291.

The consultation period will end on 30th September 2003.

at a company's pay policy, and the linkage of pay to performance (Consultative Document, 2003).

Another more recent consultation deals with civil partnerships. Specifically, the government sought feedback regarding a proposal to create a “civil partnership registration scheme in England and Wales.” Registered couples would be afforded equal legal status, which would, for example, include access to health and pension benefits and inheritance rights. Similar to the “Rewards for Failure” consultation, the civil partnership registration consultation document provided detailed information regarding how individuals can comment, which is illustrated in Figure 9.

In addition to its consultations index, CitizenSpace has maintained a number of consultation forums, which are summarized in Table 5 on page 26. These forums are more dynamic consultative mediums. Unlike the static nature of CitizenSpace's consultations index, the forums allow individuals to post and read messages regarding specific issues. For instance, the e-Democracy forum received 427 comments throughout the course of the consultation period (July 16–October 31, 2002). The forums are moderated, and the Hansard Society—an indepen-

dent, apolitical group dedicated to promoting effective parliamentary democracy—produces summaries of forum comments.

Pinder believes that Internet-based applications such as CitizenSpace have the potential to promote a more meaningful discourse between elected officials and their constituents, one in which citizen feedback is incorporated into the policy-making process. He envisions “deeper democracy” through online consultation portals, which entails cultivating a more responsive relationship between politicians and the people.

Criticism, however, has been directed toward CitizenSpace. According to Ian Kearns, a senior research fellow at the Institute for Public Policy Research, “there has been large-scale public-sector investment but little to demonstrate public value. There is nothing to show that citizens are better off as a result of UK Online” (Hirst, 2003). Further, Stephen Coleman, a professor of e-democracy at Oxford, contends that CitizenSpace merely serves as a medium for political zealots and offers very little in terms of meaningful citizen participation: “for most users, [CitizenSpace] held out the promise of interaction with the government, but it proved

Table 5: Citizen Deliberation and CitizenSpace Forums

Title	Deliberation Period	Number of Comments
Pensions Green Paper: Better opportunities for older workers	March 6–March 23, 2003	46
Pensions Green Paper: Building trust in the financial services industry	March 6–March 23, 2003	34
Pensions Green Paper: Giving people the information they need to save for retirement	March 6–March 23, 2003	41
Pensions Green Paper: Protection for members of company pension schemes	March 6–March 23, 2003	65
e-Democracy	July 16–October 31, 2002	427

to be a one-way street leading to nowhere” (Hirst, 2003). According to Rebecca Newton, director of community development and education for CommunityPeople.net in the UK, the “dialogue found in existing online public forums suggests there is a general sense of lack of participation from government officials and elected representatives,” a sentiment shared by a CitizenSpace forum participant who felt that the forum was tantamount to “shouting to an empty bucket” (Newton, 2003).

Reinforcing those opinions, CitizenSpace’s five consultation forums generated a total of 613 comments. As opposed to the EPA National Dialogue, which generated 1,261 comments over a 10-day period, the e-democracy forum drew only 427 postings over a much longer period of 15 weeks. The UK’s Cabinet Office has since acknowledged that CitizenSpace needs to be redesigned in a way that promotes a more meaningful dialogue, one that more obviously takes into account people’s comments and includes public officials and policy makers as active participants (Cabinet Office, 2002).

Most recently, the UK government has revamped its Internet-based applications, having launched “Directgov” (<http://www.direct.gov.uk>), which has replaced UK Online and CitizenSpace. Directgov does provide an external link and information about the Consultations Index described in this report. The direct URL to the index is: <http://www.consultations.gov.uk>.

Findings and Recommendations

Our research establishes models for enhancing public discourse using information and communications technologies to facilitate policy deliberation and increase public trust. Both critics and advocates of democracies—from Plato to Jefferson—recognized the critical importance of effective citizen participation in public-policy deliberation. The digital democracy framework that we propose below incorporates both static means of providing background information and educating citizens, as well as a dynamic framework for enhancing public-policy debate online. Our findings address citizen expectations, current models for facilitating digital policy deliberations, and the potential for using these models as best practices in designing future digital democracy efforts. We recognize that digital deliberation represents an additional means of policy deliberation, and we recognize its potential as an egalitarian forum for debating public policy and increasing public trust in government.

Findings

Our research demonstrates that digital democracy is currently taking place, and we have attempted to highlight successful models within our framework. Digital democracy need not compete with traditional forums for public debate. Instead, digital democracy increases the breadth of citizen engagement and enriches the depth of citizen participation in the public-policy process.

Digital democracy is quickly providing a direct mechanism for citizens to interact with government and influence the public-policy process. In many cases, direct access allows citizens to circumvent traditional

agenda-setting mechanisms and organizations like political parties and interest groups.

Our research also indicates that digital democracy is fraught with many of the same pitfalls as traditional democratic discourse. Democratic deliberation and public participation in the policy process are not easily achieved. Citizens easily become overwhelmed with both the amount of information required to participate, as well as the technical jargon often used by public-policy specialists and elites. Organized interests and individuals with strong opinions may dominate public discourse, digital or otherwise, and uneducated citizens with poor writing skills can become marginalized. Our analysis of the three cases presented here underscores the following findings:

Finding 1: Digital democracy is happening. Public agencies are using the Internet to facilitate open dialogue between citizens and government. This is not just a promise for the future. Furthermore, public organizations are experimenting with new methods for deliberating proposed regulations and policies between citizens and public agencies. By and large, digital citizen participation shows great potential for democratic renewal, especially with regard to reconnecting citizens to government. By reconnecting citizens to government, trust in government may be restored to levels more appropriate to our democracy.

Finding 2: Digital democracy enriches the democratic process and builds public trust. Public agencies across the globe are already realizing the benefits of digital democracy efforts. These include increased citizen participation in policy-making

processes, the ability of public agencies to respond to citizens more quickly and accurately, and cost savings related to time and paperwork. Through digital deliberation, public agencies have listened to a broader range of online comments and recommendations than would have traditionally been received.

Finding 3: Digital deliberation broadens participation in the policy process. Both citizens and public agencies save time and paperwork through such deliberation. The process reduces travel costs for participants in the public-policy process, as they need not travel to one location to participate in traditional public meetings. Cases at the national and international level demonstrate that, when given the opportunity, citizens will use the Internet to share their ideas and suggest comments or recommendations on public policy in a virtual, rather than a physical, space.

Finding 4: The digital divide is a challenge that democratic societies must address. Despite the potential benefits of digital deliberation, the Internet as a communications medium presents some difficulties, particularly the “digital divide” between those with web access and web-related skills, and those without such resources. Even though the online population is increasingly reflective of communities offline, the reality of a digital divide means that certain segments of the population are effectively excluded from online deliberation, and the excluded populations tend to consist of historically disenfranchised individuals. A parallel criticism of digital policy deliberation is that it is skewed toward technical experts who effectively speak the jargon of public policy, thereby alienating average citizens. While experts largely influence public-policy dialogues, this may be more pronounced through digital and Internet-based conduits. For example, the National Dialogue of Public Involvement at the U.S. Environmental Protection Agency was dominated by individuals identified as scientists or technical experts, as opposed to average citizens. While expert knowledge is very important to policy development, citizens’ knowledge and intuition is key to the policy process as well. In addition, the Internet as a communications medium favors individuals with strong writing skills, and these individuals also tend to have greater access to financial resources and education.

Finding 5: A concern for digital deliberation is its reliance on written communication to the exclusion of other forms of communication. Citizens often write informally when using the Internet to communicate, and it is often difficult to detect subtle nonverbal cues that are present during face-to-face communications. Citizens may not be able to detect nonverbal communications such as facial expressions or voice tones, and as a result some comments may be misunderstood.

Finding 6: Strong personalities and organized groups can influence online policy deliberation in much the same way as face-to-face forums. In addition, much like traditional public hearings, individuals with strong opinions participating in online deliberations may ignore or downplay differing opinions. The failure to recognize differing viewpoints frequently has the same effect online as it does in person: the lack of a consensus or conclusion. Opinionated individuals participating in online discussions can dominate a discussion in much the same way that an opinionated individual can dominate a face-to-face discussion—by responding to every comment without adding anything new. Often the result of such discussions is lengthy deliberation and a lack of conclusion on the issue. Agencies may have difficulty interpreting lengthy online discussions that do not result in a consensus or conclusion.

Recommendations

Given our findings, six recommendations for effectively implementing digital citizen participation in government are as follows.

Recommendation 1: Governments should work harder to identify, study, and implement best practices. Regulations.gov in the United States and CitizenSpace of the United Kingdom have both provided citizens with opportunities to engage in rule making. Portal sites for citizen consultation, such as the U.S. Environmental Protection Agency, have opened virtual public spaces for citizens and/or interest groups to deliberate specific rules. Following this model, governments at the state and local levels have generated multiple interactions between citizens and governments for deliberation across a range of social issues. The cases presented in this study demonstrate that government

can indeed engage citizens through technology. ICTs and Internet-based applications are viable and complementary means of participating in the policy-making process.

Recommendation 2: Citizens need to be assured that digital deliberation will not replace face-to-face interactions between citizens and their government. An issue to be considered is whether policy makers should give digital deliberation the same consideration they give other policy feedback mechanisms, such as traditional town hall meetings or public hearings. Furthermore, public-policy makers need to consider if digital deliberations should serve as alternatives to traditional mechanisms for engaging citizens in the public-policy process, or if digital deliberations should replace traditional methods for policy deliberation. In other words, should digital deliberation supplement, complement, or be essentially the same as offline public hearings? Oscar Morales, director of the eRulemaking Initiative for the Environmental Protection Agency, envisions online consultations as supplementary to existing media. More specifically, Morales is of the opinion that “most of the rule-making process is paper-to-paper deliberations. You’ll probably always have some face-to-face interactions” (Interview, 2003).

Recommendation 3: Mechanisms need to be put in place to prevent the volume of dialogue involved in digital deliberations from overwhelming citizens. During digital deliberations, citizens may find it difficult to keep pace with the flood of messages and the large number of conversations going on at one time. Often, citizens do not have time to read all the messages pertaining to a particular issue. As a result, they join discussions in the middle of the deliberation process and may repeat sentiments expressed elsewhere. Public agencies using the Internet to facilitate policy deliberation should recognize the potential for citizens to become overwhelmed by large threaded discussions and should develop methods for assisting citizens. For example, in the National Dialogue, citizens relied heavily on daily summaries provided by EPA. However, summaries of online discussions may be biased insofar as emphasis is placed on issues that may favor certain agendas. That is, if messages critical to the deliberation are downplayed in a summary, the deliberation process might be distorted or ineffective.

Recommendation 4: Government agencies need to build organizational capacity to adequately answer questions and facilitate online discussions. Agencies have expressed concerns about being inundated with electronic comments to the point where feedback cannot be taken into account. A possible safeguard is the use of software applications that help to manage the flow of information. For example, according to Morales, “if some interest group has told its members to send in a form letter electronically, there are applications that will help to analyze this data. If you have 100 form letters, you’ll be able to process 100 form letters that are essentially the same in terms of content, and you do not have to read all 100 of them” (Interview, 2003).

Recommendation 5: When implementing a digital citizen participation initiative, the following best practices should be followed:

5a. Develop a realistic time frame.

Public agencies need to allow citizens appropriate time for online deliberation during each stage of the public-policy process. Citizens need enough time to review proposed regulations or policies, assess supplemental materials, and articulate their comments and recommendations. EPA’s National Dialogue provides an excellent framework for scheduling online policy discussions. While the EPA agenda was implemented day by day, the schedule could also be adapted, depending on agency needs, to allow citizens more time to participate.

5b. Be clear and concise when framing issues.

Public agencies should provide citizens with a clear explanation of issues being deliberated. The intended audience for the discussion must also be established, and it should be clear who is being consulted, about what, and for what specific purposes. Citizens need to clearly understand what role their discussions will play in the policy process. In addition, public agencies should provide citizens with goals and objectives for discussions, including a clear summary of issues on the agenda.

5c. Develop a citizen’s help guide for online policy deliberations.

Agency help guides for digital deliberation should be clear and answer basic questions

that citizens may have before they engage in the policy-making process online. The citizen's guide to online public-policy deliberation should include guidelines and administrative rules, and address how online discussions fit into the overall public-policy process. The guide should also include the manager's contact information.

EPA's National Dialogue provides a model that describes how online dialogues work and includes information on scheduling, equipment, time commitment, agendas, conversations, following the discussions, who should participate, joining the discussion, and daily summaries. In addition, the National Dialogue includes a section on "rules of the road," which encourages certain rules of behavior such as:

- In your first message you may want to introduce yourself to the group. This is not a requirement, but it helps other participants know who you are and why you are participating. This introduction could be as short as a sentence or two.
- Please think of others, and avoid offending their values, experiences, and views when submitting your messages. Civility is an important value in online discussions.
- Be willing to respond to questions about your positions. If needed, ask others to clarify their views.
- Adhere to the agenda by not raising topics prematurely. Please check the agenda to determine when it would be best to raise a particular topic.
- Do not use this forum to sell your products and services.
(<http://www.network-democracy.org/epa-pip/about/rules.shtml>)

In addition, CitizenSpace also provides tips for taking part in consultations including:

- Be brief.
- Focus on what is really important to you.
- Provide evidence.

- Send your response as soon as possible.
- Reply to the questions.
- Say who you are.
- Say if you want your response kept confidential.

5d. Actively market the digital deliberation opportunity to citizens.

Typically into the public sector, marketing of new and innovative services is not undertaken. Marketing of digital consultation and deliberation in government is a prerequisite for success, and digital marketing can significantly reduce the cost to public organizations. In particular, marketing strategies should include materials for citizens concerning the availability and benefits of participating in digital consultation and deliberation in government. Despite the public sector's progress in digital consultation and deliberation, a slow response by citizens could detour digital citizen participation.

5e. Train public managers to facilitate digital discussions.

Digital facilitators are critical to the success of online discussions, and public managers need training to fulfill the role. Public managers should be trained to move digital deliberations forward thoughtfully and civilly. Managers trained as digital facilitators must understand how to manage online discussions and promote well-balanced discussions that take all sides of an issue into consideration. In addition, digital facilitators should promote basic democratic values by helping citizens understand that their opinions are a necessary part of the public-policy process. The U.S. Department of Agriculture's Office of Community Development (OCD) provides some guidance for facilitating public discussions that are applicable to digital deliberations. The OCD guide describes the following roles that public managers must play when facilitating discussions:

- **The Opener:** Opens communication channels and initiates discussion, or facilitates better communication if the group is already talking.

Recommendations for Implementing a Digital Citizen Participation Initiative

1. Develop a realistic time frame.
2. Be clear and concise when framing issues.
3. Develop a citizen's help guide for online policy deliberations.
4. Actively market the digital deliberation opportunity to citizens.
5. Train public managers to facilitate digital discussions.

- **The Legitim�er:** Reminds all parties to recognize the right of others to express opinions and be involved in decisions.
- **The Process Facilitator:** Lays down ground rules for the meeting and often formally leads the discussion, especially in the early sessions.
- **The Trainer:** Educates participants who may lack skills or preparation in the process of negotiation and problem solving.
- **The Resource Expander:** Provides procedural assistance to the groups and links them to outside resources that may lead to more informed or varied viewpoints.
- **The Problem Explorer:** Examines a variety of viewpoints and helps the group achieve consensus.
- **The Agent of Reality:** Uses critical as well as creative thinking to question and challenge group members who have extreme and unrealistic goals.
- **The Leader:** Mobilizes the group's resources to achieve goals (Enriquez, 1996).

Recommendation 6: Evaluate digital deliberation efforts and provide examples of successful digital democracy. After each deliberation initiative, agencies should thoughtfully review and analyze it and demonstrate that such forums are changing the way democracy works. Public agencies should understand not only what citizens want, but also why they want it. Also, public agencies should

have an open mind when analyzing responses and should be sure to address all concerns. The results of digital consultation and deliberation in government must be widely available. Public agencies should publish the results online for citizen review.

Conclusion

Although citizen participation is central to a healthy democracy, our political system is characterized by declining voter turnout, decreased levels of civic participation, and cynicism toward political institutions and elected officials. Technological optimists are hopeful that online public spaces will reverse those declines by facilitating direct interactions between citizens and government, offering greater access to government information, and providing a more effective means of participating within the policy-making process.

Public spaces such as Regulations.gov, the National Dialogue, and CitizenSpace may emerge as mainstream conduits for debate, whereby experts, generic intellectuals, and citizens can come together and voice their opinions. Further, digital citizen participation may foster an increased sense of public engagement as an egalitarian device that helps to engender a measure of societal collectivism necessary for a democratic system to thrive. Given the erosion of civic virtue and the proliferation of political apathy, online public spaces may serve to reenergize the body politic and reaffirm the importance of citizen participation as a uniting communal experience.

The Internet as a consultation and deliberation medium presents specific challenges, in particular

the digital divide. That divide disproportionately impacts lower socioeconomic individuals who have historically played an insignificant role within the public-policy process. Similarly, skeptics may argue that Internet-based applications will merely serve as another avenue of influence and control for the politically efficacious and the power elite. In spite of these criticisms and challenges, digital citizen participation, on balance, represents a great potential for democratic renewal.

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