

E-Participation Summit 2012 in Stockholm, Paper by Rolf Luehrs and John Heaven (TuTech Innovation GmbH)

In answering three questions about eParticipation from a German perspective, this paper rounds up the methods that are currently mostly in use in Germany, how they are used, and who uses them. It calls upon research and writings from, amongst others, our own academic publications and our posts on the PEP-NET (Pan-European eParticipation Network) blog and on the DEMOS-Monitor blog, as well as our experience as a provider of eParticipation services and consultancy to public organisations in Germany.

As co-ordinator of PEP-NET, the Pan-European eParticipation Network,¹ and with experience of public administration in both Germany and the UK, we are in a good position to reflect on how Germany compares to what is often seen as a leader in digital participation.

It is fair to say that Germany lags behind the pioneers of eParticipation in some respects -- in particular the adoption of social media amongst politicians, local authorities and especially employees of public administrations – thanks to the nature of Germany’s administrative system and for historical reasons. However, whilst German administrations are slow to change, when they do so, they make changes that are long-lasting and with full commitment.

Further, it can be argued that through its sceptical stance towards social media platforms such as Facebook,² Germany has been able to raise awareness of issues around data protection and strengthen consumers’ positions. This scepticism about relying on social media platforms is perhaps responsible for a particular model of online dialogue that is popular in Germany, which we will describe in more detail below.

An important feature of Germany’s eParticipation landscape is its interest in “Netpolitik”, the politics of internet regulation. This has been seen in its successful influence of European and domestic regulations on the collection of communications data, the disconnection of alleged copyright-infringers, and opposition to ACTA.

How does ICT provide innovative ways for citizen to interact, get involved and become empowered and how do these relate to more traditional approaches?

The 1970s saw the start of (West) Germany’s “participatory revolution”, a term coined by German sociologist Max Kaase,³ thanks to the spread and increased use of various participatory instruments like referendums, petitions, citizen initiatives and panels, all of which provide additional means of citizen involvement besides regular elections. East Germany, out in the cold until 1989, experienced its own participatory revolution in a much more literal sense. Under the banner of “we are the people”, citizens, civil society and church organisations turned the state on its head and reasserted their right to rule.

Over the past twenty years, technological developments, especially widespread use of the Internet, have started a process of change in modern societies on a global scale and enabled

¹ <http://www.pep-net.eu/>

² Concerns over data protection led Hanover to close its Facebook page: <http://pep-net.eu/blog/2011/12/02/facebook-game-over-in-han-over/>

³ Reference

the emergence of a new technology-driven participatory culture. The concept of openness is central: open source, open software, open licences, open knowledge, open government, open data, open innovation.

What we are currently witnessing is that these two trends are mutually amplifying. For Germany this can be illustrated by public discussions about infrastructure projects. One of the most important incidents in the last two years was the protest against the building of a huge railway station in the City of Stuttgart, labeled as “Stuttgart21”. The protest took place online (e.g. Facebook) and offline (protest marches) and was for a long time underestimated, if not neglected, by politicians. As a consequence, the Christian Democrats lost for the first time in decades the elections in the federal state of Baden-Württemberg and the Green party has become the strongest party in a federal state in Germany ever.

Interestingly, the majority of the citizens voted in favour of the railway station when it was put to a referendum under the Green-led government. This suggests that the main obstacle was not the infrastructure project itself but the fact that people wanted to be asked and involved in this important decision.

This interpretation can be backed up by the current discussion about building 4000 km of new high-voltage power lines required to connect renewable energy sources to consumers, a consequence of the Government’s decision to shut down atomic power plants. A recent representative survey showed⁴ that the vast majority of the citizens agree generally that these measures are required (79%) and would even tolerate power lines in sight of their own house (82%). At the same time, more than half of the respondents said that moderated participatory processes should be conducted prior to the decision, and 30% demand referendums. Two thirds of the citizens feel badly informed about participatory opportunities in planning processes⁵.

Against this backdrop, the Internet is becoming more and more important as a participatory instrument: 80% of the participants in an opinion poll agreed with the statement that the Internet supports political participation of those who are not interested in classical forms of political engagement. Almost two thirds saw the Internet as a facilitator of democracy in general. Among the respondents aged between 14 and 29 more than 50% said that Internet has become a means to personally influence political decisions⁶. Governments and public authorities may not be seen as first movers, but they are apparently trying to catch up with social media use to better involve citizens.

There are many different ICT-powered, innovative ways for citizens to interact, get involved and become empowered – many more than we can introduce in this paper. Here are some of the instruments currently used in Germany.

Social Media

Social Media such as Facebook and Twitter are used for interaction between citizens and Government. Frankfurt Social Media Newsroom is one example, pulling together all of the

⁴ PUTZ & PARTNER Unternehmensberatung AG (2012): Energiewende in Deutschland – Ausbau des Stromnetzes, Bevölkerungsrepräsentative Umfrage (http://www.putzundpartner.de/fileadmin/user_upload/kunden_mount_point/Studien/XP-Faktenkontor_Ergebnisse_Ausbau_Stromnetze_2012.pdf)

⁵ Was Bürger können – Ergebnisse einer Repräsentativstudie von Infratest dimap (2012). http://www.herbert-quandt-stiftung.de/files/aktuell/2012/infratest_dimap_umfrage_was_buerger_koennen.pdf

⁶ Umfrage Branchenverband BITKOM 2012 http://www.bitkom.org/de/presse/70864_70163.aspx

city's social media channels on one website. More and more cities are producing Social Media guidelines to make structured use of Social Media and integrate them more closely into their processes. Social media are forcing government to address issues of openness in an environment where communication is traditionally strictly controlled.

Electronic Petitions

Electronic Petitions in Germany have, up to now, only become relevant on a national level. The national government provides a website where citizens can start petitions and there is a binding requirement on a parliamentary committee to discuss petitions that receive more than 50,000 signatures and invite the petitioner to speak.

Moderated Internet Discourses

Moderated Internet Discourses, also known as moderated online dialogues, have become quite popular in Germany, especially on a local or regional level. However, the Bürgerforum (2009, 2011) showed that this instrument can even be applied on national level with more than 10,000 participants. Although there are many different ways to realise these dialogues, they have some common characteristics. Moderated Online Discourses are usually focused on one particular issue or theme and run on a fixed timeline. Furthermore they aim to achieve concrete results and follow a concept of active moderation and mediation. The moderators are at the same time facilitators of the discussion and mediators if conflicts occur. In Germany probably hundreds of these discourses have been conducted on very different topics. The most important application areas are urban planning und participatory budgeting.

Urban planning

Urban planning is a field where the strengths of eParticipation can be displayed to best advantage: relevant information, including geographical data, can be provided and displayed visually; results-oriented debates with hundreds of active participants can be held; lay people and experts as well as decision-makers and those affected by the decisions can be brought together. Thus original ideas can be developed and implemented, citizens involved actively in the structuring of their urban environment and, in the medium term, tangible value created.

Moderated Internet discourses in this thematic field have been conducted in many large and medium German Cities (e.g. Berlin, Hamburg, Frankfurt, Ulm, Pinneberg).

Participatory Budgeting

Like in other European countries participatory budgeting (PB) is one of the most prominent examples of citizen participation in politics in Germany. More than 91 municipalities or cities are currently about to implement or have already implemented participatory budgeting projects⁷.

However, there are lots of different concepts of what participatory budgeting exactly means and even more ways to put these concepts into practice. PB exercises differ in approach, scope and the instruments and channels that they use.

While participatory budgeting was originally designed as an instrument of direct democracy with a binding decision of the citizenry, most European PBs are **approached** as consultations: citizens are given the opportunity to have their say but it is up to elected representatives to finally decide about the proposals, which allows for more citizen involvement in decisions affecting them without calling into question the legitimacy of elected representatives.

⁷ <http://www.buergerhaushalt.org/status/> referenced on 23rd April 2012

In many cases, the **scope** is limited to only selected parts of the public budget; in others, the entire budget is subject to citizen participation. Interestingly the scope seems to depend on the chosen approach: when the entire budget is under consideration, the opinions and preferences of the citizens usually are not binding.

Some of the participatory budgeting projects are still implemented using only traditional **instruments and communication channels**. In most cases the Internet is used at least to spread information. Quite a lot of municipalities or cities provide interactive channels on the Internet to support offline activities. In a few cases the Internet is the only channel for the citizens to participate. Most of the Internet applications have been implemented with support from moderators.

Other

Märker Brandenburg is a well-known example of a FixMyStreet-like eParticipation project in which citizens can submit problems relating to street furniture, traffic infrastructure and their general environment, and track the status of their issue. Unlike FixMyStreet, the platform was set up on the initiative of a local authority (Brandenburg). This is possibly a function of a different style of governance than the UK, the home of FixMyStreet – a different “administrative reality” as the responsible civil servant put it⁸ – with more rigid governance structures and more government-led citizen participation as opposed to civil-society-led.

Another project inspired by a MySociety project is Abgeordnetenwatch. Similarly to TheyWorkForYou, Abgeordnetenwatch allows citizens to see information about how parliamentarians vote, submit questions, and the organisers score them on their openness. Attempts to build communities around issues of urban development⁹ as a way of engendering continuous participation are demonstrated by such projects as Frankfurt Gestalten (Creating Frankfurt) and nexthamburg. The former is a platform that aims to facilitate contact between active citizens and civil society organisations and the latter is a project dedicated to citizen participation in urban development within Hamburg with an online platform that allows citizens to submit their ideas and rate those of others.

⁸ <http://pep-net.eu/blog/2010/04/06/news-digest-march-20th-april-6th-2010/>

⁹ <http://pep-net.eu/blog/2010/04/06/news-digest-march-20th-april-6th-2010/>

How do different actors interact in an e-society: for example: government, local authorities, grass-root movements, civil society organisations, companies, individuals? What are their respective roles, powers, benefits and threats?

Since it is not possible to discuss all roles of all stakeholder we will focus on citizens and grassroots movements on the one hand and the public sector and politicians on the other.

Citizens and grassroots movements

Citizens use the Internet in various ways to accumulate and execute political power. In recent years we saw a Federal Minister of defence being deprived of his PhD before he was forced to resign from office; a draft regulation for preemptive collection of communications data which never was put into force, and the surprising resignation of a Federal President – all of which were closely linked to citizens' online activism.

In the former case, the power of the crowd was harnessed in a sort of crowd-sourced proof reading of the Minister's PhD thesis. An online wiki was set up which allowed any member of the public to comb the Minister's PhD for occurrences of alleged plagiarism.¹⁰

Crowd sourced proof reading

Germany's former Defence Minister, Karl-Theodor zu Guttenberg, experienced the power of social media in 2011, when citizens found his PhD thesis was shot through with plagiarism, including unacknowledged quotations from newspapers and other publications.

"Guttenberg Gate" or the "Googleberg Affair" prompted a crowdsourced proofreading of his thesis by anonymous German citizens. They weren't backward in coming forward when reporting instances of plagiarism that they found: at least one alleged unacknowledged quote was found on 94 % of the pages, 64% of all lines had allegedly been copied and pasted from unmentioned sources. Although Guttenberg used to be Germany's most popular politician whom many saw as capable, charming and possessing integrity, he was deprived of his PhD and had to resign from office.

This affair showed that it is difficult to be one person in public and another in private because the internet allows thousands of people – whatever their motives – to organise themselves and air other people's dirty washing in public. Because the participants in the wiki were anonymous, it was impossible to tell whether they were political adversaries or simply passionate academics interested in protecting the integrity of their discipline; but it is likely to be some mixture of both.

Citizen lobbyism and bottom-up regulations

In September 2008 the European Parliament voted on the so-called Telecom Package, a series of amendments to the European telecommunications law. While the majority of the ca. 300 page long amendments were not disputed, some of them were fiercely contested.

¹⁰ <http://pep-net.eu/blog/2011/02/21/3835/>

Different interest groups tried to influence the wording of the texts in the run-up to the final decision by the parliament. Supposedly harmless phrases such as “lawful” proposed by agents of the recording industry and other proponents of copyright enforcement were suspected as Trojan horses by digital rights activists.

In the months before the different EU Parliament voted on the Telecom Package, NGOs tried to counterbias the drafting of the law in order to prevent such consequences. Especially the French organization [La Quadrature Du Net](#) and the German network around [netzpolitik.org](#) monitored the drafting process and explained their concerns to all interested parties. The Internet played a crucial role for content creation, knowledge transfer and mobilisation. The digital right activists set up wikis, published blog articles, used twitter and contacted media and Members of the European Parliament.

Shortly before the decision different parliamentarians edited another draft called “[Bono amendment](#)”, stating that that citizen’s fundamental rights, including freedom of speech, can only be restricted by the judicial authority. This amendment has been voted and the “citizens lobbyists” count that as a considerable success.

The use of the Internet has apparently enabled NGOs and citizens to catch up with powerful economic interest groups.

In 2009 the former Minister for Family Affairs, Ursula von der Leyen became a hate figure among netizens due to her ambitions to block Internet sites in order to fight child pornography. The respective policy was perceived by the net community as an attempt to set up a censorship infrastructure generally enabling the government to block particular websites. A strong network opposing these ideas quickly formed within the German internet community. The HashTag used by the protesters was #zensursula – a German mash up of the Minister’s name and the word ‘censorship’. As part of the public’s protest an official e-Petition directed at the German parliament was launched. Within three days 50,000 persons signed the petition – the number required for the petition titled „No indexing and blocking of Internet sites“ to be heard by the parliament. The running time of an e-Petition in Germany is 6 weeks – within this time over 130,000 people signed making this e-Petition the most signed and most successful ever. The planned regulation never came into force.

More recently, the initiative “Transparenz Gesetz” started a completely bottom-up regulation initiative, pushing for the adoption of a local transparency law in Hamburg. This encompasses open data, the opening of previously secret contracts and many other documents, in a law that was drafted collaboratively online using a wiki. Although much of the activity happened online, local laws preclude the use of online signature collection. Instead, signatures have to be collected in paper form.

Crowd-sourced agenda setting

The resignation of Horst Köhler as Federal President in 2010 was, at the time, a unique incident in Germany’s history and demonstrated that social media have become a political force that can not be neglected anymore. Horst Köhler resigned as Federal President because of public criticism of his comments about Germany’s mission in Afghanistan. Interestingly, the radio interview in which he elaborated on the reasons for Germany’s international military engagement did not initially lead to noteworthy coverage in the mainstream media.

The first to pick up Köhler’s controversial remarks about the relations of Germany’s economic interests and the Afghanistan mission was the fairly unknown blog [unpolitik.de](#),

followed by five others with a rather limited reach. Better known bloggers covered the story – but still none of the mainstream media (see carta.info for a detailed report).

One of the bloggers who felt especially disgusted about the media's ignorance directly approached several big newspapers and magazines via twitter, asking for a reaction. After "Deutschlandradio" broadcast an interview with the Christian Democrat Ruprecht Polenz on May 27th, who said that Köhler expressed himself imprecisely, the media storm slowly gathered momentum. A very critical report that appeared in Germany's biggest news magazine "Der Spiegel" might finally have pushed Köhler over the edge.

But the influence of social media did not end here. Pretty soon after the political class had overcome the state of shock, Chancellor Angela Merkel was said to have chosen a favourite for the vacant position already: the quite well-reputed Minister for Family Affairs, Ursula von der Leyen, who was, as we have described above, responsible for net-surveillance. Unsurprisingly, this movement against net censorship was not delighted by the prospect of von der Leyen becoming Germany's next President – and immediately revived the campaign. For the same reason but even more importantly the FDP (Free Democrat Party) – part of the currently governing coalition – rejected the proposal as well.

A largely internet-based campaign evolved, pushing Joachim Gauck, a former GDR activist and pastor. This was a clear demonstration of the power of net-activists to set an agenda and there was a perceptible will for Gauck as an alternative to the official candidate to the ruling coalition. Although he did not get elected as President in 2010, following the early resignation of Köhler's successor, Christian Wulff, Gauck was elected president.

Governments and public authorities

Social media

The social media landscape in Germany is slowly taking shape. Some examples are:

- Stuttgart's comprehensive strategy for integrating several social media tools to ensure that their message gets to its target audience whilst remaining open to feedback
- the City of Moers is trying out several social media tools and has developed social media guidelines;
- the City of Braunschweig reports how it has helped create a community of equals, Facebook users who exchange insider tips on which restaurants and cafés to go to.
- the city of Frankfurt's Social Media Newsroom (ausführen)

Even more interesting than particular examples of social media use by the public sector is the fact that local authorities started to reflect on the success factors and consequences of engaging with interactive media. An impressive example for this are Hamburg's recently published guidelines explaining some of the most common tools, describing social media use by German local authorities and providing examples of scenarios in which social media could be used. The case studies come from across Germany and indeed from across the world: from San Francisco's activities on Twitter to the *Stadtwiki Karlsruhe* via Maerker Brandenburg, the Fix My Street-like service that allows citizens to report problems to their local authority and view status updates online.

On top of that, the suggested scenarios illustrate what can be achieved with social media, and how to go about it. These fictional scenarios are: a directorate uses Facebook, a district office

publicises times for vaccinations on Twitter, the Culture Directorate posts videos of cultural events on YouTube, the HR department uses XING to acquire new staff, a senior official blogs, and a directorate conducts a survey with SurveyMonkey.

Each of these scenarios is accompanied by a flowchart which really nails down the procedure that has to be gone through when setting up something as simple as a WordPress blog: the departments that have to be consulted, the problems that have to be anticipated, the extra work involved and issues that have to be considered. We found this part especially interesting because, although it may seem onerous to go through such a long procedure for setting up a Twitter account, we believe it is right to be honest with the public and employees about the reality of social media within a large public sector organisation like Hamburg.

However, Germany is well known for its suspicion of anyone who attempts to collect their data, whether the state's pre-emptive collection of telephone records or Google's photographing people's houses for Street View. This issue will not go away, what with the increasing importance of cloud computing and the wealth of online applications that we use day to day. So *Datenschutz*, or data protection, is high on the agenda and warrants a place in all social media guidelines, including Hamburg's.

Beyond privacy issues there is a general debate about whether or not proprietary social media services provide good instruments for the interaction between citizenry and government. There seems to be a consensus that these services should only be used as complementary services in order to avoid dependence on particular service-providers, avoid excluding citizens who are not members of particular social media sites (and in Germany there are many such sceptics), and to enable in-depth debates using tools that are not available on Facebook and other social media platforms.

Moderated Internet Discourses

As we have already pointed out above (1.) quite a lot of cities and local authorities have provided a dedicated discussion space to invite all interested parties to take part in moderated internet discussion on a specific subject. The strengths of this approach are that concrete discussion results can be achieved and specific topics can be debated thoroughly. A weak point can be seen in the fact that results are not binding and there is sometimes a lack of commitment towards the implementation of agreed solutions. Sometimes also the scalability of this instrument has been called into question. The following example demonstrates, that even moderated discussion with 10,000 participants can achieve good results and that a moderated internet discourse can be combined with face to face meetings successfully.

An example of a large-scale moderated discourse is the BürgerForum (Citizens' Forum). This interactive, dialogue-based participation format was developed on behalf of the Bertelsmann Foundation and the Heinz Nixdorf Stiftung and has been deployed regularly since 2008. A BürgerForum comprises a blend of online and physical meetings. Participants are contacted at random and selected according to representative criteria in order to achieve a cross-section of the German population. They actively participate in producing the "Citizens' Programme" on selected political topics. This is presented to political representatives from these subject areas as a set of recommendations and is the basis for further dialogue between political representatives and citizens.

The BürgerForum is not a static format but has been continually optimised for ever-growing numbers of participants since it was first deployed. Further, the active engagement of

politicians and public servants is continually being promoted, such that the BürgerForum is increasingly integrated into the political process.

Hence, on a conceptual level, the BürgerForum addresses an array of issues that have come to light over the past ten years of eParticipation exercises. Of these problem areas, one manifests itself in participants' self-confidence and another can be found in the political and administrative system. The BürgerForum format attempts to overcome these difficulties and by doing so ensures that commitment to eParticipation is not squandered on a string of exercises with questionable results, but instead replenished thanks to visibly successful projects with large numbers of satisfied participants, results that are useful for politicians and policy-makers, and hence a tangible influence in reward for citizens' engagement.

What practical and achievable recommendations would you make to governments, and particularly local authorities, about how to optimise the impact of e-participation in the short and longer term?

Recommendation 1: Recognise that citizens should not always be treated as customers.

In recent years, there has been a move towards the “citizen as a customer” ideal that forms the basis of transformation and modernisation in public service, whereby the customer is seen as a recipient of services in a similar way to a customer of a private company. But seeing citizens as customers is not always appropriate because they often interact with the state in different roles. Governmental organisations collect citizens’ rubbish, educate children, help victims of domestic violence, put roofs over people’s heads. They even lock people up. If one of these customers doesn’t pay, or is rude or unfriendly, the state is not able simply to stop doing business with them.

If citizens are seen as customers, governments should not be surprised when they act like them. In the age of Amazon, eBay and Google, customers want high-quality services from service providers that just get on with the job. But with dwindling budgets, citizens need to be realistic about what government can provide, in some cases accepting policies and projects that are detrimental to their own personal interests.

Recommendation 2: Citizen-led service redesign

Governments should use social media to engage with citizens and explain how administration works and why, in some cases, citizens have to swallow bitter pills and engage in citizen-led service design in order to provide services that meet citizens’ needs whilst inviting their constructive involvement and harnessing local knowledge.

Recommendation 3: Choose the right tools for the job

“Doing digital” without thinking about the right type of intervention and the aims to be achieved is similarly oversimplified and undifferentiated. Government and public authorities need to think about whom they are working with and select the right tools accordingly: a project offering anonymous support to domestic violence victims will take a very different approach from an online system to deal with complaints about dog mess or a fan page for the city where citizens want to express their affection for their home town and maybe argue about their favourite football team. In some of these cases, citizens have a similar role to that of a customer and can be treated like them; in other situations, the citizen’s role is very different. In some cases, for example, anonymity can be extremely important; in others, it can be a barrier.

Recommendation 4: There is an important role for dedicated consultation platforms

Related to this, local authorities should consider carefully whether they set up dedicated platforms for online consultation or whether to rely entirely on third-party tools such as Facebook, Twitter, YouTube, Google Plus or the many other social media offerings that are essentially free. Whilst these platforms are ideal for tapping into existing discussions and can be used as a way of monitoring the chatter beyond the walls of the town hall and even engaging in persistent informal engagement with citizens, more planned projects where concrete results are desired almost always require a dedicated, official platform with added

functionality. Effectively moderating discussion, guaranteeing data protection and accessibility, and not becoming reliant on a single company or excluding users who choose not to use particular platforms, are important considerations that can often only be addressed by using software dedicated to citizen engagement and tailored to the particular circumstances. This is especially important in Germany, where many users are sceptical of certain social media platforms due to data protection issues.

E-participation summit



Answering three questions about eParticipation
from a German perspective

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1: How does ICT provide innovative ways for citizen to interact, get involved and become empowered and how do these relate to more traditional approaches?

- “Participatory Revolution”: spread and increased use of various participatory instruments like referendums, petitions, citizen initiatives and panels (1970 ff.)
- “E-Participatory Revolution”: Social Media, Electronic Petitions, Moderated Internet Discourses etc. (2002 ff.)
- Currently these two trends are mutually amplifying, e.g. “Stuttgart 21”
- “Internet supports political participation of those who are not interested in classical forms of political engagement” (Yes= 80%).
- “Internet is facilitator of democracy in general (Yes>60%).
- “Internet has become a means to personally influence political decisions” (Yes>50% aged between 14 and 29)

2: How do different actors interact in an e-society?

(1) Citizens and grassroots movements

- Crowd sourced proof reading
(forced Minister to resign from office)
- Citizen lobbyism and bottom-up regulations
(cancelled planned regulations)
- Crowd-sourced agenda setting
(motivated Bundespräsident to step back)

2: How do different actors interact in an e-society?

(2) Governments and public authorities

(a) Social media

- Facebook & Co: Stuttgart, Braunschweig, Frankfurt
- Tailored: Stadtwiki Karlsruhe, Märker Brandenburg (fix-my-street-like)
- Guidelines: City of Hamburg

(b) Moderated Internet Discourses:

- e.g. Urban Planning, Participatory Budgeting, Leitbilder
- Bürgerforum 2011

3: Recommendations to governments and local authorities, how to optimize the impact of e-participation in the short and longer term?

- Citizens are not (just) customers but (can be) partners
- Embrace citizen-led service redesign
- Choose the right tools for the job
- Develop Strategies before embracing social media
- Important role for dedicated consultation platforms