UCL submission to the Speaker's Commission on Digital Democracy

September 2014

This submission has been developed from a roundtable discussion held at UCL in July 2014 with representatives from the Speaker's Commission on Digital Democracy. The roundtable included academic participants with expertise in: political reform; constitutional reform and constitutional law; human-computer interactions and developing technology to address user requirements; online security, privacy, identity and trust; social media and social capital; governance and policy in cities; digital technology for business change; digital government and participation; how technologies shape government; and social movements in eastern Europe using internet and social media.

The main themes discussed were:
- the importance of engaging in the democratic sphere
- the advantages and disadvantages of democratic engagement through digital means
- issues around transparency, trust, accuracy of data, and expectations of digital engagement, including the importance of both transparency and security in any electronic voting system
- exploitation of existing technologies and examples of successful tools
- how engagement through digital means might impact on democracy as it is currently constituted in the UK.

Key points
- There are advantages and disadvantages to greater use of digital tools and it is important to be aware of possible unintended or negative consequences.
- The most effective engagement is likely to be through existing tools and platforms but it is important to be aware of the constraints and potential disadvantages of these.
- It is also important to be clear about the purpose and nature of digital interactions and to have realistic expectations about what they offer and what they can achieve.
- There are significant issues around transparency, trust, privacy, accuracy of data and regulation of online campaigning.
- The prospect of digital democracy raises important questions for the future shape of democracy and the way it may develop.

The importance of engaging in the democratic sphere

It is important that the House of Commons as an institution engages with developments online and in social media. Digital tools should be used for the purpose of improving democracy in order to drive positive behaviour change and engagement. If the House of Commons fails to fully engage with digital political movements that are already underway, there is a risk that citizens may become even more demoralised or that policies become more partisan and fail to take account of concerns and issues that are important to the public. It is important to distinguish between political engagement generally and the specific act of voting (which is one route of engagement) when considering how to use digital tools. It is also necessary to consider what digital democracy means for elected representatives and the changes it may require of them.

It should be noted that the digital space does not create new or unique problems for democracy. However, it may exacerbate such problems. There is also a potential danger that moving towards a digital democracy will create a dual system which may exacerbate failures of engagement. A hybrid system is preferable; there are many different kinds of tools for engagement that can blend the physical and the digital.

Government and Parliament should also be aware of the implications of new legislation for digital democracy – for example, the recently passed Data Retention and Investigatory Powers Act may lead people to self-censor when engaging online and thus hamper engagement and participation.

Advantages of using digital tools to promote democratic engagement

The digital space can provide opportunities for extra and new forms of engagement. In particular, social media offers considerable opportunities: less mobile groups can benefit from being able to connect with others online. There can be significant benefits from citizen-to-citizen interactions on social media, although it should be recognised that social media can not be controlled and democratic engagement should make no attempt to do so.

Social media may also offer possibilities to bridge the gap between the public and their representatives. Most people's democratic participation consists of voting once every four or five years. This can lead to a sense of distance from elected representatives and an impression that they lack accountability. The opportunities that social media offers for more participation and more feedback could help to address this and in particular could provide new ways for MPs to engage directly with their constituents and help them to garner more insights into their constituents' interests.

Targeting participation and engagement

Digital democracy can be a powerful route to reach and engage disadvantaged groups. The priority for any developments in digital participation and engagement by the House of Commons should be to focus on particular target groups who could benefit most (e.g. disabled people, less mobile groups or remote dwellers). The example of the introduction of e-voting in Estonia is instructive: at first it simply proved an expensive way of providing an alternative way to vote to those groups who already did; only latterly has the capacity that e-voting offers to engage with and benefit hard-to-reach groups been emphasised.

It is important to be strategic in terms of which audiences are targeted for enhanced engagement. There is likely to be advantage in engaging with and building on ongoing initiatives such as those around youth engagement and female engagement. Focusing on women and girls could help to address their current lack of participation and help to coalesce attempts to improve participation more broadly. Given that young people are one of the least politically engaged but also one of the most tech-savvy groups, appealing to them might provide a good place to start for exploring engagement through digital means.

Disadvantages of democratic engagement through digital means

The digital divide

It is important to be aware of unintended consequences that may arise, such as increasing the existing 'digital divide' or privileging digitally competent people over others. There is a significant concern that digital platforms may be giving access to information and the ability to do things to a small elite group of technically literate people, rather than to citizens in general.

Enhancing isolation

A further significant problem with engagement in online spaces is that events that were previously predominantly social activities undertaken with other people become private activities done online. For example, voting online typically involves less interaction with people and the neighbourhood, in contrast to visiting a polling station and passing through a local neighbourhood. An online presence can mean individuals being part of a faceless and anonymous community, whereas physical involvement in activities and face-to-face interactions can promote more empathy for others.

The blurring of private and public spheres

There are also concerns around the blurring of public and private lives. Generally, people manage relationships with others through the selective disclosure of information. The growth of social media can undermine the separation of public and private lives, and people can get into difficulties by broadcasting inappropriate information or saying things in the heat of the moment. These are significant issues for digital democracy. More information and more engagement isn't *in itself* necessary better; the quality of discourse is also important.

There are clear differences between private sector services and public sector or social services – for example a model such as that employed by Facebook, which trades people's privacy in return for services, is problematic in the public realm. It is also notable that there is an asymmetry in open data initiatives – whilst there is an increasing move towards open data in public services, this is replicated amongst few private companies. The implementation of 'open data' or 'sharing data' initiatives in the public sphere without adequate consultation (for example in the case of care.data or of adding digital small print to the social contract) is also problematic; it is important to ensure adequate engagement in such initiatives to avoid undermining trust in public institutions and democracy.

Key issues to consider for digital democracy

Transparency and trust

There are many different motivations for digital participation, which will vary at different times. People use digital spaces differently. It will be important to prove the trustworthiness of any mechanism to promote digital participation. People tend to use digital spaces because they feel some sense of common value or shared belief. This implies a level of trust which is underpinned by a sense of community and identity. Digital engagement and participation should not disrupt this trust.

There are a number of pitfalls around manipulation online, such as the large-scale manipulation of opinion ('astro-turfing', where paid reviewers masquerade as ordinary citizens providing online 'opinions'), and the steering of people's behaviour by particular interest groups. Democratic engagement through digital means will need to be alert to these possibilities. In the case of e-voting, the challenge is to come up with voting mechanisms that are demonstrably secure but also transparent to ordinary citizens, in order to ensure trust in the system.

Accuracy of data and accessibility of content

There is an inherent trade-off between access to data and the accessibility of content – there is a risk that making content available in a form that is useful and accessible may bias the data because assumptions are made about what people would find useful when publishing

content. There are, however, examples from NGOs in different countries who have managed this successfully; working with civil society partners may help to develop trustworthy platforms and tools. The concern is not so much about ensuring a perfect neutrality of data, but ensuring transparency in how it is created and provided so that any inadvertent bias is clear.

Furthermore, it is also important to maintain transparency in the role of data (generated by people's actions) for digital democracy. There is likely to be advantage in increased use of data technologies and analytics for targeting voter engagement. One example of this is the Big Data campaigning used in the 2012 Obama election campaign to create complex profiles of localities and of individual voters' attitudinal beliefs, core values and concerns. However, targeting voters in this way without public consultation is problematic. Focusing data use policies on questions of importance - where data is from, how data is used and what the ownership of data constitutes for digital democracy - will help achieve democratic digital engagements.

Ensuring realistic expectations

If more people use social media to get engaged in politics, there is a risk of creating unrealistic expectations about what can be achieved and thus causing frustration. It is important to distinguish between using digital participation to enable citizens to have a bigger role in agenda setting from what will necessarily be a limited role in decision-making (more the arena of Government or Parliament). One example of this is a crowd-sourcing exercise run in Estonia regarding party funding regulations. This was initially successful, with around 1,000 or more suggestions posted online and then discussed at meeting of 300 randomly chosen delegates. However, the Estonian Parliament then dismissed or watered down the proposals for recommendations. The lack of action following the national campaign generated public frustration because of the mismanagement of expectations and the failure of a decision-maker 'champion' who could build on the exercise. Overall, despite a promising start, this was a poor experience in terms of the number of people engaged.

Exploiting existing digital technologies

Technological developments are happening regardless of what the House of Commons does and they mean that the environment where people make political decisions and the way in which people participate has changed. It is important that democratic institutions are present in the digital space and engaging in social and information networks and digital settings. This is likely to be more effective than creating new digital tools or platforms which people may not use.

The Commission should recognise that digital democracy movements (political movement organised in digital settings and through social media) are already occurring. The House of Commons should therefore engage with successful existing platforms as people will continue to use them. Whilst it is not necessarily possible to ensure that these are fully democratic, nor should they be ignored as platforms for engagement. Rather, it is important to adopt a multi-pronged strategy. However, this should not simply be a case of 'piggybacking' onto other platforms – there needs to be careful consideration of how engagement might be conducted, including of how the House of Commons and elected representatives can respond to (as well as initiate) engagement through digital means.

Whilst it may be a good thing for MPs to engage more through digital routes, it shouldn't be mandatory to engage with platforms such as Twitter and Facebook – these are private companies with no democratic function. It is important to have transparency over the rules of engagement on different digital platforms. It is also important to understand the varied

purposes of different types of interaction and consider the ability or willingness of democratic institutions and elected representatives to respond to popular input.

Successful digital tools for engagement

Social media and online activity can create active engagement that can build into something more deliberative. The current online petitions platform in the UK (run jointly by the Government and the House of Commons) has proved very successful. It is popular and in some cases has enabled real engagement that has delivered policy change. It also provides lots of information about the issues that people care about and are willing to act upon. The data shows that a significant proportion of people come to the petitions platform looking for something to sign, suggesting an existing commitment to activism. Half of all signatories come from Facebook to a specific petition but then go to the homepage to look for another petition to sign. The US provides another example of a successful e-petitions platform: once the 'We the People' site has collected a certain number of signatories the Government has to provide an official response. Such a response to a petition for the US to build a Death Star was the most-viewed item on White House website and acted as a way to draw people into participation.

Petitions can thus provide advantages in terms of creating positive expectations – the evidence suggests that people like the response to petitions, and may go on to engage in other ways. However, it is important to recognise the limitations of a digital petitions platform – they work well but they do involve only a binary choice (to sign or not sign). They do not therefore in themselves provide an opportunity for sophisticated or nuanced engagement or participation. Additionally, decision-makers are not actively involved at this stage, so their impact can be limited, although there is scope for decision-makers to become more responsive to petition platforms. Finally such platforms offer a different model to the traditional one of raising concerns through elected representatives, and it will be important to consider the implications of this.

Many people now complain to private companies by tweeting comments. These are regularly monitored by companies and can generate a swift response. This may provide a model for Parliament to supplement the existing representative structure where writing to your MP is the usual way to raise an issue. Parliament could look at which platforms are most used by people as an easy way of reaching out to more constituents, not only those who are prepared to contact their MP in writing.

How might engaging in digital spaces change democracy?

Using social media to engage in politics could lead to new concepts of what democracy is about. The theory that representatives are there to exercise their judgment regarding what is important for constituents, rather than to exercise specific mandates, may change. 'Community' is now much less place-based and much more about communities of interest. Communities of interest consist of both strangers and 'real-life' friends who interact regularly online. These sorts of communities are what social media facilitates. It may require a different way of looking at how democracy is shaped. There is also an important issue about reaching less engaged groups without telling them what they should do in terms of engagement. It is important to avoid applying normative perspectives of online behaviour and to think in terms of a more 'horizontal' democracy that moves from hierarchical to participatory interactions.

Digital democracy may mean that the electoral system will need to change – for example it may question the continuing need for a constituency link. It may also hasten a move towards engagement with specific issues or interest groups and a desire to vote in a way that reflects

this, rather than voting for an MP in a particular geographical area. It can remove participation from a local to a national level. However, single-issue engagement isn't necessarily a sound basis for electing people to Parliament and the legislature – Government doesn't work only on a single-issue basis.

Digital democracy may also call into question the first-past-the-post system which means that MPs are incentivised to focus on swing voters – these can be an esoteric group with a narrow range of interests and can impede the representation of a broader range of constituency interests. It may be worth exploring whether other electoral systems can cope better, particularly as digital engagement increases and expectations of MPs' engagement and responsiveness may likewise increase.

The role of Parliament in digital democracy is not so much to facilitate dialogue among citizens (which already happens) but is about making MPs more responsive to the dialogues which are occurring and refrain from dismissing them as inauthentic or unpleasant. There may be opportunities to utilise online and digital tools to synthesise dialogue so MPs can learn about it quickly – for example, an app which could analyse social media trends by constituency for MPs' offices. This could help MPs to be more responsive to people's concerns.

One of the things that digital platforms can provide is access to resources that allow the debate to be better informed. So they may offer new ways of engaging citizens in debates through access to evidence. This can offer further opportunities for engagement (especially for less mobile groups) and help to raise the level of discourse.

There is now a huge quantity of informative data that can be taken from social media platforms (for example the Oxford Internet Institute has produced a map of all online petition signing over the last three years). It will be important to ensure that digital platforms can provide appropriate data which can be used to analyse about political behaviour and democratic institutions. This can support innovative design and experimentation in new ways of engagement (digital and non-digital).

New ways of political campaigning

There has been little engagement amongst politicians in the UK with YouTube; the US in contrast has had two 'YouTube elections'. This has had considerable traction in terms of broadening dissemination – YouTube videos have attracted millions of viewers. Such platforms should be considered by politicians – in research by OnePoll in the UK, two-thirds of under-25s said that politicians would win their votes more easily if they delivered their manifestos on social media which would make politics easier to understand.

There are clearly opportunities for campaigning online, but caution is also needed to avoid the over-simplification of political messages and the encouragement of a trend of voting for soundbites. Democratic engagement shouldn't just be about voting for personality and persuasiveness and it will be important to ensure that campaigns don't become merely about winning through spin. As traditional party political broadcasts are becoming defunct (because people watch TV differently and often watch online rather than broadcast TV) campaigning will have to be reinvested and to make more use of online TV and other provision. This also has implications for the current model of campaigning which is predominantly at the local (individual MPs in their constituencies) rather than the national level.

Regulation and governance

A greater use of social media in the political and election process has significant implications for the governance of the system. It may require some review of existing laws and regulations in order to ensure that regulation and governance are fit for purpose. This is not necessarily about creating new regulation (most bad online behaviour, such as abuse or fraud, is illegal anyway) but thinking about how to police or manage bad behaviour. Self-regulation by online communities can be reasonably effective – members tend to want to maintain the original purpose of their community – but will not tackle everything. There may also be complications arising from the potential blurring of boundaries when discussion flows into campaigning. The regulation of online campaigning is likely to be quite different from other forms of campaigning – financial restrictions may not be sufficient to regulate campaigning as online campaigning can be much cheaper than that requiring physical resource.

How MPs work

The infrastructure supporting MPs may need to change: for example, rather than individual MPs setting up new constituency offices, there could be a permanent constituency office (in terms of space and equipment) which provides a standard physical and digital infrastructure. This would mean that new MPs, regardless of their own digital literacy, could be ready to engage online. Parliament could also ensure that all MPs have digital literacy training so that they can maintain a decent online presence. Currently there are significant failures of understanding of digital tools and platforms (for example Twitter is used for trivial, off-the-cuff remarks) and of the need for responsibility in engaging and saying things online. Evidence from the US on digital engagement suggests that representatives do not themselves influence conversation online but are driven by the conversations that people are already having.

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