TAB

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Public electronic petitions and civil participation

Summary

SUMMARY

Over the course of their long history, the nature of petitions has repeatedly been adjusted and modernised to meet changed conditions, including the Internet as a new medium for submitting and publishing petitions as well as for communicating about them. Against this background, the German Parliament initiated a 2-year pilot scheme in 2005 entitled »Public Petitions«, within which petitions can be made public and discussed and supporters can be recruited via the Internet. On the initiative of the Petitions Committee, the Office for Technology Assessment at the German Parliament (TAB) was appointed to conduct an evaluation of this pilot scheme. This evaluation was to be embedded in a more comprehensive study on the question of which new options but also which problems could result from the use of the Internet for petitioning.

MAIN RESULTS

Prior to presenting the details of the study in the following, some of the main results are highlighted first:

> Even in modern democratic constitutional states, petitioning has lost none of its attraction; in many places, an increasing significance can be noted. E-petition systems considerably contribute to this development.
> Although electronic petition systems may not yet be used on a broad basis, at present they are one of the central activities in the area of e-democracy and e-participation, particularly in the parliamentary field. In the next few years, it is to be expected that governments will increasingly introduce electronic petition systems.
> The pilot scheme »Public Petitions conducted by the German Parliament can be considered a success« regardless of some serious deficiencies in its realisation. The pilot scheme has made petitions publicly accessible via the Internet, the petitioning process became more transparent and citizens were granted to opportunity to actively participate via adding their signatures in support of a petition or by contributing to discussions.
> With the pilot scheme, first steps have been taken towards more transparency, accessibility and participation. However, less than 2% of all petitions are presently published on the Internet. It is still an open question whether or not the German Parliament will pursue this course towards more transparency and public access in the future.
> Electronic petition systems have so far not led to any general increase in the

number of submissions. Moreover, the introduction of the Internet-based channel for submitting and supporting petitions has made the participants more representative of society only to a very limited extent: women, population sectors with lower educational qualifications and younger age groups remain significantly underrepresented among petitioners.

> The introduction of online discussion forums has contributed to a higher degree of discursiveness in the petition process. However, the addressees of the petitions have so far not responded to the increased deliberative involvement of the users. The adequate integration of discussion forums in the decision-making processes of the petitions committee remains unresolved.

> Even though the political effects of electronic petition systems are hard to show on the books, one can cautiously state that each instance of petitioning was strengthened in terms of effective publicity by the introduction of electronic petition systems and that – due to the greater publicity of petitions – it can be assumed that the political systems reacts more responsive and attentively to citizens' concerns.

PETITIONS AND ELECTRONIC PETITIONS

A petition represents a form of communication from one person (or a group of people) to the addressee of a petition that contains a (personal) complaint, criticism of an action or a suggestion (Sect. II). Its objective is to obtain a response from the petition's addressee and, if applicable, further action as well. The right to petition, which is usually anchored in the constitution, guarantees the petitioner that he or she will suffer no disadvantage from the petition and that the petition's addressee may not refuse to accept the petition (in the context of the relevant responsibilities). Further procedural guarantees – e.g. a guarantee that the petition will be examined and the decision will be communicated to the petitioner, such as in Germany – are not universal, as shown by an international comparison. As a rule, the addressee of the petition does not directly have the authority to ensure that its responses to a petition are carried out. The addressee of a petition is usually only authorised to appeal to the responsible authorities, administration and ministries in the form of recommendations in line with the petition.

What petitioning can achieve must be differentiated according to the institutions involved. For the petitioner, petitioning in particular contributes to protecting her or his legal situation and his or her interests and opens up an option for political participation; the addressee of a petition, on the other hand, gains information on the problems of the respective field and can thus better exercise its control function. And for the political system as a whole, petitioning may poten-

tially serve to create trust between citizens and the state and may also enhance the state's legitimacy.

Petition systems differ with regard to their institutional and procedural design. A distinction is often made between governmental and non-governmental areas as well as, within the governmental field, between the executive and the legislative branches of government. Even the designations used in different languages vary: mediator, ombudsman, town advocate, to name but a few examples. Within parliaments too, there are different institutional solutions for petitioning. The Petitions Committee at the German Parliament is a rare instance with its comprehensive responsibilities and authority.

If one tries to elaborate the particular characteristics of petitioning in comparison with other procedures of personal legal protection and political participation, these are found in the comparatively minimal formal requirements, in the mediator function of the petition 's addressee, and the petitioner's choice of topic.

With electronic petitions, the first thought is of electronic submission of the petition. However, examples show that electronic submission does not necessarily imply its presence on the Internet and, vice versa, publication on the Internet does not necessarily presuppose electronic submission. At present, the most important variants of electronic petitions are:

> Electronic petitions processed internally by the petition's addresse,
> Petitions submitted electronically by petitioners,
> Public, electronic petitions on the Internet with a more or less comprehensive provision of supplementary information,
> Public, electronic petitions with extended communicative or participatory elements.

Electronic petition systems are primarily introduced with the following objectives: to facilitate and extend access, to create greater transparency regarding content and procedures, and to get the public more involved. Generally, the intention is to modernise and strengthen the petitioning process.

DIFFERENTIATION AND DIVERSITY OF PETITIONING IN GERMANY AND OTHER COUNTRIES

Before the results of the analyses of electronic petition systems are presented in detail, two areas should be discussed which provide the context for the

ensuing analyses. The first is petitioning in its traditional but extremely differentiated forms (Sect. III). The second are the measures to support democratic, parliamentary and participatory processes and procedures (»e-democracy«, »e-participation«, »e-parliament«), to which electronic petitions also belong (Sect. V).

A review of petitioning in Germany and other countries (Sect. III) delivers a broadly differentiated and diverse picture of the institutions to which petitions may be submitted. The legal position of these institutions, the types of procedures, the patterns of use, even the significance of media technologies such as telephone, broadcasting and Internet are shown. There is a more detailed discussion of the situation in Germany, particularly dealing with petitioning at the German Parliament and the federal government as well as of petitioning and ombudsman institutions at the state (*Länder*), municipal and European levels. The developments in the non-governmental field, in individual economic sectors (telecommunications, banks, insurance companies) and in the media (newspapers, television, Internet) are also discussed. The rather cursory review of petitioning and the work of ombudsmen elsewhere includes countries from different parts of the world and with different political systems such as Estonia, the Czech Republic, Russia, USA, Columbia, Venezuela and India. In the case studies on electronic petition systems (Sect. V), more details are given for Scotland, Great Britain, South Korea, Norway and Queensland (Australia).

Particular notice should be given to some of the facts and insights gained:

> Generally, the role of parliaments in petitioning is poorly researched. The insights gained from the study show, however, that parliaments that are considered strong relative to the executive branche of government tend to have influential petitioning channels. Historically, strengthening parliamentary petitioning often went hand in hand with strengthening of the authority and power of parliament overall. As a matter of principle, competition between the executive and legislative powers leaves its marks in the institutional design of the petitioning systems.
> Parliamentary petitioning channels compete with several others: With the petitioning channels of the executive branch and those in the non-governmental field as well as systems of legal protection and channels of political participation. At the same time, petitioning often fulfils a supplementary function which increases in significance the less developed the legal system and the procedures of political participation are.
> There are indications that the diversity of the institutions offering petition systems are increasingly bewildering for citizens. An indication of this kind of ori-

entation problem are the to some extent relatively high numbers of rejections of submissions because the wrong institution is addressed.

> The theory cannot be confirmed that internationally petitioning has been differentiated according to private and public affairs and that in particular ombudsmen institutions have specialised in the receipt and processing of private petitions. In reality, the situation is much more complicated. It must be assumed that there is no dominant standard model.

> Finally, it is worth noting that the telephone plays a very important role in the establishing contact between petitioner and addressee of the petition if it is permitted as a submission medium.

PETITIONING AND E-DEMOCRACY

Electronic petition systems are one of the systems which are intended to promote democratic processes with the use of the Internet. This area is usually called digital or e-democracy (Sect. IV). If one subdivides digital democracy according to institutions (or actors), then the electronic petition systems at the centre of interest in these investigations (in Scotland, Germany, Queensland, Norway) belong to an area that is designated »e-parliament«. Consideration is however also given to e-petition systems outside the parliamentary field, e.g., in the executive branches of government (Great Britain, South Korea) or in the private sector. If one subdivides digital democracy according to functional areas (information, communication, participation), the participatory character of e-petitions is of particular interest.

An estimate on a global scale of the state to which digital democracy, e-participation and e-parliament have developed leads to the following conclusions:

> The development of government activities with regard to e-democracy seems to be rather sluggish worldwide in comparison to the activities of non-governmental actors.

> According to international comparative studies on e-democracy, among the pioneering countries are the Anglophone world including Canada, the Baltic states and East Asia, particularly South Korea.

> In terms of government activities on use of the Internet, significantly more importance is attached to e-government (i.e. the endeavour to improve internal administrative procedures and citizen-orientated services by using information and communication technologies) than to the area of e-democracy and e-participation.

> Within the area of e-democracy, parliaments are often considered to be latecomers, although exemplary applications with pioneering character can indeed be found, e.g. in the area of consultations. Viewed comparatively, the parliaments of Great Britain and Germany are considered particularly active and innovative in this regard.
> Use of the Internet in the area of e-democracy and e-parliament has progressed relatively far concerning its information functions, while the communicative and particularly the deliberative and participatory elements are rather poorly developed. In any case, offers rich in information do constitute a good prerequisite for substantial civic deliberation and participation.

All in all, e-participation and parliamentary e-democracy are still in the early stages of development, and the e-petition systems embedded in them seem to be almost the spearhead of a development towards greater transparency in political processes and towards greater citizen participation. If one inquires into the reasons for this accentuated position of e-petitions in the context of e-democracy, then the answer is that the introduction of an e-petition system usually does not mean any changes being made to the existing procedural approaches, but simply endowing them with electronic functions. This simplifies the introductory process and reduces obstacles to innovation. Also favourable in petitioning is that citizens set the topics, by using the Internet, while the authority to make decisions remains with the addressees. It would be problematic if citizens were to develop an expectation that they are being accorded a more direct influence on the political decisions than actually is the case within the existing institutional framework.

It thus seems reasonable to distinguish between stronger and weaker forms of e-participation and relate these criteria to e-petitions. In this sense, weak forms of e-participation are those which are not or are only to a small extent linked up with political negotiating and decision-making processes. The forms of e-participation are strong if civil participation flows directly and in an institutionally safeguarded form into political decision-making processes.

Overall the current status of the discussion on e-participation shows that successful, »strong« e-participation must fulfil certain criteria:

> For the relevant target group, a suitable »format« must be found. This does not necessarily mean that it has to be as demanding a format as an online discussion forum with the aim of enabling deliberation.
> Promotion of and access to the offer of participation must be conducted via suitable and target group-specific channels. The Internet is always only one option among several.

> The more strongly the offer of participation suggests that citizens will communicate directly with politics and exert a direct influence on political processes or stirs up expectations of this nature, the more transparent must be the political use made of this civil involvement.
> Strong participation does not only imply a corresponding effort in terms of time and resources on the part of citizens, but requires sufficient personnel and financial facilities on that of politics.

INTERNATIONAL EXPERIENCE WITH E-PETITIONS

E-petition systems outside Germany (Sect. V) are analysed with the objective of improving our understanding of the design options and of experience with their use. Which aims were formulated and how were they achieved? Which problems occurred and what proved to be a success? How were the offers received? How did the political and institutional context influence the design of the e-participation system and its use?

Scotland

The electronic petition system of the Scottish Parliament has undoubtedly taken on a pioneering role internationally in terms of parliamentary e-petition systems. It has thus become a role model for other petition systems, not least for the German Parliament, which in the framework of its pilot scheme even used the Scottish software for submission, co-signing and online discussion.

A significant distinctive feature of the Scottish system is that it was conceived during the course of the founding of the Scottish regional parliament – which was created in 1999 in the context of the devolution processes in Great Britain. Four normative guiding principles – »sharing the power«, »accountability«, »access and participation« and »equal opportunities« – underlay the structuring of the parliamentary system and were also reflected in parliamentary petitioning. Overall, during this reform process, they distanced themselves from the procedures applied in Westminster and orientated themselves more strongly towards parliaments on the European continent. The reform impulse that was set loose by this process, in which it was not necessary to take existing institutions into account at all, made it possible to achieve a level of transparency, openness, accessibility and participation which is rarely encountered, even in continental Europe. This can be shown particularly in petitioning.

The Scottish petition procedures provide the highest degree of transparency and accessibility. They guarantee, for instance, in contrast to the parliament of Great Britain, that a petition will be processed and notification given. All petitions and all documents and procedural steps substantially involved with the petition procedure are public and at the same time in most cases accessible via various channels. This means that viewing of petition committee sittings is not limited to those attending on site since the meetings are also transmitted on the Internet by video. The video recordings and the protocols of the meetings can be retrieved from the Internet, which is also true of all the enquiries from the petitions committee that are fundamentally connected with a petition and of the answers and reactions received from ministries, authorities and associations. Of course, it is also possible to look at the text of the petition itself and at any supplementary supporting materials via the Internet. Moreover, petitioners are often invited to a committee meeting in order to plead their cause directly with the parliamentarians.

The comprehensive system of information and documentation that accompanies the entire process of a petition is integrated in the Internet pages of the Scottish Parliament. In addition to this, there is another component relating to the submission phase of a petition which is called the »ITC E-Petitioner«, and which was also used by the German Parliament in the context of their pilot scheme. Using this, petitions can be submitted in electronic form, supporting signatures can be gathered, and petitions can be discussed in an online forum. But petitioners and citizens are not bound to the Internet. Even if a petition is not submitted via the Internet, the ITC E-Petitioner can be used to collect signatures or to put it forward for discussion. Signatures for a petition can be collected both on the Internet as well as in a traditional manner. The different media are not mutually exclusive but complementary.

Even if the collection of signatures and online discussions are given particular emphasis in many discussions about electronic petition systems, the procedural significance of these points should not be overestimated. The collection of signatures merely documents a particular degree of public interest in a concern. There is no quorum necessary for submitting a petition or which would privilege a petition in a particular way. Although the online discussion should flow into the parliamentary decision-making process, and although the members of parliament even regularly receive an approximately two-page summary on every discussion forum related to a petition, the direct involvement of politicians in the discussion forums remains at a low level, as does feeding the results of the discussion into the process of considering the petition.

The number of petitions submitted to the petitions committee per parliamentary year is – compared with the volume of petitions in the German Parliament – rather modest and there is a declining trend. In the first parliamentary year (1999/2000) there were fewer than 200, but in each of the last two parliamentary years there were less than 100 petitions.

Assessment of the volume of petitions at the Scottish Parliament must also take into account the fact that petitions can only include objects for which the parliament has responsibility. This could be, for instance, the health, education, environmental or traffic sector. Petitions are also only accepted if they formulate a public interest even if it is presumably sometimes difficult to draw this line. It must furthermore be taken into consideration that there has been a Scottish ombudsman for the public service since 2002, whose main focus is on local planning, residential concerns and health provision. In the reporting year 2007/2008, he received 2418 complaints and 1779 enquiries. Ultimately, it must be remembered that the Scots can of course also turn to British institutions with petitions.

The proportion of electronically submitted petitions reached almost two-thirds in the last parliamentary year 2007/2008. However, no general increase in the volume of petitions through the Internet was observed.

Great Britain

In the British parliament, a petition cannot be addressed directly to parliament but must first be taken up by a Member of Parliament, who has the sole right to present a petition to parliament (MP filter or sponsorship model). The current situation in the eventful history of petitioning at the British parliament is that there is no parliamentary petitions committee and there are no procedural guarantees regarding the processing of a petition. The petition can be examined, processed, debated, decided and answered – or not. Thus it is not surprising that the number of petitions submitted to parliament in recent times was very low, between 100 and 150 petitions per year. However, it must be considered here that at the level of the nation state there are also ombudsmen who must report to parliament, that in Scotland and Wales parliamentary petitions committees do exist and that petitions can be submitted at the local level.

In the British parliament there are currently efforts to remedy this rather unfortunate situation with regard to the reputation, use and procedural guarantees of petitioning. In the course of these reform plans, the introduction of an electronic petition system was also considered. Parliament is reacting here not least of all to the introduction of an electronic petition system by the British Prime Minister

in November 2006, which attracted much publicity. To date more than 30,000 petitions have been submitted and more than 8 million signatures collected by using this system. Petitions which contain 200 supporting signatures and comply with the approval criteria are answered by the responsible governmental offices. All signatories are informed of this by e-mail. A public discussion among citizens and between citizens and politicians is, however, not planned in the context of the Prime Minister's electronic petition system.

Criticism of this system has focused for instance on the fact that the absence of any exchange of arguments regarding a concern means that populist tendencies are fostered and the deliberative procedure bound up with democratic processes is not taken into account. Furthermore, it has been criticised that by placing the electronic petition system with the Prime Minister – which means bypassing and thus weakening parliament – the power of the executive branch of government in Great Britain is further strengthened.

Seen overall, the discussions about petitioning at different political levels reflect the base lines of a comprehensive debate about the modernisation and rebalancing of the political system in Great Britain.

South Korea

For many years, South Korea has been considered one of the leading countries in the spread and use of the Internet, including mobile and broadband applications. Ambitious modernising strategies that involve information and communication technologies are also being pursued in the area of public administration and political communication and participation. These modernising strategies can also be interpreted as a reaction to the political use of the Internet by citizens and civil society organisations that is very diverse and often critical of the government. The governmental activities involving ombudsmen services and petitioning must be interpreted against this background.

In South Korea, the right to petition is rooted in the constitution and government offices are obliged to examine petitions. However, according to the constitution, the parliament is not given any special role in petitioning. Although the law governing the rights and authority of parliament gives parliamentary committees the task of concerning themselves with petitions which fall within their field of authority, but this right is hardly ever exercised. Furthermore, there is a whole network of facilities which are particularly concerned with citizens' petitions and which receive thousands of complaints and requests each year. These are either – with a certain degree of independence – assigned to the executive branch

or all three branches of government. These include, for instance, the Board of Audit and Inspection (BAI), a consumer protection board, the office of the ombudsman, a human rights commission and an anti-corruption commission.

Since 2007, the ombudsman has been responsible for a central telephone service (»Government Call Centre«) to accept complaints and requests for help. This was set up to guarantee access to sectors of the population which do not use the Internet. In addition, the ombudsman is home to a central e-participation portal. Via this portal, users can communicate complaints and suggestions, as well as take part in discussions on political topics in online forums. One of the central goals of this e-participation portal is to develop one single central point of contact for citizens' complaints, citizens' suggestions, and citizens' dialogue relating to all government departments, on all levels of government and in all fields of politics. A petitioning function is integrated into this portal.

In official government documents, the advantages of this platform are given as follows:

> Greater satisfaction for petitioners;
> Significant reduction in processing times;
> Stimulation of civic participation overall.

There are evidently problems with parts of the public administration, which are only prepared to a limited extent to take petitions from citizens seriously and to view citizen participation as an opportunity.

Queensland (Australia)

The parliament of Queensland introduced an e-petition system in 2002, apparently the second parliament in the world to do so, after Scotland. This strengthening of the parliamentary petition system was part of a comprehensive initiative to further e-democracy, the goal of which was to increase political participation and civic involvement and improve the public's view of politics and public institutions. The components of the program initiated by the ruling government were, in addition to the modernization of the petition system, the introduction of Internet-based consultations and the video transmission of sessions of parliament in the Internet.

This policy has to be seen in the context of the Internet euphoria that was generally present at the beginning of this millennium and of the perception of a crisis specific to the political system of Queensland. Queensland has traditionally

been dominated by a single party and by the election of prime ministers with authoritarian tendencies. The rapid rise of new antiestablishment parties at the beginning of the millennium led to substantial upheavals in the party system.

The parliamentary petition system can be considered rather weak. Civic concerns have to be brought before parliament by one of the representatives, similar to the procedures at Westminster in Great Britain. There is no guarantee that the issue will be examined or that there will be a formal response.

The electronic petition system did not change any of the steps in the established procedures, but was intentionally modelled after them. The submission does not take place via the e-petition system; the petitioner first has to locate a representative who will take his petition and formally submit it to Parliament. It is only after this that the petition can be submitted electronically. The primary function of the electronic petition system is the publication of the text of the petition and the collection of signatures in its support. There is no discussion forum, such as exists in Scotland, Germany, or the Norwegian municipalities. There have been considerations, however, to institute such a discussion forum, possibly even during the phase in which a petition is being created. Electronic petitions are handled the same as the traditional ones after the conclusion of the phase in which signatures are added. As a rule, neither parliament nor one of its committees deals with the substance of the petition. The only act of any significance by parliament is the transfer of the petition to the appropriate minister, who can but is not required to respond. If the minister does respond, it is sent to the petitioner and, in the case of electronic petitions, published in the Internet. Those who have added their signatures online are also sent the minister's response, if they wish to receive it. There are reports that the number of answers provided by ministers has increased since the introduction of the e-petition system and the publication of petitions and responses, an effect of the petition system that certainly should be viewed positively.

The introduction of the e-petition system has so far not had any noticeable impulse toward increasing the overall number of petitions submitted. When evaluating the number of parliamentary petitions, it is important to remember that Queenslanders also have the option to turn to an ombudsman. A large portion of the individual complaints about bureaucratic actions are submitted to this ombudsman.

It is conspicuous that there were more petitions submitted to parliament on paper than electronically throughout the period from 2002 to 2007, and that the number of signatures collected via the e-petition system was always lower than

that collected in traditional fashion. It must also be noted, however, that the use of the e-petition system over the years has increased for publishing petitions and for collecting signatures.

Norway

The situation in Norway exhibits several special features. The level of state activity that has been studied is the municipal one. A formal right to petition a municipality was not introduced until 2003 and took place in the context of a perceived political crisis that focussed on the long-term decline in the number of those voting in municipal elections. A right to petition a municipality was introduced in the hope of countering this development.

For a petition to be a valid submission in Norway, it has to meet a quorum. In municipalities and cities, the number is 300, while in rural counties it is 500, which in international comparison amounts to an unusual obstacle to petitions. The Norwegian municipal petition therefore appears to be something halfway between a petition and a citizen's request, by means of which according to German law citizens of a municipality – by reaching a quorum – can compel the city council to put a topic on its agenda.

The impulse to carry out municipal reform led to the development of an electronic system for submitting petitions in 2005, whose functionality was based on the Scottish example. This has now been introduced in 14 municipalities, whose populations range from a few thousand to several ten thousand inhabitants. The goals tied to the introduction of the electronic petition system were, namely, to increase the awareness of the right to petition a municipality, to increase the use of the right to petition a municipality, to make the petition system more easily accessible, to increase the transparency of the procedure, to increase the amount of information made available, and to mobilize younger age groups.

The procedure used here for the submission and processing of e-petitions does not exhibit any remarkable features – with the exception of the quorum – compared to the previously described examples. After the petition has been submitted and examined, it is published on the Internet, where signatures can be collected and the online forum can be used for discussion. When this phase has been completed and the quorum has been reached, the municipal staff prepares a position paper to the petition and submits it together with the petition to the city council. The primary petitioner is supposed to be informed regarding all procedural steps.

Experience to date has, however, been very sobering. During the two-year introductory period from 2005 to 2007, only 17 e-petitions and one paper petition were submitted in the participating 14 pilot municipalities. Of the 11 petitions that completed the submission phase during the period under consideration, only two reached the necessary quorum. In one these two cases, additional signatures were collected on paper. The use of the discussion forums was very limited. None of the petitions received more than twelve commentaries. From the point of view of politicians, the municipal petitions and especially e-petitions did nonetheless have a certain effect. The (potentially) public nature of the e-petitions has led political institutions to be more responsive to them. At the same time, the petitioners and municipal politicians interviewed in a study acknowledged that the petition procedure is not the most effective means for a citizen to exert political influence. They considered face-to-face contacts with municipal representatives to generally be more effective.

In evaluating the activities in connection with petitions in the Norwegian municipalities that we studied, it is important to take into consideration that the relatively new right to petition a municipality is presumably not deeply rooted in the population's political consciousness. This right may appear, furthermore, less appropriate than direct and personal communication, especially given the specific conditions in small communities and the rather formal nature of written communication via the Internet.

THE PILOT SCHEME »PUBLIC PETITIONS« OF THE GERMAN PARLIAMENT

In September, 2005, the German Parliament started a two-year pilot scheme »Public Petitions«, which was evaluated by the Office for Technology Assessment at the German Parliament (TAB) in collaboration with Zebralog at the end of 2006 and the beginning of 2007 (Chap. VI). The results were presented to the German Parliament in the spring of 2007, and Parliament voted in June, 2007, to incorporate the pilot scheme as part of its regular activities and to award a contract for the development of a dedicated software system. The software has been in use since October, 2008.

What distinguishes the German Parliament's system of »public (electronic) petitions«? Petitions can be submitted electronically as an attachment to an e-mail. After examination by the Committee, they are published in the Internet, where others can then add their signatures in support or discuss them in an Internet forum. They are subsequently processed, examined and decided on

just as any other petition. The decision and its justification are, in turn, published in the Internet.

The emphasis on the public character of a petition is an indication that petitions did not used to be published by the German Parliament, just as the decisions and their justifications were not. In principle, this position has not changed. Fewer than 2% of all petitions can be accessed via the Internet. Since the beginning of the pilot scheme, more than one million people have taken advantage of the opportunity to support a petition, and several thousand citizens have taken part in discussions at one of the online forums.

The interviews with Members of Parliament, their staff, the administrative staff of the Bundestag and those submitting petitions that were conducted in conjunction with the project provided a positive overall judgement of the pilot scheme. A number of problems and inadequacies in the system were noted, however. The user friendliness and performance of the software used in the pilot scheme exhibited serious weak points. It was also an isolated application that was not integrated in the Parliament's IT environment, which led to redundancy and inefficiency.

The existing data from 2006 and 2007 do not provide any indication that the opportunity to submit a petition via the Internet (including publishing it there, gathering signatures, and opening it to discussion) has led to an increase in the total number of petitions. With regard to the goal of using the Internet to reach segments of the population whose involvement in petitions has been significantly less than average, the outcome has been mixed. Both the new petitioners via the Internet and the traditional petitioners differ from the mean of the population in that men and better educated groups are present significantly more often. The pilot scheme did succeed in reaching younger groups of the population, but not in reaching more women or groups with less formal education.

The pilot scheme has made the first steps toward making the petition process more transparent. The amount of information that has been made available until now has, however, been minimal. In particular, the proportion of petitions that have been made public is very low, amounting to less than 2%.

There were high expectations for the discussion forums, while at the same time there were concerns regarding their possible abuse. There has been surprisingly high participation for individual petitions in the discussion forums, and in the large majority of cases the quality of the discussion has been high. Nonetheless, the moderators had to delete some contributions and even to close a forum in

a few exceptional cases. The prime problem of the forum is the interface to the petition process itself. There has not been a systematic and regular evaluation of the discussions, and they have not been taken into consideration in the petition process. A dialogue between citizens and politicians has also not come about, something that the majority of citizens who have taken part expected, as we know from interviews, but that politicians rejected because of a lack of time.

OPTIONS FOR CHANGE AND FUTURE RESEARCH

The Office for Technology Assessment at the German Parliament (TAB) made a number of suggestions, primarily of a technical nature for improving the software, to further develop the electronic petition system of the German Parliament (Chap. VII). Some of them have already been adopted as part of the new development of the German Parliament's electronic petition system. A persisting source of misunderstanding has been the previous division between the procedures for electronic submission of petitions. On the one hand, the procedure was via a web form – from which petitions were then processed in the traditional procedure – and on the other via an attachment to an e-mail – from which the petition was published in the Internet with the options for readers to add their signature or to take part in the discussion. One of the suggestions was for this distinction to be abolished and to offer the petitioners the opportunity to choose to have their own petition processed as a »public petition«, regardless of which electronic procedure she or he used to submit the petition. This suggestion was also adopted in the new system, active since the autumn of 2008. Otherwise, it should be generally determined whether the existing procedures should not be modified so that transition between them would be easier and that the opportunities for the petitioner to influence the procedure would be extended. This might make it possible, as is the case in some countries, for petitions submitted in writing to be published in the Internet or for signatures supporting a petition to be gathered both on paper and on the Internet. For example, the petitioner could choose when he or she wanted the petition to be published and the period of time for gathering signatures and conducting the online-discussion.

With regard to the discussion forum, the Office for Technology Assessment at the German Parliament (TAB) comes to the conclusion, that it is necessary, independent of technical achievements, for the goals and purposes of the discussion to be made more precise and for the results of this clarification to be communicated to petitioners and to the public. The present situation – in which at least the public could have the impression that one purpose of the forums was to further the discussion between politicians and the public and that the results

would be systematically taken into consideration during the petition procedure – should not be continued; a clarification in the on or other form is necessary. An option regarding the use of a discussion forum for an individual petition that deserves consideration could be electronic »hearings«, which would be comparable to the public hearings of the committee. The members of Parliament could select a topic that is particularly relevant to them, asking specific questions and raising specific arguments to it.

The use of modern software techniques for searching, sorting, evaluating, and classifying content could furthermore drastically improve the access to the discussion forums compared to the situation in the pilot scheme, including for Parliament itself. Automated profile services would make it possible for members of Parliament and their staff to profit more from citizens' comments and arguments. These could include individually configurable, automated search and reporting profiles for petitions that, for example, would note those from a certain constituency or that concern a specific topic.

The suggestion of the Office for Technology Assessment at the German Parliament (TAB) that a guidance and service centre for petitions, complaints and suggestions be created at the German Parliament responds to the issue of providing orientation to citizens with regard to the numerous avenues of submission. Such a guidance and service centre could further enhance the profile of the Bundestag as being the primary instance for petitions. Citizens should be informed in an optimal manner about the profiles of the different avenues of submission and given advice in selecting the appropriate addressee. Using a database, an Internet platform could automatically respond to the majority of requests.

To the areas where additional research is necessary is especially the fact that petitions and e-petitions have not received much interest from political scientists. Surprisingly, there have not been any representative surveys about the public awareness of petitions in Germany or to their acceptance, use or success. Given the impression of the quantitative and qualitative variety of citizens' submissions, the need and possibility for systematic and continuous scientific reporting on the petitions, as well as the chances for its realization, should be examined.

It appears overall desirable for politics and research to pay more attention to petitions and their dynamic growth. E-Petitions could serve as an important contribution to the participatory modernization of democracy if we succeed in aligning the chances of reform in the institutional sphere with the technical opportunities that are constantly expanding.