Designing Virtual Citizens

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There is a widespread assumption that public participation in social and political affairs is declining, at least in the Western world. This decline is declared to be evident in two main areas. The first is the arena of democratic politics. The second covers the myriad unofficial associations which go to make up civic networks, sometimes defined as 'civil society' and often stated to be the locus of so-called 'social capital' – a society's resources of capacity for solidarity, joint action and mutual support.

Two factors – either or both – are usually blamed for this decline. One is the general (but not universal) increase in personal wealth and resources. The other is the growing 'privatisation' of personal life – not least through new techniques of communication – which is supposed to be rendering traditional face-to-face association superfluous.

There are laments for the alleged passing-away of the 'active citizen'. He or she is defined as somebody prepared as a matter of course to engage with others in public or social activity, intended to defend a community, to fight against perceived injustice or to bring about reform and change. This engagement can happen at any level from that of a housing scheme to the global environment.

The evidence for this decline is not straightforward. There are many cases where civic networks are growing, as in some forms of volunteering or single-issue campaigning, and where new frameworks for physical association are being created. But there can be no doubt that in one area – public readiness to take part in the processes of representative democracy – commitment is dropping away, especially in western Europe and north America.

Stephen Coleman has written of a threatening 'crisis of democratic legitimacy and accountability', suggesting that

> there is a pervasive contemporary estrangement between representatives and those they represent, manifested in almost every western country by falling voter turn-out; lower levels of public participation in civic life; public cynicism towards political institutions and parties; and a collapse in once-strong political loyalties and attachments. (Coleman and Gøtze 2001: 3)

The figures bear him out. Turn-out in US Presidential elections fell from 62.8 per cent in 1960 to 51 per cent in 2000. Only 59 per cent of the voters took part in the UK General Election of 2001; for the first time, the 'abstainers' front' became the largest single party in the land. In Scotland, 58 per cent of the electorate voted in the first elections to the Scottish Parliament in May 1999, and the figure in the May 2003 election was 49.4 per cent. Participation in local and council elections in the UK, never high, is dwindling almost into insignificance. In England, figures in October 2002 for turn-out in the direct election of town mayors – an innovation designed to revive public interest and awareness – fell as low as 18 per cent, in one case.

In the last few decades, the network of computer-driven electronic communication has spread across the world with explosive speed. Mobile phone technology is rapidly

converging with that of other electronic and computerised media, and will probably be fully integrated within a decade.

Two examples may illustrate the pace of this development. By the spring of 1999, nearly one-third of the adult population of the United States had used the Internet, a proportion increasing at the rate of ten million users every six months. It was reckoned then that the Internet would take only seven years to increase its penetration of the potential market from 1 per cent to 75 per cent. A report by the US Department of Commerce in October 2000 estimated that over 50 per cent of households contained at least one computer, and that over 50 per cent would be accessing the Internet by the summer of 2001.

The picture in Scotland shows very different dimensions but a similar dynamic. A report by the Scottish Consumer Council (SCC) published in January 2002 (*Reaching Out*) suggested that 24 per cent of homes had access to the Internet (the UK average was 37 per cent). The Scottish Executive countered that the SCC figures were obsolete, and that by February 2002 the Scottish on-line percentage was already 30 per cent.

More significantly, the Scottish Executive – in harmony with UK government policy – announced in 2001 that it intended to achieve 'universal access' to the Internet by 2005. Critics pointed out that it was not clear what 'universal access' really meant. The SCC report stated: 'We believe that universal access must mean access in the home', a target highly unlikely to be met in only four years. But an Executive strategy document published in 2001 (*Digital Inclusion: Connecting Scotland's People*) claimed that the figures for on-line households in Scotland were increasing at the rate of 10 per cent a year – a rate comparable to that in the United States.

The arrival of these information and communication technologies (ICTs) provoked apocalyptic claims about

their impact and the 'revolution' they were expected to inflict on daily life. But it is worth remembering that we have been here before. Barry Wellman has pointed out that 'large-scale changes associated with the Industrial Revolution' were accompanied by prophecies that they would transform the nature of community. Ever since, and probably long before, 'analysts have kept asking if, in fact, things have fallen apart' (Wellman 1988: 82–3). The telephone, the first device to make possible distant voice-contact in real time, was similarly over-sold and misunderstood.

Alexander Graham Bell himself apparently expected that it would be used as a sort of proto-radio address system, for broadcasting music or speech. Others assumed that the telephone would be primarily reserved for long-range commerce or diplomacy, and that its misuse for private chat should be discouraged. Few people realised that the instrument's function would be overwhelmingly local and personal, as a device to multiply existing human conversation in daily life. As Robert D. Putnam remarked in his celebrated book *Bowling Alone*, the telephone 'somewhat paradoxically ... seems to have had the effect of reinforcing, not transforming or replacing, existing personal networks' (Putnam 2000: 168).

Much the same is proving true about email and the Internet. Spectacular as their possibilities are, their main function so far has been to 'reinforce existing personal networks' of private contact, non-urgent chat and entertainment. In the same way, it might be reasoned that a modern personal computer (PC) is genuinely new only in its chips and circuit boards; functionally, it simply represents the concentration of typewriter, telephone, card index, personal music centre and library into a single tool. But this sort of reductive argument misses the point at which quantitative change becomes qualitative. The reinforcement of existing practices by the new media is so immense and

so widespread that all the processes of change already operating in those practices will be thrown into top gear. Reinforcement on this scale inevitably slips over into transformation.

Fifty years ago, as television spread across Europe, there were predictions that habits which involved leaving the home and associating physically with others – for example, political activity, sport, cinema-going, pub drinking – would be destroyed. Some of those habits did lose participants, but none was fatally damaged and all four examples devised ways of exploiting TV for their own benefit and even for recruitment. The spread of the PC and the potential of the Internet at once generated similar speculations. Was there – is there – a connection between the loosening of social and political commitment and the rise of this technology? If so, is that connection causal, and if it is causal, are its results direct or indirect?

Three Views of the Impact of the New Media

The Pessimistic Approach

There is a widespread assumption, more prevalent in the general public than among academics, that on balance the new media function as agents of social disintegration. This view concentrates on the effects of Internet access in the home.

It is argued that home Internet users are encouraged to abandon the public sphere and withdraw into a 'nerdish' isolation. Central to this view is the thought that individuals can now 'customise' their intake of experience and information from the outside. Traditional life in a community exposes its members to a constant browsing diet of the unexpected and often of the unwelcome, as well as to preferred contacts and experiences. But it is precisely this uncontrollable mix, demanding continuous readjustments

of outlook and behaviour, which maintains individuals as social beings involved in the lives and needs of other people, encountered singly or as groups.

Professor Cass Sunstein has written that 'unanticipated encounters, involving topics and points of view that people have not sought out and perhaps find irritating, are central to democracy and even to freedom itself' (Sunstein 2001: 3). The capacity offered by the PC and the Internet to filter out unfamiliar or disturbing information and drastically to narrow the range of contact is therefore held to dilute the content of citizenship or 'social capital'.

Pessimists often assert that human social activity requires actual physical presence in order to function and develop. The phrase 'virtual community' is therefore a contradiction in terms, above all when applied to political activity. Less sweeping criticisms suggest that deliberation between remote ICT users may be impoverished because it lacks some essential dynamics of face-to-face discussion. For example, the recent study *What Sort of Scotland Do We Want to Live In?*, produced by the International Teledemocracy Centre at Napier University, strongly favoured the extension of 'e-consultation' in the political process but admitted that 'there is some evidence that reduced social cues (e.g. lack of facial expressions) hinder respect for other contributors, which in turn impedes useful discussion' (Smith and Macintosh 2001: 5). This point can be expanded. In a group where members are physically present, much of the pressure to move towards agreement or consensus is exerted through adaptation to the views of other group members. This adaptation is substantially prompted by complex emotional cues conveyed by a variety of physical means: by voice, by general appearance and its associations with authority or marginality, by the smile which promises approval or the scowl which registers disapproval or impatience. Time constraint ('We have to

be out of this room in ten minutes; we really must agree on our recommendations!') is at once a weakness and a strength of traditional 'committee work'. Lacking these cues and disciplines, 'e-consultation' can be loose and inconclusive.

The Optimistic Approach (Political)

There are common factors between all politically optimistic views of the new media. Most observers would agree that political apathy in Western democracies is alarming in itself. But many would go on to argue that the crisis is not so much public apathy as institutional fossilisation. According to this view, the spread of the PC/Internet culture has accelerated the transformation of the members of contemporary societies into more mature and self-sufficient individuals. Such individuals have outgrown the apparatus of traditional representative democracy and the party system, which they find increasingly unconvincing – and inconvenient. In other words, politicians who complain of a 'disease' in the public's commitment to politics are echoing Brecht's ironic advice to the East German leaders – that they should dismiss the people and elect another one. It is for the institutions to find where the people have gone, and to catch up with them.

What sort of democratic structure is suitable for an on-line citizenry? Ideas range from the utopian to the gradualist or pragmatic. At the extreme, it is possible to argue that ICTs and 'universal access' allow the whole pyramid of representative structures and intermediate bodies to be scrapped. As Renan said about nationhood, democracy would become a 'daily plebiscite' – even an hourly one. Politics would be composed of constant direct choices and instant referenda, as the public – at its PCs or gathered in 'electronic village halls' – issued a ceaseless stream of instructions and amendments to lawmakers.

Representatives, losing most of their decision-making power, would act as little more than executants of the popular will as delivered to them on-line.

The central difficulty about 'direct democracy' is that nobody seems to want it. More accurately, most people do not want to fill the horizon of their lives with twenty-four-hour political choice. As Stephen Coleman and John Gøtze memorably wrote in *Bowling Together*, their critical commentary on Robert Putnam's work: 'it is undoubtedly true that most people are not interested in most policy issues. But it is equally true that all are interested in some …' (Coleman and Gøtze 2001: 15).

In its extreme form, on-line direct democracy relies on something like total participation. Without it, the continuous decisions 'by majority' will only represent the opinions of the few with enough time and commitment to take those decisions: the 'nerdocracy'. There are of course various theoretical ways round this problem. The most convincing is radical anarchism: the break-up of the nation-state into small self-managing units in which continuous and direct participation would become practical. The more localised direct democracy becomes, the less vulnerable it is to manipulation.

But there are much less radical suggestions for updating democracy into the computer age. The Scottish Parliament is clearly in the 'moderate optimism' category. Its vision for the future is not direct democracy, but the use of a panoply of ICT techniques to render existing representative democracy more popular, more comprehensible and far more accessible to citizen participation.

There is an invisible frontier here, beyond which reform becomes revolution and on-line lawmaking by referendum or citizen choice begins to subvert decision by elected representatives. The Scottish Parliament does not want to cross that frontier. None the less, it is extending on-line participation in directions which would ultimately

allow people to take a real-time part in – for instance – the drafting and debate of bills.

Such moderate programmes of 'interactive law-making' do not entirely escape the problems of direct democracy. The probability is that only a small minority will take part in such debates – those who are involved in the particular issue, those with access to and mastery of the right digital equipment, those with loud voices and large egos. Inevitably, the views of participants will lack traditional 'democratic accountability'. In the worst case, the 'citizen voice' could become a shared monopoly between highly professional lobby groups and the little corps of individuals with an opinion on everything who dominate the letter-columns in Scottish newspapers. Against that, the hope is that the participating minority will at least revolve, changing composition issue by issue. 'All [people] are interested in some [policy issues], particularly when they affect them or when they have specific expertise or experience' (Coleman and Gøtze 2001: 15). The techniques of 'e-consultation' or 'e-democracy' ought to create an ever-widening reserve of individual citizens or local groups confident that they can participate. At the same, ICTs help to tip the scales in favour of the distant individual and against the practised eloquence of centrally-based pressure groups.

The Optimistic Approach (Social)

Robert Putnam's *Bowling Alone* is often loosely cited as a book about how computers and the Internet have undermined 'social capital' and active citizenship. In fact he makes the opposite point. If there is an electronic device he blames for killing civic engagement, it is television. But, although he is sceptical about 'virtual democracy', Putnam finds no evidence to connect Internet users with a deficit of civic activity. Studies show that they are no more or less 'active' than non-users. Putnam observes:

> The absence of any correlation between Internet usage and civic engagement could mean that the Internet attracts reclusive nerds and energises them, but it could also mean that the Net disproportionately attracts civic dynamos and sedates them ... (Putnam 2000: 171)

It has been often noticed that the most effective 'virtual' networks tend to exist where there is already a high degree of face-to-face community. The first is complementary to the second. But could the reverse also be true? Can cyber-community actually create or revive face-to-face community? This is a decisive question for the whole optimist/pessimist controversy. Might not the establishment of a vigorous website or email community – especially a locality-based network – help to bring people together into face-to-face communities? Will those who grow to trust other members of a group in cyberspace become more inclined to commit themselves to off-line structures of reciprocity, mutual support and obligation?

There are grounds to think that this can happen. Most of the evidence is anecdotal and scanty. Nevertheless, this assumption is the foundation on which many hopeful strategies are built. In this country, the Church of Scotland is one organisation which encourages its congregations to develop lively websites, partly in the hope that 'virtual' church activity will eventually become physical attendance and membership. How far this encouragement has been fruitful is another matter. A study carried out in 2002 by Dr Heidi Campbell of the Centre for Theology and Public Issues suggested that the use of on-line communication by Church of Scotland congregations, though sometimes vigorous, was rather inward-looking. She commented that

> many of the websites did not appear to encourage inter-activity or involvement ... Few had links to community-, cultural-, or politics-related sites. Overall most sites

appeared to be hi-tech international bulletins or on-line store fronts highlighting what was happening inside their congregations but not encouraging others to look in other directions or beyond their congregation's programmes. (See Appendix 2)

The Scottish Parliament is a second example. Using 'e-technologies' to persuade people to follow and participate in its proceedings, the Parliament hopes to accumulate a sort of democratic humus in which traditional political involvement can revive.

Two final points about technology apply to pessimist and optimist alike. The first is that 'technology is never neutral in any process, least of all the democratic process' (Coleman and Gøtze 2001: 6). The toys of e-democracy need to be closely inspected to recognise the immanent ends built into their means, and not everyone would agree with the words of the Napier electronic consultation study that 'the web, in itself, is a passive medium' (Smith and Macintosh 2001: 80).

The second, related point is that the technology's false air of impartiality deceives its customers into imagining that they are choosing solutions to problems. But – as Professor Klaus Lenk of the University of Oldenburg has pointed out – in reality it is often the problems which are selected by the solutions. A new technical solution is about to enter the market; a problem must therefore be found and re-designed in order to fit it. Lenk's warning, against the whole tide of the market, is that political and social needs must be defined first. Only then should a system be designed to meet those needs (Lenk 2002).

Experiments with 'Governance'

In the broad field of 'governance', three main branches can be defined.

E-Government

This is the use of the Internet principally as a public notice-board. It means basically one-way communication from authority to subjects, conveying information on a multitude of topics. In themselves, e-government methods are no guarantee of democratic government.

The nature of the Net, however, means that it cannot easily be used as a mere Tannoy system. Public information can of course be sent out by the authorities through email. Most of it, however, has to be sought out by those who wish to look for it on an official website.

The one-way nature of e-government is also qualified by the spread of 'consultation' in many forms. The simplest and most common form is providing answers to questions about government. The questions are lodged on a particular section of the official website and may be answered personally. More complex, but sometimes more manipulative in its effect, is the use of 'consultation' with the public by questionnaires and polling conducted through the website. At its best, this is fulfilling a promise to take the opinions of voters seriously. At its worst, it is opinion testing disguised as public participation.

E-Community

This is the provision by a public authority of a network of Internet access points in public places, through which community members are encouraged to follow their own interests and form lasting links with others. Beyond this 'civil society' or 'social capital' function, e-communities usually have a political dimension, encouraging local inhabitants to explore on-line access to authority and express their opinions on what should or should not be done.

A well-known example of e-community in the United Kingdom is the Sunderland 'Pathfinding Through Partnership' scheme. Beginning in 1994 as an electronic notice-

board concerned with economic development and local information, it has proliferated strikingly. Among its functions and aims are:

> training citizens to use the equipment and to master the process for expressing opinions on council services, or for contacting councillors or MPs
>
> sponsoring opinion polls on sample clusters of issues (housing strategy, the Sunderland development plan, etc.)
>
> running a 'Community Consultation Framework'
>
> offering e-government services which permit people to access and operate council services on-line (including financial business with the council),
>
> providing at least one PC-equipped 'Community Access Point' in every ward, bringing 100,000 Sunderland people into the 'local democratic process' by 2005, allowing them to follow policy debates and see pre-decision information,
>
> Electronic Village Halls (EVH). The Sunderland definition for an EVH is 'a community facility in which local people can have free access to ICT kit and get help to use it'. In other words, it has two immediate aims: to train and empower the public as New Media users, and to encourage the growth of private on-line common-interest groups (slimming clubs, chess groups, recipe exchanges, short training courses etc.). In practice, 'Community Access Points' will probably be found within Electronic Village Halls. EVHs in Sunderland are basically physical sites: the plan is to have one in all twenty-four wards. But there is access to the EVHs and their groups in pubs, youth clubs and private homes.[1]

E-Democracy

This family of projects shares the aim of using the new media to enhance democracy. By this, its proponents generally mean (a) opening the whole structure of government to much closer scrutiny, and (b) enabling the public to take some active part in shaping policies – something more than the right to be consulted after legislation has taken shape.

The most radical form of e-democracy would be direct democracy (see above) by continuous referendum. Short of that extreme, it is possible to imagine citizens within a framework of representative democracy with a right to initiate legislation or a referendum – as in some countries they do.

No forms of e-democracy, whether already practised or merely projected, are new to the dictionary of political ideas. All have ancestries, in utopian literature, in traditional rights or in the self-management experiments of small communities. But all, without exception, become easier and faster to instal and run with the use of ICTs.

Forms of e-democracy intended to make governance more transparent include websites, webcasting and the use of ICTs to exploit Freedom of Information legislation.

Forms intended to allow wider and more immediate expression of opinion – without conceding control – include all the numerous forms of consultation: 'non-binding' referenda, polling, citizens' juries, focus groups, on-line 'national debates' about particular issues and sites where citizens can make suggestions and exchange views on current policy projects.

Forms which go beyond rights of consultation and offer the public a positive share in decision-making are rarer. One form, obvious enough, is the introduction of distant voting, whether by email or from a mobile phone. Another is the public petition, which lies across the borderline between the mere expression of opinion and the exercise of the wish or right to participate in policy-making. In some parliaments (Westminster, for example), governments have no duty even to read petitions. In others (Scotland and Germany, for example), the public petition has specified rights to be studied, assessed and answered – and may, if the appropriate parliamentary committee agrees, become the embryo of new legislation.

In this category, the most exciting and contentious area is conceding to the public a formal right to participate directly in policy deliberation – for example, the right to take part in the drafting and amending of legislation at the parliamentary committee stage.

Two points should be stressed here. One is that ICTs are peculiarly suited to handle this complex process of 'interactive government'. The second, a local difficulty, is the obstacle presented by the archaic British constitutional doctrine of parliamentary sovereignty (or parliamentary absolutism). The United Kingdom structure has no place for the generally recognised doctrine of popular sovereignty, and in theory cannot share policy-making rights with any extra-parliamentary body. If a referendum is promoted as 'binding', for example, then this is only because the Westminster Parliament in the particular instance has agreed to respect its outcome.

The Scottish Parliament

The Scottish Parliament, suspended or abolished at the 1707 Union, was revived in 1999 as a devolved legislature within the United Kingdom.

This followed twenty-five years of agitation, debate and unsuccessful attempts at legislation. But all through those years there was a consensus among the supporters of devolution that a new Scottish Assembly or Parliament must not be a colonial repetition of the Westminster model. It should be modern, open and democratic, diverging sharply from many of the obsolete institutions and practices of Westminster.

Among the main divergences were the introduction of proportional representation for elections, fixed-term parliaments and a system of powerful parliamentary committees which took over the main business of drafting legislation from plenary sessions. 'Normal' working hours

were introduced, and – mostly through new candidate selection procedures in the Scottish Labour Party – 37 per cent of the 129 MSPs elected in May 1999 were women (only the Swedish and Danish parliaments have more).

To the Parliament's planners, openness and accessibility were values with supreme priority. Scotland has no written Constitution, but certain texts are treated as unofficial 'constitutional documents'. One is the 1997 Scotland Act. Another text which has acquired formidable constitutional authority in the last few years is the 'Four Principles' of the Consultative Steering Group on the Scottish Parliament (CSG).

Drab as their title was, the CSG were to become the main source of innovation. Set up after Labour's 1997 decision to legislate for a Scottish Parliament, the CSG's task was to plan the Parliament's institutions. Many CSG members had already been involved in the unofficial or semi-official bodies and campaigns which had prepared plans for devolution, such as the Scottish Constitutional Convention, and the CSG borrowed liberally from this pre-existing resource of democratic proposals.

In their report, completed in 1998, the CSG cited Four Principles which had guided their work, and invited the future Parliament to endorse them. They are important enough to be quoted in full:-

> The Scottish Parliament should embody and reflect the sharing of power between the people of Scotland, the legislators and the Scottish executive;

> The Scottish Executive should be accountable to the Scottish Parliament and the Parliament and Executive should be accountable to the people of Scotland;

> The Scottish Parliament should be accessible, open, responsive, and develop procedures which make possible a participative approach to the development, consideration and scrutiny of policy and legislation;

The Scottish Parliament in its operation and its appointments should recognise the need to promote equal opportunities for all.

The language is not inspiring, and the Principles have been shortened in daily use to a few words: 'power-sharing, accountability, accessibility and equal opportunities'. But three striking points stand out in the principles. The first is the nervous, repetitive emphasis on something like a doctrine of popular sovereignty: in this power-sharing, 'the people of Scotland' are to be the senior partners. The second is the instruction to the Parliament to 'develop procedures' which will allow the people of Scotland to participate in the 'development, consideration and scrutiny' of policies. The third is the absence (apart from Principle 4) of any hint about what sort of general programme the Parliament should adopt.

This absence was inevitable. Policy suggestions were, naturally enough, outwith the CSG remit. But the silence on policy had a skewing effebct on their report. The Four Principles are venerated today in a way which their framers probably never anticipated. But as they stand, they imply that the primary mission of a Scottish legislature is not so much to pass laws as to build a new quality of democracy.

How was this to be achieved? By May 1997, when the advent of the Blair government set the devolution process in motion once more, there had already been many years of discussion about modern parliamentary procedures. But the debates on methods for the Parliament's 'participation mission' only began in the weeks and months after Labour's electoral victory.

From the start, there was almost universal agreement that the Parliament must rely on a large-scale and adventurous experiment with electronic communications in order to become 'accessible, open, responsive, and ... participative'.

A large conference on the application of ICTs to politics, sponsored by British Telecommunications, was held in 1997 in the old Royal High School at Edinburgh. Jim Wallace, leader of the Scottish Liberal Democrats and at that time MP for Orkney and Shetland, declared at Heriot-Watt University in Edinburgh that the coming Parliament should be 'the engine of an IT revolution and the blueprint for a new style of computerised democracy, by harnessing digital power and the Internet to put voters and MSPs in permanent instant contact ...'

Technological optimism reached its peak in this interval between 1997 and the first session of the Scottish Parliament in 1999. As Coleman, Taylor and van de Donk comment in their *Parliament in the Age of the Internet*, there was a sense in which 'ICTs became part of the rhetoric of democracy in this period' (Coleman, Taylor and van de Donk 1999: 70).

The CSG report, presented in December 1998, was cooler. Most of the report consisted of proposals for the Parliament's structure and procedures. But the CSG had commissioned an 'expert panel on information and communication technologies', whose conclusions were published as 'Annex J' of the report. The panel's Sub-Group on Democratic Participation made various essentially 'e-government' recommendations about the Parliament's information services, and were at pains not to overlook the electronic have-nots. However, the Sub-Group also suggested the development of 'Community media centres across Scotland where assistance is available to local communities to develop submissions to the Scottish Parliament' (Annex J to 'Report of the Consultative Steering Group on the Scottish Parliament; Expert Panel on Information and Communications Technologies: Sub Group on Democratic Participation', Recommendation 16, p. 2). Vaguely phrased, this at least acknowledged the existence of visions of participative e-democracy.

The conclusions of the main CSG report were strikingly cautious about new-media possibilities. Section 3.6 ('Access and Information'), in its paragraphs about ICTs, is almost exclusively about servicing MSPs, increasing parliamentary efficiency and distributing information to the public. Indeed, paragraph 20 defines the usefulness of ICTs as 'promoting openness, accountability and democratic participation … by using technology to make information about the Parliament and its work available to everyone'.

In other words, the commitment to 'power-sharing' would be fulfilled by simply providing official information, accessible to the public by computer. This minimalist, bureaucratic approach was a long way from Jim Wallace's ambitious dreams. As it turned out, it was also a long way behind the future staff of the new Parliament, who were to interpret the Four Principles and their realisation through ICTs in a very different spirit.

The 'Shaky Start'

After five years of work, the Scottish Parliament's impact on public opinion is ambiguous. There can be no doubt at all that the Parliament is constructing a huge *potential* extension of citizenship, mostly through imaginative use of new electronic media. So far, however, this opportunity has only been taken up by a very small minority. Most people remain unaware that they can follow webcast debates in real time, or that they can submit 'e-petitions' or join 'forums' on some categories of bill.

This is not the place to evaluate the legislation or debates of the first Parliament. It has passed through a number of convulsions and crises: the unexpected death of Donald Dewar, the 'Clause 2a' uproar over the ban on promoting homosexuality in schools, the resignation of Dewar's successor as First Minister, Henry McLeish, the uncontrolled cost escalation of the new building at Holyrood, to name a few. But ministers and MSPs alike

have been unnerved by what they regard as the unfair and aggressive treatment of the Parliament in the Scottish media, not only in the tabloid press.

Bad journalism overshadows good. There is serious and positive comment and reporting, but much media energy has been devoted to the feeding-frenzy 'monstering' of individuals and the presentation of MSPs as greedy and ambitious politicians indifferent to the 'real' opinions of the public. Correspondingly, much of the work of the Parliament and its committees goes unreported. Much of this carnivorous journalism is both competitive and imitative, a Scottish version of new styles of political journalism at Westminster which in turn are an adapted import from the United States.

Steven Barnett, writing in *The Political Quarterly*, describes this as a new and most destructive phase of political journalism which he names 'the age of contempt. It can be seen in reporting by both press and broadcasters, but is at its most lethal in the hands of print journalists under no statutory obligation to be impartial' (Barnett 2002). A few years ago, Andrew Marr, the Scottish journalist who is now the BBC's political editor, defined an acid 'culture of abuse' which was 'eating away at the thoughtful culture of public discourse, burning out nuance, gobbling up detail, dissolving mere facts. And that, in turn, cannot help a struggling democracy' (Marr 2002). He was writing about Westminster, but the young Edinburgh democracy is even more vulnerable.

But politicians always over-estimate the power of the media to change and shape public opinion. Surveys of Scottish opinion suggest that media contempt for the Parliament and its politicians does not accurately reflect the opinion of readers, listeners or viewers. There is disappointment and a degree of mistrust, but nothing like fundamental rejection (see The Public View: A Paradox? at p. 23, below). More damaging, probably, is omission. The

public are offered only a highly selective and abbreviated version of what really goes on in the Parliament, whether in main-chamber debates or in committees. This negative image is taken extremely seriously by MSPs and the parliamentary staff, mindful of the Four Principles. One positive effect, over the last three years, has been to give the information and participation operations of the Parliament a new urgency and to accelerate experiments in webcasting, e-consultation and e-democracy.

'Informed' Criticisms

Far from the media sharkpool, the performance of the Parliament has been criticised by some of those involved in the long campaigns for a Scottish parliament, in the Constitutional Convention and in the CSG itself. I have selected two instances in which the new institutions have been held to have fallen behind the promises of 'power-sharing' and 'participation'.

One of the most important criticisms concerns the initiation of legislation. The CSG report anticipated that not only the Scottish Executive but the parliamentary committees would have the right to introduce bills, although the report remarked that 'there appears to be little doubt that ... the majority of legislation will originate from the Executive' (3.5.5). Among the committees is the Public Petitions Committee, which can adopt a petition and pass it forward to the appropriate subject committee which might, in turn, decide to make it the basis of a parliamentary bill.

In this way, the three-way 'power-sharing' demanded by CSG Principle 1 could be said to function. The Executive, the Parliament (through its committees or through individual MSPs) and the 'people of Scotland' using the petition procedure would share the right to initiate legislation.

In practice, though, the overwhelming majority of legislation since May 1999 has originated from the Executive.

By March 2002, the Parliament had passed some thirty new items of legislation, of which only one – on the rights of battered or abused spouses or partners – originated in a committee. Two more committee bills, on a Standards Commissioner and on a Children's Commissioner, reached their final stages by the end of 2002.

By early 2002, public petitions through the Public Petitions Committee had provided material for six debates and had led to the incorporation of three minor amendments to legislation being drafted by subject committees. No complete bill had originated from a petition.

The explanation lies partly in the control of the Executive over the parliamentary timetable, but also in the dire and seldom-mentioned shortage of qualified parliamentary drafters – a serious bottleneck impeding the Parliament's work. Whatever the causes, the Executive's near-monopoly of legislation runs against the underlying 'power-sharing' aspiration of the Parliament.

Another focus of anxiety has been the Scottish Civic Forum. The Forum originated in the pre-devolution period as an unofficial debating chamber, in which representatives from Scotland's main interest groups could exchange views and prepare a reform agenda for a future Scottish Parliament. For a time there was an idea that it might perform some of the functions of a second chamber when a Parliament was set up, and it was briefly referred to as a 'Senate'. This notion was discarded in 1999, when the Civic Forum was redefined as a body intended (in its own words) 'to push forward the boundaries of consultation, moving beyond the present system of limited consultation exercises to real engagement of civic society in a participatory, dialogic democracy' (*Building Participation in the New Scotland*, Scottish Civic Forum, 2001). Its membership consists of some 700 civic organisations, and it has regularly provided the Scottish Executive with partners for a variety of consultations.

But although the Civic Forum has officially recognised status, and receives funding from the Executive, there is a feeling that it has not played the prominent role expected of it. Many organisations bypass the Forum and make their own direct contact with the Executive. Moreover, the Parliament has grown restless with the practice of consultation through spokespeople for structured groups. As a member of the Parliament staff put it,

> we don't want aggregated opinion, Civic Forum style. We want to get at people who are disgruntled and discontented. The Civic Forum thought they would have a monopoly of presenting public opinion to us, but they have yet to prove that they can deliver something we want.

That is a harsh judgement. In fact the Civic Forum (for instance in its 2001 campaign to gather opinions about sustainable development) has recently made great efforts to bring in 'local people who haven't spoken' as well as practised group representatives. But it is true that some of the Civic Forum's possible functions have already been pre-empted by the Parliament.

In 2001, the Procedures Committee began a lengthy audit, based on public hearings, of the Parliament's progress towards fulfilling the Four Principles. This was a job for which the Civic Forum might well have tendered. And the move towards 'real engagement of civic society', a stated Forum ambition, is in practice being driven by the participation and information services of the parliamentary staff. The Forum remains an interesting and often helpful collection-box for extra-parliamentary views. But hopes that it would act as the main engine of 'participation' seem unlikely to be fulfilled.

The Public View: A Paradox?

At a briefing in January 2002, held to measure the Parliament's achievements in its first two years, the Institute of

Governance at the University of Edinburgh produced a selection of opinion poll results. The questions concerned constitutional preferences and the performance of the Parliament. The answers, mostly taken over several years, were sometimes puzzling and at times seemed contra-dictory.

Three results were especially striking. The first (from *Scottish Social Attitudes*) measured replies to the question: 'Which institution has most influence over the way Scotland is run?' In 1999, the first year of devolution, 41 per cent thought it was the Scottish Parliament. Only a year later, this had collapsed to 13 per cent, while 66 per cent said that Westminster had most influence. But asked (in 2000) which institution ought to have most influence, no less than 72 per cent preferred the Scottish Parliament.

Another poll, from the same source, asked if respondents thought that the Parliament would 'give ordinary people more say in how Scotland is governed'. In 1997, the year of the Scotland Act, no less than 79 per cent agreed that it would. In 1999, the Parliament's birth-year, that had slipped to 64 per cent. But in 2000, it had slumped down to 44 per cent, little more than half the figure for that confident year of the devolution Referendum.

A third poll (ICM for *The Scotsman*) asked: 'From what you have seen and heard, do you think that the Scottish Parliament has achieved a lot, a little or nothing at all?' This sounding was taken in September 2000 and again in February 2001. Its outcome was curious. The figure for those who thought 'a little' remained absolutely unchanged at 56 per cent – far the largest group. But the extremes of approval and disapproval changed sharply. Those who thought the Parliament had achieved 'a lot' more than doubled, to 25 per cent. Those who thought it had achieved nothing whatever were halved, down to 14 per cent. (For comparison, the percentages of No voters to the two questions in the 1997 Referendum were around

25 and 35 per cent respectively, on a 60.4 per cent turn-out).

What is to be made of these results? Political opinion polling can be inaccurate and misleading, not least in Scotland. But a rough diagram does emerge. It has three main features:

> Those who thought that this version of self-government would be something close to independence have found out their mistake. But they are not so much alienated as dissatisfied. Their way ahead is more power for Scotland, not less.

> A widespread expectation that this would be a quite new sort of Parliament, offering 'ordinary people' an effective share of power, has deflated. But this disillusion has not produced disaffection. It seems to have led to a sober estimate that this Scottish Parliament, for all its excited promises about unprecedented democracy, is a normal legislature not much worse or better than the average.

> The prevailing popular view of the Parliament seems to be tepid, even sceptical acceptance. But the movement of opinion, if at all accurately reflected, is a drift towards definite approval by a growing minority.

It is worth noting how little impact seems to have been made by the hostility of part of the media to the Parliament. Scotland shares the mood of cynicism about politics and politicians which affects most of the Western world. But this Scottish version of *politische Verdrossenheit* does not apparently extend to democratic institutions as such, or to the Scottish Parliament in particular. The way ahead is not perceived as less politics but as better, more responsive politics.

The Parliament in Search of a Public

THE SEARCHERS

In the campaign to involve the public more directly and intimately with the Parliament, the main source of energy

is the parliamentary staff itself. This covers the 'Corporate Body' responsible for managing and running the Parliament and its employees, including the Research and Information Services, the Participation Services, the Education Service and the Clerks of the parliamentary committees. Members of the staff are not civil servants, although many used to work in the old Scottish Office. They are free from the intrigues and constraints of a large bureaucracy, and from its career pressures to conform. They answer only to the Presiding Officer and the Corporate Body.[2]

Unexpectedly, the parliamentary staff have emerged as a distinct force with a strong sense of identity and mission, and something like an agenda of their own. This is an unusual development. In most legislatures, the permanent staff confine themselves to servicing the needs of representatives discreetly and take little or no part in broad projects of democratisation. In Scotland, the formal responsibility for opening up the Parliament's structures to wider public participation belongs to the MSPs, working through their committees. But in practice almost all the new ideas for expanding accessibility and public involvement originate with the staff. This 'corps d'élite' has its own radical vision of what the Parliament might become, and in its routine contacts with the elected MSPs it identifies those who have the capacity to grasp this vision and work towards it.

The workload of MSPs and ministers in the Executive is heavier than anybody anticipated, and leaves little time for broad reflections on the extension of democracy. But that is only part of the explanation. The permanent staff are sharply aware that the Scottish Parliament is not an immemorial, deep-rooted institution like the Houses of Parliament at Westminster, but an experiment for which many of them feel personal, almost parental responsibility.

In private, some will express the fear that if this young Parliament does not manage to root itself securely in the

confidence of the Scottish people, it could fail. That does not mean that Westminster might revoke devolution. It means that the electorate might come to regard the Scottish Parliament as hopelessly remote and ineffectual; public interest and participation would drop away until the Parliament simply lost all claims to democratic authenticity.

In the course of 2001, anxiety about the Parliament's apparent failure to connect with the public grew more acute. The concern of the staff converged with unease and impatience among MSPs and some ex-ministers who had experience of government in the Executive.

The 'real world' outside politics had been using digital 'encounter' techniques – forums, chatrooms, on-line polling – for years. There was no excuse for the reluctance of democratic parliaments to adopt these techniques. The Parliament staff's development of new channels of interactive debate through ICTs, which had been steadily driven ahead since 1997, now gained more impetus.

'THE USUAL SUSPECTS'

At the time of writing, the last eighteen months have seen increasing discontent, public and parliamentary, with traditional methods of consultation. One line of complaint focused on the Executive's alleged practice of issuing 'a glossy brochure' (the Cultural Strategy document, for instance) and giving the public a few months to comment. Could this be described as a genuine consultation?

A second complaint concerned the 'usual suspects' phenomenon. Whether it was a consultation arranged for a department of the Executive, or a parliamentary committee hearing witnesses as it prepared legislation, familiar faces – representing the familiar list of established interest groups and professional networks – tended to reappear. As one ex-minister told me, 'the civil servants' idea of consultation is to put up the same old faces every time. Their philosophy

is simply predictability. If it worked smoothly before, then repeat it.' Over one proposal for changes, she had been reduced to sending out her own private emissaries to tour the country and collect impressions of what people really thought of her idea. 'What I wanted was the Unusual Suspects'.[3]

In short, there is growing impatience with 'aggregated opinion', perceived to be a barrier screening legislators from the silent mass of people with something to contribute but no habit of being heard. This is an admirably democratic impulse. But, if taken to extremes, it could lead to new problems which might be described as 'civic Bonapartism'. A regime may wish to go straight over the heads of civil society, with its web of associations, and draw its authenticity directly from the people 'out there'. History suggests that this seldom leads to more democratic control, but often to a licence for a government to do as it pleases.

Consultation through 'the usual suspects' is becoming discredited in Scotland, for convincing reasons. But the fact is that for many years those associations – from trade unions to community health projects – were almost the only channels through which public demands could reach government in the form of the old Scottish Office. They have their own roots and legitimacy, and they cannot be evicted from the consultation process altogether.

With electronic means, consultation becomes temptingly easy. But the use of ICTs does not efface the essential distinction between *confirmatory consultation* – often little more than opinion-testing or generating the illusion of public involvement – and *creative consultation* which offers a genuine share of power to participants. One may be called 'e-government' and the other 'e-democracy'. But the difference between them is political rather than technological.

A Parliament Out In Front

Most new political projects set out with high aims which are gradually moderated by experience. The Scottish Parliament has, on the whole, moved in the opposite direction. The plans of the parliamentary staff to make possible genuine and effective public involvement, principally through the imaginative use of ICTs, are more ambitious now than they were in 1999. Many of the devices today being used to open the Parliament's work to public participation were not contemplated four years ago, and the appetite for innovation is still growing. This steady deepening of the will to create a 'new model of parliament' also explains the ascent of the CSG Four Principles, originally mere guidelines, to something like the status of constitutional commandments.

The result is a small national triumph unknown to most Scots, and probably to many MSPs. The Scottish Parliament has become the world leader in the application of digital technology to democracy. As a report by the Bertelsmann Foundation remarked in April 2002: 'There is no doubt about it. As regards participation, Scotland is out in front' (*Balanced E-Governance* 2002).

There are many examples where particular applications have gone further. The German Bundestag's use of ICTs in the office work of its petitions committee is far more extensive (although less original) than the 'e-petitioning' work of the Scottish Parliament. Edinburgh cannot compete with the United States Senate's twenty-four-hour dedicated cable TV channel, financed by a tax on cable companies, or with the American wealth of digital resources servicing members of Congress. The 'Minnesota Project', driven by a private individual rather than by government, offers a range of e-participatory devices in that small state. There are 'e-government' schemes, some highly elaborate and responsive, working in almost all European countries. And

yet a senior member of the Scottish parliamentary staff, returning from a visit to the United States, commented: 'I thought they would be light-years ahead of us. But I found that we were light-years ahead of them.'

The uniqueness of the Scottish operation is its sheer range of 'e-experiments' in participatory democracy. No other legislature, it would appear, has such an extensive and varied panoply of digital communications available to its citizens.

Is Anyone Out There Listening?

The spectacular array of technology is, unfortunately, only half the story. It takes two or more to communicate. As mentioned above, the downside of the Scottish situation at present is the enormous disproportion between the offer and the take-up.

Only a tiny minority of the public is prepared to use any of these technologies and opportunities in order to access parliamentary information, to follow the work of the Parliament on-line or to influence and shape policy. There are grounds to believe that this indifference is beginning to dissolve. But it may well be that most Scots are still unaware of the range of these opportunities, or even that they exist at all. Some of the reasons for this lack of response will be examined later.

The Parliament's e-Equipment

This chapter has already cited some of the basic figures (or guesses) about Scotland's connection to cyberspace. By November 2002, the last month for which figures are available, it was estimated that between 30 and 40 per cent of Scottish households had access to the Internet. That figure is growing at the rate of at least 10 per cent per year,

although at some point – somewhere around 70 per cent household penetration? – the rate may decline steeply.

Broadband Thinking

Government policy throughout the UK is to achieve 'universal access' to the Internet by 2005. But high-speed broadband technology is spreading only very slowly (in 2000, less than 11 per cent of American on-line households used broadband, while the British figure was about 3 per cent). The Scottish Executive is committed to 'make affordable and pervasive broadband connections available to citizens and businesses across Scotland' ('Digital Inclusion', The Scottish Executive, 2001). The problem here is partly geographical. Especially in the Highlands, the great distances and small population which make regions of rural Scotland unattractive for the heavy infrastructure investment required for broadband. Moreover the privatised British Telecomunications plc, the only potential investor, enjoys a virtual monopoly in remote areas. As the SCC *Reaching Out* report points out, 'broadband provision will mean little or nothing to consumers who can't take advantage of a competitive market in basic telephony'. Although broadband will eventually become essential for local prosperity and development in the Highlands, European Union regulations make it difficult for government to fund this investment gap without raising taxation.

'Digital Exclusion'

There is much anxiety about 'digital exclusion' in Scotland, perceived as a gap which can only widen general social exclusion. The Executive's document *Digital Inclusion: Connecting Scotland's People* emphasises that only a minority of households have access to the Internet, and goes on: 'The digital divide is not related to a lack of telecommunications structure, but to poverty, lack of awareness and low skill levels. The groups most affected

by the digital divide are those which are already most excluded within society.' The document also recognises that the ability to use the new communications technology, in or out of the home, is one of the most effective escalators out of powerlessness and isolation. But if government does not intervene, 'the level of comparative social disadvantage experienced by the digitally excluded can be expected to worsen'.

In the strict sense, that is true. The general empowerment of those on-line will increase much faster than that of the digitally excluded. But the rate of household Internet penetration is so fast that within a few years the percentage of the digitally excluded will be a mere fraction of what it is today. None the less, this penetration can be expected to slow up dramatically as it reaches the boundaries of chronically disadvantaged social groups. The danger is that a small minority, perhaps less than 10 per cent, will come to be abandoned as an impenetrable, unreachable 'underclass'.

The causes of digital exclusion are rather more complex than the Executive's 'poverty, lack of awareness and low skill levels' suggests. Simple lack of cash to rent or buy a PC or computer games is not a big factor, while the motivation to join the world of cyber-entertainment and cyber-contact is almost universal.

'Low skills' may be nearer the mark. The basic skills required to enter the on-line universe are reading and accurate writing and, to a far lesser degree, numeracy. Like most European countries, Scotland harbours an unknown but substantial number of people who are functionally illiterate. Most of them resourcefully navigate their way through daily life without letting their difficulty show. But with computers, their bluff is called.

There is a compensation here, though. Britain is seeing a rapid expansion of public schemes to give people free access to on-line computers and simultaneously to train

them in their use (in Sunderland, e.g., or in the two 'Pilot Digital Communities' launched by the Scottish Executive in March 2002 in northern Argyll and West Dunbartonshire). Training applicants to use a computer and keyboard can in effect be training them – and motivating them – to achieve 'normal' proficiency and accuracy at reading and writing. And computer courses, carrying none of the old stigma of 'adult literacy courses', offer a discreet way to overcome a personal problem without embarrassment.

The Website

The Scottish Parliament's main channel of direct communication with the public is its website. The facilities offered by the website in late October 2002 included: general information, contact details and biographies of MSPs, instructions on how to petition, details of the Parliament's educational and school-visit programmes, 'Your Online Library' (documents, reports of proceedings etc.), the agenda of upcoming business and a block of links to other on-line services, including webcasting and 'Interactive Discussion Boards' or forums.

The site opened up in May 1999, at the time of the first elections to the Parliament, and has been drastically upgraded and improved since then. The design is attractive, and users now generally find it accessible, informative and efficient. The official report of plenary proceedings in the Chamber has to be published on the website early in the morning of the following day. Committee reports are usually published within two or three days. Where possible, data and documents and agendas for committee sessions are posted in advance. A Gaelic version of this information is provided.

What do we know about the users? Not as much as the Webmaster would like. In a sample month, November 2001, there was an average of 4,272 visits to the site each day, and 26,063 page views. Only 4 per cent of the users

were in the Parliament's own system. Where the rest came from is not clear. But charts of the time of using the website were suggestive: about a third to a quarter of the usage occurred at weekend or out of normal working hours. This might be read to mean that over a quarter of the website's visitors were non-institutional users – 'private citizens'. Nevertheless, it is fairly clear that most users are business people, lawyers and lobbyists.

Webcasting

Webcasting, the streaming of live parliamentary events, began as a permanent institution in September 2000. There had already been a series of preliminary experiments, including the webcasting of the Opening Ceremony on 1 July 1999, and the streaming of parliamentary sessions held in Glasgow in May 2000. The webcasts at first covered only the main-chamber plenary sessions. In November 2000, they extended to cover three committee sites, and today all parliamentary committee sessions are webcast live.

The quality of webcasting is high, with the main-chamber streaming done on broadband (used in no other parliamentary webcasting in the world). While the webcasting has its own address, its site is increasingly integrated into the main Parliament website. It now includes a searchable on-line archive.

But take-up of this 'virtual public gallery' has been slow to develop. Between January and June 2001, the weekly average of viewers was 856. Almost all of these (over 85 per cent) watched main-chamber proceedings, with peak interest for First Minister's Question Time. A viewing record was set by the main-chamber debate on banning fox-hunting, in early 2002, which attracted 1,500 webcast watchers.

Interest in watching committee sessions has been very low, on the whole. Members of the parliamentary staff

have noticed occasions on which people in the 'real' public gallery outnumbered those following a committee session by webcast – a virtual attendance often in single figures.

There is a point here which applies to all e-democracy operations, however brilliant their technology. Advance publicity, on-line or conventional, is immensely important. People have to be made aware that something worth watching is going to happen. The arguments leading up to the fox-hunting debate, although considered irrelevant by many people, had attracted huge coverage from the media in the preceding months. And when the Parliament itself puts special effort into pre-publicity (as with the visit of President Thabo Mbeki of South Africa to the Parliament), webcast viewing figures jump upwards.

The decisive influence of effective pre-publicity has been known to television producers for many years. The providers of e-democracy have had to learn the hard way. But the Broadcasting Service of the Scottish Parliament has recently launched an ambitious campaign to promote and advertise its webcast products.

Interactive Discussion Boards/Forum Features

The Scottish Parliament's Broadcasting Service, responsible for webcasting among other operations, has been moving into more interactive experiments with ICTs. Forums, or 'Interactive Discussion Boards', began to function in late 2001. Essentially these are bulletin boards: the site managers introduce the topic briefly and invite the public to post comments and to debate the proposition. In October 2002, there were eight such forum features open on the website. Their titles ranged from the future of local post offices or the choice of an appropriate memorial to the poet Hamish Henderson to the Middle East crisis.

All the forums dealt with matters recently or currently discussed in the Parliament. Much the most significant element is the move to involve the public in debates on

legislation, by commenting or suggesting in the early stages before a bill has taken final shape. At present, this involvement is limited to Members' Business: debates on motions put forward by MSPs acting as individuals. These debates are usually easy and sometimes entertaining to follow, and are not usually discussed along party lines. Far the most popular of these forums concerned 'the plight of chronic pain patients', on a motion introduced by Dorothy-Grace Elder MSP. Although the debate took place many months ago, postings are still coming in from all over the world; at the time of writing, there have been 188 messages on fifty-one pain-related topics.

This was a limited experiment, which formally ended in June 2002. Its purpose was to educate MSPs in the potential of e-democracy, to assess the likely public uptake of forums, and to recommend future steps towards a wider-based and permanent forum service (Smart 2002).

But the opening of Members' Business debates to 'virtual' participation is one matter. Letting the public voice be heard during mainstream Parliament legislation is another. This is a decisive threshold, and the Broadcasting Service is determined to cross it. A proposal was made early in 2002 to open a Discussion Board on the bill to ban hunting with dogs – a bill which had aroused violent feelings in the Parliament and in a few sectors of public opinion. This idea was apparently turned down by the Corporate Body, as too hot to handle. However, in a report on the forum experiment (Smart 2002), the Head of the Broadcasting Services, Alan Smart, recommended that it should be extended to all legislation, and that the 'bulletin board' format should be supplemented by chatrooms (in which citizens could discuss directly with individual MSPs) and by on-line voting on selected issues. (Smart also proposed, in order to strengthen the scheme's credentials, that responsibility for promoting and moderating these features should be transferred from the Parliament to an

independent board of 'Untouchables', preferably located outside Edinburgh.)

In the Parliament's management and among some MSPs, proposals to extend the scope of these devices are sometimes treated warily. There are two interconnected reasons for this. The first is the fear that the intervention of strident public comment in the real-time process of lawmaking could deter MSPs from speaking their minds and voting according to their own judgement. This is the old Burkean argument that a representative is not subject to mandate by his or her constituents.

The second reason is that somewhere here, close and yet invisible in the fog, runs the unmarked frontier between 'consultation' and 'participation'. That frontier separates two concepts: allowing the public a right to criticise and suggest, and – in contrast – conceding the public a right to impose its will during the drafting of legislation. When Dorothy-Grace Elder decided to adopt a bright amendment from one of her forum contributors, then we were still doing traditional representative democracy. But when public opinion can veto a clause in real time, through on-line polling or referenda, then we are in the realm of direct democracy.

It can be well argued that a new, choosing, e-proficient society cannot be confined in a political system which gives voters only a single chance to influence it every four years. A democracy of continuous choice must be the future. Possibly so; there are many such voices around Holyrood. Alternatively, there is also the voice of Professor Klaus Lenk, with his warning that a new technology goes round looking for a problem which it can solve. The fact that ICTs are the perfect toolbox for constructing direct democracy does not by itself mean that direct democracy is urgently needed.

Much more urgent, for the Participation or Broadcasting Services of the Scottish Parliament, is the need to be noticed

and used by the Scottish public. One member of the Parliament's staff complained privately of 'our complete lack of a communications strategy'. Alan Smart's report estimated that 'less than 10 per cent of those with Internet access *and* with a direct interest in the forum we have hosted even knew about the existence of the forum' (Smart 2002: 11).

E-Petitions

The petition is among the oldest of all channels leading from subject to ruler. At Westminster, it has fallen into low esteem. Only MPs can submit petitions, which are dropped into a large green bag behind the Speaker's Chair where they often remain. But the planners of the Scottish Parliament, on their mission to overcome the remoteness of power, built a formal petitioning procedure into the new structure.

The Public Petitions Committee (PPC), composed of seven MSPs, has considered 747 petitions since opening for business in June 1999 – 137 of them in the parliamentary year 2000/01, when forty-five petitions were referred to subject committees for further consideration, and many of these persuaded a subject committee to open a formal enquiry. Petitions do not have to originate in Scotland, but to qualify for consideration by the Committee, they must ask for some action which is within the powers devolved to the Scottish Parliament and Executive.

In a contribution to the journal *Scottish Affairs*, Peter Lynch and Steven Birrell tried to work out roughly who the petitioners were. 'Was [petitioning] actually effective as a mechanism to link individuals to the political process, or were the 'usual suspects' of Scottish politics – the pressure groups ... – using petitions as an additional mechanism for lobbying and activity?' The figures for the first year were skewed by Mr Frank Harvey, an indefatigable Glasgow pensioner who contributed nearly a third of all individual

petitions himself. But even allowing for the 'Harvey Effect', it turned out that individuals were the largest single block of appealers, responsible for 42.5 per cent of all petitions received, while pressure groups contributed only 28 per cent. The third largest block comprised what Lynch and Birrell termed 'community groups' – community councils, residents' associations or church and school groups. This was much the balance which the planners of the petitions system had hoped for (Lynch and Birrell, 2001: 1–18).

In September 2001, the PPC visited the German Bundestag's petitions committee. This is a vast and well-established operation, with a staff of twenty-nine handling some 20,000 petitions a year. Why is the Scottish petition intake so slight in comparison? In giving evidence two months later to the Procedures Committee, the PPC convener, John McAllion MSP, explained that the PPC had avoided any 'large-scale publicity campaign to increase public awareness of the petitions system' because its existing resources were too small to handle any significant increase in petitions submitted. If he was satisfied that the Parliament and its committees would expand their capacity to deal with more petitions, then the PPC could prepare a publicity strategy to promote petitioning more effectively.

In late 1999, it was decided to open the PPC to on-line petitioning. The experiment was designed and is still being run by the International Teledemocracy Centre at Napier University. This is not just a facility to email petitions to the Parliament, but an elaborate 'e-petitioning tool' which allows the sponsor to add background information and encourages others to express opinions about the petition on an integrated discussion forum. Most importantly, signatures can be added on-line. Here a small boundary was crossed; there have been security reservations about cyber-signatures, for example, in the European Parliament, but the PPC and the Teledemocracy Centre decided that the

additional risk of fraudulent support was negligible. After all, how checkable are handwritten names and addresses on a petition? The e-petitioner system is content to give each name and address a 'confidence rating', based on various factors including the recurrence of the same address (Beddie, Macintosh and Malina 2002: 702).

The Bundestag petitions committee uses ICTs to cope with its enormous workload, but the Scottish Parliament appears to be the only legislature to run an e-petitioner system. So far, however, use of the Scottish e-petitioner tool has not been heavy. The scheme is still regarded as experimental, and – as with conventional petitioning – has not been strongly promoted or advertised. At present, the Napier ITC e-petition website holds about nine items, seven of them originating from established interest groups, and one each from a community group and an individual.

The move to the new Parliament building at Holyrood in 2004 may be the occasion for e-petitioning to leave the experimental stage and promote itself into a much bigger operation. Critics might suggest that the adoption of e-petitioning is another case of 'Lex Lenk', given that the use of the whole petitioning facility has been so light. The answer must be that the expansion of conventional and on-line petitioning, and the committing of serious new resources to them by the Parliament, is necessary and inevitable. When a determined effort is made to encourage the public to use petitioning more widely, then the existence of the e-petitioner and the experience already gained in running it will become invaluable.

Partner Libraries

A pilot scheme to provide local out-stations for information about the Scottish Parliament was launched by the Scottish Council for Voluntary Organisations (SCVO) in the summer of 1999. About 280 computers were provided by BT, with funding shared between BT and the Millennium

Commission, and placed in village halls and other community centres. They were intended to provide a link for local communities to the Parliament website, to access MSPs and parliamentary reports and to enable on-line discussion between citizens and prominent politicians. This 'Holyrood Project' project was not meant to be permanent and has now ended. SCVO did not attempt to quantify its impact, but a member of the Council suggested that 'maybe its legacy was that it got people thinking about engaging'. Many of the PCs are still 'out there', although it is not known how they are being used.

Subsequently, the Parliament's own Information Services launched the Partner Library scheme. Scotland has 702 public libraries, not counting 103 mobile libraries. The scheme designated eighty public libraries as Partner Libraries – 1 for each constituency, plus an additional eight in geographically larger constituencies.

Each PL is provided with a selection of paper documentation from the Parliament, and is allowed to choose from a range between 'Complete Collection' (CC), (the full hard-copy output) and 'WHISP' ('What's Happening in the Scottish Parliament': the Parliament's' in-house magazine or digest). In February 2002, the Complete Collection was taken by eighteen Partner Libraries; most preferred to take a 'Key' or 'Key Plus' collection of core documents.

In addition, each PL was to be equipped with a free-access computer, allowing library users to make their own contact with the electronic services of the Parliament from documentation and general information to webcasting and e-petitioning.

Management of the PL project is a condominium. Libraries and their expenditure are controlled by local authorities, who take the decisions about the level of parliamentary information they require and how it will be offered to the public. At the same time, the supply of paperwork and PCs, and the provision of training for library staff in

PL work, is run by the Parliament through the energetic figure of Paul Anderson, the Library Liaison Officer, who is in charge of the Partner Library scheme.

In 2002, the Partner Libraries' on-line service was overshadowed by the coming of the 'People's Network', the UK Government's plan to equip every public library in Britain with enough PCs to offer free and universal access to the Internet. This plan is linked to the 2005 target for a fully on-line Britain.

The People's Network PCs will be used for every kind of training or activity, but the PN website does not include political activity among them. There was some anxiety in Scotland that this inrush of public-access terminals (Angus alone has received fifty-seven PCs) might swamp the dedicated Scottish Parliament PC in each Partner Library. But both the Partner Libraries management and the librarians themselves regard this worry as baseless. On the contrary, most of them think that this powerful boost to general e-proficiency will persuade more people to investigate and use the on-line services of the Parliament.

On its own, the Partner Libraries plan has not been an unqualified success. In the spring of 2002, Ailsa Macintosh was commissioned by the Centre for Theology and Public Issues and the Baird Trust to carry out a telephone survey of all the Partner Libraries, in order to study the take-up of hard-copy or on-line parliamentary materials and the use made of the dedicated PC by library visitors. Her general conclusions are included in this paper as Appendix 1. But some broad points, from her evidence and from other sources, can be made at once.

Almost all libraries suffer from shortage of space and staff. Most of them would like to reduce their intake of paper, and welcome both the offer of parliamentary proceedings on CDs and the increasing use of on-line access. But only up to a point: a significant minority of library users lack ICT skills and require paperwork.

At the outset, the match between the PC terminals and the Parliament website was shaky. The terminals were often too old and slow; the website – before its redesign – was sometimes puzzling or impassable. These problems are being rapidly sorted out, but in early 2002 a fair number of librarians either could not receive webcasts or had not been trained to deal with them.

MSPs seldom work closely with the Partner Libraries. The PL managers have invited them to use the libraries as constituency offices or for surgeries. Where they have done so, public awareness of the e-government and e-democracy opportunities has increased. But few have taken up the offer.

There is still widespread confusion about the difference between the Parliament and the Scottish Executive. Many people have no clear idea of what are local government matters, what is a Parliament responsibility and which powers remain with Westminster.

No assessment has been made of how many people have used either the paper or electronic services, or why. Librarians lack the time and the inclination to count and interrogate users. But their intelligent guesstimates cannot be far from the truth.

The take-up of parliamentary information or contacts through Partner Libraries has ranged from the slight to the imperceptible. Five or six enquiries a month, often to discover the name of the MSP, is a generous guess at an average. Local issues under debate or dramatic episodes widely publicised in the media (such as the Clause 2a uproar over the supposed promotion of homosexuality in schools, or the ban on hunting with dogs) can make a temporary difference. Many – perhaps most – users are researching background information on personal problems such as pensions. Live webcasts of debates are seldom followed.

In spite of this lack of interest, librarians appear to remain firmly and sometimes enthusiastically committed

to the Partner Library idea. Only one of Ailsa Macintosh's respondents confessed to total despair: 'It is simply not being used for anything at all, never mind for forums, etc. ... Having more computers will help if people want the information, but I think the phrase is "flogging a dead horse".' But this was untypical. Most respondents felt that they were offering a vital service, and that the tide would eventually turn when there were more computers available (under the People's Network plans) and when people became aware of what was on offer. Some librarians actively fight public indifference, for example by switching on the webcasts of interesting debates and letting library visitors collect around the screen.

To sum up, the Partner Libraries are an admirable and indispensable device for enriching citizenship and distributing e-democracy, which has had less success than it deserves. The next few years look more promising. Meanwhile, the main difficulties faced by the PL scheme appear to be these:

Lack of publicity. As with so many other items in the Parliament's array of democratic technology, few people in Scotland know that the PLs exist.

Lack of resources at the delivery end. Libraries lack space, time, staff and money to expand – or advertise – their connection to the Parliament. Scotland's output of trained librarians is inadequate, and graduate starting salaries (£14,000) are miserably low.

Divided command. The Library Liaison Officer in Edinburgh can only recommend what should be done. Power over libraries rest with the councils. Some are indifferent to the purposes of Partner Libraries. A very few are hostile to any Parliament 'colonisation' of local government.

Duplication of networks. In addition to the Parliament's library 'portals', the Scottish Executive runs its own chain of

local computer access points. So does the European Union. The citizen can be forgiven for losing his or her way.

The current ill-repute of party politics and politicians. It would be absurd to ignore this. But it is not the same as indifference to politics. Scottish public opinion has shown several times in recent years that it can be rapidly and powerfully mobilised on particular issues. Politics of that kind are bound to adopt participative ICTs, sooner or later, to gather support and focus it on the centres of power.

Appendix 1   Partner Libraries Survey

Between March and June 2002, Ailsa Macintosh carried out a telephone survey of Partner Libraries, on behalf of the Centre for Theology and Public Issues at New College, University of Edinburgh, and the Baird Trust.

The survey took the form of seven questions:

Which of the four categories of paper parliamentary documentation, ranging in completeness from 'Complete Collection' to the WHISP digest, does your library take? Do you intend to stay with your choice?

Do you have a public computer with Internet access?

Do you have a public computer dedicated to the Scottish Parliament? Is it equipped to receive live webcast debates with sound, to access e-petitioner and/or to let the user participate in parliamentary discussion boards and forums?

How much do the public use the computer access to the Scottish Parliament?

As far as you can tell, what are they using this access for? Can you give a rough percentage of users who are seeking general information/live debates/forums/the e-petitioner site?

How much do the public use the paper documentation from the Parliament?

Do you think there is a danger that the current UK 'People's
Network' scheme will swamp the Partner Library programme,
by offering far more public computer terminals for all kinds
of purposes? Or will the PN scheme be complementary?

With the detailed results of her research, Ailsa Macintosh
returned the following summary.

On the whole, librarians are extremely supportive of
the Partner Library scheme, despite the low use of the
Parliamentary material. There is a commitment to providing
this service, and a belief that the information should be
widely available even if people are not that interested in
the Scottish Parliament.

Most libraries, however, have acknowledged that they
should reduce the quantity of paper material they take due
to problems of storage. The vast majority of libraries have
public PCs with Internet access, but there is a recognition
that not all their customers are IT-literate. Problems with
Internet access (either due to local difficulties or to the
complexities of the SP site) have made quite a few librarians
reluctant to rely on the Internet as the only source of
Parliamentary material.

It is extremely rare for members of the public to be
interested in accessing the debates, forums or e-petition
facilities on the SP website. A few of the libraries have
used the site to listen to webcasts, but this has tended to
happen as a result of proactive staff rather than through
customer demand.

Very few librarians felt able to make anything more than
an educated guess at the numbers who were using the SP
site on a monthly basis. Most thought that the use was very
low, and where it existed it was to search for background
information rather than to lobby Parliamentarians or
contribute to consultations, etc. The same applies to the
use of the paper material. Quite a few librarians thought
the paper material worked well as a support to the SP site,

because it was easier to read and easier to check on several sources of information at the same time.

The PN [People's Network] computers are warmly welcomed by the majority of libraries as complementary to the Partner Library scheme. They are not seen as replacing the PL connection. Some librarians mentioned the hope of dedicating one PC to the SP site for webcast debates and research. This was something which would not be possible before getting the PN computers. Most librarians welcomed taking less SP material, but were not keen to become paper-free.

Geographical location is a factor in terms of a library's role in providing access to SP material. The libraries that take the 'Complete Collection' of papers tend to be (or see themselves as) the key libraries for the area – either because they are main city libraries or because they serve Highland or Island areas. Given that the Scottish Parliament is based in Edinburgh, some librarians from the smaller libraries in the capital thought that their role was not as crucial – in that the SP itself was more accessible.

Where librarians were proactive in promoting the SP connection, interest in and use of the materials was higher but this tended to last only as long as the promotion continued. A large number of librarians thought that the SP or MSPs or SPICe [the Scottish Parliament Information Centre] could help local libraries more with their promotion work. Posters could be updated, local issues flagged-up and advance warning could be given of forthcoming debates or contentious topics. Tapping into local issues is a possible way of increasing political interests, for example, boundary changes or wind-farms. If success of the Partner Library scheme is to be measured in terms of the numbers of people using the material, then ongoing promotional work is required. Currently, the PL scheme appears to be a passive resource – available to those who are active themselves in seeking out information,

but not engaging the interest of those more distant from politics.

There was a general consensus that, on the whole, people are fairly apathetic about politics. A couple of people mentioned that politically active people probably have their own sources of information (private PCs or through political groups) and would not necessarily use the library as a regular resource. There is a question whether libraries themselves require more promotion.

Many people mentioned the benefits to staff of the PL connection in terms of training and confidence. Librarians often used the SP material or website to provide information for customers, even if the customers had not thought to look at the SP site themselves.

There seems to be widespread confusion about the different roles of the Scottish Executive and the Scottish Parliament, as well over which powers have been devolved to Scotland from Westminster. Those people using the library for information (in more depth than 'Who is my MSP?') tended to be following Bills in their later stages. Information on issues needs to be publicised much earlier, to encourage participation at a phase when lobbying can be most effective.

Printing material from the Internet is a cost consideration for financially stretched library services. Given this restraint, if e-democracy is to be socially inclusive then the Scottish Parliament should provide the paper material rather than laying the cost on individuals or libraries.

Appendix 2   Church of Scotland Websites – Summary of Findings

(Details taken from a survey carried out by Dr Heidi Campbell, Centre for Theology and Public Issues, Edinburgh, in 2002.)

Website Design

Number of websites reviewed: 37, 5 being 'dead hits'. (This amounted to 15 per cent of the 245 possible Church of Scotland sites.)

Average number of pages: 8.

None had search functions.

Updating: number indicating dates: 15 (= 40 per cent)
within last 6 months: 4
within last 3 months: 5
within last month: 6.

Webmasters listed: 20 (+ 54 per cent).

Organisation and Presentation.

Contact information listed: 28 (= 76 per cent).

Contact email: 22.

Service information listed: 31 (= 84 per cent).

Community information listed: 4 (= 11 per cent).

Interactivity

Number with Guestbooks: 11 (= 28 per cent).

Number with BBSs: 1 (= 3 per cent).

Links

Church of Scotland web link listed: 23 (= 62 per cent).

Other Church of Scotland web links listed: 17 (= 46 per cent) (local/regional Presbytery most common link listed).

Other Denominations' or Religious Organisations' web links listed: (= 38 per cent).

Community groups web links listed: 14 (= 38 per cent).

Cultural web links listed: 7 (+ 19 per cent).

Scottish Churches' Parliamentary Office web link listed: 1 (= 3 per cent). International web links listed; 12 (= 32 per cent) (Christian Aid most common link cited)

Number of sites without any links: 7 (= 19 per cent).

Notes

1. The UK Government's 'People's Network' programme, currently distributing free public access PCs and training facilities in an effort to achieve 'universal access' to the Internet by 2005, is in some ways the extension of Sunderland structures to the whole of Britain.
2. The Corporate Body consists of six members, headed by the Presiding Officer, George Reid. The Parliament contains 129 MSPs and 400 parliamentary staff. In addition, MSPs or parliamentary parties have 333 employees of their own.
3. A good illustration of this spreading discontent was the consultation in early 2002 over educational reform. The Executive's Department of Education, whose minister was Cathy Jamieson, launched an on-line 'National Debate on Education'. At the same time, the parliamentary Committee for Education, Culture and Sport set up a 'wide debate' on 'The Purposes of Scottish Education', and established a special on-line bulletin board which invited public comment on six chosen themes. While the two operations were officially in 'partnership', there was evidence of rivalry between Parliament and Executive as they competed to be seen to be reaching beyond the 'familiar faces'.

   The Executive invited some 200 organisations to consider how to 'reach people who do not usually participate in this kind of exercise' (in other words, the usual suspects were asked to produce unusual suspects). 'This is the start of a genuine and inclusive dialogue ... Instead of the traditional method of a consultation paper from Ministers, we are seeking the public's views on "the big questions"'. The Committee responded that its own operation aimed to build on the Executive's efforts and provoke 'debate in more depth on key issues'.

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