

E-PARTICIPATION AS A POSSIBLE UPGRADING OF REPRESENTATIVE DEMOCRACY

Abstract. *After less than 120 years of fully fledged representative democracy, and with the crisis and possibly even the dead end of the existing way of production, questioning the future of democracy is back again. It is claimed that direct democracy may be the next step of the development of the political system. The present article considers a less ambitious project, presenting a possible upgrading of representative democracy in Slovenia, a country with a short history of functioning representative democracy and with the experience of an experiment in direct democracy, which collapsed together with the Socialist Republic of Yugoslavia. The article presents a model that should enable the widening of democratic participation in decision making, and discusses the possible engagement of increasingly educated civil society in political deliberation, making use of the internet and new media. The proposed Slovenian model of junctures of democracy emerged after intensive and prolonged discussion within the so-called "Free University" that emerged after public protests in 2013. As an example of good practice enabling reflection on the possible upgrading of representative democracy in Slovenia, we refer to the Finnish practice of e-democracy at the local level (in particular the Tampere case) and at the state level.*

Keywords: *democracy, representative, direct, Slovenia, junctures*

Introduction

When Montesquieu, in his 1748 *L'esprit de Lois*, stated that when "the body of the people is possessed of the supreme power, it is called a democracy" (Montesquieu, 2001: 25), his idea was to consider *representative democracy* as an appropriate form of the power of people. His belief was

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that people “are extremely well qualified for choosing those whom they are to entrust with part of their authority” (ibid.),¹ while at the same time being “(...) incapable of conducting the administration themselves” (ibid.: 27). The incapability of the people was not, in Montesquieu’s eyes, limited to the field of administration, but also held for the field of legislation. In the focus of his considerations around 1748, we thus find questions related to the law “which determines the manner of giving suffrage” (ibid.) and a discussion of secret and public voting. According to Montesquieu, it is obvious that it is “impossible in large states, and it is even in small ones subject to many inconveniences” (ibid.: 176) for the whole body of people to legislate, and it is more appropriate to transact legislating “by their representatives” (ibid.). It was through his ideas that the Western world conceptualised and gradually (over the next 150 years) established liberal democracy (cf. Macpherson, 1971) in the form of representative democracy.

Since Montesquieu’s time, democracy has developed through numerous struggles, and men and women have attained the right to vote. Under socialist regimes in the twentieth century, we even witnessed sporadic attempts to establish direct democracy. One of the most salient in this respect was the “self-management” version of direct democracy in the former Yugoslavia (cf. Kardelj, 1979 and Simmie et al., 1991). The idea of the Communist Party was that, if self-management were properly developed, the state, with its bureaucracy and professional politicians, would simply wither away.²

With the collapse of socialism, the idea of representative democracy as the appropriate type of democratic government re-emerged, together with the idea of a need for professional political strata and competent administration. At that particular moment, the citizens would probably have subscribed to Fukuyama’s idea that representative democracy is the final winner of the types of government arrangements (cf. Fukuyama, 1992).

Nonetheless, in Slovenia – one of the newly established states at the territory of former Yugoslavia (cf. Ramet; Fink-Hafner, 2006; Miheljak, 2008; Ramet, 2010 and Gaber, 2012) – the “happy marriage” of the citizens and representative democracy lasted only about twenty years.

With the end of the promise of neoliberal economic prosperity, discontent with representative democracy is back, and we can even witness the idea of direct democracy re-emerging. This time, it has returned *in company with new technology* that should make it workable. The basic idea is that, whereas in the 18th century it was only possible to exercise direct decision making in small states, and even then only with numerous inconveniences,

¹ Montesquieu’s idea was far from widely shared in his own time.

² “Yugoslav political practice was consciously and systematically aimed at reducing the importance of the state through the process of de-etatisation” (Šmidovnik, 1991: 28).

today, with the internet, it should be possible to involve all citizens in transparent and fair decision making, at least in small states and possibly in large ones as well.

In the present article, we attempt to conceptualise the possible upgrading of the representative type of democracy. Using the example of e-democracy development in Finland and the conceptualisation of democratic autonomy, we present a Slovenian model of the junctures of democracy as a possible upgrading model in times of developed ICT and an ever better-educated population.

Conceptualisations of direct democracy are back again

At least for Slovenia, the question of whether we should seriously reconsider the idea of direct democracy as a viable project for the future of democracy is not just an abstract one. In Maribor, the second largest city in Slovenia, we see vocal and active local initiatives testing the scope they can achieve with their idea of direct democracy (cf. Svete, 2012; MB, 2013 and ND, 2013), and workers have even taken over management and ownership in some enterprises as well.³

It is on this background that we, a group of citizens mainly from the academic circles of the University of Ljubljana, are discussing, conceptualising and attempting to implement the project of widening the reach of present democratic practices in Slovenia. Although not radical, we believe our efforts are interesting and worthwhile.

It seems appropriate to state openly that we are inclined to start with a less ambitious approach, given that in our country:

- we still recall the failed practices of socialist self-management, which are, in our eyes, not only the result of the domination of the *League of Communists* but also the result of problems inherent to the idea of direct democracy;
- we believe that, even today, we continue to face the majority of the old dilemmas concerning the limits of democracy, including tyranny of the majority (cf. Tocqueville, 1835; Mill, 1832, as well as Gaber, 1997), as exposed by critical friends of democracy.

To summarise briefly: as critical friends of democracy, and building on the tradition of representative democracy and the experience of socialist self-management in the former socialist Yugoslavia, the authors of the present article consider and conceptualise the possible upgrading of representative democracy in Slovenia with ICT tools and the inclusion of the

³ Cf. Mladina, 2012

academic community (students and teachers) in the process of reopening the democratic reconsideration of our common future (*cf.* Rifkin, 2014).

Democratic autonomy and the upgrading of representative democracy

Those enthusiastic about the possibilities of e-democracy believe that the “internet offers new possibilities to advance the democratic involvement of citizens. Through various measures of e-democracy internet provides easy and cost effective solutions to authorities at national and local levels of government for keeping citizens informed and allowing them a greater say in the political decision-making” (Christensen, 2012, 2013). We agree with the majority of these claims.

In order to enable informed considerations of the proposed Slovenian model of upgrading representative democracy, we use a combination of insights into conceptualisations of democracy – above all representative democracy – and insights into the existing practices of e-democracy. Given that Finland is one of the countries with a solidly developed approach to the combination of the old type of democratic participation and e-democracy projects both at the local and national level, we will test various ideas and practices against their experience.

Without an overly strong emphasis on direct democracy, we simultaneously share the idea that “scepticism and cynicism about politics are not necessarily inevitable facts of political life” (Held, 2008: 259). While we do not negate the potential of direct democracy as a possibly credible and viable model of governing arrangement (*cf.* *ibid.*), we have more belief – at least initially – in what Held called “democratic autonomy” (*cf.* *ibid.*: 259–289). This model conceives of democracy as “the privileged conception of the political good because it offers (...) a form of politics and life in which there are fair and just ways of deliberating over and negotiating values and value disputes” (*ibid.*: 261). We concur with Held in the belief that an important part of the attraction of democracy lies in its refusal, in principle, to accept any conception of the political good other than that generated by “the people” themselves (*cf.* Held, 2008: 260). In this respect, Held is in line with Dahl’s claim that “Except on a very strong showing to the contrary in rare circumstances, protected by the law, every adult subject to the laws of the state should be considered to be sufficiently well qualified to participate in the democratic process of governing the state” (Dahl, 1998: 76).

Furthermore, we accept Held’s concept of democratic autonomy due to his inclination to combine reconsideration of the role of the “state” and “civil society” with the aim of putting in place the “principle of autonomy” (*ibid.*: 262) as a combination of proposals “that ‘legal’ and ‘participatory’ theorists have in common” (*ibid.*: 263). The aforementioned principles have

been shared by thinkers as diverse as J. S. Mill and Marx, as well as a number of the others “who have sought to clarify the proper relation between the ‘sovereign state’ and ‘sovereign people’” (ibid.).

“If the force of the above argument is accepted, it follows that the realization of the principle of autonomy would require the creation of a system of collective, reflective decision-making which allowed the engagement of citizens in the diverse forms of political affairs that significantly affect them” (ibid.: 271, authors’ emphasis).

It is primarily on the background⁴ outlined above that we attempt to consider the possible upgrading of the existing representative democracy with a reconsidered position of civil society, on the one hand, and the state with its professional political strata and administration, on the other.

In addition, we are inclined to accept, to a degree, an eclectic approach to upgrading representative democracy by drawing upon “aspects of republicanism, liberalism and Marxism”⁵ (cf. Held, 2008: 267). Even more acceptable is the claim that the spheres of civil society and the state should reconsider their role and their own way of approaching democracy or their care for individuals and society.

1. It is thus undoubtedly crucial for the state apparatus and professional politicians to be aware not only of the fact that they deal with politics in an environment of dramatically complex societies that face immense economic and environmental challenges, but also that they can find potentials to assist processes of problem solving in educated citizens who are capable, and to the certain degree willing, to engage in competent deliberations on the topics concerning their lives in the community and in society as a whole. In this respect, the situation has changed significantly compared to that considered by Montesquieu in 18th century, to that of J. S. Mill and Tocqueville in the 19th century, and even to that of

⁴ Including the principles that we accept from Held and summarise here: 1. The notion that persons should enjoy equal rights and obligations means “in principle that they should enjoy equal autonomy – that is, a common structure of political action” (ibid.: 264) – to be able to pursue their individual and collective projects; 2. The notion of rights connotes their “entitlements to pursue” actions without the risk of arbitrary or unjust interference in the “legitimate spheres of independent action” (ibid.) The freedom of the citizens should also mean that “they should be able to participate in a process of debate and deliberation, (...) about matters of pressing public concern” (ibid.). 3. “The principle of autonomy specifies both that individuals must be ‘free and equal’ and that ‘majorities’ should not be able to impose themselves on others” (ibid.). For us, it is of real importance to provide “institutional arrangements to protect the individual’s or the minority position, i.e. constitutional rules and safeguards.” (ibid.). 5. While group claims of women, settlers or indigenous peoples, homosexuals and various ethnic groups are usually not heard, it is vital for inclusive democracy “that the nature of these claims should be heard and examined, and their generalizability tested” (ibid.: 263), as well as being accepted as species of rights (cf. Waldron, 1993).

⁵ From Marxism, we above all take reflections concerning the necessary limitations of the economic power of the market economy, as well as its stress on the need to keep in mind the necessary basic economic and social conditions for a functioning democracy.

just few decades ago. If we take the situation in Slovenia as an example, we see that the number of those reaching tertiary education has changed significantly, and it is obvious that it is going to change even more with new generations emerging from tertiary education, which is almost universal these days.⁶ One thing is certain about our future: we will live in complex societies of highly educated citizens, and democratic decision making will be able to rely on knowledge related to different spheres that is present in nations in a quantity and quality unknown to past generations.

2. On the other hand, we in civil society are obliged to reconsider our attitude towards the public arena and our responsibility for social wellbeing and the wellbeing of the inhabitants beyond our group interest and the interests of our generation. In this respect, we are obliged to take into consideration Bauman's warning that we should re-establish ourselves as citizens with an interest in the general good beyond individual interests (*cf.* Baumann, 2000).
3. If we add to the potential that citizens possess through their education, the potential offered by information and communication technology, then it seems that we really do have at our disposal new opportunities for democratic participation beyond imagination. With the power of ICT, it seems that the number of people able to participate in the formulation of the political agenda, as well as in the structured indication of their preferences, is today far less of a problem than it was just a few decades ago.
4. That which we should therefore place at the forefront of our present considerations is:
 - the question of the appropriate combination of expertise and interests;
 - the question of how far we could and should count on the will of citizens to engage in deliberations and decision making.

We will discuss these dilemmas further below during a short presentation of the proposed Slovenian model. However, we should bear in mind the fact that, in classifications of human activities, politics belongs to the sphere of heteronomous work, and we therefore cannot and should not expect people

⁶ *The rapidity of the growth in the number of citizens with higher education in the EU is evident from figures associated with recent EU reports: "The EU growth of the proportion of individuals 30–34 years old who graduated from tertiary education which was 24 percent in 2002, when these statistics were first published reached 37 percent in 2013. The Europe 2020 Strategy aims at raising this percentage to at least 40 percent by 2020. In 2013, the highest rate of people in the 30–34 age who completed tertiary education was in Ireland (52.6 percent), Luxembourg (52.5 percent), Lithuania (51.3 percent), Sweden (48.3 percent), Cyprus (47.8 percent), and the United Kingdom (47.6 percent). At the same time 11 EU member states already reached or exceeded their national targets for 2020; among them are Denmark, Estonia, Greece, Cyprus, Latvia, Hungary, the Netherlands, Slovenia, Finland, and Sweden" (cf. ED, 2014 and ED, 2014b).*

to participate enthusiastically in democratic deliberations on a daily basis. Experiments with participation (from self-management all the way to decision making in academic communities) demonstrate that we should only expect a normal level of participation. The aforementioned examples demonstrate that we will, in the future, have to reasonably combine professional administration and professional political strata with the informed participation of citizens on occasions where the latter recognise their pressing interest, and where participation is not viewed as an obligation. Nonetheless, we believe that with a possible and even necessary reduction in working hours, and after re-establishing an interest in public good in our societies, we will eventually raise the culture of participation. This will not, however, be the panacea for our future management of public affairs. The combination of democratised professional politics and improved public participation in proposing and co-deciding about public policy matters is here to stay.

A recent proof of these considerations actual functioning can be seen in the Finnish model of e-democracy, both at the national and local level. With its tradition of democratic participation, Finland is also one of the forerunners in the field of the development of e-participation and e-decision-making.

E-democracy in Finland

In 1906, Finland transformed into one of the most modern parliamentary democracies. Universal and equal suffrage was established, and women were enfranchised at the same time as men (*cf.* Uosikainen, 2013).

Equality and political participation prepared the ground for the development of a comprehensive system of social and healthcare services. Finnish municipalities are seen as service providers and residents are viewed as important partners in service planning. In order to provide a better means of political participation, local Finnish representative democracy has been upgraded with e-participation. The Tampere Local Democracy Unit (LDU), which develops and manages resident participation in Tampere has, for example, developed a digital forum enabling residents to participate in the city council decision-making process (*cf.* eCitizen II, 2012: 3).

Information technology in Finland has thus been used – both locally as well as on the state level – to enable participation in the political decision-making process. At the state level, participation is enabled by online services such as citizen's e-initiative and citizen's debate forum. On the level of municipalities, resident's e-initiative is enabled as well as preparatory e-forums such as the eValma forum in the city of Tampere⁷ (*cf.* Kansalaisaloite, 2014a; Kuntalaisaloite, 2014; Otakantaa, 2014; Valma, 2014).

⁷ www.kansalaisaloite.fi, www.kuntalaisaloite.fi, www.otakantaa.fi, <http://valma.tampere.fi/>

Recently developed e-participation channels can be seen as a result of the Finns' enthusiasm for social innovations and development (Taipale, 2013), which supports Finland's welfare.

Citizen's e-initiative

The service of citizen's e-initiative is provided by the Ministry of Justice and has been operating for about two years. Within this framework, 241 citizen e-initiatives have originated, 5 of which have gathered the officially demanded level support for submission to Parliament, i.e., at least 50,000 signatures of eligible voters in six months. Parliament has no time limit to consider the initiative, but political culture demands that initiatives be taken into consideration promptly. Parliament has the right to reject the initiative, and citizens have the right to start the initiative again. To date, the citizen's initiatives submitted to the Parliament have covered a diverse range of areas, including equal marriage law, increasing the penalties for drunken drivers, energy certificate law, Swedish language in education, and the question of copyrights, to mention just a few examples.

Recently, the most public attention has been focused on the successful *Citizen's Initiative for the Equal Marriage Law*. Launched on 19 March 2013 (the Finnish national day of equal rights), this initiative was grounded in a demand for human rights, as Finland is the only Nordic country where same-sex marriage is not recognised by state law.⁸

The initiative took the form of a ready-made law proposal, and was accompanied by the Citizen Initiative Campaign *Tahdon 2013* (I do 2013).⁹ The well-planned, highly organised and thoroughly prepared initiative succeeded in gathering as many as 166,851 officially recognised statements of support by 19 September,¹⁰ and it was submitted to Parliament on 13 December 2013. Approximately four months later, on 20 April 2014, Parliament discussed the initiative and decided that the Finnish Parliament's Law

⁸ *The Netherlands was the first country in the world to enable equal marriage law in 2001, and was followed in Europe by Belgium in 2003, Spain in 2005, Sweden and Norway in 2009, Portugal and Iceland in 2010, and Denmark in 2012. (cf. Kansalaisaloite, 2014b.)*

⁹ *The campaign was also supported by the European Union Youth in Action Programme. A large number of organisations, companies and celebrities openly supported the initiative. Some Finnish politicians took part actively in the campaign. Amongst the more recognised Finnish "public homosexuals" who supported the initiative were the popular black Finnish actor Jani Toivola, a dancer, and a member of parliament. The campaign had an official release event and its own official song (cf. Kansalaisaloite tasarvoisen avioliittolain puolesta, 2014). For further information in English, see: <http://www.tahdon2013.fi/in-english/why-a-citizens-initiative/>*

¹⁰ *This is more than three times the required number. The majority of the support – as many as 156,234 support statements – was gathered using the online service provided by the Ministry of Justice.*

Committee should hear 51 expert facets. The initiative is currently being processed by the Law Committee.

The Finnish Minister of International Development, Pekka Haavisto, commented that the Tahdon 2013 Campaign is an example of how a citizen's initiative can function at its best. In Haavisto's opinion, this initiative has all of the positive elements: it mobilises the social field, raises discussion and, due to the fact that such a large group of voters support the equal marriage law, forces representatives to reconsider legislation. The e-citizen's initiative has brought a new means of putting important issues on the political agenda, Haavisto states, adding that it also provides a "windscreen" for many hesitating politicians, making them realise that the issue in question is in fact already a mainstream issue (*cf.* Haavisto, 2014).

The Equal Marriage Law Initiative is an example of how democratic autonomy can be enacted using the potential of e-participation. The heterosexual majority should not impose itself on others. At the same time, group claims for certain rights are given voice and taken into consideration, which is a sign of inclusive democracy. An e-citizen initiative enables not only the more efficient organisation of these voices, but also ensures "that the nature of these claims" is "heard and examined and their generalizability tested" (Held, 2008: 263).

The initiative caused a great deal of heated debate on social media such as Facebook and Twitter, but those opposing equal marriage did not make use of the officially provided online service of citizen's initiative, although they could have started their own online counter initiative. According to the law regulating the citizen's initiative (Kansalaisaloitelaki, 12/2012), it is possible to start an initiative both for creating a new law proposal and for changing or rejecting an existing law or a law in procedure.

Gathering a considerable number of statements of support, as well as preparing a formally adequate law proposal and campaign, demands a huge investment of time, knowledge, skills and energy, as well as the long-term activation of the interest of the public. Although, today, there is no lack of well-educated people in Finland with the necessary knowledge and expertise to participate in political activities, it seems that the will to commit oneself to long-term political activity is not self-evident, even in the era of user-friendly and efficient e-participation possibilities. This corroborates the assertion made above that the combination of representative democracy, upgraded with public participation, is here to stay.

Another e-initiative that has attracted a great deal of public attention – although it gathered far fewer statements of support – is the e-citizen's initiative to change Swedish from a compulsory to an optional language course at all the levels of Finnish education. The initiative was launched on 4 March 2013 in the form of a proposal to start the bill-drafting process, and

it succeeded in gathering 62,158 officially recognised statements of support, of which just over half (32,552) were gathered by the online service. Although both Swedish and Finnish are recognised as official languages in Finland, the main goal of the initiative is make courses in Swedish language optional rather than compulsory on all levels of education. The argument goes that, because Swedish is compulsory on all the levels of education, the knowledge of other, more important languages (English and others) is marginalised. It is, however, telling that the official campaign page of the initiative did not include even a “brief” explanation in English (*cf.* Ruotsi Vapaaehtoiseksi, 2014).¹¹

The initiative was discussed in Parliament on 15 May 2014, and it is currently being processed by the Education and Culture Committee. However, it is rather unlikely that the initiative will gain considerable support in Parliament, as the Government supports the Swedish Party claim that the status of the Swedish language should remain unchanged.

Citizens' debate forum

Otakantaa.fi (*Take a Stand*) is a Finnish online forum that enables people to influence the decision-making process in the preparatory phase. One can participate in existing debates or start a new one. The forum is open to anyone, and acts as an e-environment for interaction between citizens, administration and decision makers. The system enables a variety of interaction, from debates and the generation of ideas, to cooperation and decision making.

Anyone can take part in the interaction on the forum. There are three different ways of using the service: one can participate anonymously, as a registered user (registration with an email address or Facebook account), or as a strongly identified user (registration with online banking codes or a mobile certificate). The stronger the identification, the more rights the user receives, and the more autonomy he/she can exercise online.¹² This autonomy thus presupposes responsibility.

The “Take a Stand” preparation forum functions as a “common structure of political action” (Held, 2008: 264), enabling people to pursue their

¹¹ The organisations supporting the initiative were: the Language Choice Society, the Association of Finnish Culture and Identity, the Youth League of the National Coalition Party of Finland, and the Firms Party Youth.

¹² As an unidentified user, one can browse the pages and participate in discussions and chats, but written messages are supervised in advance. As well as participating in these activities, a registered user can also take part in enquiries and the processing of common documents, with his/her messages being checked afterwards. A strongly identified user can participate in all of the activities mentioned above, and can create and maintain his/her own projects as well. His/her messages are also checked afterwards.

individual or collective projects, which means that participants enjoy equal autonomy and freedom to participate in deliberation on any chosen issue.

One can create a project as a citizen or as an official. The main difference is that an official has to publish the project in Swedish and Finnish. There are many ways to participate in the project, and the person in charge can offer a number of participation channels. Those currently possible are: discussion, opinion poll, writing, chat, enquiry, publication, event and other.

There were 60 publicly available projects on the page on 20 May 2014: 41 created by officials and 19 by non-officials. The most popular participation channel is discussion and the second most popular channels are enquiry and event, while public polls are used with slightly less enthusiasm. Some projects include chat as the main channel of participation, but this is not yet very common. Writing proposals and comments as a participation channel is even rarer. Publications are also rare, and are almost always used by officials.

One example of how the debate forum works is the Science Education Project organised by the Ministry of Education and Culture, which aims to stimulate more interest in science and research among children and youth, and thus to enhance the appeal of a career in research and an ability to understand the processes and results of science and research. The project group seeks to chart the present situation regarding science education in Finland, to formulate policies for science education development in the future, and to draw up proposals for promoting science education.¹³

The project was open from 30 September 2013 to 31 May 2014, inviting everyone to participate in the development of science education in Finland. The Minister of Education, Krista Kiuru, formed a working group that organised thematic workshops, after which the main ideas and suggestions arising were published on the debate forum page for anyone to comment on. Using the online debate forum, the group collected the opinions and suggestions of both stakeholders and citizens. Comments could also be submitted via the project's official blog.¹⁴

During the time frame of the project, various means of participation were available on the debate forum. Ideas and suggestions for workshops were published and made available for commenting three times. All of the comments are public, and other participants can indicate their agreement or disagreement with them. A specific question was also been set: What should the focus of science education be? Some 77 participants provided written answers.

Other examples of projects on the online debate forum are: the Safety of Residential Areas (Ministry of Justice), Future Report (Ministries), E-voting

¹³ cf. *Tiedekasvatus*, 2014a.

¹⁴ cf. *Tiedekasvatus*, 2014b.

(Ministry of Justice), Finland and the EU in 2014 and the Future (Parliamentary Committee for EU), and Can We Influence society through Theatre? (Youth Culture Foundation).

Resident e-initiative to municipal authorities

Another service provided by the Ministry of Justice is an online system for residents' initiatives to municipal authorities (*Kuntalaisaloite.fi*). Resident's initiative is a tool that enables more direct influence on decision making in the municipality. Using this tool, a resident or a member of a municipality can present a specific issue or problem and suggest that it be addressed by officials.

There are three types of resident initiatives, which differ in terms of the eligibility to submit the initiative and the effects of the initiative.

- Basic initiative: not only residents, but all members of the municipality (owners of real estate, as well as foundations, departments and corporations whose locus is Tampere) have the right to submit an initiative, including those under 18 years of age.
- 2% initiative: the person who submits the initiative must have voting rights in the municipality in question. When a minimum of 2% of municipal voters participate in the initiative, the city council must initiate a consideration procedure within six months.
- 5% initiative: the person who submits the initiative must have voting rights in the municipality in question. If a minimum of 5% of resident voters support the initiative, the city council must immediately decide whether a municipal consultative referendum will be organised. All initiatives are, however, taken into consideration.

It seems that, in the cases presented, democratic autonomy, which presupposes the right to pursue individual or collective projects "without the risk of arbitrary or unjust interference" in "legitimate spheres of independent action" (Held, 2008: 264), is respected. The Ministry of Justice is responsible for ensuring this, and for judging whether the action is within the sphere of legality and legitimacy. Before the initiative is published online, it is checked by the Ministry, who can decide to leave the initiative unpublished or, in some cases, even withdraw it.¹⁵

There have been 14 resident's e-initiatives in Tampere to date, 12 of which were ordinary initiatives, while 2 were 2% initiatives. In Tampere, no 5% initiatives for a municipal consultative referendum have been submitted so far.

¹⁵ If, for example: a) it is illegal: it offends others, spreads private knowledge or secret information, arouses others against a group of people, or is a crime; b) it is inappropriate: it contains swearing, vulgar language or links to inappropriate webpages; c) it is offensive: although not necessarily illegal, it offends a certain person or group of people; d) it is not adequate; or e) it is not a resident initiative.

City Council initiatives have addressed the questions of child day care during the summer and the organisation of more summer jobs in the city. Other initiatives concern a range of themes, such as: whether earnings from wood selling should be part of the city's income, the number of benches in the city, etc.

Preparatory e-forum in Tampere City

During the first eCitizen project, undertaken in the period 2005–2007, Tampere City developed a system called Valma, which is a tool to complement representative democracy¹⁶ (eCitizen II, 2012: 3).

Valma offers an online environment for public consultations and resident feedback during preparatory work. Residents' opinions serve as feedback for decision makers as well as for the administration in charge of the preparatory work (eCitizen II, 2012: 4).

The best known case of resident e-participation in the Valma preparatory forum was the development of the Tampere school network in autumn 2013, when 1001 answers were gathered, 91% of which were provided by parents of school-aged children. The issues considered most important were the safety and distance of routes to school. In the case of the Halilla School, one school path (a route from the lower to the higher level of the elementary school) was changed in accordance with the proposal of parents.¹⁷

This has been by far the most successful case of e-participation in Tampere in terms of the number of participants. Other issues achieved much lower participation figures, with the range 98–218 reactions being considered a good participation level. However, the Tampere Local Democracy Unit emphasises the importance of the ideas expressed, not the number of participants.

One should be aware that, although Finland has developed online channels for political participation and deliberative political action, the level of political participation through e-channels remains relatively low. The most enthusiasm for participation has been demonstrated in the case of the Equal Marriage Law e-Initiative, while the potential of online spaces for political deliberation, such as the citizens' debate forum, still remains to be developed.

All in all, despite the well-developed e-participation possibilities in Finland, e-political participation – although a very important innovation – presents an addition to or upgrading of the still prevalent representative democracy.

¹⁶ *Three partners – the Vysocina Region (The Czech Republic), the Province of Flevoland (The Netherlands) and the Kerry Country Council (Ireland) – transferred this good practice to their local contexts in the eCitizens II project (cf. eCitizen II, 2012: 3).*

¹⁷ (cf. *Palautteiden yhteenveto, 2014.*)

Enhanced possibilities of political participation do not bring only the virtues of inclusive democracy (as suggested by the case of the Equal Marriage Law), but also dangers of populism (such as the conservative voices of the majority seeking to abolish Swedish as an obligatory language in education). Especially in times of political and social instability, which we are currently experiencing all around Europe, the potential and limits of e-democracy should be considered carefully.

A proposed Slovenian model of the upgrading of representative democracy

The context of the emergence of the proposal

The idea of reconsidering the functioning of democratic institutions in Slovenia emerged after dynamic months of street protests by almost 200,000 citizens in Slovenia in the 2013.

The protesters called themselves “*vstajniki*” (insurrectionaries), and protested both against local community leaders and against the then Slovenian government, above all against its Prime Minister Janez Janša. Initially, incompetent and, to a degree, corrupt political elites in Slovenia’s second largest city Maribor brought thousands of people to the streets shouting: *Gotovi ste* (You are done).¹⁸ Their main demand was for the resignation of the mayor and the city council. After repeated demonstrations in Maribor, where the mayor refused to resign, the idea spread to a number of cities around the country, including Ljubljana, where demonstrations marred by police intervention against violent protesters gained an antigovernment dimension. Demonstrators shouted: “You are all the same and you are all done!”

In parallel with the demonstrations in the streets, a number of initiatives emerged related to the reconsideration of the state of affairs in Slovenia after two decades of independence. One of them was *Svobodna univerza* (Free University – FU). Groups of university teachers and students initially gathered to protest against austerity measures in higher education (HE) according to which, in line with the neoliberal approach prevalent throughout Europe, the minister responsible for HE planned to reduce resources for public HE while investing more in private HE institutions. However, HE in Slovenia was not the only topic discussed under the umbrella of the FU; within the context of various public lectures, one of the many questions discussed was that of democracy in the internet era.

¹⁸ The wording “*Gotovi ste*” is colloquial and originates in the Štajerska region, of which Maribor is the biggest city.

The aim of the first discussion, at which students, ICT experts, researchers and professors involved in deliberations on democracy took part, was to determine the level of interest in e-democracy amongst students. While a survey undertaken during the round table demonstrated an interest in e-democracy amongst the younger generation, and while pressing questions concerning the future of democracy in Slovenia emerged together with ideas for the possible improvement of the democratic regime, an FU group initiated discussion about possible future projects related to democracy. The FU group reached agreement that, using relatively developed examples of such practice as a point of reference, an attempt should be made to conceptualise and structure the proposal of a model with the potential to enlarge the scope of democratic participation in Slovenia and enable an upgrading mechanism of representative democracy using the potentials of civil society and, within this, of the academic community (students, teachers and researchers), as well as of the public administration and political strata in the country. Junctures of democracy in Slovenia have thus far been documented in a state that is, we hope, sufficiently elaborated to be worthy of discussion and further expansion.

Junctures of democracy in Slovenia –the model in discussion (see Figure 1)

The proposed model of the upgrading of representative democracy tackles the possible upgrading of democratic participation at the local level as well as at the state level.¹⁹ Its idea is to combine the potentials of educated citizens organised in civil society with the potentials of the academic community and public administration in order to improve the functioning of the country's governing process for both the short-term and long-term benefit of the inhabitants.

Aiming at an informed and coordinated reconsideration of the development of the governing processes of social subsystems in favour of the public good, we plan the functioning of two types of junctures of democracy:

- the coordinative juncture (CJ), and
- field junctures (FJ).

The *coordinative juncture* should be composed of different agents of the proposed upgrading of the country's democratic process, being responsible for:

¹⁹ Less than one month after EU elections it is, not only in Slovenia, obvious that, due to the present democratic deficit and the lack of legitimacy of EU political structures, we should also engage in the reduction of the so-called democratic deficit in the area of EU politics as well.

1. the conceptualisation of a coherent model of the upgrading;
2. the well-informed and considered implementation of the model in the fields of various areas of politics;
3. evaluation and step by step improvement of the model.

It is therefore envisioned that members of the CJ, which is already partially constituted, will include:

1. members (teachers and students) of the faculties clustered around the Free University initiative (the Faculty of Social Sciences, the Faculty of Law, the Faculty of Education, the Faculty of Social Welfare, the Faculty of Computer Sciences, the Faculty of Economics, the Faculty of Public Administration, etc.);
2. advisers responsible for the procedures and preparation of material for decision making at the level of the national parliament (*državni zbor*) and local councils;
3. selected representatives of civil society initiatives (*Metina lista*, the Direct Democracy Now group, local community initiatives from Maribor, and the local initiative for e-democracy from Radovljica).

Fields junctures (FJ) should be composed of:

1. civil society entities organised in a particular field or around a particular pressing policy issue;
2. advisers responsible for particular parliamentary committees or commissions in the national parliament or local council;²⁰
3. university teachers, researchers and experts in the particular field of policy;
4. students from a study programme covering the specific fields of expertise required who are available to serve as “policy scientists” in a particular field.

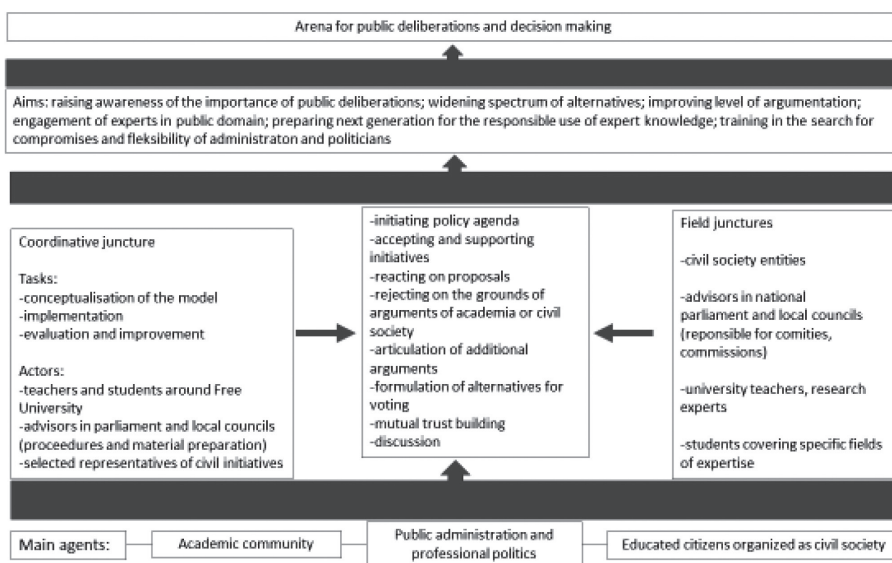
The presented structures should, in a combination of CJ and FJ, be able to:

1. initiate policy agenda in different areas;
2. accept and support the initiatives of different agents in their structuring of a particular initiative;
3. react to proposals involving new regulations and measures on the part of the local or state administration, and:

²⁰ *The present parliament has formed twenty “committees”. We expect a similar number in the future, and our intention is to form field junctures that will cover the same or a similar spectrum of policy making (probably covering more than one of the committees formed by parliament) and, if necessary, we also envisage forming ad hoc field junctures.*

- provide additional argumentation in favour or against the arrangements proposed,
 - participate in the articulation of possible compromises or alternative solutions at the level of amendments (shifts),
 - or propose radically differently conceptualised arrangements or solutions to the problem;
4. simply reject the solutions proposed on the grounds of arguments developed by the academic community and/or civil society;
 5. (in the case of Field Junctures) articulate and facilitate democratic deliberation by providing additional arguments (materials, studies) in favour of certain solutions or in favour of a possible compromise;
 6. formulate alternatives for voting (by the same juncture, when deliberation has reached a relatively clear solution).²¹

Figure 1: JUNCTURES OF DEMOCRACY IN SLOVENIA



²¹ Voting is only one of the results that could present a relatively clear picture of the potential for the support or rejection of a particular policy proposal. The main aim of the mechanism is still to facilitate the process of deliberation, and to produce ideas and suggestions for different solutions (we stress this idea after discussion of the Tampere Valma Group, and we would like to thank them for directing our additional attention to it.)

The result of voting or the support for different solutions – the number of those voting in favour or against a particular solution – should be automatically presented either to the municipality council or to national parliament administrations and committees. The practice in other countries demonstrates that it is important for all of the comments and proposals to be at the disposal of representatives, and we propose that this should be the case in Slovenia as well. This approach seems particularly important, as it builds mutual trust between representatives and citizens when the legitimacy of the process of decision making is at stake.

Both bodies of elected representatives should discuss issues raised by the Field Junctures. If the number of those taking part in deliberation and voting is sufficiently high, they would be obliged (as regulated by the rules of procedure) to vote on it. In order to increase the transparency and responsibility of the administration and professional politicians, the results of voting would be available to the public on the pages of local community councils and the national parliament. On the same pages, we would also like to see recorded discussions related to the proposal of the citizens' initiatives coordinated through the mechanism of FJ.

We believe that with such a mechanism it should be possible to:

1. raise the awareness of the importance of public deliberation concerning issues important to citizens;
2. raise the awareness of representatives at the local and national level, and even at the EU level, of the spectrum of alternatives for certain solutions and the variety of the expectations amongst citizens;
3. improve the level of argumentation in public/expert and political deliberations concerning the common good and even the general public good;
4. invite experts in the field of research institutions and academia to engage in public issues in their area of expertise;
5. prepare future generations of experts for the informed, publicly responsible use of their expert knowledge.

We also believe that it would be possible to create an arena for public deliberation and cooperation concerning the search for a future that is less burdened with risk than the future we foresee today. At the present time, it is clear that we face a number of more or less insurmountable challenges, ranging from growing inequalities (*cf.* Stiglitz; Freeland) to dead ends in the present type of economy, including questions of sustainable development and unemployment (*cf.* Rifkin, 2006; Castel, 2009; Meda, 2010; Castells, 2012; Wallerstein et al., 2013).

We are aware that, while attempting to implement our proposal, we will have to overcome important barriers and examples of resistance, in terms

of both the determination and readiness for the necessary compromises on the part of civil society and flexibility on the part of public administration and professional politicians. Nonetheless, initial tests of the idea both with selected political players in the present national parliament, as well as with likely players in the future national parliament and in some municipalities, give rise to hope that an opportunity exists to:

- achieve a shift in the current practice of the administration and the political strata, as well as in the approach of civil society to the political agenda in the country, towards more inclusive, collaborative, common-oriented politics (*cf.* Rifkin, 2014);
- submit our idea for consideration in the newly elected parliament in autumn this year, and to try to achieve changes in the regulations directing the procedures of legislation (rules of procedures) at both the local level and the level of national government and parliament. In these regulations, we would like to see the transparent and welcome incorporation of public deliberation in procedures of:
 - initiating the process of legislation or decisions related to specific policy measures of the common good,
 - suggesting amendments to legislation and other types of regulations,
 - restarting discussion related to decisions taken by the respective bodies of representatives.

With regard to all of the aforementioned processes, we, for the time being, propose retaining an arrangement in which the final power of decision remains with the elected representatives.

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