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Rafael Rubio and Ricardo Vela

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ABSTRACT

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AUTHORS INFORMATION

Rafael Rubio is Associate Professor and Head of the Research group for participation and new technologies at Complutense University of Madrid. He is member of the Venice Commission and Spanish Open Government Forum. He has published several books about Parliament: Open Parliament. Parliaments in the XXI Century (UOC, 2017) and Open Parliament around the world. Evolution and good practices (Fundación Gimenez Abad, 2018). He has also edited, "Open parliaments. Technology and networks for democracy" (Spanish Congress, 2014).

Ricardo Vela is Doctor (PHD) in Constitutional Law and Executive Development Program by IESE. He is currently Vice President of the NGO International Cooperation and Professor of Villanueva International University. He has published "Open Parliament, The Parliament in the 21st Century" and "The Open Parliament in the world, evolution and good practices, 125 instruments of parliamentary opening".

Contact Information:
rafa.rubio@gmail.com, ricardovela@gmail.com

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1. INTRODUCTION

In the past few years openness has become a hot topic in the world of Political Science and administration. It is not uncommon to hear the phrases Open Government, Open Justice and Open States in daily parlance. When approaching these ideas, jurists usually have problems defining them, as, in the main, there are few specific rules on "openness", and those that do exist are spread across different levels of legislation that do not usually mention their relevance to openness. It is possible to find different regulations linked to transparency, participation and collaboration, following President Obama´s memorandum on transparency (2009), which is an essential reference in this regard.

A similar phenomenon can be observed in the parliamentary realm. Open Parliament is the result of a combination of the sociopolitical context, the Information Society, and the impact of technological advances on parliamentary institutions. However, when it comes to truly concretizing the idea, it remains "in construction" pending open debate and definition (Red Innova 2014). As Mandelbaum and Swislow (2014:28) highlight, "while Parliaments begin to recognize the need for transparency and citizen participation, what we mean by these terms is less clear in a world reliant on technology. Whereas the idea of "Open Parliament" can mean the physical ability for citizens to enter the parliament itself, for computer programmers and those who wish to share parliamentary data online, Open Parliament means something completely different." In this way, despite clear normative references in Chamber Regulation, it is sometimes difficult to distinguish between when we are actually talking about Open Parliament.

As the idea of Open Parliament has already been developed previously (2017), this study shall focus on good practices of Open Parliament in the world, justifying its character on a global scale and the criteria considered essential when determining whether an activity constitutes an act of open parliament or just a technological or non-technological proposal that simply aims to improve the institution.

We shall take the definition developed by Novagob as a starting point. For this working group, Open Parliament implies "something that communicates parliamentary activity and information about the institution and its members in a transparent way and in an open format, easily understood by citizens; it opens spaces for participation and collaboration with citizens and civil servants; as part of a permanent conversation, it makes use of channels such as social media to actively listen to citizens demands by opening deliberative forums and other instruments for participation with the power to influence the political agenda"[1].

We can also add to this definition the guarantee "of access to public information, accountability (…) and high standards of ethics and honesty in parliament´s work" as outlined by the Parliament of Paraguay (2016).

It is logical that the structural, organization, cultural, normative and political changes that Open Government involves affect the representative system. The principles of transparency, participation and collaboration (as well as other particular characteristic that will be investigated henceforth) in the parliamentary sphere can be called "Open Parliament". The Information Society, by introducing new variables in social behavior, new

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[1] Novagob is a social network of the public administration which aims to help professionals in the public administration. It is a project developed by the Autonomous University of Madrid Foundation Available at: http://www.novagob.org/

possibilities for interaction and greater opportunities for communication, favours the evolution of the classical parliamentary institution, not necessarily involving more technology, but more openness, which is not always the same thing, acting with transparency, providing spaces for citizen participation and promoting collaboration: Open Parliament.

2. A GLOBAL CONCEPT

Open Parliament is not just a new concept, or a nice expression, but the product of a greater necessity within the parliamentary institution in the democratic world. Advocates of Open Parliament propose it as a response to those who question the sense of a parliamentary institution threatened by various crises. This is not a new phenomenon; in 1920 Hans Kelsen explored the problem in his essay "Essence and value of democracy": "The existence of modern democracy depends on the question of whether Parliament is a useful instrument for resolving social needs in our era. Although democracy and parliament are not identical, there is no doubt, given that direct democracy is impossible in the modern State, that parliamentary democracy is the only real form which can embody democracy in the present social reality (…) In this way the failure of parliamentary democracy supposes, simultaneously, the failure of democracy."

Nowadays parliaments are also facing new challenges in the social, economic and political context that has changed at a breath-taking rate and to which parliaments must quickly adapt. The effects of these changes can be seen in the public demand for a different representative institution in which they can 1) obtain information and influence parliamentary work, 2) achieve a greater level of accountability and respect for their demands and 3) obtain services and results to satisfy concrete needs. (Power and Shoot, 2012: 4). "In the moment that technology, participation and political processes came together, Parliaments have found themselves confronted with growing demands to be open to and more receptive of citizens" (Griffith and Casini 2012).

It is upon this question of representation and this parliamentary crisis, that the principles of Open Government born the idea of Open Parliament. If the adoption of these principles of transparency, participation and collaboration on the part of the legislator imply relevant and structural changes, which bring with them rights and obligations both for citizens and for the administration, then it is only logical that the construction of a transparent dialogue with citizens and the global access to information and institutional data that Open Government suggests, are also valid values for representative chambers. Open Government, thus, supposes that there are Open Parliaments.

If the parliamentary institution is not capable of responding to these demands "society will ask questions to their representatives which are already being generated within. The will ask for the creation of new forms of political participation and control of executive power, they will demand the establishment of new and constant channels for communication and immediate access to information. And if there is no response or imitative taken on behalf of the Chambers, they will search, perhaps irreversibly so, for other alternatives." (Tudela Aranda, 2002: 113). The big change is adapting the parliamentary institution without betraying the principles that shape the representative system.

With this in mind, over the past few years Parliaments across the world have started to explore new forms of developing their traditional functions, assuming what some consider new functions, to try and respond to these demands. In this regard information and communication technologies have show their capacity to support and modernize institutional activity. In the past few years there are very few countries who have not experienced technological advances in the parliamentary realm[2]. It is possible to discover new ideas, new tools, new practices and an increasing number of parliaments use technology to carry out their representative tasks with greater efficiency, drawing them closer to citizens. It still remains to be seen as to whether they have created a real change in parliamentary practice.

3.   MORE THAN JUST TECHNOLOGY

Technological innovations affect Parliament not only in its internal functions and the development of its traditional or basic functions, but also in how it is perceived in public opinion (citizens), or how these changes affect the relationships it has with other institutions. As such, ICTs, which are undoubtedly part of the social changes that have caused the parliamentary crisis, can also be part of the solution. As Coello de Portugal (2013:70-71) explains, the parliamentary institution "is in the centre of the technological changes of the 21st century in various realms. On the one hand normative action should be reconciled in matters concerning new technologies, and on the other hand, new technology should be applied to parliamentary activity without its introduction leading to the destruction of legal and constitutional institutions that shaped Parliament as a democratic institution centuries before the apparition of said technologies."

Born to be mirrors of public opinion, Parliaments are places in which national sovereignty resides and as such, communication is a key aspect of its DNA. It is thus not surprising that new technologies have special weight in the configuration of Open Parliament. However, the model for Open Parliament is not only about increasing the technology used by and in the Parliament, nor just about its implementation. When they are implanted in a passive way, new technologies often end up being used to replace representation, which constitutes one of the most frequent errors in the initial process of adapting to technologies: putting reality at the service of the tool and not the other way round. Not everything that is possible to carry out is interesting or appropriate, even if it is new and innovative. It makes no sense to start developing functions that adapt to what technology is capable of doing, and losing sight of the needs that technology serves. Carrying out changes without perspective leads to failure and can have counterproductive affects. Authors such as Rodota (2000) have perhaps suggested a more sensible argument, thinking first about what the role of Parliament is nowadays in democratic states, and how ICTs can contribute to these functions in an appropriate way. It is about putting ICTs at the service of democracy, drawing it close to the true sense of representative democracy. It is only in this way that is possible to adapt mindsets and processing to this type of technology such that they reinforce the activities and functions of parliamentary institutions.

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[2]The change can be seen in the different editions (2008, 2010, 2012 and 2016) of the Report on Electronic parliament which will be discussed later on.

An Open Parliament is about incorporating technology in Parliament´s functions, but involves more than just simply applying them (Campos Domínguez, 2013: 45). It is not so much about the acknowledgement that they are using certain digital media, but about trialing new tools that allow for greater openness, transparency, accessibility and accountability [3].

In this way, the level of the tool´s sophistication is not enough when considering how to open up parliament. Parliament must see whether these changes are useful in 1) reinforcing the role of representatives and improving the public´s understanding of parliament´s work, both inside and outside of Parliament, 2) improving accountability, reinforcing the role of Parliament as a fiscal body and 3) collaborating closely with the mediating body that summarizes and interprets parliamentary activity to strengthen links with the public. Open Parliament should have the following characteristics: representative, transparent, accessible, responsible and efficient (Beetham, 2006: 21-22).

The functions of Parliament, its role and presence in political life have changed greatly in the past few years. The new challenge that the parliamentary institution faces is that of determining how technology can contribute to this new role. Open Parliament is a new stage in the application of technology in which parliamentary institutions advance towards informative transparency, participation and citizen participation that are the ultimate pillars of Open Government (Leston-Bandeira, 2012).

4. THE INCORPORATION OF TRANSPARENCY IN PARLIAMENTS

4.1. Theoretical framework of parliamentary transparency

If the opening of the government goes beyond a mere technology of procedures, producing a change in the form of government, the application of transparency (condition needed to get that opening) in the parliamentary sphere assumes a new political modernity criteria and a measure on the evolution of democracy, and, therefore, a relevant change in parliamentary institutions. When studying its application to the Parliament, author such as Martínez Santa María (2011) or Visedo Mazón (2015) give such importance to transparency at the present time, they even come to say it is part of the democratic principles, at the same level than freedom of expression or the right of political participation.

Therefore, is not adventurous to affirm that parliamentary transparency is more than a series of procedures or a set of norms, processes or conducts that, without more, define the information generated by the Parliament as a public domain good: we are not dealing with a simple application of a principle that modify some procedures, but before a change of greater dimensions for Parliament. As we have explained before, in its application to Parliament, transparency involves, "a solid

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[3]This position has been taken by authors such as Williamson and Fallon (2011).

foundation to, thanks to the new technologies, citizen participation processes could be implemented (…) Transparency, direct communication and participation are not isolated elements, but clearly they are linked to each other, and must be integrated in the life of the parliament" (Rubio Núñez, 2011: 5). Transparency, participation and collaboration are principles that interconnect and relate continuously, so it is easy to confuse their already diffuse frontiers.

4.1.a) Transparency and principle of publicity for parliamentary acts

In the parliamentary sphere, transparency is related to the right of citizens to "good administration" and intimately linked to accountability. However, the most important and relevant influence for transparency in Parliament has to do with the publicity of its acts. As Llop Ribalta (2012:70) will say, implementing a policy of transparency in Parliament implies incorporating the necessary changes in the procedures and in the organization, in order to endow the advertising principle with substantive content (Merino, 2005: 78).

If from the perspective of any public body transparency implies a double obligation (on the one hand, to facilitate access to information and on the other to publicize it) it is logical that the same reasons apply to Parliament as an institution that embodies popular sovereignty. Especially if, as is the case, publicity is essential in the functioning of the Parliament (Schmitt, 1996; Bentham, 1991: 71) or, in the words of De Vega (1985: 45), one of the principles on which the "parliamentary spirit" rests.

The principle of parliamentary publicity was a concept unknown until the French revolutionary processes of the eighteenth century. In English political and constitutional history to protect the deputies from the monarchy and their constituents, the entrance of public in the parliament was forbidden or they impeded any publication on it. In 1681 the House of the Commons began to incorporate the logic that had the fact that those represented knew what their representatives were doing. However, the principle of publicity doesn't "constitutionalized" until the French Constitution in 1791 when it is established that the deliberations have to make public or that have to take minutes of the sessions. The parliamentary publicity so conceived was called to fulfill in first place an educational function (citizens would have the capacity to know what was happening in the country). Second, it was a way of controlling the possible arbitrariness of Parliament. Third, this publicity pursued closing the gap between the representatives and those represented.

The classical form of the principle of parliamentary publicity, therefore, consisted of the preparation of a bulletin, the diary of sessions, the minutes, the presence of the public in the stands, the access of the media, etc. With regard to this last aspect, to the extent that Parliament was aware of the importance and influence of the media in political life, it increased its relationship and dialogue with journalists and communicators.

4.1.b) Specific aspects of application of the principle of transparency in the parliamentary sphere

The advances in ICT have made these publicity greater thanks to the Internet[4]. But the impact of ICT has not been limited to expand the dissemination of this parliamentary information. The new social demands go beyond information and publicity. Therefore, transparency in the Parliament of the Information Society implies more than gathers the principle of publicity. In this sense, that the Parliament is transparent means that its deliberations (decisions, works, formalities and procedures) are open to public. From this perspective, the social and political changes that foster ICT bring to the parliaments the need to provide information and services online, and made those contents accessible and usable, while allowing citizens communicate with their representatives

When listing the characteristics of the Open Parliament we highlight the two manifestations that, in our opinion (Rubio Núñez, 2011), have transparency in Parliaments: the active one (which involves making the information available to the citizen through various means) and the passive one (which the citizen can request information that considers opportune, existing the obligation for the parliament to respond this request).

Within the passive transparency in Parliaments we can mention the measures that assist the work of media that inform on the work of the parliament. Among these measures we can highlight the following: the access of the media to parliamentary work (and in particular to commissions[5]), the adoption of laws that guaranteeing freedom of information[6] and expression (Beetham, 2006: 49)[7], or the regulations on the media[8].

Regarding to active transparency, we can mention the different strategies adopted by the parliaments to inform and announce it labor to the public with the aim to raise the interest and citizen participation. Most of the Parliaments have defined a communication strategy to educate and inform citizens that uses various media: radio, television, Internet, publications, information centers or specifically educational initiatives about the Parliament. Within these measures of active transparency we can

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[4] We refer to the possibility of establishing online parliamentary channels, the creation of parliamentary websites, live broadcast of the sessions, the transfer of signals from the parliament itself to other media, etc.

[5] The opening of the working committees parliament to the public and the media is a logical action if we want to ensure that the assemblies of representatives take the center stage of the political system of a democracy.

[6] Freedom of information gives citizens access to the information from public institutions (this right to seek information is different from the duty of public authorities to publish and facilitate access to certain information). Currently, more than 50 countries have enacted legislation on this regard.

[7] Freedom of expression implies that of information and it is its culmination because it concretized the right to communicate the data and publish it freely. Restrictions on freedom of expression are subject to three conditions: a) that are established by law: b) that such restrictions are necessary in a democratic society, such as the protection of national security or the good reputation of others; and c) that they be proportionate to the purposes pursued.

[8] In order to regulate the relationships between the media and the Parliament there is a regulatory framework in which on the one hand issues of ownership and control are addressed, and, on the other, the content of information. Regarding to ownership and control is intended to ensure the plurality and diversity of information about the Parliament. This diversity can be threatened by the possible control of the government by the media or by a monopoly or oligopoly. To avoid these dangers, some Parliaments have the existence of an independent regulatory body that can limit the concentrations of capital and shares of companies that own these media, or supervises that there is no government interference in these media.

mention the following: parliaments web sites, the creation of specialize centers of information about the parliament[9] or awareness campaigns[10], in particular, the ones directed to the youth[11].

Therefore, this communication of the Parliaments towards the citizen goes beyond a mere dissemination of information. When applying the principle of transparency in the parliamentary sphere, we can analyze three essentials aspects: 1) how the personification of information takes place (in order to accommodate all actors involved in the Parliament); 2) how content is generated (it is convenient to remember that transparency means publishing valuable information); and 3) how to achieve a true dialogue (an effective bidirectional communication between representative and represented).

The Parliament, therefore, exercises in the first place an educational mission to elaborate the information in an intelligible way, taking into account that citizens are not familiar with parliamentary functioning. It means, information must be offered according to the principle of information, which means that it has to be accessible to the widest possible audience (including people with low levels of schooling, learning difficulties or some sensory disabilities). Therefore, for a Parliament to work with true transparency it is not enough to publish certain information. The true desire to the opening of parliamentary institution goes to define its potential public well and to adapt its structures, designs, processes and workforce to the interests and needs that citizens require. Parliamentary transparency implies adapting the content to be understood not only by experts in legislative procedures (Rubio Núñez, 2013: 404)[12].

The main agents in the parliamentary web pages must be the citizens, who do not know about laws and who want to get involved in politics in the same way they do in other activities: without solemnities, schedules or special times. Along with this, in order to better reach the profile of the average citizen, it will be convenient to use audio formats, videos, infographic tutorials, multimedia

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[9] In many parliaments, and in their own facilities, information centers have been set up to organize individual and group visits. This is the case of the Chamber of Deputies of Italy, which in May 2005 began a center in which every day when there is parliamentary activity it can be followed through multimedia rooms. In other countries, open days are often organized

[10] These are information and dissemination programs that aim to "bring the parliament to the people". For example, in Sweden the parliament, with the collaboration of municipal libraries, installed "branches" in three cities (Goteborg, Mamo and Sundvall). In these branches, through multimedia equipment, they could connect with the Swedish Parliament (Riksdag) to follow the deliberations and even the deputies from each of these regions could use these means to meet with citizens and talk to them. One can also mention the "Mobile Parliament" program in Botswana (mobile device that informs about the work of the parliament) or the case in South Africa in which the second chamber (National Council of the Provinces) holds its sessions in a different province during a week a year. (Beetham, 2006: 64-65).

[11] It is common to find in many parliaments a special interest in training young people about the functioning of the parliamentary institution. Thus, in some countries, specific content about parliaments is integrated into school curricula. It is also the case of a website on the parliament specific for school children from 13 to 15 years old (this is the case of Iceland). Even electronic games have been used as didactic tools about the Parliament. Another line to awaken the interest of youth in parliament is through the promotion of school visits through programs developed in the parliament itself.

[12] "We can say that so far the Parliaments have offered interesting information for those who were already interested, but have not been successful in trying to reach those who are not. The parliamentary websites are still webs of and for experts, leaving aside those who should be its protagonists, the citizens. Citizens of the middle class (technologically speaking) for whom technology goes unnoticed, valuing only if they can find in a simple way what they are looking for. Citizens who want to get involved in politics, with the rules with which they get involved in other activities, without solemnities, without special times for it, but despite their distance from the parliamentary world, they are not attracted to empty pages, closer to propaganda than to information. "

formats, etc. This will also require using a closer vocabulary that highlights the essential ideas of a regulation or decision and that knows how to explain its relevance and practical consequences. In this sense, parliamentary transparency does not consist in becoming a "stenographer" or in an official bulletin for online cameras, accessible to a greater extent now thanks to technology. This adaptation to public's way of thinking, which is always done by political parties when they addressing to their electorate, will be essential for the Parliament to occupy the role it deserves in the 21st century. In a context in which parliamentary groups have assumed the leading role, and the institution has become a mere container with no life of its own, it is precisely to claim the role of the parliamentary institution and the trust of the groups to grant the cameras real autonomy in their communication functions. If applying transparency is adapting and personalizing information thinking on the recipient, in the generation of these contents should be procured its reworking, information and situation in a context that is understandable by citizens.

Another aspect of parliamentary transparency that we have to take into account is the openness to other actors in the publication of information. In this way, greater personalization of parliamentary information is achieved if those actors are the same that distribute it. This decentralization in the personalization of parliamentary information can be done through external actors (who could reworking information according to their own interests and those of their community of users), or through people from the parliamentary itself (without direct responsibility in the dissemination of the information).

It is also convenient taking into account the information times. Perhaps this is one of the most important communicative changes of the Information Society: the response time must be practically immediate, because since it no longer depends on the publication of the newspaper the following day, nor on the broadcast of the newscast. The delay in the response can be determinant and shape the role of the parliamentary actor social and politically. Thus, the management of the time and the value of information will determine if the parliamentary institution is an information reference. Gutiérrez Rubí rightly expresses a part of this idea when he speaks about the need to "not organize with the hours of the institution, but with the schedule of the society" (2013: 376).

It seems clear when advancing in the study of parliamentary transparency that parliamentary web pages are key elements for creating own contents and serving as source of contents. The same author (Gutiérrez Rubí, 2012) pointed out how the performance of Parliaments in the network usually meets the expectations of reliably collecting what happens in the cameras. However, they should not stay there. Parliamentary websites must act as open platforms and allow different actors to intervene, add specific content, serve as the basis for communication based on dialogue, and stand out for its ability

to actively listen to the citizens. This is not compatible with maintaining minimum information about the work of the Parliament without which it would not be possible to serve as an open platform.

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We can conclude, therefore, that for a Parliament to be transparent it is not enough to transmit information to citizens, but it must represent an added value in the sense that it is well transmitted, updated, organized, accessible, adapted to the user and relevant. The main contribution of the principle of transparency to the parliamentary institution does not consist exclusively in multiplying or disseminating more easily (through the ICT) parliamentary information of interest, but that it must be "timely, accurate and exhaustive", while is "easy to understand and use" (Williamson, 2013: 9).

4.2.- The gradual incorporation of Transparency in Parliaments

To analyze the gradual incorporation to parliamentary transparency, it is necessary to highlight the principles that make up its implementation in parliaments. For this, it is essential to refer to the "Statement on the Parliamentary Transparency" (Williamson, 2013: 9) which was release in September of 2012 and which includes 44 points that establish the principles that a Parliament must follow if aspires to be transparent. In addition to constituting a practical basis for review for parliaments to direct their efforts to achieve transparency, this document also aims to serve as a dialogue between parliaments and parliamentary monitoring organizations.

The four principles of this document are stated as follows: first, the "promotion of a culture of transparency", secondly, "making parliamentary information transparent", thirdly, "facilitating access to parliamentary information", and in fourth and last place "allowing electronic access and analysis of parliamentary information". Let's see briefly some characteristics of each of them.

The first principle is a generic commitment to promote a culture of transparency. It is based on the essential idea that parliamentary information is owned by citizens: the information does not belong to the parliamentary institution, but to the citizens as a whole, who must be able to use it and publish it: "Parliamentary Information belongs to the public, citizens must be able to reuse and republish parliamentary information, in whole or in part" (Williamson, 2013: 2). As a consequence of this

principle of public ownership of parliamentary information, parliaments should promote a culture of transparency through legislation, supervision and civic education. Along with this, it is proposed the recognition of the right and duty of civil society, the media, and citizens in general to control and monitor the activity of parliament and parliamentarians themselves. This means that parliament must assume the right of civil society to exercise control over a parliamentary institution. Thus, in determining the scope of the declaration it is specified that "in order to enable a culture of parliamentary transparency, Parliament must adopt measures to ensure inclusive citizen participation and a free society, allow effective parliamentary control and vigorously protect these rights through its supervisory function "(Williamson, 2013).

At the same time, Parliament must provide complete, accurate and timely information (in real time as a general rule). It also includes the commitment of the signatories to elaborate laws and internal procedures to promote an environment conducive to the protection of the right to information and equal opportunities for the participation of civil society and citizens in the process of creation the laws.

The second principle called "transparent parliamentary information" has to do with active transparency (Williamson, 2013: ii) that we have analyzed in previous pages. Proactively, the parliament must publish information on parliamentary functions, representatives, Parliament's staff and parliamentary administration, the agenda of sessions, and the reports made or provided, the minutes of the deliberations and other aspects of parliamentary activity.

The third principle refers to guarantee access to aforementioned information through various channels: physical access, live broadcasts, the media, the use of simple language, ensures the use of several languages, etc.

Finally, the fourth principle refers to allowing electronic access and, therefore, to issues such as the use of open formats, facilitating downloads, easy and stable search mechanisms, the correct maintenance of parliamentary websites, etc.

It is clear that, thanks to ICT, Parliaments have the opportunity to claim and "this requires ensuring the quality of information provided by Parliament in its various channels that must be updated, relevant, adapted to different users, well transmitted, accessible, well organized, in addition to being proactively provided where the citizens are" (Rubio Núñez, 2013: 409). This document constitutes an adequate and useful summary of measures applicable to parliaments in order to facilitate that information achieve greater transparency and participation of citizens.

Within the application of new technologies bringing greater transparency to the parliamentary institution, it is possible to differentiate between those that were put in place by parliaments

themselves, those which were "institutionalized" (or covered in specific transparency regulation), and civil society initiatives.

The first case presupposes the desire of authorities to open up Parliament to citizens and is usually included in the rules and regulations on the functioning of Parliament. In the second case, it is often, either, the result of a demand made to Parliaments that have not already started to open up their procedures, or, a means of ensuring that Parliaments who have done so comply with a minimum standard, and actually act upon their declaration of intention.

4.3.- Institutional application of transparency in the parliamentary realm

Of all the tools used for institutional transparency, three types can be found: the parliamentary Open Data initiative, transparency portals and the regulation of the right to access parliamentary information. These three ways of incorporating elements of transparency into the parliamentary institution should not be confused. The existence of a transparency portal does not necessarily imply a parliamentary Open Data system (because the data is not published in an open format). Likewise, a regulation on the right to access information may not incorporate an obligatory transparency portal. Below we will briefly describe each form of institutional transparency with the aim of explaining them in more detail.

4.3.a) Parliamentary Open Data

A few pages back we explained the importance of the "movement" of Open Data to improve transparency in institutions. The fact that information is made accessible to the public and is in an open data format is seen as a big step forward in terms of opening up institutions.

A lot of parliaments have incorporated the principles of open data movement in their functions in what has been called "Parliamentary Open Data". Papaoli and Gouscous (2013) carried out an analysis on the strengths, weaknesses, opportunities and threats(SWOT) of the application of Open Data in the parliamentary sphere. They highlighted the importance of Parliament opening itself up and sharing information, the publication of unknown aspects of their work and the encouragement of interaction between representatives and their public as strengths of the system. In terms of weaknesses, Parliamentary Open Data must resolve the problem of legislative information´s complexity, which is difficult for the wider public to understand, especially in terms of laws that include technical concepts and complicated legal technology. Together with this problem they also highlight the opportunity that Open Data parliaments have to make their activity and progress more public and clear to citizens, and as such, closer to them, helping strengthen democracy. Lastly, they

highlighted the threat may be posed when determining which data should be made public or not, and who should make that decision.

Ultimately, if Parliament opens up access to its data, it is available in an open format with certain technical requisite, allowing for its combining, reuse and dissemination. As has already been seen, in order for it to meet the requisites of Open Data, the information must be collected in an interoperable format. This means that the format used must allow for the information to be reused in any way desired, such as the development of new analysis or the creation of online applications.

Open Data should not be confused with other forms or requirements that imply transparency as outlined by authors such as Belbis (2013). For example, a parliamentary website that contains a lot of information in PDF format is not considered an Open Data initiative if it does not allow for the interoperability and reuse of this data. The fact that Parliaments 'data is made available in a *reprocessable* format is important in that it increases the social capital of knowledge of other beneficiaries such as businesses, universities and civil society bodies. As will be seen later on when analyzing how this effects the collaboration in Open Parliament, the opening up of parliamentary data is a necessary step in achieving joint work between the public and private sectors.

There are various examples of parliamentary Open Data. Belbis (2015) carried out studies on the process of opening up legislative data in Argentina, Brasil and Chile, and other examples include the United States' Congress´ initiative, and those carried out in the Swedish and Norwegian parliaments. Finally, other notable examples include Parliamentary Open Data in the United Kingdom, Scotland and the Italian Senate. In the British Parliament a platform has been created to publish the Parliament´s data in an open format that allows for the complete access and reutilization of the information. Although most of this data was already public beforehand, it is now available in an accessible format that makes it easier to search through and makes it possible to reuse the data.[13]

In the Italian Senate, the Upper Chamber has created a specific portal that can be used as a direct point of access for the Senate´s data and is a reference point for researchers, journalists and citizens, providing information on what is debated and voted in the Chamber. The website has daily updates of information in an open format[14], on the political and institutional aspects of the Senate (the draft laws and their processing, the electronic vote in the Chamber, committees and other parliamentary groups).

Lastly, the Open Data tool used in Scotland allows for information on the daily parliamentary activity (motions, questions, order of the day, petitions and reports, etc) to be accessed. It also allows access

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[13]Formats include ATOM, RDF, XML, JSON, REST, Dublin Core and RDF.
[14]Consultations can be made using search language with the SPARQL valuation criteria (standard W3C language for consulting data RDR: Resource Description Framework with the aim of facilitating their connection with other data sources.

to information on the members of Parliament (contact information, declaration of good and interests, etc).

4.3.b) Transparency portals

Transparency portals are one of the tools most used by institutions to present information to the public. In the case of many parliaments, this tool is presented as a means of navigation called the "transparency portal". In other parliaments, a page dedicated to transparency is included within the web page and contains all the information over parliamentary activity.

In 2000, the UIP[15] established a set of guidelines and recommendations for the contents of parliamentary web pages (Interparliamentary Union, 2000)[16]. This document established a series of minimum requirements that parliamentary webpages must comply to. They can be summarized in three sections: 1) information on the institution itself: general information on the structure of parliament; the electoral system and political groups; legislative processes and documents; the president and the vicepresidents; members of Parliament; parliamentary bodies and publications; 2) elements that encourage citizen participation in parliamentary life. In this respect there are two forms of interaction: active interaction in which the citizen has contact with the Chambers and expresses their idea or makes their enquiries, and the passive which involves the user receiving information on parliamentary development; and 3) the tools that allow access to information should have some sort of easy-use navigation system and provide information in the easiest format possible. Moreover, it outlines the information that should appear on the website: the contact email address for the webmaster (necessary both to make enquiries about the website, if a page is not loading or is loading wrong, if they cannot find certain information, and to suggest innovations on how the content could be presented), search applications within the webpage (map and internal search bar), menus and navigation guides that allow the user to go from one page to another without losing their way (in other words, there should be a possibility to go back to the home page directly without having to use the actual icon or keeping a menu in the same place to be able to resort to when they want to change page), frequently asked questions, language (it is recommended that the page appears in both the official language of the country and another well-known language[17] such as English), accessibility (the pages can be downloaded easily with older search engines, which do not contain aspects such as brands, images or sounds that slow the visual processing of the information), and updating (should be done frequently; the date of the last update should appear on every page).

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[15]Currently (April 2000) 57% of national parliaments have a webpage, a total of 101 countries.
[16]Available at: www.ipu.org/cntr-e/web.pdf
[17]The UIP advises that in bilingual communities it should be provided in both languages.

In 2009 these guidelines were revised with the aim of updating them to new technological tools, reinforcing the participative and interactive dimensions between society and parliament and encouraging a culture of greater transparency, openness and responsibility. The product of this revision was the document "Guidelines for Parliamentary Websites" (Williamson, 2013). The document analyses the content and structure of parliamentary websites focusing on four key areas: 1) the general information provided on the Parliament; 2) Specific information on legislative work, fiscal matters and the parliamentary budget, as well as activities from plenary sessions and commissions; 3) search tools; and 4) use and accessibility of the site.

The first example to be outlined, though it is not strictly parliamentary, is European Commission´s portal that is also used by the European Parliament. Posed as a "window to the world of the European institutions", the portal tries to guarantee that European citizens can access relevant information about how the European institutions make their decisions, who participates in their development, which bodies receive budgetary support and on what documents are the preparation and adoption of legislative acts based. [18]In order to achieve these objectives the portal does not just publish legislation and other documents of interest, but also information of the beneficiaries of EU funds, consultative committees[19] and groups of experts.[20]

The Portal includes a "Transparency register" that provides information on what interests are represented at a European level, who represents those interests and with what budget. It is a voluntary system, supported by an interactive public tool created by the European Union and The European Commission to add transparency to the decision making process in the European Union, providing citizens and people that work in the institutions with information about organizations that participate in the development and application of European policy (Martin Granados, 2013). This register inscribes a list of organizations that represent interests is published and their updated data[21], which is basically an explanation of who represents what interest, in whose name and with what budget.

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[18]"European citizens have the right to know how to the decisions taken by the European institutions are taken, who participates in their development, who received money from the EU budget and what documents the preparation and adoption of legislative acts are based on. They also have the right to access these documents and to express their opinion, whether directly or indirectly, through the intermediaries that represent them".http://ec.europa.eu/transparency/index_es.htm.

[19]"The Commission is often empowered to implement EU legislation with the assistance of committees composed of representatives from EU countries. This register contains background information and documents relating to the work of these committees, including all documents forwarded to the EU Parliament for information or scrutiny (…) In April 2008 the comitology register was substantially improved for documents relating to committee meetings and written consultations after 1 April 2008. Documents prior to that date are available from the old comitology register. The comitology register is distinct from the Register of Commission documents which contains other Commission documents." Available at: http://ec.europa.eu/transparency/regcomitology/index.cfm?CLX=en (26th October 2017).

[20]It is a register that aims to offer a global vision of consultative bodies that attend the European Commission in the preparation of legislative proposals and delegated acts, the application of legislation and policy, etc. http://ec.europa.eu/transparency/regexpert/index.cfm (26th October 2017).

[21]Bodies that are in the transparency register are classified in the following categories: 1) professional consultants, lawyers and self-employed consultants; 2) pressure groups in professional and commercial businesses; 3) organizations, platforms and non-governmental networks; 4) think tanks, academic institutions; 5) organizations that represent the church or religious organisations; and 6) organizations that represent local, regional or municipal authorities, as well as other public and mixed organisms. Available at http://ec.europa.eu/transparencyregister/public/homePage.do (26thOctover 2017)

Through the register, alert and complaint mechanisms can be accessed on the register´s information and possible infractions.

Finally another useful reference is *The Hague Rules for parliamentary websites* produced in 2010 by the ECPRD (European Centre for Parliamentary Research and Documentation). Known as "The Hague Rules", this document gathers together the basic elements[22] needed in a parliamentary webpage.

To summarize, transparency portals are tools created by Parliaments through their websites in which information is structured into four levels. The first level concerns information about the Parliament; on the one hand on parliamentarians, parliamentary groups (functions, salaries, declarations of good and activity, damage, social protection and insurance, emails, agendas, subsidies, nominal relations and salaries earned by dependable staff, assistants´ salaries), and on the other hand, on the organization, planning and organization of the institution´s heritage (structural organization, nominal relations and salaries of the managerial staff, the number of jobs, decisions for authorization or compatibility recognition, public job offers, selection processes, plans and annual programs).

The second level of information concerns relevant legal data. This includes information on the functioning of parliamentary organisms (regulation, reports, notes or expert opinions, replies to individual queries) and information on parliamentary activity (opening of the general register, consulting electronic files, *in voce* amendments, minutes and agreements from meetings between the Chambers´ bodies, databases of precedents, plenary and commission votes, information on motions, video broadcasting, office budget, documents accompanying draft laws).

The third level concerns relationships with citizens. The website should contain a search bar, a map of the website, be accessible and useable etc. There should also be enough information and citizen support (support email address, contact with the support office). Finally, there should also be information on citizen participation (forms of participation if there are any, access to parliamentary addresses on social media etc).

The last level concerns economic, financial and budgetary information. The Parliament should be transparent in everything regarding its economic and budgetary functions. This means that their

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[22]"These minimum elements are: an introduction and a presentation by Parliament; complete record of the people that make up the Parliament and the work they do there (parliamentarians, government bodies, administration); full access and if restrictions to all published documentation; multiple channels to access information access including search engines, streaming, social networking, alert services and platforms mobile phones; various methods to communicate with citizens; and that the design is understandable, usable and accessible. It is understood that a parliamentary website should contain or allow for 1) the ability for citizens to ask a question, register an opinion or receive a response from a parliamentarian or someone from the parliamentary office; 2) the complete text of all public documents; 3) a search bar to access the state of legislative initiatives or those that have been transmitted; 4) a voting register ; 5) live streaming of sessions with links to the order of the day; 6) access to parliamentary budget; 7) an explanation of the history, role and responsibilities of parliament; 8) full compliance to standards of accessibility; 9) information, process and documents designed to involved young people; 10) information on work of MPs and their status (salary, social protection coverage etc.); 11) an explanation of the history, role and responsibilities of parliament; 12) all the documents developed in accordance with standards for openness and accessiblity.

budgets, liquidations, agreements, real estate, international travel costs, grants and prizes must all be available to scrutinize. Documents and information relative to the services that the Parliament has been contracted for must also be accessible, which means that the contracts should be published with their object, duration, bidding, allocation and processing fees, minutes from meetings, the percentage of the budget allocated to contracts, the number of official vehicles, etc.

Various examples of transparency initiatives within Parliaments can be highlighted (the references for each tool can be found in the summary table at the end:

- "About the House" (Australia): on this page there is a summary of the themes of debate in the House of Representatives. The service allows for citizens to investigate each topic through website links offering additional information. Citizens can also subscribe to an information service about laws that have been passed and download them in PDF format.

- Record of Queries (Mexico): in the Mexican *Cámara de Diputados* they keep a record of queries and access is given to annual and quarterly reports on transparency. The web page provides passive transparency: the information requests and replies from the Parliament.

- Access to Information page (Canada): the Access to Information page is an independent body integrated in Canada´s parliament which carries out annual reports and quarterly bulletins about their activity: procedure, management and replies to information requests. Like the previous example, through this page citizens can access reports and bulletins that have been transferred to the Chamber.

- Annual management reports for the Congress (Peru): through this web page the public can access reports that are presented by the Congress at the end of each year. The report contains: 1) legislative initiatives; 2) political control procedures; 3) work carried out by commissions; 4) foreign trips to represent the Congress or carry out parliamentary functions; and 5) any other relevant information.

- "Zabalik" is the personalized alert system used by the Basque Parliament (Spain). Using various different means (alerts, subscriptions, open parliamentary data) content is offered in a personalized way, adapted to the interests of each citizen. The subscription can be done in two ways a) relevant topics on general themes of interest out of a set list; and b) concrete topics that can be chosen from the most recent topics that have been presented for debate. Once the subscription has been confirmed, material related to these topics is sent via email to subscribers every week.

- Research briefings (Scotland): The Scottish parliament includes access to law proceeding in this tool in a section called "Spice briefings" in which parliamentarians, civil society and the general public have access to information on laws and topics which are going to be regulated.

- "It´s your parliament": The European Parliament´s tool which gives access to representatives voting register. It allows users to compare different political groups.

- Peruvian Virtual Parliamentary Bulletin: through an online subscription to a weekly bulletin users are informed of the activities and events carried out in the Congress, both in Lima and in the rest of the country, and updated about the parliamentary work for that particular week (Congress and Permanent Commission agendas, topics broached in these sessions etc). In the same bulletin there is direct access to judgments and draft laws presented in the Congress.

4.3.c) Right to access parliamentary information

The regulation of the right to access parliamentary information establishes mechanisms through which data and Parliamentary responses can be requested. It is therefore an example of passive transparency, establishing requirements allowing Parliament to respond to information demands. The regulation can have a general focus (using a law about access to public information that affects the other State organisms) or a sectoral focus (applying to sectors or specific areas for intervention). The latter is the approach used with Parliament: a specific rule on the free access to parliamentary information.

The following should be considered the minimum requirements for such regulation:

1) The Parliament should be established as the obliged subject or passive subject (through one of its departments) of this right and thus the duty to provide information on their activity should be imposed.

2) Determine who can access information – the active subjects. In general this right corresponds to any individual.[23]

3) Establish the minimum content of information that Parliaments should publish without express request (active transparency). This information should exist without express request (own-initiative information), which simplifies requests and responses.

4) Firm up the inventory of exceptions to the access to information. What sort of information should not be published? Regulating this aspect successfully is important as if the list of exceptions is wide and varied, as Ackerman and Sandoval explain (2006: 28) it can "contradict the sense of the law on access to information".

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[23]The use of the term person means "citizen" in the wider sense. This suggests that it is not necessary to be a citizen of the State to apply for access.

5) Regulate the administrative process for requesting information: free at the point of use, if ID is necessary or not, etc. There should be laws to firm up the way information should be accessed, whether verbal, written or electronic requests are needed etc.

6) Establish the supervision and control of the law´s execution: establishing powers and audit mechanisms so that the law is complied with. Alcántara Sáez and García Montero (2013:11) outline the three most common mechanisms used: 1) revision by the Judiciary; 2) the creation of special commissions and 3) supervision by the Ombudsman.

In addition to these aspects, Nava Gomar, Luna Pla and Villanueva (2006) highlight other ways this right might be regulated, such as through a list of definitions[24], criteria for interpretation[25], public releases[26], the principle of maximum publicity[27] and harm tests[28], fixing a reservation period for information, guaranteeing the protection of personal data[29], a set of responsibilities in which public officials who do not comply are included, etc.

Other authors have used the European Parliament as a reference to establish minimum indicators for the right to accessing parliamentary information: 1) open plenary sessions; 2) open committee and commission sessions; 3) availability of parliamentary registers and initiatives; 4) voting and attendance registers; and 5) systems to regulate accountability. These indicators can be viewed as the minimum requirements for any law on access to information to practice parliamentary transparency.

4.4.- Parliamentary transparency initiatives developed in civil society

As was highlighted at the beginning of this epigraph, the tools that we have studied up until this point have involved the commitment of the parliamentary institution itself to applying transparency to its work. Together with these so-called institutional initiatives, there various other tools and mechanisms applied by civil society. By this we are referring to the role of civil associations in following parliamentary activity, known as "Parliamentary Monitoring Organizations" (PMOs from here on in). These are groups organized by civil society whose main objective is to promote greater transparency and participation in parliamentary work.

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[24] Within the analysis of the different articles there should be clear and precise definitions. There should be a catalogue of definitions that help to understand legal logic to help understand the concepts considered.

[25] Three important aspects: 1) establishing international treaties and agreements for interpretation: 2) power of the guaranteeing body to interpret the law in the area of its exact observation; 3) in the interpretation that is carried out promoting the principle of publicity of obliged subjects.

[26] The fact that information is restricted should not impinge upon the ability to publish a version in which sensitive information is protected.

[27] Means that any obliged subject makes public the information in their possession.

[28] The principle of maximum publicity is guaranteed when the authority is substantiated and reasoned at the time of establishing that information should have restricted access on the basis of the principle of three-part harm testing. The following elements should be considered: information is a derogation; publication of data can threaten public interest protected by the law; the harm produced by publishing information is greater than the public interest for knowing the relevant information.

[29] Also known as *Habeas Data:* the supervision of personal data in the exercise of the right to privacy, as well as mechanisms for correction and deletion of personal information.

PMOs arose from the legitimacy crisis within Parliament and have grown throughout the 20th century, thanks mainly to economic globalization and the intensification of the process of interrelation and interconnection within civil society. As a result of the Information Society, this sort of activism can become particularly relevant, and has the power to influence the political agenda.[30]

For years PMOs have worked to increase the access to parliamentary information, promoting accountability within chambers, pushing for greater citizen participation in legislative processes and managing to obtain greater access to information in Government and Parliament. The 2012 Global Report on E-Parliament highlights how the growing number of PMOs and the international network that coordinates their activity globally "are increasingly focusing their attention on legislative powers. The majority of PMOs are using sophisticated technologies to provide citizens with new means to evaluate parliamentary activity. They are also attracting public interest through the presentation and recuperation of information on easy-access platforms and social networks, to promote civil engagement" (Griffth and Casini 2012:12). Gonzalo Rozas similarly argues that PMOs are an opportunity for parliaments to recuperate their image and prestige in society and as such, they are not a threat to representative democracy nor for the institution of parliament, but a "natural development in society´s networks of information and debate on public matters" (2013b:54).

As Mandelbaum (2011) explains, these organizations aim to "strengthen a series of aspects of democratic governance, including parliament´s responsibilities with the electorate, civic engagement in the legislative process and access to information on Parliament and its work".

The task of monitoring Parliament would be impossible without technologies. Using the scraping technique[31] PMOs gather data on parliaments through websites and display them in an accessible and understandable way. As the 2012 Global Report on E-Parliament highlighted "these organizations have strengths and weaknesses, however, they fundamentally seem to be creating a new form of external validation of parliamentary representation. Moreover, although parliaments are sometimes resistant to these changes, it is unlikely that they will disappear; in fact, in many ways they improve the public image of Parliaments". (Power and Shoot 2012:62).

As such, we can argue that through controlling parliaments, the objective of PMOs is to encourage bidirectional communication between representatives and those who are represented, to draw Parliament closer to its citizens, and above all to reinforce the representative system. These initiatives understand that open parliament is essential for the strengthening of democracy as Parliament is the

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[30]In their task to control and follow parliamentary activity, PMOs focus on auditing and supervising parliamentary activity, bringing permanent information into the public realm, visualising the future of public funds, creating online petitions, organising accountability platforms or establishing seats for citizens in popular legislative initiatives.

[31]The term scraping comes from the verb o scrape. In the informative realm it is used to refer to the minute examination of information in with the aim of finding small bits of specific information in a large quantity of information. Screen scraping or web scraping is the process of collecting information in an automatic way online.

central focus for the representation of popular sovereignty. As Gutiérrez Fraile explains "the traditional means of monitoring political and bureaucratic accountability such as intragovernment controls and elections, have an increasingly limited outreach and efficacy and are not seen as opaque or sufficient by citizens" (2013: 75).

The list of tools used by PMOs to monitor transparency is too extensive to be included in this study. However, it is important to consider that there are over 200 different tools used (Power and Shoot, 2012:2) to follow Parliamentary activity. For this reason, we shall highlight but the most relevant, establishing five categories.

4.4.a) Monitoring Parliamentary activity

Firstly, there are a series of tools to monitor parliamentary activity:

- *Theyworkforyou.com* is a portal created by mySociety. It was one of the first tools used to control and follow parliamentary activity (it was launched in 2004) and is currently one of the most influential (it has 200,000-300,000 users every month.[32] This portal offers information about the work of members of the British parliament, the Welsh assembly, the Northern Irish assembly and the Scottish parliament.

- *ePolitic.org*, created in April 2013 under the name Votewave, aims to give access to the CVs of political representatives, giving citizens more information for choosing candidates and Government teams. The information does not just refer to their academic training but the posts they have occupied in other areas with the aim of achieving greater transparency on politicians´ professional links. As such the website offers a database with politicians CVs. The CVs on ePolitic are stamped to show the politicians wish to make their professional trajectory transparent and public. Once the professional and academic profile has been established (it is created using various sources), politicians have the option of completing or correcting the information that is published. When they have checked it, the CV is considered complete. In this way "the stamp of a Complete CV on ePolitic.org recognizes the efforts of a politician to clearly share information with citizens".

- *VoteWatch.eu* reveals the attendance of MEPs in the European Parliament, as well as their contributions. Through the website the data on assistance, voting and parliamentary activity is collected with the aim of offering a complete view of the European Parliament and Council of Europe´s activity, and helping to improve understanding of the European Union.

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[32]https://www.mysociety.org/files/2011/06/TheyWorkForYou_research_report-2011-TobiasEscher1.pdf (21th November 2017)

- *Mep Ranking.eu* (Members of the European Parliament) is a similar initiative. It carries out comparative studies and establishes rankings for each of the members of parliaments, analyzing their contributions etc.

- *Quehacenlosdiputados.net* is a Spanish initiative that contains information and data following the work of the 350 Members of Congress. In addition to information on their professional and political trajectory and other personal details on the members of congress (such as declaration of goods, income and activity), it is also possible to access initiatives presented by each parliamentarian, their appearances in Plenary sittings or in Commissions and votes in Plenary sittings. There is also a channel for information which includes a parliamentary agenda (with links to working documents) information on parliamentary sessions that have been developed in mass media and educational materials on the work of Congress and the members of parliament.

- *Colibribook* is a mobile app that tries to bring MPs closer to citizens. This tool provides access to public contact information for each MP (social media profiles, webpages, email addresses etc.), and well-arranged and easily-accessible to citizens. (Martisi, 2015).

- *RegardsCitoyens.org* is a French movement which has developed two monitoring initiatives called *NosDéputés.Fr* and *NosSénateurs.Fr*.

- *Borde Score* was developed by the Mexican association BordePolítico[33] and evaluates the legislative activity of MPs and senators. With the aim of providing better means for citizens to find out about the work of their representatives, the productivity of representatives work is measured by three factors: legislative work (efficacy and productivity of the representative analyzing the number of initiatives, their attendance), political role (understood as the coherence of their pledges made) and extra-legislative (the representative´s influence on social media and in the mass media).

- *Openparlamento* is an Italian initiative called *Openpolis* through which access is given to public information on political candidates, elected representatives and legislative activity. The information used is obtained through the Italian government website. On the webpage there is an openparlamento tool that gives a daily updates on the work in parliament and offers the possibility to follow specific material or people, and even the possibility to contribute to forums.

- *Curu1505.org* is a Mexican tool which allows citizens to access legislator's profiles and communicate with them using the page "Locate your representative". Users can send

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[33]BordePolítico is a platform created in 2013 that tried to generate new forms of political participation in the legislative branch by promoting open parliament through ICT and training for civil servants. Available at: http://bordepolitico.com/ (21st November 2017).

comments to their representatives and give specific demands for information (whether they have carried out their campaign promises, spending reports etc) and accountability.

- *Political Directory* was developed by the *WeCitizens* organization and acts as a database for political representatives in Belgium.

- *ThinkAboutEU*was developed by *Elif Lab* and collects information from different sources about Members of the European Parliament and offers different ways of ordering and structuring the information (*Match the MEP, Policy Agnedas, MEP´s Topics, MEP´s Magic Circles).*

- *Riksdagsskoltet*converts official Swedish parliamentary information on parliamentary activity into infographics and easy-to-understand graphics.

- *They vote for you* is an initiative started by *OpenAustralia.org* through which citizens can find out what their representatives have voted on certain issues.

- *Jordanian Parliament Monitor* is an initiative by the *Al-Quds center for political studies* and provides information on the Jordanian parliament. Through the platform it is possible to access representative´s profiles and their positions on issues etc. It has a tool which allows citizens to carry out reports and to consult statistics on the activity of the MPs.

- *Mzalendo*or *Eye on KenianParliament* is a tool that provides relevant information on the Parliament and specifically on the Senators and their activity.

- *AtrivasSeimas*is a webpage which offers information on representatives (votes, contributions, popularity rankings based on online polls etc.)

- *Demokratikollen*infographic information on Swedish parliament

- *Openparliament.ca* is a private initiative started by an individual with the aim of monitoring Canadian parliamentary activity, and stands out because of its simplicity and intuitive ways of presenting information. While it was originally created to fill a hole in the market, it has now been relegated as a result of advances in the official Parliament webpage, which offers the same information in a more traditional format.

4.4.b) Follow Legislative activity

A second category includes tools that follow legislative activity. These tools are different from those mentioned above as they focus on legislation that is approved and being processed in Parliament, as opposed to the work of individual MPs. The following examples should be highlighted:

- *Congresoabierto.cl* is part of the Chilean initiative "Intelligent Citizens"[34]. This webpage aims to bring citizens closer to the law-making process (following procedure and creating alerts). It also provides a direct channel for communication with representatives.

- *Congresovisible*was created by the *Universidad de los Andes* with the aim of following and analyzing legislative activity in the Colombian congress. Using publications and news flashes, the platform informs and educates citizens on how to interpret parliamentary information and the ways that they can participate.

- *TIPI ciudadano* is a transparency tool which provides access to information and accountability, focusing on Spanish parliamentary activity. Users can investigate the activities of the Congreso de los Diputados and classify them according to their relationship with 21 topics such as poverty, social justice and sustainable development. The tool has a search bar (scanner) and a system of personalized alerts.

- *GovTrack.us* replaced *Opencongress.gov* as a pioneering platform managed by the *Sunlight Foundation*[35]. It follows the legislative activity in the US Congress.

- *Retóricaparlamentaria:* This tool is different in that it underscores the control of Parliament and focuses on specific subjects. Search bars allow users to order issues by particular subjects present in parliamentary activity and presents the main themes discussed by Brazilian MPs using an interactive graphic. This graphic is made using an easily understandable graphic which is easy for the user to follow[36]. Although "Retóricaparlamentaria" was initially a Brazilian Parliament initiative – which will be studied later on – it is included as a civil society tool here because it was part of a *hackathon*[37] which was organised by the Parliament, in collaboration with stenocaptioners and tachographs in the Chamber.

- *Proyecto Avizor* followed and evaluated the activity of the Spanish Congreso de Diputados regarding public policy on poverty and the promotion of fair and sustainable development. The project established a methodology to determine whether Spain had contributed to the challenges in international development and poverty (Pérez and Segovia, 2016:2).

- *Une Votoj* was created by the Albanian association *Miaft*and collects information on the Albanian parliament: committees, agendas, procedure. It also includes information on the representatives and their voting history.

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[34]The Intelligent Citizens initiative was founded in 2009 with the aim of strengthening democracy and reducing the amount of inequality in Latin America, promoting transparency and citizen participation through the use of innovative information technologies. Available at: http://ciudadanointeligente.org/ #header (21st November 2017).

[35]http://sunlightfoundation.com/

[36]The website provides a graphic with circles representing themes talks about in parliament. The size of the circles depends on the number of contributions made to that specific topic: the higher the number, the bigger the circle. Within the circle there are the parliamentarians that contributed in the debate and information on them, their website and how to contact them.

[37]A hackathon is usually a meeting for programmers to work collaboratively to develop specific software. The concept will be developed later on when studying collaboration with parliament.

- *PArlTrack* is a database which aims to improve the transparency of the legislative process in the European Parliament. It allows users to create themed files, in order of political groupings.
- *Openstates* is a search engine created by the Sunlight Foundation allowing users to access legislative information about each state of the USA.
- *Lebanese Parliamentary Monitor* is a web initiative started by *Nahwa al-Muwatiniya (Toward Citizenship)* through which information on Parliament can be accessed (representatives´ profiles, draft bills, contributions, etc).
- *Open Knesset* is an Israeli parliamentary database (votes, contributions, procedures) which allows users to put in tag and criteria to search through information.
- *Mam PrawoWiedziec* is an information service on the activity of the Polish parliament, created by the Polish body *The 61 Association.*
- *KildareStreet* is an Irish initiative which takes its name from the street on which the Irish parliament is based and which offers a means to search through representatives' speeches and contributions.

4.4.c) Collaboration with PMO to promove Parliamentary transparency

The third category includes tools created in collaboration with another PMO in order to promote parliamentary transparency. Some examples include:
- *Ágora* is a portal aiming to promote parliamentary development by linking MPs, parliamentary working groups, academics and other civil society organizations to share resources, news and support material. The platform has three objectives: to be a centre for information and knowledge on parliamentary development, to promote collaborative work on parliamentary activity, and to consolidate a network of PMO to collaborate in the strengthening of parliament.
- *OpeningParliament.org* is a forum that aims to connect PMOs with one another. Its main achievement has been the aforementioned Declaration on Parliamentary Transparency.
- *Red Latinoamericana por la Transparencia Legislativa* is a platform which brings together 22 civil society organizations from over 11 Latin-American countries, linking them together and endeavoring to promote active parliamentary transparency.

4.4.d) Coherence Index

Fourthly, there are also new technologies that monitor the coherence of political party promises and the extent to which they fulfill them in Parliament. The following should be highlighted:

- *Deldichoalhecho.cl* is a tool that aims to measure the extent to which legislative promises are fulfilled in a set period in the Chilean legislature.[38] Through the webpage – as part of the aforementioned initiative "Intelligent Citizens" –the tool helps citizens get greater accountability from parliamentarians by giving them access to public information related to the promises made and allowing for messages and comments to be sent to the representatives that made them.
- *Polétika.org* is a platform, which aims to monitor and put pressure on political parties (following campaigns and electoral programmes) as well as follow the work of the Spanish parliament. Through this webpage the extent to which political promises are fulfilled is monitored: a record of electoral promises made in the media and electoral manifestos can be accessed to compare with the executive and parliament´s recent activity.
- *Fairpolitics.nl* is a webpage that allows for people to analyze the coherence of policy adopted by the Dutch Parliament. It compares promises made by politicians with the measures eventually adopted and gives citizens the option of writing to their representatives.
- *¿Qué pasó con eso que aprobó el Congreso?* is a database that includes all the initiatives approved by the Congreso de Diputados in Spain since the beginning of the fifth legislature regarding topics such as international development and the fight against poverty.
- *Holder de ord* is a tool used to monitor the activity of the Norwegian Parliament. It follows the specific coherency of political promises.
- *Kansan Muisti* follows the Finnish parliament and analyses the coherence between the political promises fulfilled and the way votes swung.

4.2.e) Reports

Finally, there are reports that promote transparency and open parliament. Often the work of the PMOs gives way to joint declarations and promises about evaluative systems of transparency in Parliament. In addition to the aforementioned *Declaration on Parliamentary Transparency* or the *Alliance for Open Parliament* (which will be discussed later on) the following initiatives can be highlighted:

- The *KohoVolit.eu*[39] report is a Czech organization that has carried out studies on the way that data on voting in Parliamentary plenary and on PMOs across the world are presented. The

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[38]This tries to measure the extent to which legislative promises made in government manifestos during the electoral campaign and in speeches on 21st May 2015 made by elected officials have been fulfilled.

[39]Created by Michal Skop, the objective of KohoVolit is to collect information on parliamentary votes, organised in a clear way and present it in a way that informs, instead of confuses, readers. Through this webpage a questionnaire is carried out so that potential voters can check what they would vote in key areas and what politicians are closes to their views. Currently, KohoVolit asks political parties key question on their future plans and uses this information to create questionnaires and the voters can see what party represented best their points of view. As Skop himself explained in an interview in 2010 "I am particularly interested in a few issues: How to vote for members of parliament? What MPs vote for? Who votes in the same way as I would if I were in parliament? So I asked people to

initiative tries to make the enormous quantity of data manageable with the aim of helping people understand the trends in the complex data on voting. The study which collected data from 283 parliaments from 200 constituencies concluded that it is rare for parliaments to clearly set out how parliamentarians vote, as only 31% of the analyzed parliaments (90 of 283) published the results of Plenary votes. The way this information is shared is also analyzed.

- *Latin American Legislative Transparency Index (Índice Latinamericano de transparencia legislative)* is an index promoted by the Latin American Network for Legislative Transparency (*Red Latinamericana por la Transparencia Legislativa),* which proposes a series of minimum requirements that serve as a reference for people to find out about the advances in the levels of transparency in Parliaments across Latin America. It analyzes 9 parliaments with regards to four factors: "normativity" (existence of legislation relevant to legislative transparency), the work of the Congress or Assembly (existence of means of publishing the Parliaments work; both of political control and in the election of authorities), budgetary and administrative management (publication of financial and human resource management) and mechanisms of participation, citizen attention and accountability. These dimensions also feature a series of indicators based on the Declaration of Parliamentary Transparency.

- *Parliamentary Transparency Index (Índice de transparencia Parliamentaria, IPAR)* is the only study that has analyzed the amount of transparency in Spanish parliaments. It is part of the *Transparency International Spain (Transparencia Interancional España)*[40] initiative which measures the level of transparency in 19 Spanish parliaments using 80 different indicators classified in 6 areas.[41] Each parliament then gets an individual score from which they are ranked against the other 19 parliaments.[42] The IPAR considers whether the information required is or is not available (totally or partially) but does not analyze the quality of the information or the way it is managed by institutions.[43]

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obtain this information. This was the beginning." Available at: http://es.globalvoicesonline.org/2012/11/28/ kohovolit-eu/ (21st November 2017)

[40]Transparency International is a non-governmental organisation targeting corruption, bringing together civil society, the private sector and governments in a global coalition. Its seat in Spain aims to promote transparency in different types of Spanish public institutions, evaluating the extent to which they are open and transparent before society and citizens (Lizcano Álvarez, 2014: 15).

[41]The six areas for transparency are: a) Information on Parliament; b) information on the work and activity of parliament; c) relations with citizens and society; d) Economic and financial transparency; e) Transparency in contracting services, works and supplies; f) right to accessing information.

[42]The valuation of transparency in Spanish parliaments carried out by the IPAR is generally positive: the fulfilment index has been superior to those carried out in other political institutions: the results of the first edition of the IPAR are higher than the first results from town councils (51.1 over 100) or provincial councils (48.6). Only in the Transparency Index for Autonomous Communities was the score initially higher: 71.5.

[43]In this sense Cabo (2013: 62) highlights the dangers of confusing transparency in institutions with the mere fact of having a portal or a website with such a title, which he calls "portal fever" that "bears lots of similarities with airports: in the same way that mayors and presidents from Spain are pressured to construct big works of infrastructure in airports that are now abandoned, institutions want to

5. ICTS FOR PARTICIPATION

5.1.- Participation in the Parliament

In recent years, technology has made it easier for Parliaments to open up to citizen participation. The new approach that Parliaments must adopt, in our opinion, to adapt to the possibilities offered by ICT, necessarily involves the incorporation of elements of participation in its functioning as an institution. You cannot talk about an Open Parliament without incorporating participation. And, in addition, as we have already said, transparency incorporates an active principle that implies action by other sectors in the life of the parliamentary institution.

We can say that ICTs as enhancers of participation have a double impact in Parliament. On the one hand, they modify (enhance, facilitate, improve) the already existing participatory figures prior to the Internet. On the other, they allow the creation of new ways and tools of participation, hitherto unpublished, that Parliaments consider whether or not to incorporate into their operation. Let's analyze below the specific scope of this participatory approach that ICTs produce in Parliament. To do this, we will begin by studying the impact of this technology on the already existing participatory figures.

Prior to the existence of ICT, the demand for a collective participation of citizens in parliamentary work has been referred, mainly, to the elaboration of laws. Martínez Pujalte (2010) understands that this participation of citizens in the preparation of laws is highly recommended for the strengthening of democracy and provides four reasons. The first reason is that as the representative democracy is currently articulated around political parties and there are other ways of expressing citizens' preferences, opening forms of participation in the legislative process would allow these groups and civil associations to be included in the decision making process. The second reason lies in the higher quality of a political decision from the point of view of its orientation to the common good: the participation of more members of society will allow us to adequately weigh the demands and needs and make a more complete diagnosis of the situations that are intended to be resolved. In addition, the increasing specialization of the law supposes regulating more and more specific sectors and, therefore, it is simpler as well as necessary to count with the intervention of the groups affected by the legislation that is being elaborated. The third reason is that the direct participation of citizens in the preparation of laws favors their social acceptance. As Cuesta López (2007: 32) says "once the arguments defended by the citizen are taken into consideration in the democratic deliberation, the feeling of connection between the participant and the legal norm adopted intensifies". For the citizens

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have their own portal to feign transparency." Institutions create these tools for publicity purposes as opposed to true willingness to open up information to the public. For this reason it is important, as the author explains "to have good criteria to measure the quality of Open Data initiatives and to distinguish between aesthetic operations and real gestures towards openness of public data."

who have participated in the elaboration of the law, the fact that their opinions have been taken into account favors the consideration that the law is, in part, their work and facilitates their acceptance. Finally, the fourth reason why greater participation strengthens democracy is because this citizen intervention corrects the distancing between the representatives and those represented. In the words of Held (2001): "If people know that there are opportunities for effective participation in decision-making, they are likely to believe that participation is worthwhile, that they actively participate and that they also defend the idea that collective decisions must be obligatory. On the other hand, if people are systematically marginalized and / or poorly represented, they are likely to believe that their opinions and preferences will rarely be taken seriously. Therefore, they are likely to find little reason to participate in the decision-making processes that affect their lives, and to consider these as authoritarian processes.

Thus, we share the opinion of Asensi Sabater (2002: 63) when he argues that for the necessary adaptation of Parliament to the new social realities it is necessary to incorporate citizen participation mechanisms of greater weight and scope in the legislative function, and in the control function. Aguilar de Luque, (2001: 29) goes further when he says that "the great deficit of contemporary democracies has been to have limited the democratic process to the elections and to the subsequent debate in Parliament, rejecting any other deliberative instance.

In this way, in our opinion, the implementation of channels of participation and deliberation developed through ICT can bring great advantages to Parliaments. On the one hand, they strengthen the legitimacy of their decisions by introducing citizen opinions. On the other hand, the debate is enriched by more information to the representatives about the opinion of the citizens (provided they are logically representative). Finally, there is no doubt that participation helps increase transparency about the legislative procedure.

The participatory principle means, therefore, not only the incorporation of new technological channels that respond to the social demands of participation, but also to adapt the existing ones to the changes that technology allows in political action.

5.2.- Impact of ICTs in non-digital Parliamentary participation

Non-digital participatory figures in parliaments have two things in common: firstly they do not use the internet to increase their effectiveness (for this reason they shall be referred to as "non-digital tools"). Secondly, they are participatory tools that are already institutionalized within parliament, regulated and established within the constitutional order of countries that use them. As such, they can be defined as non-digital tools that help, stimulate and make citizen participation in Parliament possible, both in its legislative and control functions. It is logical that if ICT is going to

improve tools and strengthen their weaker aspects, the first step to take is to integrate them in these processes in order to improve their speed, slash their costs and widen their reach.

Doctrine has highlighted the limitations and problems with these tools. For example, Gastil (2000) highlighted that these participatory figures do not achieve true deliberation as they do not encourage the exchange of reasons and arguments surrounding the measures they are working on in Parliament. Another important limitation to highlight (Faria 2013: 305) regards the double aspect of its scope. On the one hand the problem of its scope regards the lack of dissemination and knowledge on the behalf of citizens: it only reaches a small section of the population. On the other hand, the limitation with respect to its scope is linked to the size of the audience: as only a limited number of people can listen to them, the complex discussions become a long process and end up being useless. As such, even if the process itself manages to promote participation, the necessary conditions are not present for it to be carried out in an effective way.

Thirdly, the use of these figures is also expensive. If their scope is to be increased, a long and costly process can ensue without an organized and professional structure. In this way only organized groups like lobbies have the appropriate tools to exercise these forms of participation.

Henceforth there will be a brief description of these tools and how ICTs can influence their development and transformation. As Cotino Hueso points out "Politics and all forms of direct, semi-direct, participative, deliberative and representative democracy cannot just go without the internet, but will not be heard if they are not on electronic platforms. The Law has practically ignored the phenomenon up until now" (2011a:333). It is thus logical that the influence of ICTs starts by improving and increasing the scope of participative processes that are already in place in Parliament. Of these non-digital participatory tools used in Parliament we can highlight, as the most common form of participation, public hearings. The Parliament gives citizens, specialists, interest groups or specialists, the opportunity to enter the Chamber (either in a plenary or a parliamentary commission) with the aim of clarifying questions on certain legislative proposals and brining greater knowledge to the representatives, including both the opinion of citizens and of experts in the field. These hearing can also be used as a control mechanism.

ICTs could help to improve public hearings in many ways. For example, they could improve their advertisement, as well as make them more focused, by directing them to interested parties or specialists. Moreover, this advertisement, in line with the principle of transparency, could be presented to citizens as educational, which would mean that they could be presented in every day, understandable language. Apart from these possible contributions, ICTs could also allow for the improvement of communication systems within parliament, by allowing people to contribute to

hearings via streaming services. The use of social media in the promotion of hearings and following them live could also be considered as a means of improving transparency.

Secondly another non-digital tool which could be influenced by new technologies could be the petitions, complaints and reporting procedure. Citizen or representative complaints can currently be made to parliament in written form to suggest changes: they can ask for a law to be processed as a priority, for a complaint to be made about government activity etc. Because of the right to petition and to commissions for petition, Parliaments have historically allowed for such complaints to be presented.[44] In many parliaments the transmission of these complaints has been simplified with the creation of a specific commission who is in charge of the petitions. As it is an institutional process, and articulated in written format, ICTs could help to ease the process by incorporating the idea of e-petitions on parliamentary websites. Moreover, as the notice gains force in parliament, it could be posted on the Parliament´s website.

Thirdly, popular legislative initiatives are also important in this regard. Already incorporated in the legal order of many other countries, they allow citizens the possibility to participate by proposing a law to Parliament. They usually gain this access after having collected a suitable number of signatures from other citizens. These citizen initiatives can be consultative or binding. In fact, in some cases these initiatives can precede referendums.[45] The prerequisites needed to carry them out vary according to the country and their development also contains specificities[46]. The impact of ICTs on this form of parliamentary participation will be discussed henceforth. Technology could contribute to the resolution of one of the main problems with this particular tool: the collection of signatures.

Fourthly, there are also various participatory figures in some parliaments such as *People´s tribunals* or *Open Doors Sessions*. These participative initiatives which are common in local legislative assemblies aim to open up parliament in special open sessions regarding community problems and legislative issues. They allow for citizens to raise petitions, complaints and questions to their representatives. The way they are carried out varies depending on the Parliament (Faria, 2013: 117-123). In some cases they are very open, allowing for any registered citizen to participate, whereas others only allow certain representatives or interest groups to participate. Technology could have the same effect on these legislative sessions as it could on the aforementioned hearings: focused

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[44]"The right to petition is at least as old as the parliamentary institution itself. Some have even maintained that the British parliament derived from meetings with the Royal Council where petitions were examined. In France, the right to present petitions to parliament as a means of redress has existed permanently since the French Revolution. With the development of parliament's influence, petitions have become a means of presenting complaints, to the extent that parliaments are now obliged to create special commissions to deal with increasing numbers. These commissions can be considered the first human rights commissions as their objective was and continues to be that of counteracting injustices." (Schwarz, 2005).

[45]In the case of Switzerland (between 1974 and 1993 the swiss held 167 referendums of which 63 were the result of proposals from groups of citizens) or Italy (Veto and referendum is envisaged, depended on the presentation of half a million signatures and the approval of the Constitutional court).

[46]In Spain 500,000 signatures are needed, in Italy 100,000 and in Brazil a minimum of 1% of the Brazilian electorate (they also request that these signatures are spread across at least 5 federal states).

dissemination, mass advertising etc. Technology could also help to resolve the problem of time: oral presentations have their own concrete time slows that tend to be short so that all the proposals can be heard. Technology could help to lengthen these slots, by allowing people to contribute online.

Lastly, *parliamentary mobility initiatives* are also worth mentioning. As part of these initiatives representatives physically travel to the places furthest away from the parliament´s base.[47] The aim of this is to bring citizens and parliament closer together by bringing the representative out of their usual base to inform citizens about their activity and the ways that they can participate in the parliamentary process. As well as allowing for improvements in communication and dissemination of these initiatives, ICTs can also help to create virtual offices, live streaming of meetings etc. As Parliament tries to spread news of its activity, it is foreseeable that these initiatives will enter into the political agenda and in parliamentary communication strategy. (Rubio Núñez y Vela Navarro-Rubio, 2017: 109-113).

5.3.- Digital Tools for Participation in Open Parliaments

Below there will be an analysis of digital participation tools, created and based on ICTs. As has been done with regards to the principle of transparency, institutional and civil society tools will be studied.

As the internet is the main element linking these tools, it seems appropriate the mention Ferber, Foltz and Pugliese´s study (2007: 312), which establishes six levels of interaction between political institution websites and citizens. The differences in the way they interact help to distinguish forms of participation, communication with citizens, without impacting on the legislative process or control of the government. Ferber, Foltz and Pugliese´s system focuses on the relationship between two factors: the direction of the communication and the receiver's level of control. The correlation between these factors is measured using six levels of interaction. Depending on whether a communication is one-way, two-way or a deliberation and according to its accessibility to citizens (high or low), the seven levels are monologue and feedback (if the communication is one way, mutual discussion and responsive dialogue (two way) and controlled response and public discussion (when it is a deliberation). Here is a brief outline of these levels:

- Monologue: is the minimum interaction possible between an institution and citizens. It exists in cases in which communications are one way. The receiver of the information (the citizen) receives information or accesses content.

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[47]Examples include Botswana, Mongolia, Zimbabwe and Sweden (Beetham, 2006: 76)

- Feedback: in one way communication when citizens can both access information and send suggestions and comments without the guarantee of a response.

- Responsive dialogue: This level is two-way and contains dialogue. When the parliament offers services that require citizen interaction (for example, a research service), it constitutes "responsive dialogue".

- Mutual discourse: is produced when a communication is two-way, the capacity and preparation of the citizen is high and culminates in the exchange of messages between the citizen and parliament (for example, a parliamentarian). It applies when emails are exchanged between citizens and representatives. It is a bidirectional and interpersonal communication between two parties, and is not made public.

- Controlled response: at this level communications exceed bidirectionality, and become a three-way forum for deliberation. The "controlled response" process involves a certain level of control over participation in deliberative processes involving groups of people. The most obvious examples are multiple choice polls.

- Public discussions: these occur when deliberative forums exist freely (without control) and are spaces to exchange opinions, information and messages, not just between parliament and the citizen but also between citizens themselves.

This system outlines examples of participation in which interaction goes two ways or in which deliberation occurs. It has been mentioned before analyzing the tools in order to help readers distinguish between the different levels of participation. Effective participation in Parliament (either contribution or input) is very different from the standalone and unverified communication or influence of a representative.

There are many citizen participation initiatives carried out in parliaments thanks to new technologies. We have focused on institutional ones, for reasons already mentioned. There will not be an exhaustive description of each of these examples; instead the key ones will be outlined.

5.3.a) Digital institutional participation initiatives

There are two types of tools that should be highlighted when entering into the analysis on the main parliamentary initiatives for digital participation. Firstly there are individual tools. They are called as such as they involve one type of interaction with Parliament. In other words, digital participation that has been transferred to parliament, whatever the content (comment on a law, petition, or dialogue with a representative) and is carried out using one channel/means only.

Secondly there are participation platforms. These are more complex participation mechanisms as they integrate various different individual participation tools in one structured system.

5.3.a.1) Individual tools

There are three categories of individual participatory tools: a) citizen initiatives; b) deliberation and c) valuation.

    a)   Citizen initiatives

The first category to outline is citizen initiative tools. They are the result of a proposal or interaction with a member of the general public. In this regard Parliaments are mere receptors of contributions as they establish mechanisms for citizens to get involved on their webpage. This category includes electronic petitions, legislative initiatives and complaint and suggestion boxes.

Electronic petitions give the public the possibility to exercise their right to protest through electronic means. Many parliaments allow petitions to be submitted on their website. Examples include:

- The British parliament (e-petitions): through the e-petition page the public can submit material to be debated in the Chamber of Commons. In order to make it on the agenda they must receive at least 100,000 signatures and only then can they be chosen by the Commission responsible for organizing debates.

- The Catalan parliament: mentions the possibility to carry out e-petitions, or the right to individual or collective protest through electronic media is recognized in the Autonomous statute of Cataluña.

Then secondly there are popular legislative initiatives[48] carried out on electronic media. An example of the application of technology to popular initiatives is the "European Citizen Initiative (ECI henceforth).[49] The ECI is particularly significant as it was designed especially for the use of technology. In other words, it is regulated essentially and structurally with technological support in mind, which means that there are both advantages and dangers, such as security and data protection, to consider when managing it. Although it is not strictly a parliamentary tool, it is interesting to consider because of its institutionalized signature collection system which guarantees security and data protection. The ECI Regulation that regulates data collection online as a structural element has a specific model that establishes a series of prerequisites for both technology and security and is

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[48]When dealing with non-digital participation tools a brief reference is made to popular initiative, through which citizens can carry out concrete proposals for laws once they have got enough support.

[49]One of the main innovations in the Lisbon Treaty (Article 1, part 3, of the Treaty of the European Union and Article 24 of the Treaty of the Functions of the European Union) and is developed in the Regulation adopted by the European Parliament and the Council of the European Union Regulation (UE) no 211/2011 of the European Parliament and the Council, 16th February 2011, on citizen initiatives (http://ec.europa.eu/citizens-initiative/public/legislative-framework/).

developed in an open coding programing. It is a legal tool for gathering support that uses technology and is institutionalized by the EU, and thus can be used as an example for the regulation of popular initiatives in other countries, or even, for civil society, giving them an idea of how to use different media to gather support with the security of being a legal and institutionalized means of collecting signatures.[50]

Thirdly, there are complaints and suggestions. These are just places where messages can be deposited. They do not encourage, or direct participation and they do not provide explicit help for citizen participation. Currently there are a lot of parliaments that offer this service, although they are generally parliaments who have not yet developed other tools for digital participation. The following examples can be highlighted from Spain:

- Spanish Senate complaints box[51]: any citizen who wants to submit a complaint or suggestion to the Senate with the promise of reply within 5 days or a month if it is a complex issue.

- Madrid[52]: the Assembly of Madrid includes a section called "Open Assembly" or "Participation area" in which tools for participation can be found: digital interviews and a suggestion box. There is also a subscription service and a blog.[53]

- "Citizen´s mailbox" in the Asturian Parliament[54]: through this mailbox citizens can contact the *Junta General* online.

- Murcia[55] has a section called "Citizen Participation" which offers various tools such as the "citizen mailbox" with which the public can fill out an electronic form. However, as they regulate petitions differently (through a Petition Commission and in written format), using the tool is very similar to sending an email, it is just that this tool submits them using a form.

    b) Deliberative tools

The second group of tools for digital parliamentary participation is deliberative. Deliberative tools are digital opinion forums to which any citizen can contribute. These debate forums are not always started by citizen: if parliament wants to know the public opinion on a certain topic they too can open opinion forums.

Digital debates were the first online tools trialed by parliaments, as a space for dialogue with citizens. Relevant parliamentary experiments in this regard include *Digital Open Meetings* in the US Congress and *thematic online debates* in the British Parliament. While these experiments had a slightly different

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[50]As Cotino Hueso points out "the ICE ruling – with all its possible defects – is a milestone as it is a legal regime in which the electronic becomes structural and not just an anecdote" (2011b: 133).

[51]http://www.senado.es/web/relacionesciudadanos/atencionciudadano/sugerenciaquejas/index. html (21st October 2017).

[52]http://www.asambleamadrid.es/ES/AsambleaAbierta/AreadeParticipacion/EntrevistasDigitales/default.aspx (7th October 2017).

[53]When these pages were closed none of the four tools were still operative: it was not possible to carry out any sort of interaction about parliament on the website.

[54]http://www.jgpa.es/registro-telematico(21st October 2017).

[55]http://www.asambleamurcia.es/arm/buzon(21st October 2017).

focus (in Britain they were trying to open parliamentary debate out to the public and in the USA they were trying to bring citizens closer to the work of representatives), they both constituted as a means of establishing how to organize digital participation whilst having minimum impact on Parliament. As such, the first ever institutional digital participation tools originated in these so-called "testing grounds". The first of these experiments[56], *On-Line Town Hall Meeting*, was trialed between 2006 and 2008 by Lazer and other researchers (2009). Digital sessions moderated by researchers were organized and attended by a group of citizens[57] and twenty Congressmen and women. They aimed to analyze how to encourage greater dialogue between citizens and parliamentarians with the use of the internet. The main objective of this experiment was to measure the potential of the internet as a means of achieving greater understanding between representatives and citizens.[58]

The second experiment of digital deliberation was the British case of Online Parliamentary Consultations, which began in 1998.[59] The initiative created discussion forums online, moderated by an independent organism.[60] Although the debates were well attended by citizens that participated[61], there was very little involvement from parliamentarians (less than 4%) and as such it was not considered effective. However, despite its failure as a deliberative experiment, online debates helped to draw conclusions about digital participation in the parliamentary realm.[62]

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[56]It is important to highlight that these online meetings were not originally directed at parliament.

[57]These digital sessions were carried out between participants that were connected on computers in homes or places of work with members of Congress. Through the use of the internet they could listen to parliamentary debates, send question or make comments. The sessions were individual and dealt with themes of public interest (immigration policy in this case). 600 people participated in the experiment. With the aim of achieving the greatest representability possible 7 demographic characteristics were taken into account: age, racial minority, gender, religious beliefs, identification with a political party, education level and income.

[58]These online town hall meetings achieved their aim as they improved the perception of representatives among the citizens (the approval and valuation of the parliamentarians' qualities and involvement in parliamentary work) as well as the positions they defended (members of parliaments arguments had a large impact on the opinion of participants). They were also useful for finding out that the internet can be used as a means to facilitate, if certain conditions are respected, mediation between parliament and citizens. Through online town hall meetings, they managed to create interaction in real time such that the citizens listened to the responses and reactions immediately and could form their own opinion on the representative and their arguments. In order to achieve the necessary conditions for this mediation it was important to use the simple and easy to manage technological interface and give priority to the use of simple software that did not require sophisticated computers.

[59]These debates had the following objectives: bring together relevant information to help parliamentarians improve their knowledge of certain issues; 2) capture the attention of citizens that could represent positions that would not reach parliament by traditional means; 3) create debate in which citizens could propose their points of view without being influenced by political parties and allowing for interaction between participations; 4) achieve interaction through an online platform and 5) hand a summary document into parliament with the points of view of the discussion generated on the platform.

[60]The Hansard Society, founded in 1944 created with the aim of promoting democracy and strengthening the role of parliament. Its objectives included investigating the role of representative democracy in the reform of democracy, institutions, processes, political and parliamentary culture, education and training of leaders, strengthening communication between citizens and parliamentarians and the proposal of debates regarding current political issues in a non-partisan and non-ideological forum. More information: http://www.hansardsociety.org.uk/about-us/ (21st November 2017).

[61]A poll carried out after debates suggested that 92% of participants said they have learnt something new in the debate on domestic violence; in the debate on communication policy it was 72% (Faria, 2013: 147).

[62]As Coleman and Blumler (2009) point out, the online realm allows for participation in a way that may not otherwise be available (this was especially the case with regards to domestic violence: many women benefitted from the anonymity that the internet gave them by involving them in the debate without the constraints that there would be in a parliamentary seat. In addition, these virtual discussions allow for voices who would not traditional be given a platform, to be listened to.) Secondly, this form of participation is only effective when it is prepared in advance; participation is greater if the institution promotes the opportunity to participated beforehand. Thirdly, it is important to check whether the participation is organised in a focused way, directed at specific interest groups that will be sufficiently representative: if participation is ordered and directed, its contributions will be more effective. In this respect, Coleman and Blumler establish 3 criteria to evaluate the deliberative quality that can be taken as a reference for evaluating the use of ICT in

Currently deliberative tools can be found in various Parliaments. The following examples should be mentioned:

- Digital debates in the British Parliament: Digital debates are offered to citizens on parliament´s web page in the Get Involved section and are open debates on topics of general interest. Social media is used as the main way to get citizens to participate and give their opinion. Parliament assigns the job of receiving the citizens requests to one parliamentarian who does a summary of the emails which is then presented to the Chamber in order to guarantee that they are taken into account by Parliament.

- ParteHartu (Parliament of the Basque Country): is a participation tool aimed at parliamentary groups. It aims to stimulate competition between political parties when responding to messages proposed by citizens on particular topics.

- Citizen participation (Aragon Parliament): in the webpage of the Cortes de Aragón there is a section called "Citizen participation" in which forms of participation as outlined in regulation are highlighted. The Cortes´ interest in working "through various different channels continuously and dynamically, towards a new society of knowledge" is expressly mentioned. The public can open chats on current affairs related to the Aragon parliament.

c) Valuation tools

The third category concerns "valuation tools". Through these devices citizens can carry out valuations (suggest decision, vote) on parliamentary work.

Through these applications citizens can send their own suggestions on particular legislative procedure (approve, reject or comment)[63] or add contributions to parliamentary control initiatives.

It should be highlighted that these devices will be considered as individual tools and not as a platform as they are not incorporated into a structured system containing elements for collaboration (as will be seen later on). However, some of these tools work in conjunction with others as part of the same demand for participation in the Parliament. In these cases, it is likely that they will end up forming an integrated platform for digital participation.

In the past few years Parliaments have incorporated valuation tools in their websites. These are a few examples:

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legislative functions. The first criteria are assessing whether the citizen's contributions were not simple opinions with external reference or backing (external information source). It is about analysing if it is a simple subjective experience or a rational argument founded in objective data. The second criteria are assessing the frequency of the contributions, which helps to measure the levels of interaction. The third criteria are based on the relationship between the contributions with previous ones.

[63]With or without previous registration they can send comments about pending draft laws as well as express their approval or disagreement.

- Participation forums in legal procedure of the Paraguay and Peruvian parliaments: they offer the possibility to give comments on legislation that is being processed.

- New Zealand suggestion forms for Parliament: through these submissions citizens can offer suggestions and comments on the draft bills being processed. Once the deadline for the reception of the forms has passed, a commission analyzes them in detail and presents a summary to the Chamber of the number and positions of contributions presented.

- "Present your own legislative proposal" Ecuador allows citizens to propose their own legislation to the Ecuadorian National Assembly through an online form.

- "Citizen vote" in Argentina: this tool (a section of the Senate website) is a space in which citizens can find information on the different draft laws and vote to see if they are in agreement or against them.

- "My Senate" mobile app Colombia: is the first parliamentary tool allowing citizens to participate using their mobile phone. It began in 2017 and aimed to bring citizens closer to the decision making process and parliamentarians, improve levels of participation and offer greater access to information on draft laws going through Congress. The app allows the public to vote on draft bills, follow congress votes, attendance and debate (with the option of personalizing their search by themes or parliamentarians) or stream plenary sessions and commissions live. It also has an innovative tool used to analyze votes, allowing the public to classify them by parties and representatives, with the results appearing in an accessible graphic format.

- "Escó 136" (Catalonia): on the webpage of the Catalan parliament the tool "Escó 136" which is a space for citizen participation in which contributions, comments or suggestions (visible to any citizen) can be made on law drafts and propositions that are being processed.

- Legislative initiative contributions (Castilla y León): allows new ideas to be incorporated in pending legislative initiatives (bills, propositions, popular legislative initiatives and council initiatives). These contributions are then directed to parliamentary groups selected by the user (one, various or all).

- Contributions to initiatives that control Government action (Castilla y León): in the parliament website they have incorporated the possibility for citizens to contribute to pending initiatives to control government action.

- Open Parliament (Navarra): a similar tool to the above. In this case it is used to encourage participation and does not offer any aids when it comes to citizen´s expressing their opinion. Users must register.

- Parliamentary initiative debates (La Rioja): In this section of the webpage opinions and contributions to pending Draft Laws can be sent to parliamentary groups.

- "Legisla con Nos" (Galicia): this tool allows Gallegan adults to contribute suggestions to the Parliament about pending laws.

- Questions for the Government (Galicia): This initiative offers an online form, available on the website, through which any citizen or legal individual can present their own interests. The form gives the option to propose questions intended for the Xunta de Galicia. The *Mesa de la Cámara* is the body in charge of deciding whether they are admissible or not. Questions are published in the *Boletín Oficial del Parlamento de Galicia.* Within fifteen days after the publication, the representatives can take on the questions as their own, converting them into questions with written or oral responses, mentioning their origin, but preserving the identity of the original signee.

- Open Parliament (Cantabria): This initiative offers a register in which citizens can participate by: 1) sending contributions on pending draft laws; 2) valuating the parliamentarians' contributions to plenaries and commissions in real time. The tool also offers a certain level of personalization (in real time, daily or weekly) of the information on parliament in terms of topics that interest them (official bulletins, minutes of sessions, news, records…).

- Programa ADI (Aporta, Debate, Influye [Contribute, Debate, Influence]): a tool used to listen to citizens ´opinions on topics that are being debated in the Basque Parliament. Through this tool citizens can approve or reject draft laws. It is a means of making the support for pending legislation visible. As part of the ADI the parliament itself creates a document that gathers together the exchange of opinions carried out on the platform, once debates are over. This document is then received by all parliamentarians so that they can take the contributions into account when voting. [64]

- Use your voice in the Scottish Parliament: this is a tool that aims to help citizens to participate in the way that best suits them. It is organized and presented as an interactive guide and allows the public to get in direct contact with representatives, committees, exercise the right to petition online, coordinate with other groups with the same interests or organize peaceful protests.

- Participation Platform (Canarias): The Canaries´ Parliament created this platform as a means of opening up the legislative process to citizens so that they can comment on legislation as it

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[64]In this way as is explained on the ADI website "the citizen can participate in objective debates and they have the guarantee that if their opinions are not backed up by politicians it is not because they have not had access to them, but just because they do not share them." ADI presents itself as a "first step towards a more participative democracy" that wishes to widen forms of direct participation. http://www.adi.legebiltzarra. eus/es/informacion/faq/ (21ˢᵗ November 2017).

is being processed. The comments made are then sent to representatives and parliamentary groups and can be incorporated in the final text through amendments.[65] The debate is moderated by a few general rules, but there is not set guide or tutelage. In order to participate, the citizen must register online using their name and surname. The content of the contributions is them published online and is accessible from a transparency portal, which is also included in the legislative footprint. The tools offered by this parliament are undoubtedly some of the most advanced of all the Spanish autonomous parliaments. However, while it may comply with the principles outlined by Navarro Méndez and Navarro Marchante (2016) a platform should follow a series of basic principles[66], and as such the Canaries´ parliament´s tools do not yet constitute a true digital platform for participation. The following paragraphs explain this idea further, using the examples of two more paradigmatic platforms.

Clearly the format offered by these tools for valuation is highly effective as it is simple, accessible, cheap and quick to use. It allows people to contribute remotely and overcomes bureaucratic barriers needed in other institutionalized platforms that require registration and signatures. Moreover, the opinions of other citizens on pending legislation can often also be seen and checked in the interface of forums. However, as Perna (2010) explains, opening up the possibility for digital participation alone has little impact on the legislative process. Although these tools offer the possibility for citizens to participate, it often has very little impact on the legislative process, being more a symbolic gesture of Parliaments´ wish to seem more open.

As Faria highlights (2013: 135) this type of tool has various weaknesses as a means of participation. Firstly, in practice, while they can add to the validity of parliamentarians arguments, they offer no contributions to content (it does not reach the representative). These systems only allow quantitative analysis of whether people are for or against set legislation and this information is what is used by parliamentarians in their arguments. Another problem is that in order for the citizen to participate they must already have an above average level of knowledge of legislative texts. As such, citizens without specialist knowledge are discriminated against, as there is no means to moderate participation in order to counterbalance the lack of technical knowledge. Moreover, digital forums have a problem with regards to representation: citizen participation (whatever form it may take) does not usually offer information on authors (if they represent interest groups, their preparation and knowledge etc.) such that there is no benefit to the deliberative process. In this sense, if participants are not given any

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[65]Participants can also give positive or negative valuations of other participants comments.
[66]These fundamental principles are, according to these authors, the following: 1) simple access; 2) necessary identification of the user; 3) moderation of participation; 4) give freedom when contributions ideas and opinions; 5) parliamentarians can participate in debates; 6) chambers select topics to be discussed with citizens; 7) the obligation of creating a final summary on the part of the Chamber of the contributions made, which should then be handed out to parliamentarians; and 8) all the digital participation process is transparency and accessible through the chamber's webpage.

information to participate with, and are not educated in the legislative process or the content, these processes bring little to the deliberative process.

On the other hand, it should be taken into account that this system for participation was created to include further improvements and as a result of the lack of public participation. Peixoto (2008) highlights the use of excessively official institutional language as a barrier to the participation of citizen with less technical knowledge, and thus as a barrier to the effectiveness of these initiatives.

5.3.a.2) Digital platforms for participation in Parliament

Having analyzed the individual tools for participation in parliament, some more elaborate and complex technologies used in parliament will be discussed.

Two platforms will be analyzed: the "Senador Virtual" in the Chilean Senate and the e-democracy project in the *Cámara de diputados* in Brazil.

Although both tools have notable differences in terms of their origin, the time that they were born, and even the way they manage participation, they shall be presented together as they represent the most advanced examples of Open Parliament in contemporary democracies.

a) The "Senador Virtual" [Virtual Senator] in the Chilean Senate

In 2001 the Chilean Senate created a digital platform with the aim of educating citizens on the legislative process in a practical way. In its quest to bring Parliament and their representatives closer to citizens the tool became a means for citizens to participate in the development of legislation.

In the Virtual Senator citizen contributions to legislative processes are collected through polls which are open to public debate at the request of the Parliament. Through the platform participation is organized and adapted to citizens´ circumstances. In contrast to the public debates already discussed above, the Virtual Senator gives participants background information providing them with the necessary tool to contribute.

Once they have completed the detailed registration process, citizens can participate in two ways: either as part of a "general discussion" through which "the user decides whether they are for, against legislation´s basic ideas or whether they wish to abstain. At the end, they vote either for or against the draft, or they abstain."[67]; or as part of an "individual discussion" which allows people to express their opinion on articles or important aspects of the pending law. In the individual, the public can vote[68] on articles that are deemed as relevant by the platform, propose an alternative script[69], or even add

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[67]Republic of Chile Senate, Manual del Senador Virtual. Available at: http://www. senadorvirtual.cl/manual.php (21st November 2017)
[68]"The user gives their opinion on each selected issue: if they are in agreement it is yes, and if they are not, no; if they have no opinion, they abstain; or they can suggest something to substitute it if they want to replace the regulation in the draft." Ibidem.
[69]"If they wish to add something which has not already been considered, they are given the opportunity to add their text in the "Additional Suggestions" window. These suggestions will be classified for the presentation of the results." Ibidem.

articles and content.[70] By stratifying citizens´ contribution in this way the participation process is greatly simplified and they can be easily transferred to the Parliament, using an automated system.

When developing this sort of tool a parliamentary body should be appointed to take charge of supervising the different phases of the participation process. In this case a committee was created, first of all, to choose the draft laws to be incorporated in the Virtual Senator. As such, not all the draft laws are uploaded to the platform and the parliament is in charge of what is on the public agenda. The committee is also in charge of translating the legislation into accessible language, which involves the development of simple and understandable texts for the average citizen. This effort to adapt at and "cleanse" the texts is an important part of the process as without texts written in understandable language, true public participation is made difficult. Thirdly, as citizen begin to make contributions, participation is moderated by the committee through a technological interface that gives them various options: 1) to insert questions or infographs in the draft law (translated into "citizen language"); 2) obtain quantitative data on participation; 3) delete offensive messages or content that deviates from the topic; 4) establish a system for answering each participant in a personalized way; 5) define the key words (tags[71]) which summarize citizens´ contributions. During this phase the committee can add questions to polls to stimulate debate with the aim of encouraging participation, or directing it to central themes of discussion.

Once the participation process is closed the committee writes a simplified report (which is sent to parliamentarians) which synthesizes the quantitative data (number of participants, results of votes, number of suggestions etc). In the same report a reference to the webpage is included so that parliamentarians that wish to can read the suggestions citizens have put forward.

Though the data on citizen participation[72] that the Virtual Senator has obtained are optimistic[73] there are a few aspects of the platform that could be improved and have been highlighted by doctrine. Faria (2013:187) highlights that the Virtual Senator is not adapted to new trends on web 2.0 as it does not allow for all sorts of activity available on the internet. Araya and Barria (2009) suggest that "the main weakness of the applications promoted by the Chilean senate is that they lack democratic (deliberative) theory (…) it does not provide citizens with the possibility to get involved in a discussion with parliamentarians on draft bills put to vote. The act of voting seems to respond to a plebiscite (non-binding) end, as opposed to a deliberative one."

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[70]"If it is considered that laws should contain other ideas, they can add them in the "other contributions and suggestions" window for them to be considered. They will be classified for the presentation of the results". Ibidem

[71]Tags are key words or references which contain semantic aspects relevant in the text.

[72]From its creation to May 2010 over 75,000 different actions on 181 draft laws have been made on the Virtual senator platform. Of these, 116 were examined by the Chilean Senate.

[73]"If the average vote per project is considered low in relation to the 13% of the population with internet access, approximately 950 thousand people, the experience of the Virtual Senator allows for each draft law, the commission of the Senate that studies it receives 76.2 citizen proposals per project, which without the existence of the application would not have been considered by senators. This could qualitatively mean a potential new means of influences the legislation process."

We can therefore conclude that this tool allows for and facilitates public participation in a simple and accessible way, as it organizes and structures participation and automates its management. However, it does not allow for deliberation as it does not provide a space for citizens and parliamentarians to debate. Although there is an option to propose ideas, opening up a new channel for citizens communicate through, it does not provide direct contact with parliamentarians, nor does it offer guarantees that their proposals will be considered. Moreover, the public´s participation is reliant on predefined topics chosen by parliament.

b) E-democracy project in the Brazilian *Cámara de Diputados*

The second digital platform for citizen participation in parliament to be highlighted in this study is the e-democracy project in the Brazilian *Cámara de Diputados*. This complex collaborative platform is, to this day, the main reference (Gonzalo Rozas, 2013c) of an institutional initiative for participation in parliaments.

The platform was created in 2009 as a pilot project and as such for the first two years of its existence it was in a trial phase, improved and adapted when it was deemed necessary. The objectives of the project, as highlighted by Faria, wew to "improve the interaction between society and the *Cámara de Diputados,* strengthen the legislature´s role in forming public policy, encourage responsible and constructive social participation, improve Brazilian society´s understanding of the complexity of legislative work and increase transparency in the legislative process" (2013, 191).

It is important to highlight that citizen participation, as conceived by the e-democracy project, is not just about developing laws, but also about helping parliamentarians to monitor and control Government activity. Therefore, as well as being an example of technology´s use in legislative functions, it also contains some elements of the impacts of technology on parliamentary control.

As the development of laws is a complex and non-linear process, implementing a system for citizen participation requires flexible tools and interaction between various levels and according to various different aims. As such, the platform structures citizen participation through two different formats: the "virtual legislative communities" (VLCs from here on) and "Free space". The "Free space" is an open discussion zone in which any topic affecting parliament can be discussed and whose main aim is to serve as a forum free of organization and moderation[74]. It aims to open up parliament such that proposals can be posed, questions can be asked and demands can be made to representatives on any topic. It is activity external activity directed towards parliament (extraparliamentary). In this realm there are elements of citizen participation regarding control, as VLCs focus specifically on the

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[74]Logically it is verified and controlled so that there are no offensive messages and they do not threaten the participation policy of the portal.

development of laws. The "Open space" brings together various traditional means for controlling parliaments, such as petitions and question forums, though albeit in a disordered way.

VLCs are an inside out act of parliament, towards citizens. VLCs are digital social networks formed by people who are interested in a certain topic. Any citizen can be part of the VLC (they must simply register) and membership gives them access to the profile of other participants and allows them to contribute to legislative texts through a participation mechanism made up of a series of different tools. This is one of the most significant elements of the project: the quest to build citizen participation using virtual communities. Without structured communities (interacting with one another) it is difficult to create collective intelligence, which is important in the era of Web 2.0.

Through the incorporation of VLCs, or through Free space, the platform provides a series of different participation tools that allow both citizens and parliamentarians the opportunity to collaborate in the work of Parliament. However, as was previously explained, the law-making and government audit processes are not linear procedures and thus require specific orientation for participation to make sense and be effective at each stage. As such, prior to using the participation tools, the citizen is given a document informing them on the legislative process and on how, when and where to carry out their contributions. This document is called the "Discussion Guide" and it came about as a product of the trial phase. In the initial trials participants ended up confused and lost in the complex legislative process and as such it was considered necessary to inform citizens on three questions with regards to participation on the platform: 1) at what point[75] of the legislative process should they participate; 2) the forms of participation (help in the development of laws, participate in discussion forums and interact with parliamentarians, or publish documents in the VLC library); and 3) the context in which they should participate (information on the legislative process so that the citizen is aware of the relationship existing between their contribution and the legislative process). Ultimately, the "Discussion Guide" goes further than just educating the citizen on the development of laws, it is a manual of how to do so according to the protocol established by the platform itself, adapted to provide technical training to an everyday citizen.

This education material is used to explain how different participation instruments offered by the platform such as forums, public interactive hearings, *wikilegis* and *PautaParticipativa* should be used.

- Topical forums are the first tool offered by the platform. Once a member of the VLC, citizens are invited to participate in discussions. But these forums have a specific protocol: the topic for discussion is divided into specific questions to facilitate debate. This interaction tool,

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[75]"Caps" set out the participation process chronologically: on the left there is the past, in the centre there is the present and on the right the future. This allows for people to quickly see which phase of the process they are in.

called *Nossas Ideas*[76] allows for a simple and easy participation process; citizens can present their ideas in one idea or phrase, or by voting (approval or rejection) the best ideas presented in the forum. Currently these forums are called *Expressao,* and are included in a specific section of the webpage.

- Public interactive hearings are the most commonly used tool for participation. They take place during the discussion period of a draft bill between members of the VLC and the parliamentarians involved in the bill. They have two main objectives: technical clarification of the most relevant points of the pending law and bringing citizens´ opinions on relevant topics closer to parliamentarians. Through the use of these hearings, parliamentarians can interact with participants in chat rooms and on social media. This participation tool can also be used as a control tool as commissions on the platform supervise governmental action and can organize public hearings for citizens to participate in.

- *Wikilegis:* As well as the aforementioned means for participation, which require moderation and structured debate, citizens can also contribute directly by proposing specific drafts for legal precepts. Through the *wikilegis* tool members of the VLCs can develop their own versions of legal texts and suggest specific changes to the original text. As it is a collaborative tool it will be discussed later on.

- *PautaParticipativa*: is a tool which citizens can use to vote in favor or against pending legislation. It allows citizens to find out about support for draft bills that have already been discussed or worked on.

All these participative tools[77] are based on simple aspects of the Web 2.0, with the aim of allowing citizens to interact with representatives using social media. In this sense, the e-democracy project exceeds the limitations of the Virtual Senator in Chile in terms of its tools from Web 2.0, as the platform allows for interaction to be integrated in social networks such as Facebook and Twitter, the use of videochats, etc.

Having analyzed the tools offered by the e-democracy project, the way they are developed and managed in the different stages of the participative process shall now be discussed. As has already been said, it is a complex participative tool which allows for citizens to add their contributions by organizing and stratifying contributions in different phases of the process and with different aims at each stage. It involves a huge amount of resource investment on the behalf of the Brazilian parliament.

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[76]This means "our ideas". This instrument is based on a tool developed by Salganik, Dood and Watts (2006) with the aim of minimising the "herd" effect of the multiple choice polls in which users were influence by the majority choice, distorting the final result. They used a mechanism called comparison pairwise system which stimulates participants to choose between two ideals, opting for both, rejecting them or proposing new ideas.

[77]As a common support tool the platform has a virtual library. Thanks to this system participants can access applicable legislation, precedents, doctrinal articles, videos, meeting notes etc. It is a necessary resource to help support users in their contributions and show them the documents that parliamentarians themselves use to make decisions.

Over five different parliamentary organisms participate in the e-democracy project: the Secretary for Communication[78], the computer centre[79], the centre for documentation and information[80], the department of commissions[81], and the body for legislative consultants. The latter plays a key role in taking charge of preparing the initial content of the VLCs, moderating discussions, organizing and structuring participation and producing the final report on citizen participation in the parliamentary seat.

The participation process can be summarized in the following phases:

- Creation of VLCs and the discussion plan: the team of legislative consultants prepare an initial structure for discussion, a collection of theme that should make up a legislative text.

- Once the plan for discussion has been defined, thematic forums are created based on the topics that have already been outlined in the plan.

- Discussion and debate in forums: the discussion is started by a member of parliament or a legislative consultant and is ordered by key points. The legislative consultant or member of parliament is in charge of moderating the debate. In this phase, legislative consultants can stimulate participation by posing new questions, responding to questions from citizens etc.

- Once the debate has come to an end, the processing and organization phase begins. Legislative consultants are in charge of summarizing participation with two aims: the first is to achieve a clear and well-summarized text with the key points discussed; the second is analyzing the technical viability of the ideas that came up in the debate.

- Once the report-summary has been given to the relevant parliamentarian, they decide which suggestions should be incorporated in the legislative text which will be put up for discussion in the Chamber.

It is important to highlight that the process is open and that any citizen (not just those who have participated) can follow the different stages. In this way, citizens can see what participants have asked for and if they have or have not been incorporated in the legislation. As this process is made public, parliamentarians are obliged to explain why they made the choices they did.

Another important aspect of the e-democracy project is its technological interface. The interface is a collection of technological tools (generally a web page) that allow users to carry out set activities through a screen. With regards to the e-democracy project, their interface is highly versatile. The

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[78]The Secretary of Communication (SECOM) is in charge of integrating communication in the platform on parliament itself.

[79]The management of citizen contributions and its transferal to parliamentarians requires parliament to be equipped with the necessary technological tools.

[80]The parliamentary representative to whom citizen participation is referred are generally the specific commission that is in charge of the legislative text. The department for commissions (DECOM) is in charge of integrating the work of parliamentarians on the platform and receiving public hearings.

[81]The body of legislative consultants is in charge of consulting parliaments on their work developing judgements on legislative texts and carrying out technical studies related to the Chamber. There are over 180 experts in 21 areas.

freedom to participate, as will be highlighted later on, is not beneficial to the participative system. The technological interface has the following characteristics: 1) Asynchrony: the system allows citizens to participate at any moment. There is not a set "opening" timetable for contributions; 2) Alinearity: contributions can be complex, using different formats, and with the option to stop them or continue them later on; 3) Evolutionary: it goes from less to more, in a progressive way with the aim of stimulating arguments and ideas; 4) collaborative: various tools allow the process to be built in a collaborative way; 5) Spontaneity: citizens can participate when and how they want. It is the opposite of a platform in which participation is based on predefined options.

This particular interface is interesting because the way it structures participation through technology (in this case through the tool´s own possibilities) influences its content and quality. The idea that form influences content was outlined by Coleman and Blumler (2009: 99) when analyzing how the way debates are structured online affect their content. Marques (2008: 165) has also pointed out the importance of the institutional design of participative experiences should and that socio-economic and socio-cultural factors should also be taken into account when analyzing contributions. From this point of view, an interface like the one used in e-democracy allows for a greater level of interaction and debate whereas more restricted systems (such as the Virtual Senate in Chile or contribution forms in New Zealand) are more limited, and function more like opinion polls.

In addition to these elements of the technological interface, other characteristics of the e-democracy tool that prove interesting at an analytical level should be pointed out. The lack of educational tools (such as a guide or tutorial integrated in the participation process itself) is important to mention. Resultantly participants may be confused, for lack of necessary context of in what and how to participate. Although the aforementioned *Discussion Guide* was created to this end, it is only useful at the very beginning when introducing the tool. Guidance and support are not present during the participation process. This situation, along with the lack of participation in questions regarding the legislative process, meant that public contributions were limited.

Furthermore, it is also important to mention the lack of linkage between the tool itself and the real legislative process. The interface was not adapted to the real legislative process and there was no communication between the physical chamber and the virtual ones. In other words, the interface allowed for participation that, while allowing for a large amount of freedom in participation, was ultimately restrictive in terms of its capacity to influence legislative debate in the parliament.

As such it can be concluded that e-democracy is the most advanced example of digital participation in parliaments to date. The variety of means of participation and the system´s complexity bring a great amount of freedom to citizens when participating in the legislative process or in controlling government. Until now, the majority of the development of the participation process has been focused

on organizing citizen contributions in the legislative process. There has been less development with regards to participating in the control process, currently limited to interaction with representatives in the Free Space and other available tools.

5.3.b) Digital initiatives for participation in civil society

Digital initiatives for participation in civil society shall now be discussed.[82] The idea that interaction between representatives and citizens improves the quality of parliamentary work, as well as the institutionalization of forms of digital participation, has been taken up in many parliaments across the world. Another possibility which could help to develop this relationship is through PMO initiatives.

As a result of a context of public disenchantment and distrust of political institutions, control mechanisms used by these bodies are often used more frequently than the institutional participation tools offered by Parliaments. As such, though the development of institutional presence in parliament in social networks is the responsibility of particular bodies, PMOs help citizens find members of parliament on social media and even encourage them to join up. Similarly, PMOs have created webpages with electronic petitions on particular legislation with few limits to participation. Aguilar Nácher (2013) calls these social movements "articulated citizenship"[83]. Here he is referring to the group of organized and structured civil society organizations for "citizen empowerment" with the aim of gaining greater involvement in political matters.[84]

It is clear that, as Aguilar Nácher points out, "social movements have new tools for activism" and through these tools, both "organizations and individual have access to simple means of spreading their ideas (…) that can mobilize their message to government and parliaments immediately and virally" (2013: 358). However, in the same way that transparency is not just a collection of tools and measures, participation and collaboration is not just about the instruments that sustain them, nor about the organizations that encourage them. In each individual case, it is necessary to analyze whether this

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[82]It should be taken into account that these tools for civil society, despite the fact they are developed with a lot of freedom, are not incorporated in institutional mechanisms for participation, which means they ultimately have less impact and as such the results of this study are less important. In other words, they are not as relevant in terms of the effects that they have as an experience of participation using ICT and the citizens involvement.

[83]Aguilar Nácher argues that social and political changes that are brought about by ICT present "a new protagonist that institutions, governments and parliaments have to take into account in their decisions and legislative processes: citizens in independent organisations or individually call for tools to make decisions and participate." (2013: 342).

[84]For Álvarez Sabalegui (2013) these bodies share three common characteristics. Firstly, they use social networks. The projects that they carry out have a strong social media presence and know how to make the most of these media to make the most impact. Secondly, they use methods for collaboration, participation and co-creation of collective intelligence. With few economic resources they have strategic alliances with initiatives with common aims and work together with other bodies to achieve their objectives. Thirdly, with the aim of guaranteeing independence they think outside of the box in terms of funding, using newer sources such as crowdfunding, instead of applying for public funding. (Álvarez Sabalegui, 2013: 69).

social activism, which is innovative and has a huge capacity to spread information, manages to contribute in a relevant way to parliamentary activity.

Below there shall be an analysis of certain tools for participation in parliament that have been promoted in civil society. Before, however, two things should be taken into consideration. Firstly, it is important to warn that many tools (that have been studied in the previous chapter), also provide ways to participate. As such this section shall highlight the most important ones. Secondly, a lot of the tools that will be highlighted are not strictly parliamentary. They were not created to respond or promote citizen participation in the parliamentary institution. The citizen, when they want to get involved with public matters, is usually unaware of the separation of powers and thus conflates the legislative and executive branches. As such, civil society generally promotes participation with various channels which ultimately end up in parliamentary contributions.

The following classification should be made.

5.3b.1) General initiatives for participation

The general initiatives for participation which are characterized by their promotion of citizen participation in general, whatever the topic they wish to discuss or the institution they wish to target. These contributions do not necessary end up in parliament.

- *mySociety.org* is a platform that offers the possibility to make petitions and propositions (through the *WriteToThem*[85] and *WhatDoTheyNew.com*[86]tools) as well as supervising particular government activity.

- *Change.org* is the most popular petition platform in the world, as an online tool which allows anyone to start a petition (campaign) and gather support. It follows a network approach, with a viral channel of connections to encourage social change. People can follow the quantitative support for initiatives and whether they manage to create change in a decision or correct a problem. If they are successful they are called "victories"[87].

- *Avaaz.org* created in 2007 is an organization which promotes civic activism in topics to do with climate change, human rights, corruption and poverty etc. Thanks to ICT

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[85]WriteToThem is an integrated system in the MySociety platform through which citizens can contact their direct and local representatives directly.

[86]Through this website petitions are sent to different public administrations. Similar to this tool but with more local focus are FixMyStreet and FixMyTransport which are used in problem resolution on issues to do with transport or streets.

[87]Until October 2017, Change.org had 23,628 victories in 196 countries as is explained on their webpage: "Almost every hour, a petition on Change.org gets a victory". https://www.change. org/impact (28th October 2017).

its work has been able to pull together bodies and citizens and promote specific campaigns.

- *Care2* is a social network founded in 1998 to help bring together activists with a social conscience. This tool connects individuals, organizations and businesses to create an impact in social and political life. It has over 30 million users in the world.

5.3.b.2) Specific initiatives.

The specific initiatives are tools which have a specific parliamentary focus and are usually channeled towards particular topics.

- *Hay Acuerdo:* is a project by the Fundación Ciudadano Inteligente which aims to inform and bring transparency to debate on reform in hile. Through this tool they aim to democratize public debate by clarifying the different parties involved and giving the option to enter into debate with one of the two sides.

- *Presiona (Poletika):* Poletika´s main focus is on monitoring political promises. As well as checking whether promises by politicians and representatives have been fulfilled, the website has a tool called "Pressure" which allows citizens to follow the activity of particular topics or parties. They can sent tweets to MPs or members of the government to remind them of their promises.

- *Platform for civic articulation (PCA)* is another tool from the Mexican organisationBordePolítico. Through this tool civil society can transform their proposals into social movements which directly influence public opinion and thus public policy. The PCA is in charge of measuring the levels of representation in Mexico, contrasting different politician's opinions on specific topics. It also allows users to send messages, petitions and video testimonies to their representatives.

- *@parlamentuits:* is an initiative led by the Asociación Civil Transparencia. It is a twitter account which automatically shares Peruvian parliamentarians´ tweets. It makes it easier for citizens to follow the activity of parliament on the social network using just one account which brings together all the relevant posts.

- *Marsad*.tn is part of the *Al Bawsala* NGO in Tunisia which allows citizens to ask questions to parliamentarians through an online platform (Al Bawsala: 2013).

- *Manalbass.lv* on this Latvian page internet users can select, vote on and present their own legislative proposals.

- *Adgeordnetenwatch.de* is a tool which allows users to ask questions to their representatives, and is part of an initiative by various PMOs.[88]
- *Proyecto OpenILP* is a tool for direct participation which allows citizens to get involved in the legislative process using a free software platform where they can sign legislation electronically using a legally recognized signature system based on standards and regulations of e-Administration.
- *Meinparlament.at* offers a space for Austrian citizens and representatives to interact.
- *GuadrasGalvas* provides a space for Latvian citizens and parliamentary representatives to interact. Anyone can access information on representatives (votes and commitment to manifesto promises), or participate in debates and open forums without prior registration. Registered users can directly ask questions to representatives.

Ultimately, tools for digital participation that are initiated by PMOs influence parliament though the use of technology to strengthen the impact of their actions, the gathering of support through viral campaigns or the use of social media as a communication strategy.

6. THE APPLICATION OF COLLABORATION IN OPEN PARLIAMENT

6.1.- Collaboration in political institutions

We can say that collaboration is a direct consequence of the opening in government of public institutions. By opening the information and allowing participation, citizens, other agents and the administration itself get implicated and committed in the achievement of common objectives and a collaborative government is achieved. The different agents (citizenship, business sector, civil society, public administrations) interact with each other to intervene in the Administration's own work. In this way, collaboration can be understood as a "joint work"[89] that pursues concrete results in the context of a specific public policy, which takes advantage of all the resources at its disposal.

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[88]This initiative is part of Parlamentwatch in collaboration with MehrDemokratie e V y MehrBurgerrechte e V. The tool has a good reply rate (90%) on the behalf of the Bundestag, managing to collect 115,000 questions from citizens.

[89] It should be noted that the difference between participation and collaboration is diffuse. If participation usually refers to the aggregation of proposals in decision-making and in the design of public policies, collaboration refers more to the execution of a specific task that usually involves the implementation of a policy or an action plan. The collaboration pursues the concretion of the public value between national, regional and local Administration; between officials of different branches, or between citizens, companies, third sector and the Administration itself, and supposes the conception of the work of the Administration as joint, collaborative work, in which they contribute in different levels of the Administration, as actors not formally linked with the same but that, formalized (even temporarily or sporadically), they would work together with the recognition and legitimacy of the Administration.

In our own opinion, collaboration is to adapt to the administration concepts such as the wisdom of multitudes of Surowiecki (2005)[90], the intelligent crowds of Shirky (2008), the collective intelligence of Levy (2004)[91], the architecture of the participation of O'Reilly (2006)[92] or the intercreative creation of Berners-Lee (2008)[93].

Collaboration can be applied at three levels: in the relationship between the government and the individual citizen, in the relationship between public administrations, and in the relationship between the administration and the private sector.

The first level of collaboration (between public administration and citizen) is concreted in the development of tools that allow the collaboration of citizens with public managers. This can occur in a double direction: when the mechanisms that facilitate the citizen's collaboration with the administration are put in place, as well as when the administration or government itself addresses citizens to request their participation in the policies public. For example, the public consultation on a plan of measures, or the reception of suggestions to concrete policies or action plans. For this purpose we can mention the distinction that Van Dijk (2000) did when talking about information, differentiating between the speech[94], consultation[95], registration[96], and conversation[97]. The principle of collaboration, when it goes from unidirectionality in the treatment of information (speech, consultation or registration) to a shared interaction around these data, implies a real conversation.

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[90] Wisdom of crowds" refers to how the combination of information in groups ends in decisions, which are often better, than those that could have been made by a single member.

[91] The concept of collective intelligence was coined by the philosopher Pierre Lévy. He proposes that, although it is impossible for all of us to be wise about everything, we can be experts in a small area. Thus, collective intelligence is "an intelligence distributed everywhere, constantly valued, coordinated and mobilized in real time". By sharing all the micro wisdoms, you can create a collective intelligence.

[92] "Architecture of participation" is the concept that expresses the idea of the creation of general contents that are elaborated through collaboration and production by several agents. At its simplest level, it means that the way a service, product or application is designed can be improved by facilitating the massive participation of users. The participation architecture occurs when, through the normal use of an application or service, the service itself improves. Applied to Web 2.0, it is enhanced and improved as more people use them. The Web 2.0 software is designed so that user interactions have the side effect of improving the service. The more users of a service the more chances it will improve and work better. Although the concept understands that "architecture" is built around people and not technologies, their role is essential because they facilitate the tools for the exchange of knowledge.

[93] "Intercreativity" is a concept coined by Berners-Lee that involves the fusion of two concepts: interactivity, allowed by the informatic development that generates a feed-back or a rapid response of the user in his interaction with the machine, either by a computer or by a mobile phone, and creativity, that is, the coexistence of ideas, impressions and knowledge from many to many. Berners-Lee defines it as "the process of doing things or solving problems together."

[94] Allocution or speech is the most common form of political communication and its main characteristic is that communication is established in only one direction. An allocution is the simultaneous distribution of information to an audience of local receiving units, from a sending center that has the ability to decide and select the information that is distributed, as well as the timing and speed of that distribution. Ibidem.

[95] Consultation is the inverse process: The local units makes the selection of the information to which they want to have access, although the center continues to be the source of the information and database from which to choose, and therefore, it maintains the capacity to determine what information is distributed. In traditional forms, consultation was carried out through the visits to newspaper archives, looking for the publications of reports, the BOE, etc. ICT applications have radically modified this model, finding numerous public administrations and new ways to do it. Ibid

[96] Registry consists in the collection of information by the center, which determines what issues matter, and the way or the interval of time established to collect the required information. However, it is the local units that send this information to the center since they are the producers of data, and the sources of information. Ibid

[97] The conversation (conversation) is the exchange of information between two or more local units through a shared medium, without necessarily passing through the center. They have the capacity to determine which issues are important, as well as the time, way or speed of communication established between them for the exchange of information. Ibid

The design of the organizational model of the government opened in this first level is of special importance for its effectiveness, since it supposes establishing the functions and the means, as well as the articulation criteria with other administrative units. In the beginning, these elements were defined in specific administrative units for each one of the affected fields: issues such as public information or participation, used to have units responsible for public information that assumed the coordination of the other departments to harmonize the criteria of content and access. However, it is increasingly common to find new forms of organization of the administration with a comprehensive vision, or that the administrative structures already organized assume more competencies in order to incorporate principles and ways of functioning of open government. In any case, the dominant tendency is to assign to a specific organic division that is created *ex profeso* for the functions of organization and promotion of open government.

This unit usually depends on departments such as the Presidency, Public Administrations or government. Trying to change so many aspects of government in so many areas requires a profound organizational change that requires leadership and coordination to achieve it. Therefore, the Open Government organization requires interdepartmental coordination. And to make this coordination possible, it is necessary to create bodies of an inter-administrative nature that can provide economic or technical support (for example, making the transparency portal available to other administrations), or becoming involved in the participation processes by admitting local entities with the that have a direct interlocution. In this aspect, we can talk about a collaborative work. In addition to these intermediate bodies, in order to make coordination effective, it is necessary to establish a mechanism of enforceability and liability in case of non-compliance. For this, it would be necessary to establish an independent review body whose action precedes that of the courts[98].

In 2014, we pointed out three possibilities for the regulation of this body: first, a specific body can be created; secondly, this competence can be attributed to an existing body or institution; thirdly, it could go to a higher body in the territorial scope through an agreement that establishes it. Any of these options must guarantee both organic and functional independence. Once again, the proposal is made to formalize the Open Government as an integral way or to do it starting from the development of its fundamental elements.

Finally, the third level would be the relationship between public administrations and the private sector. Collaboration is understood as "joint work" to achieve concrete results. In this aspect, open

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government allows a greater dialogue with the private sector that helps to better understand the business fabric and the appropriate incentives for it to develop properly.

6.2.- The three realms of collaboration for Open Parliament

If governments and public administrations can carry out their work in a joint collaborative way, aiming to involve different people in the conversation to achieve a common goal, there is no reason for this not to be the case in Parliament too.

In line with the principles of Open Government, for collaboration to be effective it must be part of the functions and activity of parliament. In the same way that the idea of a culture of transparency is more important than particular measures, it is necessary for parliamentary institutions to adapt to new technological tools and therefore to the possibilities of new forms of collaborative work.

As has already been explained "ICT can be used to generate processes for shared development of public policy, between State and civic institutions, and resultantly create new forms of civil and political autonomy. This is one of the areas in which democracy in general and parliament in particular can make the most of technologies to adapt institutions to the standards outlined here. Parliament should not be content with just showing its insides to society; truly opening up its doors involves getting citizens involved in topics that interest them. If Parliament´s reinvention brings it closer to society, collaboration can help them to establish effective and legitimate means of integration" (Rubio Núñez, 2013: 411).

It has been shown that technologies allow for people to make the most of the human output (Navarro Méndez 2014: 4) that, whether organized or not, is present in society. Parliament cannot ignore this opportunity, and thus in its quest to become closer to citizens, it should open up to more collaborative ways of working, which would make it a more open and accessible institution.

As such, once the ways that citizens can participate in parliament have been analyzed (both their contribution to legislative development and their function as a check on representatives), it makes sense to study the ways by which ICT can be applied in parliament to incorporate joint and collaborative work.

The principle of collaboration can be applied to parliament on three levels: a) interparliamentary cooperation; b) relationship of parliament with the executive; and c) the parliament-executive relationship with civil society.

a) *Interparliamentary cooperation.* This term refers to the relationship between national and regional parliaments across the world, with the aim of coordinating efforts and research

through the exchange of experiences, and studying parliamentary practices (and consequently publishing studies and working documents[99]), to strengthen the role of parliament in society. The possibilities offered by ICT is allowing many parliaments to establish collaborative and permanent communication mechanisms with other assemblies with the aim of sharing good parliamentary practices and working in a network to find solutions to common problems.[100] In this regard the fact that in the Lisbon Treaty the European Union established the basis of interparliamentary cooperation in articles 9 and 10 of the Protocol on National Parliamentary Missions in Europe is very significant. In the text article 9 says: "The European Parliament and National Parliaments will jointly define the organization and promotion of effective and regulated interparliamentary cooperation at the heart of the Union". Following this mandate, the European Union adopted a series of resolution in 2009 and 2014 about the development of the relationships between the European parliament and national parliaments, and which puts into practice that which was established in article 10[101] of the Treaty on the creation of a "Conference of specialized parliamentary bodies on matters of the Union".[102] In addition to periodical meetings, the presidents of each national parliament and the European Parliament must meet every year to define the general direction for interparliamentary cooperation. ICT aids this process by offering the possibility for parliamentarians to participate online through videoconferences in meetings or debates on specific proposals.

The example of the European Parliament is useful to highlight the influence of technology on interparliamentary cooperation. Technology is not just a means of strengthening and facilitating the need for collaboration between parliaments. ICTs have a multiplier effect which ends up impacting their work, albeit indirectly, in order to establish channels of

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[99] In this book many published studies dedicated to this inter-parliamentary cooperation have been used. For example, global reports on electronic parliament, documents with recommendations on the use of social networks, or guidelines for parliamentary websites, which have been made by entities such as Inter-Parliamentary Union.

[100] Coello de Portugal explains "the digital revolution has been universal and coeval with all the Parliaments of the world, since it has approached the legal-doctrinal problems to which all contemporary Parliaments must confront in their sudden and simultaneous interaction with the new digital technologies. This has brought the comparative study of parliamentary problems between the different parliamentary assemblies of the world and has accentuated the universality of the solutions adopted, proving the institutional nature of the problems of the democratic Parliament of the 21st century that, independent from the constitutional State in which they have arisen, they generate an evident theoretical and practical interest for the rest of democratic Parliaments" (2013: 134).

[101] "A conference of parliamentarians specializing in union matters may address to the European Parliament, the Council and the Commission any contribution it deems appropriate. This Conference will also encourage the exchange of information and good practices between national parliaments and the European Parliament and its specialized committees. The Conference may also organize interparliamentary conferences on specific topics, in particular to discuss common foreign and security policy issues, including the common security and defense policy. The contributions of the Conference will not bind the national parliaments nor prejudge their position ". Article 10 of Lisbon Treaty. Available at: http://www.boe.es/legislacion/enlaces/documentos/ue/Trat_lisboa. pdf. (26 October 2017).

[102] This conference is called "Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union" (COSAC). The deputies of the committees specialized in these matters meet periodically in the national parliaments and with the Members of the European Parliament.

communication which, as in the case of the European Parliament´s relations with other Member State Parliaments, are established in a more concrete way.

b) *The relations between the Parliament and the Executive* are another example of collaboration in open parliament. The use of ICT can offer possibilities to work together in a collaborative way, ultimately incorporating a change in the way that institutions themselves work, and this applies to the relations between Parliament and public administrations. As such, it promotes institutional collaboration. It should be highlighted that as well as public administration, interinstitutional collaboration can be applied in international organisms that carry out roles which have direct impact on parliamentary work.

Examples of aspects of institutional collaboration include the direct connection between the Parliamentary and Government websites, or in the joint work that is carried out to evaluate the results and impact of set legislation. In this regard, Parliament needs to collaborate with institutions that have the necessary information and measure social impacts (more than just legal ones) in order to find out the results of regulation passed in the Chamber.

c) *Joint work between parliament, the executive and civil society.* The Web 2.0 also impacts on collaborative work as ICTs are applied to processes of shared public policy development. Through Parliament, the state and citizens can communicate to share initiatives and jointly work on particular policies. In this way, as has already been said, Open Parliament is a sort of *Hub* as an "integrating and open platform for contributions from other political institutions, organizations and individuals outside of the political realm, understood as open working groups of experts, citizens…" (Rubio, 2013: 411).

6.3.- Instruments for collaboration in Open Parliament

Advances in collaboration are built upon two key technical pillars, interoperability and personal identification techniques, in particular digital signatures.

Interoperability is the capacity for information systems and processes which they support, to share data and allow for the exchange of information and knowledge among one another. It is necessary for cooperation, development, integration and service delivery in public administrations; for the carrying out of different public policies; for the fulfillment of principles and rights; for the transfer of technology and reuse of applications which improve efficiency; for the cooperation between different applications which provide new services; all which allows for the development of an electronic administration and information society.[103]

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[103]Decree 4/2010, of January 8, which regulates the National Interoperability Scheme in the field of Electronic Administration (Spain).

The architecture of full interoperability is developed in the coordination of processes (organizational interoperability), of data and its meaning (semantic interoperability) and of technological components (technical interoperability)[104], and there should always be an internal structure within institutions which guarantees this interoperability.

Parliaments have particularly focused on aspects related to technical interoperability, with the development of tools based on suitable technologies to implement and develop interoperability of the institution itself, such as shared data exchange platforms, opening up of public data and the use of *Open Source* software[105], which is more suitable that their own software in terms of interoperability. The other key technical aspect of collaboration is personal identification. It should guarantee integrity and authenticity, ensuring the key personal principle and respecting the idea of representation. As such, personal identification can be ensured through an accessible intranet system which allows, with the use of a Token, all users (senators, civil servants, working groups, collaborators) to sign any act or document produced on a PC (Word, PDF, etc.) and needs to be certified (integrity and authenticity).[106]

Both interoperability and digital certification mean that it is possible to deal with the processing of documents within parliament itself in a secure and flexible way, which usually comes at a high budgetary cost to parliament. The electronic transmission of documents using a digital signature not only allows for them to reduce costs, but is also advantageous in terms of time and convenience, giving MPs more freedom to move around, as documents can be sent from computer to computer, still ensuring the integrity and authenticity that a paper document does.[107] If the production process of parliamentary texts were entirely digitalized this work would be even simpler, and allow for greater access and circulation.

Other technical advances that are implemented in Chamber process, there are few examples of the use of technology as a means of promoting collaboration.

This makes it particularly difficult to distinguish collaborative tools from those linked to participation. The huge number of options posed by ICT end up transcending participation, offering collaborative

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[104]The European Union recommends an make basis on XMl messaging and web services.

[105] The software OpenSource (OSS) is a model of development, dissemination and cooperation in the field of information technology, which is considered as an alternative to the Closed Source model, in which access to the original code is not granted, that is, the software provider maintains the rights on the specific product and sells the user a temporary or unlimited "employment license", which allows the use of the product, but does not imply in any way that the user acquires ownership of the software. When having access to the original code, Open Source supposes a series of advantages like the reduced cost, both in its initial implementation and in its maintenance; the independence of the providers; greater flexibility, which allows customization and adaptation to specific needs, and a greater degree of security.

[106]It is worth highlighting that the system was developed by the Senate in Italy

[107]This has been understood by the Senate in Spain, which has developed a system that applies this system to different parliamentary procedures, facilitating to the Senator, by means of an electronic signature, the possibility of presenting questions in the Telematic Register of his institution for his written answer by the Government, and amendments to the bills processed in the Senate.

ways of working in which other interest groups are involved or rely on the opinion of other relevant public bodies. Therefore, it is necessary to highlight on the one hand examples of aforementioned collaborative tools of participation, and on the other, take into account the foundations of Web 2.0 which allow parliaments to make the most of citizen contributions.

As collaboration involves the work of institutions and citizens, it does not make much sense to distinguish between tools which Parliaments have put into place, from those established by civil society, as both groups are involved in a joint mission. For example, the Argentinean *Cámara de Diputados*signed a Transparency Agreement[108] which established a register for citizens and PMOs that can participate in commission meetings and plenary related to issues of parliamentary transparency. This initiative means that parliament accepts various civil society organizations as valid and regular speakers, whom collaborate to make the parliamentary institution more transparent. ICT has multiplied the possibilities for collaboration of these bodies with parliament, as well as with other public and private organizations.

Since the creation of the Open Government Partnership[109] (henceforth OGP) in which over 60 governments have shared key principles on transparency, participation and collaboration, parliaments have been working to adapt their functions to these principles as well. In this way various documents have been produced as the result of collaboration between parliaments and the dialogue between different bodies, trying to give practical advice so that Parliaments can become Open Parliaments. When the changes in parliament activity over the past few years is studied, it can be seen that the model for Open Parliament is often implemented through the promotion of strategy and action plans which set theoretical models for legislative assemblies. These strategic plans are programmatic documents on Open Parliament that are the result of collaborative work between the respective parliamentary institution and civil society. The most relevant examples will be discussed below, as well as specific collaborative tools which parliaments have incorporated in their work, as part of interparliamentary cooperation.

As has been done for the two previous chapters, the information will be summarized at the end of the bibliographic references in a table.

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[108]http://www.directoriolegislativo.org/fotos/2012/11/Carta-de-Compromiso-con-HCDN.pdf (26 October 2017).

[109]The Open Government Partnership (OGP) began in 2011 with the aim of serving as an international platform for domestic reformers committed to holding their governments accountable, more open and improving their capacity to respond to their citizens. The implementation of the OGP in 63 countries involves the joint work of the Government and civil society in the development of ambitious reforms around the Open Government. The governments that are part of this organization assume a declaration in favour of the principles of transparency, participation and innovation and commit themselves to approve and develop their own action plan. the action plans included within OGP must include measurable and viable commitments, in addition to having a predetermined duration and helping to meet the objectives of transparency and accountability. Available at: http:// www.opengovpartnership.org/ (28 October 2017).

6.3.a) Interparliamentary networks for cooperation

Key collaborative tools include institutional networks and instruments that promote cooperation at an interparliamentary level. The fact that so many parliaments across the work share the same needs and objectives clearly shows the sense in working together with the aim of finding efficient solutions that can be used by parliamentary institutions.

Although not all the interparliamentary collaborative networks are the direct effect of Open Parliament, it is undoubtable that ICTs have contributed to their growth and development and that many of the challenges currently faced are related to the transformation of parliament in a transparent, participative and collaborative body.

Nowadays there are a lot of public and private institutions that can contribute to this exchange of experience and knowledge. Significant examples include: international bodies such as the Interparliamentary Union, the European Centre for Research and Parliamentary Documentation (ECPRD) or the IPEX network; regional networks such as the exchange for Latina American and Caribbean parliaments (RIPALC), PArlAmericas[110] and Africa i-Parliaments[111]; or European and national organizations such as the Conference of Regional Legislative Assemblies of the European Union (CRLAE), the Conference of Spanish Autonomous Parliamentary Presidents (COPREPA) or the Parliamentary Network.

Special mention should be made of the Brazilian project *Interlegis* which was created to improve the integration and modernization process of Brazilian legislative powers at a federal, state and local level. With the aim of improving communication and the flow of information between legislators, improving efficiency and competency of legislative chambers and promoting participation in the legislative process, *Interlegis* has started various initiatives[112] to modernize and integrate different legislative authorities; support the drafting, proposal and dissemination of laws and other legal regulation which forms part of the legislative process and increasing the speed and exactitude of services.

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[110]ParlAmericas is the interparliamentary forum of the OAS. Originally created as the Inter-Parliamentary Forum of the Americas (FIPA) in compliance with Resolution 1673/99 adopted by the General Assembly of the Organization of American States (OAS), it represents an independent network composed of the legislatures of the member states of the OAS Its purpose is to promote parliamentary participation in the inter-American system and to contribute to dialogue and interparliamentary cooperation for the treatment of the issues of hemispheric relevance.

[111]United Nations Dependent Portal (Department of Economic and Social Affairs: UNDESA) to strengthen the role of African Parliaments by strengthening their ties and sharing information with each other.

[112]An example is the Legislative Process Support System that is composed of several integrated subsystems that facilitate research and obtain information about the legislative process, the composition and work of the Commissions, the Official Acts, the agenda, the meetings, the legal norms and legislative issues.

6.3.b) Guide for Open Parliament

The *Guide for Open Parliament* is an online document[113] created as part of the OGP project with the aim of promoting the objective of Open Government through practical cases and specific actions in different transverse and topical areas, one of which being parliament. The guide establishes an itinerary of commitments with different grades: initial, intermediary, advanced and innovative. As these commitments progress,[114] they move towards Open Parliament.

Within this documents there are various relevant aspects relating to Open Parliament, such as the importance of information being accessible and understandable for the public and in a reusable format (it should rely on civil society organizations to ensure that the requirements of this aspect are met), reliance on citizen contributions in the development of laws and the importance of making parliament reach citizens´ spaces (social networks, mobile phones, etc).

6.3.c) The Alliance for Open Parliament

Another collaborative initiative that is an example of the increasing interest in opening up parliament is the Alliance for Open Parliament (AOP henceforth). Based on some elements of the OGP, a group of Mexican civil society organizations as well as legislative institutions and data protection bodies decided to work together with the aim of developing in 34 Mexican legislative institutions the ten principles of open parliament. Once these principles have been defined (they will be developed in the following pages), there are 94 variables by which their fulfillment can be evaluated.

Although there has been a lot written about the use of technology in parliament, the main contribution that this research has made is the publication of a complete and exhaustive study of the state of Open

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[113]http://www.opengovguide.com/topics/parliaments/ (26 October 2017).

[114] Initial commitments were established as the following: 1) Define the rules on the opening of the Parliament and put the means to implement it: this implies, among other things, the effort of the Parliament so that the citizens understand its operation (its rules and procedures); 2) Open channels of participation for the realization of citizen contributions in the legislative process; and 3) Proactively publish information about the functions of Parliament and its work (mainly through web pages).Intermediate steps in the implementation of the Open Parliament are the following three: 1) Make parliamentary information easy to understand and comprehensible for citizens and do it through multiple channels (the difference with the initial step is that here is try to make the legislative process understandable); 2) reach agreements with external groups to increase social participation with Parliament (mainly refers to the control of parliamentary activity); and 3) Publish the parliamentary information in open formats (that complies with the Open Data principles). The advanced commitments are the following: 1) carry out dissemination of actions aimed at young people and historically marginalized sectors; and 2) develop digital platforms that allow citizens to increase their commitment to Parliament (this implies the use of social media such as social networks and forums). Finally, innovation in the Open Parliament involves two commitments consisting of: 1) developing and sharing software for parliamentary applications in open source; and 2) make it possible for citizens to interact with parliamentarians using mobile devices.

Parliament in Mexico. It is a *Diagnostic Report on Open Parliament in Mexico*[115]in which a specific methodology for evaluating the idea in Mexican legislative assemblies is developed. Below is a summary of the main ideas.

The ten principles for Open parliament that the AOP consider as essential are: 1) the promotion of a culture of accountability and transparency; 2) the promotion of citizen participation in the legislative process; 3) advertise information on Parliamentary and representatives´ resources in a transparent way; 4) allow for access to parliamentary information and legislators; and 5) allow for electronic access and analysis of parliamentary information. The ten principles of Open Government are as follows:

1) The Right to Information: this principle means that parliaments should guarantee the right to information in a legislative gesture that allows for easy, simple and opportune access to information without the need to justify why it is being requested.[116]

2) Public participation and accountability: Parliament understands that public participation promotes the exercise of citizen´s democratic right, which encourages citizens to be part of the decision making process. Together with participation, there should be tools to supervise and control parliament´s actions through bodies legally created by parliament itself.[117]

3) Parliamentary information: Parliament should publish information relevant to citizens concerning deliberation, votes, parliamentary agendas, commission´s reports, government bodies, etc. The aim of this is to build a relationship between legislators and citizens by disseminating as much information as possible on parliamentary work. This information should be published in a simple format with simple and updatable search tools online.[118]

4) Access to budgetary and administrative information. As parliaments are able to operate thanks to public resources, information on how this is managed should be public and transparent.[119]

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[115]Open Parliament Alliance (2015).

[116] In order to verify compliance with this principle, issues such as the following can be checked: if the Parliament is bound by a law on access to information, if it has procedures and mechanisms for citizens to request information, or even if the establishment of an office is foreseen to serve people who demand information.

[117] In order to comply with this principle, the following variables are established: establishment of various registers (on the website, the assistance of legislators in plenary sessions, the attendance of legislators in the commissions), the presentation of an annual report of the activities of the representatives, mechanisms of direct contact between the representatives of a district and those represented, various means of communication with the representative via web or telephone, the regulation of the citizens' initiative or popular consultation, or the possibility of making participatory budgets.

[118] In the reports, it is suggested that the Parliaments follow the two official accounts on social networks, which disseminate the agendas with linked documents. The publication of various aspects of parliamentary life, such as the list of documents, the updated attendance list, the list of public votes, the announcements of the commissions, etc., is also considered a variable for compliance with this principle.

[119] Therefore, the Parliaments will publish information related to the management, administration and expenditures of the approved budget, as well as the organizations that comprise it, administrative personnel and individual expenses of the representatives. The results of the accounting and financial audits carried out, both internal and external, as well as public contracts and consultancies and other research studies of both individuals and legal entities must also be published.

5) Access to information on representatives and public figures: as the aforementioned report explains "Open parliaments must safeguard and publish information on popular representatives and public servants, including an assets declaration and a register of interests, in order to prevent possible acts of corruption, illegal enrichment or conflict of interests".[120]

6) Historical information: this principle means that parliament should present information on its activity in an accessible and open historical archive, which is permanently updated online.[121]

7) Use of open data format: parliaments should present information in a format of open data, free software[122] and open coding[123], to allow for the information to be downloaded. The information[124], therefore, should be publically accessible and free on the internet in the best format possible for its use, redistribution, and reuse, without any restriction to users.

8) Accessibility and diffusion: this principle ensures that the facilities, plenary sessions and commission meetings are accessible and open to the public.[125]

9) Conflict of interests: An Open Parliament should establish mechanisms to regulate the conflict of interests and code of conduct for representatives.[126]

10) Legislation promoting the principles of Open Government. As much as possible representatives should approve policies which favor transparency, participation and

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[120] To comply with this principle, the publication of the files with the full details of the representatives is required (name, photograph, parliamentary group of which it is a member, commissions or committees which he/she is a part of, e-mail, social networks, workplace), initiatives presented, assistance to the plenary session, attendance to the commissions, curriculum vitae, annual report of activities, report of trips and commissions) their patrimonial declarations and registries of interests of the parliamentarians as well as of their spouses. Ibid. p. 23.

[121] The only variable for compliance that has been established is to verify if the Parliaments had a page with information from -as a minimum- the previous legislature.

[122] Free software is considered to be the one that respects the freedom of the users and the community, that is, the one that gives users freedom to execute, distribute, modify and improve the software. It is considered that a software program is free if it has four essential freedoms identified by the free Software foundation (http://www.fsf.org/about/what-is-free-software): 1) freedom to run the program for any purpose; 2) freedom to study how the program works and change it freely: for this it is necessary to access the source code without hindrance; 3) freedom to redistribute copies to anyone; freedom to distribute copies of the modified versions to third parties. Open Parliament Alliance (2015: 27).

[123] There is a wide variety of formats in which the information can be published, in the scope of the parliamentary opening are considered formats operable in the following scale: 1) Ideal: API or any service of automatic program to the storage system that grants access to consult all the data from its database of origin; 2) Adequate: databases in ".csv", ".xml", ".json", ".txt", ".rtf" formats; 3) Tolerable: ".xls", ".doc" and derivatives thereof; 4) Inoperable; ".PDf", ".html" or images or files that require proprietary software for their use.

[124] The content of the information that should be published in a structured and unburnable form in open formats refers to the list of representatives (including that of the previous legislature), the databases of parliamentary advisers, commissions, patrimonial declarations, voter registration, attendance at plenary sessions and commissions and other information highlighted in the previous principles.

[125] This means ensuring that these parliamentary procedures can be transmitted in real time through open communication channels. It is required, among other things, that the page of the Congress contains the address of the offices and the telephones, that in the plenary sessions and the commissions the public can access, that they can be retransmitted and that a digital file of audio and video is conserved.

[126] As measures to develop this principle, it is suggested the adoption of provisions that regulate the relationship of the representatives with pressure or interest groups: activities of these entities, documents they receive, etc. It also proposes the obligation of abstention of the representatives in the event of a potential conflict of interest, as well as the convenience of having a code of ethics and conduct for officials of the Parliament and for the representatives themselves.

collaboration in other political institutions: from the executive at a state level, to the judiciary at a local level.

This particular study will not focus as much on the importance of this document in terms of the fulfillment of these principles in Mexican assemblies[127], but more on the methodology used to evaluate the extent to which parliaments are open or not.

6.3.d) Action plans for the implementation of Open Parliament

The principles for Open Government in parliamentary institutions can be done in two ways. The first involves governments establishing commitments related to opening up the legislature. The second involves civil society and parliaments themselves proposing plans to open up the legislature. In the past few years some countries have developed action plans for the implementation of open parliament. These programs incorporate concrete measures to open up the parliamentary institution. The most relevant will be outlined below.

The Georgian Open Parliament action plan (European Union 2015) is paradigmatic as it was originally a civil society initiative that ended up organizing a political agreement with the Chamber[128]. At the same time, it was an important step towards the opening up of their parliament, approaching it from a strategic standpoint.

Gonzalo Rozas (2015) briefly described the most important aspects of the document. They are as follows:

1) Include the option of contributing to draft laws (either through electronic or conventional formats)[129].

2) Allow citizens to present e-petitions online and legislative initiatives in electronic format[130].

3) Reinforce civic engagement in the legislative process: this involves reinforcing the citizen´s capacity to receive information on the development of laws.

4) Provide a simple and flexible way for citizens to follow plenary and commissions.

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[127]The conclusion of the report is that, although this aspect of the opening of Parliament has been on the public agenda for more than ten years, there are still legislative assemblies that do not observe minimum elements in terms of transparency and accountability. Along with this, the two main deficiencies in terms of transparency refer to the detailed information about the budget, as well as the performance of the representative. It also highlights the fact that the legislative bodies in Mexico lack an adequate normative framework that avoids or inhibits the conflict of interest.

[128]"The Open Parliament can not be a partisan issue of a counter-party, although it is equally important to point out that it is not a purely technical matter that the services of the chamber can be carried out without the necessary and essential agreement of all the parliamentary groups". Gonzalo Rozas, (2015).

[129]As we will see later in some countries such as Brazil, the institutional pages of parliaments allow for citizen participation in the legislative process.

[130]In case of Georgian Parliament, a commitment has been made to implement a website that serves as a channel for the electronic submission of petitions.

5) Publication of agendas and orders of the day of sessions in parliamentary bodies with sufficient notice.

6) Increase knowledge on the activity and functions of parliament reinforcing their institutional image. This involves parliament having an instructional communication strategy that promotes their presence on social media[131].

7) Accessibility to parliamentary documentarian for disabled people: Parliament should be inclusive when it comes to people with different needs in order to be a truly open parliament.

8) Publication of expert appearances in the legislative process: the contribution of social agents should be public a prerequisite for transparency.

9) Publication of complementary documentation on legislative initiatives. This information (documentation sent to government, for example) allows the citizen to have a greater understanding of legislative initiatives.

10) Publication of documents on the institutional web page in an open and reusable format[132].

11) Creation of the Permanent Parliament Committee for Transparency. A body that collaborates with civil society integrated by parliaments and representatives of organizations to ensure parliament´s accountability.

12) Development of an Ethical Code for parliamentarians[133].

As has been shown, these aspects of the Georgian Parliamentary plan for Open Parliament are not new, as they incorporate various recommendations from other bodies such as the UIP and the OGP. However, as Gonzalo Rozas (2015) explains, they are particularly interesting as they show the existence of a "movement in different countries with different political and cultural context talking institutionally about Open Parliament as a concept and introducing reforms in their regulation which reinforce transparency, participation and accountability"[134].

As Swislow (2016) explains, Georgia has become a leader in Europe in the promotion of an open legislature[135]. Following the example of Georgia, the Ukraine also developed an action plan in February 2016 and Serbia[136] and France[137] have also both started to develop their own.

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[131]"The communication is not the end of the process as a post-sales service specimen, which must be included from the beginning in the political action process. It is not a matter of doing and then telling what is being done, but rather that the process of parliamentary action itself is communicated transparently and simultaneously with its occurrence" Gonzalo Rozas (2015).

[132]In case of Parliament of Georgia there is a temporary process of open data introduction in classical PDF format.

[133]At present, there is a project developing Ethical Code for parliamentarians. http:// personal.crocodoc.com/bsAvDIX (26 October 2017).

[134]Ibid.

[135]On 14th and 15th September 2015 the Georgian Parliament organized a meeting with more than 75 parliamentarians and civil society of more than 30 countries around parliamentary opening. This conference, called "Commitment to Opening: Parliamentary Action plan, Norms, and tools" analyzed strategies for concrete steps toward enhancing the transparency and citizen participation in the legislative process.

[136] Serbia started working group with civil society for enhancing the opening of its chambers.

[137] The French National Assembly elaborated on action plan in June 2015.

In Latin America, the Network for Open Parliament *ParlAmericas* is developing open parliament at a regional level. It is a working group[138] whose main precedent is the *Declaración de Santiago sobre Transparencia e Integridad en los Parlamentos y Partidos Políticos* which was signed in 2012[139]. This network aims to promote action towards the development of the principles mentioned in the declaration.

Along with this initiative Parliaments in Guatemala, Chile and Paraguay are also working towards the idea of open parliament. Chile´s action plan was the first to be independently developed in Latin America. It was approved by Congress in 2014 under the leadership of the Bicameral Transparency Commission. In the more recent (May 2016) case of Paraguay, its two chambers have started to co-create the First Action Plan for the Alliance for Open Parliament – Paraguay. This proposal passed by the *Cámara de Diputados* establishes four main objectives as well as other activity as well as, importantly, the parliamentary bodies which will be responsible of carrying them out.

6.3.e) Collaborative tools for the e-democracy project in Brazil

Up until now the analysis has focused on collaborative tools in parliament from the point of view of improving it as an institution. The focus for collaboration has been applied to how parliaments cooperate with other chambers in moving towards a more open parliament in all levels of its organization and functions. The extent to which this affects parliamentary activity itself has not yet been discussed. As such, as well as programmatic documents and plans to implement Open Parliament, the parliamentary institution has incorporated other collaborative tools. Two examples will be outlined: legislative consultants and *wikilegis.*

Legislative consultants responded to the need to overcome the problems of technical complexity in the legislative development process. In order for citizen contributions to have an impact and the possibility of being incorporated or considered in parliament, a team of parliamentary civil servants were deemed necessary to help support the participation process. Legislative consultants, as well as preparing content for virtual legislative communities, moderating discussions and analyzing suggestions, are in charge of translating them to legal language. As such the consultants provide a means of interaction, facilitating participation and the organization of ideas through legislative drafting.

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[138]The network was integrated in the ParlAmericas structure in 12th Plenary Assembly, approved in Panama in September 2015.

[139]The Santiago Declaration is an agreement signed by parliamentarians from various countries in Latin America that states its commitment to carry out actions in institutions that help fight corruption and strengthen democratic governance through transparency, accessibility, accountability and citizen participation.

Wikilegis is the most significant collaborative tool to have been applied to parliament to date. *Wikilegis* is part of Brazil´s e-democracy project, which was studied above in relation to participation. This tool provides a means of collaborating in the development of laws so that citizens can participate in debate and the creation of legislative texts together with parliamentarians. In this way it works as a sort of *wiki*body, but is adapted to the specific constraints in the law making process: parliamentarians can publish the legislative proposals that they are involved in *Wikilegis*, and citizens can participate by commenting and suggesting a new text or proposing modifications to individual articles.

Proposing a complete new text is a classic model for collaborative participation: participants construct texts together, with the final text approved by the majority. The final text is not definitive but is rather sent to a parliamentary spokesperson from the virtual legislative community so that they can evaluate its technical viability and the potential to present it to the relevant parliamentary commission.

Changing texts article by article is a form of partial collaboration in the legislative text: it is not about obtaining a full text but parts of a text. In this format participants can propose new drafts for each article or paragraph of a legislative text. This tool allows for collective contributions (for example, ones from associations or interest groups) to be presented in an organized way with a structure that allows for analysis and inclusion in the final text.

6.3.f) Parliamentary Hackathons

When outlining the tools for transparency the "Parliamentary Rhetoric" initiative was said to be the product of a "hackathon" in the Brazilian Parliament. Hackathons are meetings of programmers or developers (hackers in the positive sense[140]) that are to collaborate and coordinate to create projects that transform information of public interest into an accessible digital format for citizens to access.

As a result of ICT, hackathons have provided a space for dialogue between groups who would not normally interact. In order for a hackathon to be successful, the work that will be carried out and a description of the people involved and the activities they should carry out should be organized in advance.[141]

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[140] In hackathons, the concept of hacker is understood in its most positive aspect: as "the one who wants to fix something that does not work". We will use for these purposes, the concept of hacker that INTECO provides: "the real hacker is that curious, patient, creative person who investigates and does not stop until he controls a system or refines or optimizes his technique. Its motivation is pure knowledge (...) Currently, the term hacker can have positive and negative connotations depending on the concept that is handled. Thus, the word is used both to define a software developer passionate about computing that debugs and fixes errors in the systems, as to refer to one that infiltrates a computer system in order to bypass or deactivate security measures "Inteco (2012).

[141] For example, inn a Hackathon of citizen innovation held in Chile, four types of actors were defined: 1) decision makers (responsible public policy makers or sectoral experts); 2) hackers (programmers and computer developers); 3) graphic designers (guarantee of innovative design); and 4) journalists and communicators (work on the description of the solutions and messages that must be transferred to the public). http:// www.hackathonvaldivia.cl/ (21 October 2017).

Legislative and parliamentary hackathons open up parliament to civic hacking, the collaboration of different actors using technology, with the aim of making parliament more open and participative. Many parliaments have started to incorporate this into their work. Examples include the hackathons in Brazil as part of the e-democracy project. In the first hackathon, celebrated in 2013 on legislative transparency and public participation, there were over 40 software designers. 22 applications were created and put to a vote. The three best were given special recognition. The winner was *Meu Congress*[142], a web page which allows citizens to follow the activity of parliamentarians and control their spending. Special recognition was also given to the Android application *MonitoraBrasil*(which allows people with mobile devices to track draft laws and MP attendance through their activity on Twitter) and an online card game that simulates the deliberation process in law-making called *Deliberatio*[143]. The second edition of the Hackathon took place the following year in 2014, on topics of gender and citizenship. The experience was so positive that they have established a permanent "Hackers lab"[144] for the Chamber[145].

Other examples of parliamentary hackathons have taken place in Paraguay[146], Mexico, the hackathon organized by the civil society organization "Citizens of Europe"[147] on the European Parliament in 2014[148] or the more recent one that took place in Argentina in October 2017.[149]

Hackathons are some of the best examples of collaboration as a result of technology. They create a significant change in parliament´s culture and help to bring parliamentarians closer to new technology. At the same time, technology allows parliament to incorporate the best and most innovative citizen initiatives in their activity.

7. THE CONSOLIDATION OF OPEN PARLIAMENT ACROSS THE WORLD

Having now looked into the world of Open Parliament, it is evident that the concept is in its adolescence, a moment in which, initiatives related to transparency, participation and collaboration

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[142]http://www.meucongressonacional.com/ (21 October 2017).
[143]http://deliberatorio.com.br/ (21 October 2017).
[144]http://labhackercd.net/assets/files/revista_labhacker.pdf (21 October 2017).
[145]http://labhackercd.net/ (21 October 2017).
[146]http://europarl.me/ (7 October 2017).
[147]http://hackslabs.org/2015/08/abriendo-el-parlamento-en-paraguay/ (21 October 2017).
[148]http://www.citizensforeurope.eu/ (21 October 2017).
[149]Marathon design and prototyping of technological solutions that promote citizen participation in the Chamber of Deputies Maratón of Buenos Aires province. Approved in Buenos Aires (Argentina) on 7th October 2017. Available at: https://hackdash.org/dashboards/ hacklegis (7 October 2017).

are beginning to emerge in parliaments across the world. Reaching maturity will be the next step. Maturity of Open Parliament is about understanding and assuming the affects that Open Parliament has on the parliamentary institution. Abandoning visions that see it as just a publicity stunt linked to technology, instead viewing it as a means of modernizing institutions and adapting Chambers to the current needs of citizens, revising the classical functions of parliament in order to respond to new demands.

The idea of open parliament must be incorporated in Chambers´ work, as something transversal that affects regulation, structure and procedure. In order to achieve there are a series of pending challenges that need to be faced in the realms of transparency, collaboration and participation, in the order that this work has been organized.

Although, as we have seen, transparency is the realm in which the most advances have been made in parliaments, there is still a long way to go. Perhaps the biggest aspect to improve upon is the adoption of the citizens´ perspective, which should be the key driving force of their effort. In order to confront this issue effectively, parliaments should improve the clarity of information which is generally quite technical and alienating for citizens.

Improvements could also be made in terms of communication and dialogue. These types of initiatives cannot be evaluated just by their existence and success rate, but by the frequency that their contents are updated (that should be of a certain quality) and by the amount they are used. Up until this point, the use of these online platforms allowing for dialogue between representatives and those they represent has not facilitated adequate dialogue, which in turn has counteracted the potential benefits of this type of dialogue, which according to certain studies, could be a way to change citizens´ perceptions of politicians and their electoral impact. The online relationship between congress people and the citizens they represent offers major benefits both for citizens and for members of congress that participate in them. When establishing contacts, participants not only feel a greater level of trust and satisfaction in institutions, but the levels of public participation increase in discussion on topics that affect communities, persuading those around them to participate actively in politics. It is evident that this type of relationship is an effective way to reach a greater number of citizens and by combining them with traditional means of communication, the linked between Congress and citizens can be strengthened.

In light of what has been shown in this study, it can be seen that currently very few parliaments have developed the capacity communicate interactively with their citizens. Institutional accounts are paralyzed by institutionality, which is a problem difficult to resolve, depriving them of the necessary liberty to highlight the most interesting information and have dialogue with users. The simplest

solution to this situation would be to offer all information in real time and in a reusable format so that when faced with problems in rolling out information at an institutional level, citizens and organizations working on parliamentary matter can help in developing communication.

Parliamentarians should distinguish between information and propaganda in their publications, which should be opened up to a wider public other than simply political "professionals". They should distinguish between personal communication and organized campaigns, without creating general filters that could hinder citizens´ access. These are some of the key pending issues.

Civil society should also play a role in the exercising of different parliamentary functions, in order to help create change in parliamentary processes and to establish new tools to allow for greater influence on decision and law making. Parliaments should include and implement tools and spaces in which citizens can participate. Following this line of analysis it is important to consider participation as complementary to the legislative process.

In a flexible and relaxed associative relationship with parliament, citizens can actively get involved in initiatives, design, debate and help to generate alternatives, although the final responsibility for decision-making should lie in the hands of representatives. This relationship is still uncommon due to a lack of specific technology and platforms for learning, debate and proposal (online forums, interactive political portals, interactive games, etc.) to be used by mature citizens in a democracy.

Over the next few years the tools provided by ICT that are likely to gain in popularity are those that facilitate interaction between citizens and parliamentarians such as e-petitions, electronic consultation, deliberative online forums, polls (Rubio, 2014). The possibility to offer electronic petitions to citizens and social groups through the internet for them to exercise their rights when they wish is also being explored in some countries.

In this way, a community is growing with one common interest: political life of the country, personalization of information, attention to citizens, e-Education. It is here that citizens have the opportunity to bring new criteria on topics that will positively or negatively affect the nation.

The principal challenges are the institutionalization of tools and the generalization of their use.

The first step towards achieving them is the institutionalization of these forms of participation through internal reform. In this regard the example of the Parliament of Aragon is important, which establishes in its XVIII title on Open Parliament the right to Open Parliament including the "use of instruments for participation in parliamentary processes and of access to information in relation to the organization and functions of the Chamber" (art. 300.2).

Furthermore, it clearly outlines the obligations parliament has with regards to transparency, including the development of active transparency on a parliamentary transparency portal, and of passive

transparency through the exercise of the right to access information. A series of obligations linked to participation are also included, such as a specific web space, normative tracking, proposals for amendments, questions, appearances and non-law proposals, together with popular legislative initiatives and the creation of open forums. This integral regulation also includes the Right to Petition which can be exercised both collectively and online.

Secondly, the processes for parliamentary development should be materially integrated, in order to ensure that all proposals are taken into consideration and that as much as possible a response is given on the possibilities to develop them in parliament. Digital participation usually lacks the ability to draw lines between contributions and how they are incorporated into parliamentary processes, especially those regarding regulation. This is mainly due to the technical complexity of writing legal texts. The participation of legal consultants as technical translators during the participation process may contribute to widening participation.

Although participating using these means gives great freedom and possibility to contribute and support petitions, there should also be greater reliability. If an impact on institutions is to be truly reached, it should be ensured that support is real and not manipulated. In this respect PMOs should work with institutional mechanisms to authenticate signatures with the aim of reinforcing legitimacy of petitions. The system for the revision of signatures used by the ICE could perhaps be a good solution. In this same regard there should be control over participation, gearing it towards particular spaces for participation. Generally users tend to use spaces in an inappropriate and ineffective way (talking about topics which are not anything to do with what is relevant and using them as a means of giving opinion on political issues). If PMOs manage to establish systems to create support with minimum guarantees and without creating a rigid and difficult process, they will have made a great contribution to public participation in Parliament.

Making tools accessible to a greater number of citizens is the second big challenge. In a true democratic sphere, participative platforms should promote any contribution that citizens want to make. Certain people are interested in discussing ideas on public forums and others just want to offer useful information for legislative decision making; other people are interested in voting to classify better ideas and so on. Equally many do not want to have anything to do with legislative debate.

It is important to avoid participation becoming a niche of organized minorities which thanks to their influence and structure can have a monopoly on the participative process. "Intense minorities" (Sartori 1987: 275): despite majority rule, are powerful because of the intensity of their representation, as they contribute more frequently and intensely. In this regard it is important to ensure that they do not monopolized spaces for participation.

Achieving this aim is not just about implementing sophisticated technological tools, but about:

- Citizens investing time and effort in contributions.

- Being informed on the importance of the role they can adopt.

- Incentivizing the participation of those who may bring interesting points to discussions.

- Encouraging the formation of groups for the development of proposals and ideas.

- Working on strengthening social networks that generate an impact on the public agenda and the legislative agenda, and above all on decision making.

- Ensuring the presence of parliamentarians and members of the executive in discussions.

- Publishing proposals.

- Ensuring that the drafting process is transparent.

- Establishing time for reflection, debate, calm and reasoned argument.

- Establishing clear rules: systems to objective validate proposals, through which it should be possible to determine the validity and feasibility of a proposal through feedback both from parliaments and participations, perhaps even using conflict resolution when different points of views may arise (Casani and Roncaglia, 2007).

From the point of view of collaboration, Parliaments have started to adopt internal management systems which allow for material to be managed, and are necessary for parliamentary work to be carried out in a flexible and concise way. These systems improve the efficiency of institutions and their members, and save time and money, making the informative process easier by gaining greater transparency, coordination and collaboration between different State Institutions.

Despite the doubtless advantages, implementation does have some difficulties. These include the necessary economic investment, training, change in parliamentarian and civil servant mentality, as the acceleration of communications and reports tends to modify the working style and hours of civil servants and force them to revise hierarchical authority, such as parliamentary groups´ relationship with individual representatives (Campos Domínguez, 2011: 128). The implementation of information technology requires a cultural change in the all ranks of the public sphere, the development of new skills, the adoption and creative adaptation of new available media. To advance in this field it is important that parliaments cooperate with one another by sharing experiences, information, tools, and training services through meetings of technicians, parliamentarians and experts from different countries.

Finally, new technologies allow for data to be compiled and analyzed in order to evaluate the impact and efficiency of parliamentary programs through collaboration with citizens to evaluate technology. Castells (2001) calls the idea that organizational education should be constantly adapted to new environments, the "Principle of retroaction in management".

In general it is important to outline that these initiatives run various risks when it comes to their development and achieving their aims effectively. Although normally there is a lot of focus on institutions and their resistance to change, there is also weakness in civil society. While the cost of implementing initiatives is not high, they should be sustainable so that they can function autonomously and independently. Excessive dependence on public funds (subsidies and grants), especially when it refers to civil society is not appropriate for bodies who should audit political institutions. Despite financing through crowd funding, when consulting webpages for some of the tools highlighted by authors within the past two years, (Rubio Núñez, 2013), many have disappeared and cannot be tracked online. Although Aguilar Nacher has already warned of the volatility of these initiatives (2013: 357), a minimum level of stability would be useful in order to make them credible and without a doubt make them more effective in their aims.

To conclude, Open Parliament is an increasing reality across the world. There are many initiatives that, as we have already shown, are being adopted by parliamentary institutions to respond efficiently to democratic demands in society. The next step is reaching maturity, extending and normalizing open parliament. And in order to do so, the most important thing is to not lose sight of the nature of the parliamentary institution. Not doing so, and focusing more much on tools than on the institution and its representative nature, is not only a waste of time and resources but could also lead to a major crisis in which democracy may be undermined, in the name of the democratic process and liberal principles, and left defenseless against itself.

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