

“Is a digital era government more responsive to citizens? What model of democracy does it best support?” Discuss

Tim Davies (tim@practicalparticipation.co.uk)
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Who would reject the idea of a democratic and responsive government? Digital era technologies have promised both to make government more responsive to citizen needs, and to revitalise flagging democratic structures. However, just as liberal and democracy were not always terms spoken in the same breath (Dryzek and Dunleavy, 2009), caution should be exercised before running together ‘responsive’ and ‘democratic’ government without critically assessing exactly what forms of responsiveness, and what forms of democracy, are being advocated. In this paper I set out to identify how two particular descriptions of government in the digital era seek to make government more responsive, and to identify the underlying models of democracy they are compatible and coherent with.

Government and Politics: many models of democracy

Three distinctions will prove crucial in the following discussions: between government and politics; between ideas of digital era government and ideas of open government; and between different levels of analysis at which we can consider democracy. I will address

each of these in turn, making preliminary remarks about their relationship to each other.

The term government refers broadly to the entirety of the administrative and service provision functions of a state. Health services, tax offices, judicial systems and so-forth are all part of 'government'. Reference to 'the government' picks out the executive of the state who are empowered, subject to constitutional constraints, to direct the management of government services. Government can thus be defined as the institutions involved in the provision, administration and regulation of public services and public resources, in the furtherance of certain goals. Politics is the contestation of those goals (often led by 'the government'): both through debate over policy, and through competition over the power to legitimately determine the nature and ends of government services and regulations. Government can 'respond' to citizens on many different levels: through individual services being customised at the point-of-use; by executives adapting the structure and management of services to bring them into line with general patterns of need and desire; and by political discourse and changes of power that lead to alternative ends being specified for state services and institutions. Increased responsiveness of specific services may also be achieved (or at least, hoped for) by moving them outside the governmental system into private and voluntary sectors. It is possible to

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have responsive government without responsive politics, and to have responsive politics that struggle to make government services more responsive.

There are many theoretical positions that claim to show *how* digital technology impacts the potential responsiveness of government, politics and democratic systems. In this paper I address two key positions. The first, Digital Era Governance (DEG), focuses on trends in government administration emerging in part as a reaction to the limits and failures of New Public Management (NPM), and in part resulting from the potential of new technologies that are transferred from the commercial to the government sector (Dunleavy et. al. 2006). DEG outlines linked trends in the re-integration of government services; digitization of services; and the development of 'needs-based holism' that claims to re-engineer the business processes of the state around citizens. The second position I explore lacks the definitional clarity of DEG, but has achieved greater popular appeal, going under the somewhat rhetorical title of Open Government (OG). Where DEG draws on ideas from transactional services and the business sector, advocates of OG focus on the transfer of ideas from Internet start-ups, social networks and open-source projects. The OG movement draws together many disparate groups from across the political spectrum, and it is not clear that they share much more than a common dissatisfaction with current political

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processes and conduct, and a belief that the Internet is a key part of responding to their concerns. However, listening for core terminology of transparency, collaboration and participation (Lathrop & Ruma, 2010), alongside discussion of crowd-sourcing, social media, open source, open data, APIs and coding new tools to improve government demarcates a sizeable community of actors. I will comment later on variations within the broad approach of OG.

If DEG can be understood as an empirical account of developing trends within government, where increases to responsiveness proceed from digitally enabled internal reforms to processes, contemporary OG can be understood as an attempt to remake the government and political systems from the outside. In both cases I contest that these movements need to articulate clear accounts of the form of democratic governments that are created by the changes they identify. For any such account to be comprehensive it must include three elements: a theory of the democratic *state*; a theory of democratic *process*; and a *normative* theory of democracy.

Dryzek and Dunleavy (2009) articulate four classical *models of the democratic state*: Pluralism, Marxism, Elite Theory and Market Liberalism). They argue that, in contemporary contexts, pluralist ideas (that describe the state as consisting of multiple centres of power and

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groups engaged in moderate competition) play a key role in US and European political analysis, but are also joined by a de-economised Marxist and elite theory critique of capitalist polyarchies, and a remnant, or perhaps resurgent, new-right market liberalism. These models of the state specify the boundaries of government and outline the relationship between government and other institutions in society: including economic institutions, markets and interest groups. Whilst it might be argued that the digital era creates it's own novel models of the state, seemingly similar digital era accounts of government can have very different lineages. For example, the idea of crowd-sourcing policy (using the Internet to intentionally gather inputs from beyond the government machine) can be linked to an idea of pluralism and the desire to include multiple, diverse voices in policy making (Wilson, 2008); from a belief that there are 'elite' experts best able to direct policy on a given matter outside the core of day-to-day political institutions, and that crowd-sourcing will locate them, allowing them to be co-opted to help government on specific issues (Sunstein, 2006); or from a belief in information markets, and the idea that from multiple inputs an 'invisible hand' will support the identification of optimal outcomes (Robinson et. al., 2008). The form that a democratic state takes affects not only how it is responsive to citizens, but also which citizens it is responsive to.

Political *processes* described as ‘democratic’ vary dramatically in the form they take. In direct democracy, citizens vote on every issue and express direct policy preferences. In a representative democracy, voters delegate responsibility to make decisions on specific issues to representatives, who, through electoral pressures, are supposed to take account of their constituent’s interests and preferences. Deliberative democracy emphasises the role of discourse in bringing about greater understanding and shared (or at least non-polarised) preferences across a population (Fishkin and Laslet, 2003). Whilst early Internet utopians focussed on it’s potential to support direct democracy (Morris, 1999), political scientists have since focussed on the role of the Internet in representative and party-politics, with utopians turning to the potential of the Internet to support improved deliberation (Schuler, 2010).

Keneth Arrow (1950) has shown that no democratic voting system with more than three options can be set-up to satisfy even basic desideratum for fully fair and efficient outcomes. As such, all democratic processes are either an attempt at approximating some democratic ideal, or are adopted pragmatically on the basis of some other higher-order values. It is necessary therefore to specify in any democratic theory not only the processes that are preferred, but the normative basis on which they are selected, and thus to identify when deviations from perfect democratic participation procedures may be acceptable.

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Democracy as a set of institutional arrangements may be *normatively* valued: because it logically proceeds from some inherent values such as the equality or rights of all peoples; because it contingently turns out to be the best system to preserve inherent values such as individual liberty; or because it leads to a set of contingently desirable outcomes such as prosperity, peace and development. It is not uncommon to hear democracy justified, with words attributed to Churchill, as: “*the worst option – except for all the rest*”. However, even when such arguments are advanced, a positive account of the values or outcomes democracy preserves, and how it interacts with other fundamental values is necessary.

The liberal tradition, articulated progressively by thinkers such as Locke (1689) and Mill (1859), seeks a balance between the role of government and individual freedom – taking the two as in tension and accepting some limits on individual freedom whilst specifying safeguards to ensure the state, and in Mill’s case, the potential ‘tyranny’ of the democratic majority, does not unduly limit individual autonomy. By contrast Rousseau (1762) articulates a social contract whereby individual freedom is increased when individuals live by laws that they ‘given unto themselves’ in collective democratic decision making. For Rousseau, freedom is living in community governed by the prescriptions

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of the democratically discerned 'general will', not being free from state imposition. This positive freedom has been frequently criticised (Berlin, 1969; Popper, 1945), and has deep theoretical problems. However, it does highlight ideas of democracy as about promoting collective goods, rather than preserving private goods (e.g. individual liberty). The distinct, but related, idea that participation in democracy is constitutive of freedom (although in the interests of pluralism rather than a general will) is developed in Hannah Arendt's work (1958) and finds some echoes, albeit with a very shallow interpretation of democratic participation, in Noveck's digital era advocacy for 'Collaborative Democracy' (2009).

Dahl (1989; 2000) contends democracy is fundamentally founded on ideas of political equality. The more equal access is to political resources (money, power, information), the more democratic a society can be. The idea of democracy founded on an inherent property of human beings (equality in this case) parallels ideas of universal human rights¹. Dahl admits that all democracies in practice fall short of the egalitarian ideal – but it would not make sense on Dahls account to promote democracy at the expense of equality. Justice is a further principle that may be related to democracy, both as a principle

¹ Although even Dahl restricts democratic equality to 'adults', following a long line of thinkers failing to justify disenfranchisement of under 18s. See Archard (2004) for justifications of extending democratic rights to young people. Essay for MSc Social Science of the Internet, Oxford Internet Institute. Tim Davies (tim@practicalparticipation.co.uk). Online version published Sept 2010.

grounding democratic process, and as a contingent outcome of democratic decision-making (Rawls, 1971; Sen, 2009).

The complex constellation of different theories of democratic states, democratic processes and democratic ideals (normative theories) precludes asking any simple questions about whether particular developments in digital era government are democratic or anti-democratic. Rather, understanding these multiple layers of analysis facilitates attentiveness to the assumptions and implications of particular approaches to government, and can show how certain institutional and technological arrangements are sketched with particular notions of democracy implicitly or explicitly in mind. The following two sections will address DEG and OG conceptions of responsiveness and democracy, before we turn to some outline conclusions on government in the digital era.

Digital Era Governance

The responsiveness of governmental institutions, whether to bottom-up pressures from citizens, or top-down pressure from political authorities, is affected by their organisational structure. Organisation structures are intimately tied to, although not determined by, the nature and availability of communication technologies (Shirky, 2008). Changes in organisational structure are dynamic and complex, rather than uni-

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directional – with centralization and decentralization often taking place in parallel. At the same time that DEG identifies a re-integration of fragmented administrative, regulatory and commissioning functions of the state, the availability of technologies to support communication with, and performance management of, suppliers at a local level is playing a part in the extensive commissioning out of front-line services.

Local authority Children's Services in the UK provide one such example of information systems affecting organisational reform. Since The Children Act (2004) the multiplicity of services for young people, from education and social care, to youth offending teams and teenage pregnancy services, have all been brought within Children's Services directorates from separate organisations and departments. At the same time that a holism in policy making and commissioning has been sought through integration of central teams encouragement of joint commissioning, front-line provision has organisationally fragmented, with open competition and tendering leading to a diversity of service providers related to government by contract rather than through organisational hierarchy. However, commissioned services are intended to remain client centred through use of a Common Assessment Framework (CAF) and online client management systems for managing the provision of services to specific young people (Pithouse et. al., 2009). Child protection concerns are managed through the 'Contact Essay for MSc Social Science of the Internet, Oxford Internet Institute. Tim Davies (tim@practicalparticipation.co.uk). Online version published Sept 2010.

Point' database designed to keep records on every single child in England and to flag any professional concerns about a child's welfare. Shared management information systems further link commissioned services to commissioning hubs, where specialised procurement staff manage the contracts.

This is one, frontline, instantiation of government in the digital era. Whilst it doesn't represent all aspects of DEG, we can explore ways in which such structures, coupled with Internet technologies, increase responsiveness to citizens². Services can become more responsive to a direct request; more responsive to unarticulated needs; more responsive to trends in local need; and more responsive to policy changes at local and national levels. In an environment of fragmented services, a service-user may have to identify, from amongst many services, those appropriate to their need; those that they are eligible for; and those with capacity to support them. The need to share the same data with multiple services, often via form-filling, is removed with the introduction of lead-professionals able to access information from across a wide range of services, and to capture needs-assessment information from a service-user which can then be shared with other services (the 'ask-once' processes of DEG). In theory, this supports a

² I understand citizens to include children and young people, in line with the UN Convention on the Rights of the Child (UN, 1989).
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service to be both more responsive to the needs that individuals articulate, and, through centralising information from different ICT systems, to identify the full set of services an individual may be entitled to, without the individual needing to themselves be aware of, or apply for, those services. Dunleavy et al., (2006: 235) give one example of how the re-engineering of internal processes allowed a Canadian social security office to integrate information from existing IT systems and reduce a 30-page pensions application form into a welcome letter and statement of entitlement. However, whilst such integration of citizen information appears benevolent when notifying people of pension or benefit entitlements, when information in government databases is used to target services that individuals have neither requested, nor desire, the picture is more complicated. For example, many of the local Targeted Youth Support (TYS) programmes supported by the UK government (DCSF, 2010) encourage the sharing of data on 'risk-factors' between services to identify individuals who are statistically more likely to be involved in offending or truancy behaviour, and then to target services at these individuals. Whilst this may be seen as responsive government, it is certainly not responding to the desires or wishes of the individuals who are targeted: rather, it is responding to general policy agendas by treating individuals not as citizens, but as objects of interventions (Garret, 2004).

Responsiveness of frontline services to policy priorities is mediated through use of indicators (including National Indicator sets) and data derived from management information systems. Online 'data observatories' can support local areas to pool data from different domains, bringing together, for example, health, education and labour market statistics, and enabling improved commissioning and management responsive to local trends. However, the ability of local and national data collection to impact service responsiveness is constrained in two key ways. Firstly, it requires good quality data. Secondly, the structure and nature of data collected affects the available policy levers, and ultimately, the viable policy options for government.

Whilst some areas of government activity, such as traffic management, can take advantage of 'zero-touch technology' to collect information on patterns of behaviour and service use, many frontline public services rely for their key detector mechanism (Hood and Margetts, 2007) on staff entering data into computer terminals. Studies of frontline staff IT skills, particularly staff located in community rather than office settings, are conspicuously lacking from the research literature on e-government, even though simple skills such as typing speed and literacy using online tools can dramatically impact both the extent to which staff fill in digital

forms in accurate, timely and efficient ways; and the relationship of a professional to the information system and their client.

Even when good quality data is collected, that data is necessarily a reductive account of reality (Bowker, 2000). Scott (1998) notes that in attempts by governments to render their fields of operation 'legible' to their data collection processes, governments seek to impose an order on the diversity of local practices, and that imposition of order occurs not only in the way data about situations is represented, but in the way reality is modified to accord to the structures through which the state seeks to record it. For example, the articulation of UK policy and targets related to young people not in education, employed or training (NEET) has spurred the creation of local services that bring together diverse groups of young people whose only common attribute is their employment status (Yates and Payne, 2006). Once particular categories and structures of data collection are established, changes of policy that need to be managed through new metrics could require to complex and expensive changes to IT systems. Whilst DEG identifies the promise of modularised 'utility computing' for increasing the flexibility of government IT infrastructure, the realisation of that promise remains a long way off (Dunleavy et. al., 2006), and it does not resolve the tension of abandoning existing data series when they do not fit with new policy options.

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To summarise the exploration of DEG so far: digital technology supports an increase in the potential responsiveness of front-line services, but such increase are contingent on local systems and ICT skills of staff; increases in the data available to commissioners through the Internet can support more responsive service development; however, responsiveness of local services to central policy is increasingly contingent upon, and intertwined with, capabilities and structures of management information systems.

DEG, as a comparative framework for looking at different states, is relatively silent on the political dimensions of governing. However, a number of remarks can be made on the relationship between DEG trends and democratic government. Firstly, in frequently framing the citizen-state relationship as customer-supplier, and adopting images and practices from the commercial sector, digital era governments risk setting up a significant expectations gap (Flinders, 2009). Whilst commercial sector entities can ignore provision of service where it is not cost effective, governments, with politically important universal service obligations, cannot. Furthermore, government is not building institutions from scratch, but operates with many legacy structures and relationships. The apparently inefficiency of a given government service when compared to a comparable commercial service may proceed from

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the complexity of delivering that service at a national scale to *all* people who need it, without price-discrimination, and working with legacy contracts and relationships. For example, public health services have to balance provision of services to individual patients with the careful use of central resources, and an awareness of health inequalities requiring some redistribution of resources to areas most in need.

In the digital era, government's failings are not expressed solely in complaint letters, or occasional letters to local newspapers, but are shared and discussed through online social media and, increasingly, on dedicated websites set up for rating public services such as PatientOpinion.com. PatientOpinion.com CEO Paul Hodgkin has written about the creation of a 'new economics of voice' capable of driving changes in health service provision (2009). The terminology of 'economics' draws attention to market-liberal models of the state, in which equipping 'customers' of government with a choice of services and good information about those services is argued to drive improvement and close the expectations gap. However, Hodgkin's own argument focuses on pluralist ideas of citizens actively engaging with health services to reshape them through dialogue rather than through consumer choice. Notably absent from such discussions are ideas that political representatives may play a role in reshaping services. Instead, representational politics is sidelined for digitally mediated citizen

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participation as the driver of change. The expectations gap does, however, impact on electoral politics. Whilst blame for disaffection in politics and the current crisis of legitimacy in UK politics has many roots, not least in a mainstream media focussed on scandal (Castells, 2009) and some very real recent scandals, bi-partisan adversarial politics of the UK and US does not benefit from contexts in which implausible forms of citizen-centred government are promised to the electorate, and then only delivered part-completed, late, and over-budget. Prime Minister Brown's recent announcement of a MyGov personalised portal for every citizen is the latest in a series of bold technological claims creating another likely expectations gap.

Secondly, although linked to the idea of the 'customer citizen', is the perceived necessity in DEG to identify citizens in order to regulate entitlement to services, and the desire to make that identification digital. Although decentralised models of secure entitlement identification do exist (Cameron, 2005), governments have tended to push for centralised identity databases. For political theories that take state authority as contingently delegated from citizens (such as John Locke), the explicit but opaque (Edwardes et. al. 2007) implementation by the central state of databases that becomes the authoritative source of information on individuals' rights is an anti-democratic step.

Thirdly, DEG affects the complexity of government, and, in open-book government trends, the public availability of information on governmental and political activities. At the central level, in reversing NPM fragmentation of the state, DEG arguably simplifies state structures, and brings many more services back under direct political control. Bimber (2003) discusses the relationship between the complexity and availability of democratic information, and the nature of those who participate in decision-making. Increased availability of information, and a simpler state, facilitates the involvement of a wider number of people in democratic decision-making, and challenges the dominance of bureaucratic and lobbying elites. This does not, in Bimber's view, lead to mass engagement and the direct involvement of large numbers in public policy, but it does drive a quiet 'revolution in the middle' whereby new groups, formerly excluded by lack of access and limited organisational capacity, can mobilise and join discussions in the political arena: a progressive increase in pluralism as the informational costs of participation fall.

When it comes, however, to significantly opening up democratic and policy participation to new groups, it is not DEG framings of the state with the most to say, but the bloggers and essayists of the developing open government (OG) movement.

Open Government

The terminology of OG has a history going back to Enlightenment opposition to government secrecy and has more recently been used in discussing the Freedom of Information laws that many states implemented from the 1970s onwards (Chapman and Hunt, 2007). However, the current movement has two distinct points of focus: open data; and open policy making processes. Whilst much writing on OG draws on case studies of existing projects, it would be wrong to understand OG as an empirically grounded theory equivalent to DEG. Rather, it is a set of both ideological and practical prescriptions for changing government and politics, based on insights and ideas from open source and online communities.

On open data, the OG movement argues that all government data (or at least, non personally identifying data) should be made available online in machine-readable formats by default, with some exceptions for sensitive security data. Open data is seen as important for a number of reasons. Firstly, it increases the transparency and accountability of government. Secondly, it allows third-parties to provide innovative interfaces onto, or services with, government data (Mayo and Steinberg, 2007). Thirdly, given government is theoretically paid for by citizens then the products of government in data, which can be shared with near to zero marginal cost, should be made openly available to citizens

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(Pollock, 2009). Whilst some open data advocates focus on Public Sector Information (Aichholzer and Burkert, 2004), much attention in practice has been given to political data such as voting records, financial contributions to political parties and debate records.

Developers have used open data to build a wide range of web applications, ranging from tools presenting parliamentary or congressional voting records to help citizens discover their elected representatives legislative activities (Tauberer, 2010; Edwards, 2006), through to feedback tools that collect views from service users on government provision and feed those back to the government institutions in question (Hodgkin, 2009; King and Brown, 2007). Lawrence Lessig (2009) has suggested that much surfacing of government data, whilst desirable from a 'naked transparency' perspective, can have a negative impact on the overall responsiveness of political and governmental elements of the system. More information doesn't always lead to greater efficiency or responsiveness. Advocates of targeted transparency note that a focus on online openness from government alone can disempower government vis-à-vis other non-open institutions such as the media and corporations (Fung and Weil, 2010).

Drawing on a perception of government's limited or ineffective exploitation of technologies, OG activists have sought to "code a better country" – suggesting (and implementing) new tools and technologies based on open data. The modularisation of 'government as a platform' (O'Reilly, 2010) essentially bypasses the need to make government more responsive, as it allows a large community of technically capable citizens, alongside private and third-sector organisations, to meet specific needs through developing software on top of government services. As yet, the evidence base to show that open data initiatives do lead to widespread development of new applications responsive to citizen needs is not available. However indications from 'Apps for Government' competitions such as ShowUsABetterWay³, and hack-day events such as Rewired State⁴ suggest that, while many ideas have been explored, only a limited number have developed into completed 'products', few with widespread use. A number of the more successful application have focussed on moving dialogue with government into the open: allowing citizens to host peer-to-peer discussions around their interaction with government. Websites such as the aforementioned PatientOpinion.com and the much-cited FixMyStreet.com are run interdependently of government and allow individuals to submit public feedback on government services. Whilst this can arguably increase the

³ <http://www.showusabetterway.co.uk/> - Accessed 17/04/2010

⁴ <http://rewiredstate.org/projects> - Accessed 17/04/2010

responsiveness of services to public pressure, King and Brown (2007) note a varied pattern, with many of the reports to FixMyStreet resolved quickly, but large numbers also remaining unresolved for long periods.

Opening up data is often seen as part of opening up the policy-making processes – allowing citizens to scrutinise government activity and to make informed contributions to discussions on issues they care about. However, open policy making goes further – describing ways in which government can use Internet-based tools to incorporate a diverse range of actors into policy making, through mass consultations (Sifry, 2010); design competitions; crowd-sourcing exercises (Sunstein, 2006) and other digitally mediated processes. Ellen Miller (2010: 193) articulates a vision of OG as challenging the role of insider policy-making elites, claiming: “the outsiders are becoming ‘insiders’”. However, Miller’s claims raise questions about whether OG constitutes an elite-theory critique of the state, or simply a challenge to established elites that their time is up, and the technological elites want their turn to run government.

The broad label of open government masks many different views on the democratic state. An emphasis on political transparency generally involves an acceptance of representative government, but a critique of the elite-domination of contemporary politics and a desire to increase

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the citizen control over elected representatives. By contrast, whilst Burton (2010) has argued that developers from the private sector should work for short periods within government, as a sort of civic minded 'Developer Corps' to support the solution of complex problems through the state, Bryant (2009) talks about technology allowing a smaller state and increasing individual freedom through limiting the domain of government. Many such 'small state' ideas draw upon notions from Benkler (2007) suggesting that digital technology facilitates collective action without coercive force, and allows individuals increased choice, thus increased individual freedom. Crenson and Ginsberg (2003) note that such ideas of 'personal democracy', whereby participation in the public sphere is based on individualised interaction rather than collective participation, only works "*for those in a position to take advantage of its possibilities*". It is notable that whilst conceptions of 'collaborative democracy' advanced by current deputy US Government CIO Beth Noceck (2010) avoid individualist notions of participation, they split civic engagement into small tasks – similarly rejecting broad collective democratic participation in place of frequent, but narrow, state-society collaborations around specific issues.

Conclusion

Government in the digital era cannot be disentangled from government in an era of capitalist markets. Both DEG and OG are prone to frame

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citizens as consumers, and, whilst making viable claims to increase the responsiveness of *some* services to *some* individuals, fail to address distributional aspects of increased responsiveness. For normative conceptions of democracy based on equality (E.g. Dahl's), this is a serious issue. For libertarian normative conceptions of democracy, prioritising individual freedom, it is a lesser concern. It is not the case, however, that digital era states are necessarily market-liberal states. Increases in information availability and openness of government processes support a form of 'revolution in the middle' that Bimber discusses (2004), increasing space for formal and informal plural interest groups to engage in public discourse. Digital era government *can* support many models of democracy: individualistic and collective. However, when DEG of OG are discussed solely in terms of 'technical' interventions, their wider impacts on democracy and social justice are often masked, and so constructing the discourse within which all citizens, not just the technically adept, can debate DEG and OG changes is a core task for any democratic theory that rejects the idea of blindly accepting new technological elites.

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