



# Protocol for Online Citizen Consultation in Public Policymaking

## CONTEXT

### *Online consultation is here to stay*

In the past few years, with the rise of technology innovations, many government initiatives have tried to leverage technology for soliciting online citizen participation in public policymaking. Different ministries of the Government of India as well as various State Governments have started with using the online interface of their websites to upload the policy drafts for soliciting feedback from citizens and civil society. However citizen participation is also seeing a transition, in India and internationally, with online platforms being explored to have a policy dialogue between the government and citizen. In 2014, a notable platform, MyGov.in, launched by the Government of India, aims to collaborate with different public institutions for engaging with citizens in policy planning. Multiple civil society initiatives have also used or leveraged technology to build agency of the citizens and promote their engagement. Such initiatives and technology advancements point to the fact that online citizen participation is here to stay. However, since the practice of citizen consultation in making public laws and policies has largely remained sporadic, whimsical, and inadequate, such initiatives may only be short-lived unless a robust framework and related procedures are institutionalised. In the absence of a mechanism and coherent laws requiring mandatory citizen consultations, they may not be able to create a long-term, meaningful impact. This protocol is developed to fill the gap so that active measures can be taken by the decision-makers to institutionalise the practice of online citizen participation most meaningfully, following the principles of inclusive democratic participation.

### *Post-Covid context will necessitate it further*

The Covid-19 pandemic necessitated adapting the current government programmes and policies to the post-Covid context. The role of online platforms becomes more important as the pandemic compels us

to follow restrictions on mobility, open in-person meetings, and other intimate methods of data collection from the citizens. Democratic governance in India as much as in other parts of the world has been adversely affected by the pandemic. During the pandemic, most citizens experienced unidirectional communication from the government without much opportunity for participation in dialogue and deliberation, a fundamental requirement in a functional democracy.

## THE OPTIMISM AROUND TECHNOLOGY

It is only through the use of technology that many challenges that the pandemic brought could be overcome. Online connectivity has filled the communication gap of the long distances that was quite a reality till very recently. It has enabled communication between multiple actors, both State and non-State in multiple arenas.

### *Enhanced access to decision-makers*

Multiple experiments and initiatives using the digital technology has enabled citizens to access the decision-makers remotely, without having to encounter the official hierarchies physically. The anonymity and shorter time period (without missing one's work and wages) required in registering the complaints and/or verifying the eligibility in public programmes is an opportunity to accelerate citizen's engagement for accessing entitlements or registering grievance.

### *Wider, quicker consultation feasibility*

The constraint of time and money to reach out to the people collectively in masses can be overcome using online platforms. Multiple social networking sites and online meeting platforms that the citizens and other non-State actors use for quicker communication with

each other across geographies, as well as with the State actors allow for higher and scaled-up outreach.

### *Integration of information from multiple jurisdictions*

Online portals have enabled putting information from multiple departments, ministries and jurisdictions together in an integrated manner, such that one does not have to spend time in physically going to look for information from the right source or to meet the right government official from one department to another.

### *Artificial Intelligence – AI based labelling and sorting for ease of analysis and decision making*

The Artificial Intelligence technology, also known as Machine Intelligence, refers to the ability of a computer to perform tasks associated with intelligent human beings. AI has the potential to sort and analyse a vast quantity and diverse set of information with predefined labelling which otherwise would have been cumbersome and daunting to handle manually. This might encourage the public agencies to seek suggestions and feedback from citizens in a rather inclusive manner.

## WHAT DOES CURRENT PRACTICE TEACH US?

### *Access to digital devices vastly uneven*

Research has shown that access to digital devices for internet usage is vastly uneven. As per ICUBE report-2020 estimates, maximum active internet users in India use mobile phones, and only 17 percent of the active users access internet using a personal computer and six percent chooses to access internet using other devices such as tablet, streaming device, smart speaker, smart TV (Kantar and IAMAI, 2021)<sup>1</sup>. Moreover, access to Smart phones with good storage capacity is limited due to its unaffordability for majority.

### *Reliable connectivity at affordable prices limited to the urban middle class*

While the access and inclusivity has enormously improved across India in the previous few years, still there are only pockets of population that have continuous high-speed internet connectivity. As per the data of the Telecom Regulatory Authority of India, in cities like Delhi and Bangalore, there are two

internet connections for one person, suggesting that only urban middle class is connected online. Many groups continue to face exclusion from high-speed internet access and from technology, thereby impacting their access to technology-based services.

The internet penetration in the country, in 2020, aggregately stood at 50 percent (Keelery, 2021)<sup>2</sup>. Further, the disaggregated data according to the National Family Health Survey-5, shows that only 24.6 percent rural women and 48.7 percent rural men have ever used the internet. Similar gender inequality is visible in the urban context with the figures showing 51.8 percent urban women having ever used internet as opposed to 72.5 percent urban men. Moreover, there are chronic inequalities based on other intersecting factors such as, income, language, literacy, disability, caste, and religion.

### *Language (both English and its idiom) of tech unfamiliar to majority*

For any online citizen consultation initiative to be successful, it needs to take into account language diversity of the country. The default language, English in most of the prototypes acts as a huge barrier for majority in comprehending the content and navigating the online space.

### *Prevalence of insecurity (privacy, abuse, trolling, misuse) accentuates gender divide*

Discourses on public policy are intrinsically political. Discussions on online platforms and social media are often loaded with gendered threats, trolling, abuse towards women and gender non-conforming persons which may cause a sense of discomfort in engaging online. This poses a huge barrier in building a positive culture of civic discourse and accentuates gender divide. Safe space requires building mutual trust and respect especially for the marginalised people and groups to share and communicate their vulnerabilities and lived experiences. Online modalities may not enable listening with empathy to each other's point of view which is an important aspect of creating a safe space.

*Uneven access to digital devices, unaffordable connectivity, tech-jargon, English language domination, sense of insecurity, and lack of confidence in privacy remain challenges for effective and inclusive online participation.*

<sup>1</sup> Report downloaded from <https://www.iamai.in/KnowledgeCentre> (Accessed on 12 January 2022)

<sup>2</sup> Source: <https://www.statista.com/topics/2157/internet-usage-in-india/#dossierKeyfigures> (Accessed on 12 January 2022)

# PRINCIPLES: INCLUSIVE DEMOCRATIC PARTICIPATION

We propose a few principles to make online participation inclusive and democratic in pre-legislative stages. The key components are:

## ***Inform: Adequate, timely, authentic and usable information***

Information is the most critical, as it empowers people. The purpose of this phase is to raise awareness about the governance systems, laws, policies, entitlements that are important to the citizens. Unlike traditional ways where information sharing and mobilisation of citizens happen face-to-face, digital platforms are being explored for this today. Technology needs to be leveraged in a way that it provides adequate, timely, authentic, usable and relevant information to the citizens. This will support in creating an informed citizenry.

## ***Voices: Safe space for open, forthright deliberations***

The purpose of this phase is to create a safe space for the citizens to voice their opinions and have forthright deliberations on the concerned policies. The deliberations must include impacted communities for having their direct inputs. The deliberations must be carried out in a safe space. Safe space requires setting the norms for inclusivity, confidentiality and respectful behaviour. Norm setting will help in building mutual trust for the impacted and/or marginalised people and groups to share and communicate their vulnerabilities and lived experiences without any fear of judgement or fear of negative consequence.

## ***Listen: Active, sensitive and competent facilitation for empathic listening***

During the deliberations, the citizens must feel heard, and therefore, the role of facilitation is crucial. Empathic listening from the facilitators' is important. This also means that the facilitators must be active and sensitive in carrying out the deliberations. They must be competent to flag critical issues as well as watch out for any difference of opinions that may arise. They can come back for consensus-building between different stakeholders or constituencies in case of disagreements.

## ***Accountable: Sharing back summaries, results and utilisation of inputs***

There are national and international frameworks that obligate the public institutions to encourage citizen participation. This makes these institutions accountable to the citizens for including their voices meaningfully. Therefore, to complete the consultation process, it is important for the citizens to hear back from the public institutions before the legislation is passed. This is an important phase where the institution shows that it cares, is invested in the process and is accountable to the citizens. It requires sharing back the summaries and results of the consultation and well as demonstrating how the inputs received were utilised in drafting the policies. It must create a space for the citizens to hold the government accountable.

# ESSENTIALS: MEANINGFUL ONLINE CONSULTATION EMBEDDED IN HYBRID APPROACH

While the push towards innovative technology and improving digital connectivity offers new ways of organising citizen consultation, civil society groups and experts in the field are concerned that fully digital model is not sufficient. The limitations of using only digital technology, that the pandemic has also shown, is that a vast section of marginalised people do not have access, they may not feel safe enough to share their experiences or affirm their demands because of existing power asymmetries. The risk with only digital modalities is also that the voices and experiences of marginalised communities may not be considered important in the process of citizen consultation. Therefore, citizen consultation requires the government to adopt an effective hybrid model (a combination of online and offline modes).

## ***Link purpose of the consultation to model of hybridity (offline and online)***

The purpose of consultation can help decide the model of hybridity on a case-to-case basis. In case of consultation with excluded and marginalised groups that do not have internet connectivity, planning for offline interface will be important.

### *Enable access to digital connectivity in advance*

Active measures need to be taken for enabling access to digital connectivity. It is important to not see internet and technology as a luxury but a necessity in today's context. Government programmes that offer mobile phone or laptop devices, and data packages as entitlements need strengthening. It also needs to ensure the quality of these products. At the same time, easy availability of Wi-Fi spot services in the public places will help in deeper penetration. These can be steps in the direction of bridging the digital gap.

To make the internet and technology accessible, working with the marginalised communities is important. This will include making efforts in the direction of challenging oppressive social norms that act as barriers for girls, women, and transgender persons to claim their access. Additionally, improving digital literacy is critical so that communities can leverage technology in voicing their opinions and experiences. Similar efforts to close the urban-rural divide is also important.

### *Design technology for inclusion of laypersons (non-tech people)*

To make and design the technology architectures of the online portal inclusive for all, it is important for the tech developers to consult the neo-literate groups and consider their usage patterns, lived realities etc., especially those who have traditionally not had access to the internet and technology.

### *Build chains of trust with reliable intermediaries*

Reliable intermediaries such as civil society organisations (CSOs) working with communities can support in strengthening the process of consultation. Since CSOs have a rapport with the community and the communities trust them, their years of experience must be leveraged by the government in the process.

### *Establish, monitor and support norms for respectful online conversation*

In an online space, consultation process needs to set the norms and ground rules for encouraging participants to engage respectfully. In case of violation of the norms, the facilitators must alert and take appropriate action thereafter.

### *Provide adequate time for sharing and reflection, listening and disagreeing*

Citizen consultations must be given adequate time for sharing and reflection, listening and disagreeing as

well as consensus-building in the end, between different constituencies and stakeholders involved.

### *Be open to narratives of poetry, music, drawings, theatre, not just 'answers'*

Creative and art-based means such as poetry, music, drawings, theatre must be explored to receive feedback from the citizens. These forms can open up the space for communication and expression, especially for the young people as well as marginalised and excluded groups.

### *Create space for new alternative suggestions*

Creating a space for new alternative suggestions from citizen groups might help in yielding better results for the long-term. This might mean dismissing pre-conceived plan or ideas by the public institutions, and instead approaching the issue through other alternative suggestions.

### *Ensure confidentiality of data, especially minority views*

The confidentiality of the data collected through physical meetings or digital platforms needs to be maintained. The risk of data leaking through digital platforms is higher. Therefore, putting guidelines on confidentiality of data in the public is important.

### *Invite further comments on consolidated summaries and proposed recommendations*

Pre-legislative consultations must invite further round of comments on consolidated summaries and proposed recommendations before closing the process. This will help gain more trust from the citizens in the process, strengthen the citizen voice in policy planning as well as provide legitimacy to the legislative process in the stages thereafter.

### *Encourage ease of navigation by 'antyodaya' participants*

Multiple steps maybe needed to encourage ease of navigation by 'antyodaya' (last person) participants. The hybrid model, the facilitation, the language chosen, etc. need to be done with the a clear perspective and focus, so that their voices are heard and demands are responded to.

### *Maintain continuity of communication beyond immediate consultation*

One-time consultation may not yield long-term results. Since online platforms have the potential for maintaining continuity in communication with the

citizens, the same must be leveraged for a more involved and meaningful process.

## ECO-SYSTEM: INVEST WITH LONG-TERM VISION

### *Nurture culture of online citizen participation*

There is a need to bring about a cultural change for direct citizen participation. Since India has seen very little space for direct citizen consultation, a change needs to be seen such that there is a positive attitude and cultural shift amongst people and the government. Such a change can happen incrementally by promoting citizens to provide relevant, mature, and informed responses. Moreover, direct citizen participation can be strengthened by providing civic education to the people, elected representatives and other actors with the aim of creating more informed and aware citizenry so that everyone is equally invested in citizen participation, not just for grievance redressal and access to services but also in policymaking.

### *Integrate such capacities in all governance institutions*

All governance institutions need to be capacitated to hold hybrid consultations in pre-legislative stages.

Continuous trainings will bring about a cultural shift in their perspectives, and improve their capacities to hold citizen consultations.

### *Establish protocols for hybrid consultations*

Establishing protocols for hybrid consultations for wider dissemination in the governance institutions and citizens' groups is important.

### *Educate the platform designers in principles of inclusive democratic participation*

The platform designers need to be educated in principles of inclusive democratic participation so that the algorithm is not biased towards the majority views. Technology should be able to capture the disaggregated data, minority views and other nuances of the data gathered.

### *Mandate pre-policy citizen consultations as obligation of governance institutions*

For the citizen consultations to happen for policymaking at a substantive scale nationally and sub-nationally, it is important to introduce legislatures mandating consulting citizens at the pre-legislative stages. This will help in involving the ministries and departments of the union and state governments for standard-setting and for promoting good practices. They are the most powerful and have the greatest degree of influence. The same practices also need to be followed at the local governance levels (Municipalities and Panchayati Raj Institutions).

*The Protocol for Online Citizen Consultation in Public Policymaking is prepared by [Participatory Research in Asia – PRIA](#) with support from [the International Centre for Not-for-Profit Law – ICNL](#). In preparing this Protocol, PRIA has consulted a large number of representatives from the Indian and international civil society organisations, non-profit technology institutions, academic institutions, think tanks, and experts. The recommendations presented in the Protocol are based on an empirical participatory research – [Institutionalising Online Citizen Consultation in Public Policymaking in India](#).*



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