

Gov 2.0: Towards a User Generated State?

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New elements associated with Web 2.0 relating to interactivity and end-user focus have combined with the availability of new levels of information to encourage the development of what may be termed a Gov 2.0 approach. This, in combination with recent initiatives in the modernising government programme, has emphasised new levels of public participation and engagement with government as well as a re-engineering of public services to make them more responsive to their end users. Adopting a governmentality perspective, it is argued that this involves a wider process of governing through constructing and reconstructing ideas of the public, community and individual citizen-consumers who take on a role in their own governance. It is argued that this fundamental re-working of the nature of what is public represents a constitutional change that is perhaps more significant than the constitutional reform programme directed to formal government which attracts more attention.

INTRODUCTION

This article looks at how government is being transformed, and will further change radically, in line with developments in information and communication technology associated with the Web 2.0 phenomenon. The idea of Web 2.0 refers to the latest stage in an evolution of computing towards a second generation of web design and development allowing new levels of interconnectivity and interactivity. The idea of many users adding value to content through their interactions with one another translates in the context of government into what may be termed Gov 2.0. This involves the idea that the elements of interactivity and user generated content that engage people in the context of shopping, music and social networking, have application in developing how government both delivers its services and interacts with citizens. In addition, there is the hugely important factor of the power of public information which, following an extensive Government review, is increasingly being made freely available for distribution, use and re-use by a range of people and groups.

These ideas – of interactivity, user generated content and qualitatively new levels and forms of information – combine to suggest important new possibilities. These will often involve using new information technology but Gov 2.0 is wider than this alone. In the context of government the 2.0 approach coincides with an ongoing, wider process of modernisation of government. Although this is less eye-catching than Labour's constitutional reform package, it has been more far-

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reaching and radical. It has sought to re-engineer public services, re-construct ideas of the public, the citizen and the consumer, and govern through these ideas in new market-based citizenship models that privilege consumer power as a means of securing equality and participation through the exercise of choice. This is a large-scale, new political project and it is producing a new technology for governing. While this is being realised in New Labour's programme of modernisation, which has transformed the underpinnings of public services and changed the basis for public participation in decision-making, it has also set the agenda for any future government in the United Kingdom. With reduction in public spending putting a squeeze on public services more generally, ideas about a more effective public service are of increasing interest. (Indeed, early signs from the Conservative - Liberal Coalition Government suggest that many elements of this programme of public service reform will continue in a very similar direction.)

There are two elements to this ongoing modernisation agenda. First, in relation to public services, the Government agenda of modernisation has been singularly stimulated as ideas about customer-centric services, consumer choice and personalisation of services combine with developments such as individualised budgets for health, national performance indicators and the release of real time data to evaluate the performance of the whole range of service providers. As will be discussed below, the continuing efforts by Government towards reforming the public sector build upon earlier reforms and set out an agenda for putting citizens in control by increasing choice and introducing the opportunity of personal budgets in the National Health Service and in areas like adult skills, social care and disability. This programme also stresses the importance of giving clear and comparable information about service quality and ensuring that user satisfaction becomes the key measure of success and reward. Secondly, and with regard to improving democratic interaction and re-engaging with traditional politics, there has been considerable activity in addition to the rather formal level of the *Governance of Britain* agenda with its programme of institutional reform to Parliament, citizenship and Britishness.¹ As will be outlined shortly, there are a whole series of Gov 2.0 style initiatives aimed at directly increasing public participation and engagement and revitalising the link between public and government. Some of these such as the initiatives from the Prime Minister's Office involving YouTube, e-zines and e-petitions are perhaps designed mainly to be media attractive. However there are others, particularly at local level, involving innovative deliberative formats (with and without new technology) which seek to enroll a range of actors in a new and extended project of governance.

The purpose of this article is not simply to report on this – although it does have to be said that most public lawyers, while transfixed by the project of constitutional reform to the margins of traditional, big government, have failed to see the importance of this revolution in governance.² Rather the article is aimed at

1 Cm 7170 (2007) and Cm 7342 (2008).

2 A notable exception to this, perhaps confirming that there is a general trend, can be found with C. Harlow and R. Rawlings, *Law and Administration* (Cambridge: Cambridge University Press, 3rd ed, 2009).

offering a critical account of this process as it opens up new spaces of governance. Building upon earlier work,³ this account looks to approaches from a governmentality perspective to offer a more complex view of different governmental technologies and strategies. It draws upon work that develops some of the insights from Michel Foucault's ideas on governmentality and takes us away from seeing only the formal state and its institutions as central, instead developing understandings of the multiple sites of power and all the complex and often contradictory micropolitics of a variety of processes involving actors outside the formal constitution.⁴

Such an approach allows us to see the construction of ideas of publics, consumers and communities to be variously consulted, serviced and otherwise engaged in the wider process of their own governance. It also enables us to critique the production of 'agreed facts' from governmental statistical information that is intended to help people not only 'choose' as empowered citizen-consumers but also take part and engage as citizen-participants in shared decision-making as they govern themselves within a wider project of rule. We may be able to think about how these newer constructions of the citizen and the public both differ from the classic legal, rational 'man of law', and how they are involved within a changing project of governance. From here we will be able to begin to assess critically whether or not these new forms of participation do actually improve services and enhance democracy, or perhaps involve instead a wider process of de-politicisation of the public space and a further move of power towards existing authority.

Before moving towards this, this account will look first at the context of modernisation and the changing project of governing. It will explain briefly how a governmentality perspective can allow us to concentrate less on the formal state (and the tinkering with the traditional institutions that passes for constitutional reform) and make more visible all the smaller sites and practices of governance which together make up a larger project of governing. In particular it will indicate the ways in which sites beyond formal government – the social, the public, ideas of citizenship and consumers, choice, empowerment,

3 See, for example, J. Morison, 'The Government-Voluntary Sector Compacts: Governance, Governmentality and Civil Society' (2000) 27 *Journal of Law and Society* 98; 'Modernising Government and the e-government revolution: technologies of government and technologies of democracy' in P. Leyland and N. Bamforth (eds), *Public Law in a Multi-Layered Constitution* (Oxford: Hart Publishing 2003) 157–188; 'Constitution Making, Transition and the Re-Constitution of Society' in K. McEvoy and L. McGregor (eds), *Transitional Justice From Below: Grass Roots Activism and the Struggle for Change* (Oxford: Hart Publishing 2008) (with K. McConnachie) 75–98.

4 See M. Foucault, 'Governmentality' in J. Faubion (ed), *Power: The Essential Works Volume 3* (Harmondsworth: Penguin, 1994). See also N. Rose, *Powers of Freedom: Reframing Political Thought* (Cambridge: Polity, 1999); P. Miller and N. Rose, *Governing the Present: Administering Economic, Social and Personal Life* (Cambridge: Polity, 2009); M. Dean, *Governmentality: Power and Rule in Modern Society*, 2nd Edition (London: Sage, 2010); *Governing Societies* (Maidenhead: Open University Press, 2007). The essential approach of such accounts is, in the words of Dean, the idea that 'government is any more or less calculated and rational activity, undertaken by a multiplicity of authorities and agencies, employing a variety of techniques and forms of knowledge, that seeks to shape conduct by working through our desires, aspirations and interests and beliefs, for definite but shifting ends and with a diverse set of relatively unpredictable consequences, effects and outcomes' (*Governing Societies* *ibid* 16).

participation etc – are enlisted into new assemblages of authority within a wider project of governance. Next, it will outline in more detail the nature of Web 2.0 and how this translates to ideas of Government 2.0, both in terms of re-engaging with formal politics and as a new basis for public service delivery. Finally we will return to evaluate how ideas such as the public, community, choice, information, personalisation, are used in both participation strategies and public service delivery mechanisms as both a site, a resource, an object and a subject of governance.

GOVERNMENTALITY: NEW LABOUR AND MODERNISATION IN CONTEXT

Modernisation of government has been a central part of the New Labour programme.⁵ This has been a style of government aimed at reinvigorating public and services and introducing new concepts of efficiency, but without ceding control to the same extent as with the earlier versions of privatisation. In the words of the original white paper it has aimed to ensure that the public sector operates in a way that is 'as effective and dynamic as anything in the private sector'.⁶ New management techniques have been combined with targets and incentives in loops of supposed continuous improvement to produce a more responsive public sector. This in turn is intended to link with a wider remaking of community and civil society through strategies of partnership and capacity building. (While this version of modernisation is synonymous with the last decade or so of New Labour, much of it is capable of being made to chime with Conservative and Liberal Democrat ideals of consumerist conceptions of the state and ideas of individual choice.) The modernisation programme has gone through many phases but in recent years three key themes have emerged which, as will be seen shortly, resonate with ideas of Government 2.0. These are oriented around (i) Customer-centric services, where services are designed around the needs of citizen or business users; (ii) Shared services with information sharing and a common infrastructure; and (iii) Professionalism, with IT skills being emphasised.⁷ Figure 1 shows elements of this new approach.

New initiatives to bring responsive, properly 'citizen-centred' public services introduce a whole agenda of consultation and feedback as marketised service delivery mechanisms are monitored and assessed, and the recipients of public

5 See the historical archive maintained at <http://archive.cabinetoffice.gov.uk/moderngov/whatismg.htm> (last visited 2 March 2010).

6 See further *Modernising Government* (1999) CM 4310 at para 11. See also the second phase of modernisation with *Reforming Our Public Services: Principles into Practice* (2001) and the document from the Prime Minister's Strategy Unit, *The UK Government's Approach to Public Sector Reform* (2006). See also, Sir David Varney's review, *Service transformation: A better service for citizens and businesses, a better deal for the taxpayer* (2006). See also J. Newman, *Modernizing Governance: New Labour, Policy and Society* (2001).

7 See the six year plan set out in the Cabinet Office document *Transformational Government: Enabled by Technology* (2005) Cm 6683, the website at <http://www.cabinetoffice.gov.uk/cio/transformational.government.aspx> (last visited 1 March 2010) and *Preparing Britain for the Future: The Government's Draft Legislative Programme 2008/09* Cm 2372.

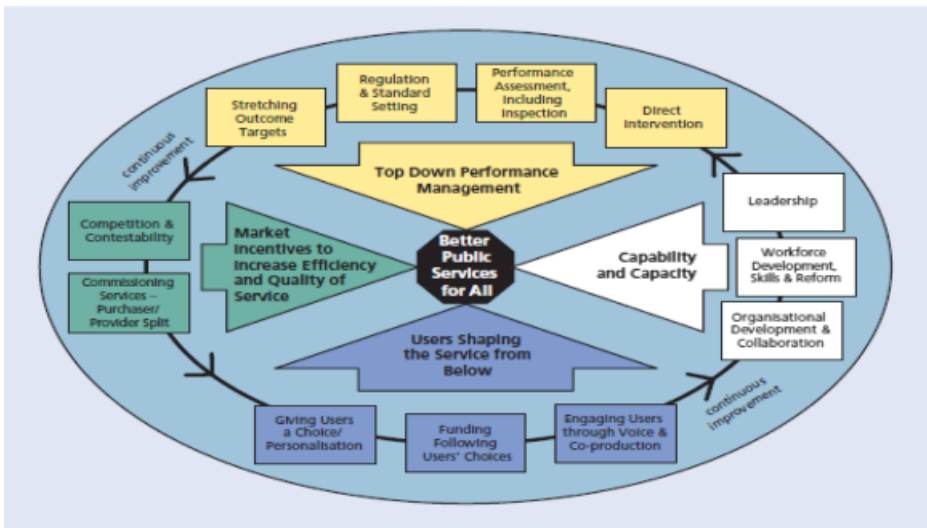


Figure 1: The UK Government's Model of Public Service Reform⁸

services become more like consumers.⁹ Ideas such as individualised budgets for health and personal social services¹⁰ and the Health Service Constitution¹¹ have appeared. The next phase, introduced by *Building Britain's Future* in June 2009, has brought in the idea of individual citizen entitlements and mechanisms of redress to ensure delivery.¹²

This process of modernisation is going on apace, and some of the most recent manifestations will be reviewed later. Many of these themes have already been picked by the Conservatives and put to service within their vision of the future. Conservative ideas such as the 'post bureaucratic state' require communities to come together to run local services such as schools.¹³ David Cameron's call for a

8 This figure is taken from Cabinet Office, *The UK Government's Approach to Public Sector Reform* (2006).

9 See generally C. Needham, *Citizen-Consumers: New Labour's Marketplace Democracy* (London: Catalyst Forum, 2003); *The Reform of Public Services Under New Labour: Narratives of Consumerism* (Basingstoke: Palgrave, 2007); and J. Clarke et al, *Creating Citizen-Consumers: Changing Publics and Changing public services* (London: Sage, 2007). As Clarke argues elsewhere '... the citizen mutates into a consumer – both as a subject engaged in practices of "consuming" and as a citizen whose relationship to government is being transformed by the extension of the idea of "consuming" to new fields of relationship.' (J. Clarke, 'Consumerism and the remaking of state-citizen relations in the UK' in G. Marston and C. McDonald (eds), *Analyzing Social Policy: a Governmental Approach* (Cheltenham: Edward Elgar, 2006) at 94.)

10 See the Joseph Rowntree project and report by M. Glynn et al, *Person-Centred Support: What Service Users and Practitioners Say* (2008) available at <http://www.jrf.org.uk/publications/person-centred-support-what-service-users-and-practitioners-say> (last visited 6 January 2010).

11 See *The NHS Constitution for England* (2009) at <http://www.dh.gov.uk/prod.consum.dh/groups/dh.digitalassets/documents/digitalasset/dh.093442.pdf> (last visited 6 January 2010).

12 Cm 7654 (2009) chapter four.

13 See Conservative Party, *Raising the Bar, Closing the Gap: An Action Plan for Schools* (London: Conservative Party 2007) and the two new education bills announced in the Queen's Speech in May 2010.

'big society' to replace the 'big state' requires individuals and communities to get more involved within a co-production approach which aims to collapse further the divide between service provider and service user.¹⁴ For now however it should be stated clearly that this change in the dynamic of government is not simply about bringing in the private sector or even involving a range of providers from the private sector and the voluntary and community sectors to act in partnership to deliver effective programmes of public services. It has extended and become more sophisticated. In particular it has involved developing ideas of the citizen as consumer, reinventing the idea of 'the public', and involving both as agencies of governance summoned to participate in their own rule. As Newman and Clarke argue in their important book, *Publics, Politics and Power: Remaking the Public in Public Services*,¹⁵ the creation of the citizen-consumer and the enlisting of 'the public' in various formats is both a governmental strategy and a political project. Government has turned this idea into a technology for governing by building it into systems, expressing it in practices, and deploying it as a way of operationalising a new, individualised, consumer culture of public services. While the citizen-consumer is central, both as an object of governance and a subject through which governance is activated, he or she is only one construction among many publics who are being assembled in multiple ways as the government project draws upon what Newman and Clarke describe as 'the power to constitute individuals, households, communities, social entrepreneurs, NGOs, public organisations, businesses, voluntary organisations as active partners in addressing many of the critical policy agendas that confront governments'.¹⁶ In this way – and to develop only one example – 'communities' are constituted and formed from the discourses and practices of government. As will be detailed further below, community activists are enlisted to determine community needs that will become community plans that community partnerships can develop. The idea of community acts not only as a means of mapping and managing difference, but is itself a particular resource that has special authority in terms of the attention and engagement it commands and the resources and capacities it can deploy. Communities appear as a site for governing and a means of governing; as simultaneously a resource for governance and an object of government. Further, community can appear as an antidote to the worst excesses of marketisation and remote central government.¹⁷ As this one example indicates, there are multiple roles here and many functions for a re-constituted idea of public.

14 See David Cameron, 'The Big Society' Hugo Young Lecture 10 November 2009 available at <http://www.conservatives.com/News/Speeches/2009/11/David.Cameron.The.Big.Society.aspx>.

15 (London: Sage, 2008). See also J. Newman (ed), *Remaking Governance: Peoples, Politics and the Public Sphere* (Bristol: Policy Press 2005); 'Re-mapping the Public: Public Libraries and the Public Sphere' (2007) 21 *Cultural Studies* 887.

16 *ibid*, 15.

17 See N. Rose, n 4 above, ch 5; P. Millar and N. Rose, n 4 above, 88–94; G. Mooney and S. Neal (eds), *Community: Welfare, Crime and Society* (Maidenhead: Open University Press, 2009); and IPPR and PriceWaterhouseCoopers, *Capable Communities: Public Service Reform – The Next Chapter* (2010) available at <http://www.ippr.org.uk/publicationsandreports/publication.asp?id=727> (last visited 11 February 2010).

This is a complex view of governance as involving many participants who play various roles and connect with one another in diverse, intricate and often unpredictable ways. This approach requires us to see governance and power in a different way from that normally conceived in constitutional theory and deployed in the constitutional reform project. It is much less about the sovereign expression of law, the action of government, and tinkering with the formal constitution, and more about how different strategies and resources are deployed, interpreted and passed on to all those others who are involved in a wider project of governance. As Foucault expresses it, power must be analyzed 'as something that circulates, or rather as something that functions only when it is part of a chain . . . Power functions. Power is exercised through networks and individuals do not simply circulate in those networks; they are in a position to both submit to and exercise power; they are always in its relays. In other words, power passes through individuals. It is not applied to them.'¹⁸ In this way as people 'make themselves up' in relation to the various ideas, strategies and identities that are actualised in the modernised government project they contribute to their own self-government and within a wider governance context.

All of these ideas and strategies stand in distinction to traditional ideas of a unified 'general public' and monolithic public services powered by ideas of equal entitlement and treatment based on common citizenship, a single public interest and straightforward state provision. But they do not necessarily involve the simple eradication of the public or any of its associated ideas. It is wrong to see the demise of 'the public' in the reduction of traditional public services staffed by a public sector to serve the members of the public in response to ideas of public interest, paid for by public funds and accountable to public bodies.¹⁹ Rather there is a new sense in which the public and the citizen are being re-made, and individuals and communities summoned to participate in new forms of governance. The citizen-consumer is invited to be health conscious, work-seeking, responsible for his or her own safety and security, prudent and active as well as choosing, and responsive to government invitations to become involved as a participant in a range of discourses about government practices and decision-making.²⁰ The community – be it faith-based, minority ethnic, locally expert, or lifestyle based – is now an active partner in government whose agency is required and whose views are sought. Indeed as will be seen shortly, much recent development in public policy in the United Kingdom has emphasised increased public participation in decision-making and innovative forms of democratic engagement, and this too gives an important additional dimension to the citizen's and community's role. As Barnes et al see it, 'enhanced public participation is viewed as capable of improving the quality and legitimacy of decisions in government, health services, local government and other public bodies, as well as having the potential to

18 M. Foucault, *Society Must be Defended: Lectures at the Collège De France 1975–76* (London: Penguin, trans D. Macey, 2004) 29.

19 See further D. Marquand, *Decline of the Public: The Hollowing out of Citizenship* (Cambridge: Polity, 2004).

20 See further M. Barnes and D. Prior, *Private Lives as Public Policy* (Birmingham: Venture Press, 2000) for further detailed discussion of the construction within the New Labour project of responsible welfare subjects as active, participating subjects.

address the 'democratic deficit' and building community capacity and social capital.²¹ The citizen-consumer must now also be an active participant in developing (or at least endorsing) policy as the stamp of end-user satisfaction becomes a requirement for government and its agencies. Whether or not this sort of engagement actually amounts to any sort of level of democratic control, let alone some sort of Habermasian open space of enlarged thinking, is an issue that must be explored further. First, however, the details of Gov 2.0 and its association with Web 2.0 must be outlined. It can then be seen how this particular development might become enlisted in these new ways of governing.

WEB 2.0: THE NEXT GENERATION OF COMPUTING

The notion of Web 2.0, which dates back to around 2004, is not universally accepted but is used by some commentators to express the latest stage in an evolution of computing which sees users moving from personal computers, through client server systems and web systems to a more seamless computing environment where a second generation of web design and development allows new levels of interconnectivity and interactivity.²² Drawing upon the USA Environmental Protection Agency's 2008 White Paper, Web 2.0 may be defined as involving 'web-based interactive tools and media, oriented primarily to create a rich and engaging user experience. In Web 2.0, users are an integral part of the value that is added to the content and data online, and their interactions with the information (both collectively and individually) can significantly alter the experience of subsequent users'.²³

This definition captures the elements of an *end user focus* and *user generated content* that are central to the idea of Web 2.0. It also indicates the element of enhanced creativity and superior interaction that are characteristic.²⁴ In this way, and to consider an application from the government context, the emphasis will be less on websites that send out official information (an early stage of government website evolution) or even on sites that allow a degree of interaction, perhaps involving secure transactions such as buying licences (a more developed point in the evolution). Indeed within the model of Web 2.0, official websites will increasingly be less concerned with developing individual departmental or agency portals and more involved with file sharing with a range of other users. In contrast to more traditional websites which simply allow the user to view information, Web 2.0 sites feature a user-friendly, interactive architecture of participation which

21 M. Barnes, J. Newman A. Knops and H. Sullivan, 'Constituting the 'the public' in public participation' (2003) 81 *Public Administration* 379.

22 See T. O'Reilly, *What Is Web 2.0? Design Patterns and Business Models for the Next Generation of Software* (2005) available at <http://www.oreillynet.com/pub/a/oreilly/tim/news/2005/09/30/what-is-web-20.html> (last visited 6 January 2010).

23 See Environmental Protection Agency Web 2.0 White Paper available at <http://www.collaborationproject.org/download/attachments/11206698/EPA+Web+2.0+White+Paper.pdf> (last visited 6 January 2009).

24 See further D. Tapscott and A. Williams, *Wikinomics: How Mass Collaboration Changes Everything* (London: Atlantic Books, 2007) and C. Sunstein, *Infotopia: How Many Minds Produce Knowledge* (Oxford: Oxford University Press, 2006).

encourages visitors to add their own content to official data to produce a ‘mashup’. This is a webpage or application combining data from two or more sources, and it entails the crucial additional feature that it involves providing information or functionality beyond that envisaged by the original producers of the data. Unlike previous incarnations of the web, visitors are less consumers of information and more users of information whose interaction with the data adds value for subsequent users.²⁵ While Web 2.0 is different from open source software (where the normal copyright and software licence rules are not applied and programmes are available freely) it does have certain elements in common and forms part of a similar general approach.²⁶ Most particularly the way in which users are permitted within an open source context – such as with the huge Linux project – to use, change and develop software, and redistribute it, has similar elements of consumer input and peer-production harnessing the input of many users in ways that commercial companies (or governments) can never replicate.

Web 2.0 is a highly dynamic environment where change and innovation is endemic. However there are a few elements that are characteristic. These include: file sharing, blogs, mashups, syndicated web feeds, wikis and the whole range of social networking sites.²⁷ In distinction to older, Web 1.0 ideas of individual creators producing portals to push out information to passive users, all of these emphasise a wide group of users interacting freely and adding value as they handle and pass on data to one another.

WEB 2.0 AND GOV 2.0: THE POWER OF INFORMATION

The understanding of Gov 2.0 that is being urged in this account refers to the idea that it may be possible to apply the interactive, user-generated elements of Web 2.0 to the practice of government. (This may often involve using computer technology but it is wider than this alone.) While Gov 2.0 is nothing like an agreed concept, and certainly not a fully achieved programme in any state, it does involve an idea that some of the elements of interactivity that engage people in the context of shopping, music and social networking might have application in improving how government both delivers its services and interacts with its citizens. The Obama phenomenon in the USA has provided some encouragement to the

25 This approach can be seen clearly already in those commercial applications such as Amazon.com which encourage feedback and consumer reviews and re-cycle this user generated information to customers by way of further suggestions for purchases. But it also extends far beyond this to user communities in an almost unimaginable range of contexts. See further below.

26 See further Y. Benkler, ‘Coase’s Penguin, or Linux and the Nature of the Firm’ (2002) 112 *Yale Law Journal* 369; S. Weber, *The Success of Open Source* (Cambridge, Mass.: Harvard University Press, 2004) and D. Rushkoff, *Open Source Democracy: How Online Communication is Changing Offline Politics* (London: Demos, 2003).

27 For a detailed account of each of these see the United State’s Webcontent.gov’s guide to social media and Web 2.0 technology tools at <http://www.usa.gov/webcontent/technology/other.tech.shtml> (last visited 7 January 2010). See also I. Megel et al, ‘The Transformational effect of Web 2.0 Technologies on Government’ (2009) available at <http://ssrn.com/abstract=1412796> (last visited 6 January 2010).

idea.²⁸ Two reports from the Federal Web Manager's Council from 2008 are seen by some as significant – *Putting Citizens First: Transforming Online Government* and *Barriers and Solutions to Implementing Social Media in Government*.²⁹ Essentially these suggest that government should:

- employ the sort of expertise that understands the potential of the internet in the context of government,
- freely share non-personal government data,
- allow third parties to build mashups on top of government data,
- build a platform/process for participatory policy debate, and
- allow citizens using a government process to connect with each other.

In common with several other commentators it is possible here to identify a number of levels of Gov 2.0.³⁰ At the most basic level Gov 2.0 might be only technology based and simply involve permitting and encouraging government officials and elected representatives to use social media tools such as blogs and wikis to communicate with their constituents and clients. At a slightly higher level this might be developed to encourage citizen feedback in a process of improvement of services. At a third level this could be developed into a participatory space where citizens as users and consumers of government services are engaged in debate with those who provide them.³¹ However, at a more evolved stage government could make available all non-confidential, non-personal government data to enable citizens and organisations to use it in mashups for a whole variety of purposes. It is here that the potential of Gov 2.0 links up with the wider modernisation project of re-working ideas of participatory citizenship within the context of new consumerist conceptions of the state and re-articulations of ideas of the public. The availability of *information of a qualitatively new nature* is the third key component which, when added to the existing elements of *end user focus* and *user generated content*, produces something with hugely significant potential.

There are signs of such information becoming available increasingly in the USA. At the federal level there is the White House's data.gov which makes freely available some of the high value, machine readable datasets generated by the Executive Branch of the Federal Government and invites a whole range of bodies to use this information.³² More local initiatives such as DataSF.org in San Francisco make available more than

28 See the strong online presence both during the campaign and in government at <http://change.gov/agenda/> and the new websites at <http://www.whitehouse.gov/> and <http://www.usaservices.gov/> (last visited 1st March 2010).

29 <http://www.usa.gov/webcontent/documents/FederalWebManagersWhitePaper.pdf> and <http://www.usa.gov/webcontent/documents/SocialMediaFed%20Govt.BarriersPotentialSolutions.pdf> (last visited 7 January 2010).

30 See for example the discussion 'Wiki White House: Can Obama use technology to transform government?' organised by the New America Foundation in January 2009 available at <http://www.newamerica.net/events/2008/wiki.whitehouse> (last visited 7 January 2010).

31 Gov 2.0 at this level might involve deploying what is sometimes termed 'crowdsourcing' – which involves harnessing the power that is thought by some people to come from applying the mass thinking of a very large group of people to a task such as policy formation that is usually given to only a small group. See further Tapscott and Williams and Sunstein n 24 above, and also J. Howe, *Crowdsourcing: Why the Power of the Crowd Is Driving the Future of Business* (New York: Crown Business, 2008) and C. Shirky, *Here Comes Everybody: The Power of Organizing Without Organizations* (New York: Penguin, 2008).

32 <http://www.data.gov/> (last visited 7 January 2010).

100 data sets from local government, transport authorities and the police, and offer these as a resource for communities, individuals and companies to provide applications of interest to a range of users.³³

Information of this kind is now beginning to become available in the UK. Arguably this is a process that cannot be turned back by any new government. Developments in technology and in particular new formats for providing information and linking it together, will cause a step change. An independent report on digital communication and public information, *The Power of Information*³⁴ was commissioned by the Cabinet Office in 2007. Reflecting widely on the development and applications of internet technology, the report emphasised the value and potential of government information to transform society. There is a huge range of public sector information (as opposed to private information about medical records or credit history) and it varies from Ordnance Survey data, through scientific data to official statistics. This is an enormously valuable resource. As the report says, 'when enough people can collect, re-use and distribute public sector information, people organise around it in new ways, creating new enterprises and new communities.'³⁵

Government has largely accepted *The Power of Information* approach and committed itself to engaging in partnership with user-led, online communities and making information more freely available for use and re-use to add maximum value.³⁶ It has set up a Power of Information Taskforce which has made some 25 recommendations about freeing up information and increasing transparency.³⁷ This, along with other developments such as plans for a 'Digital Britain', increased use of open source software, and data sharing,³⁸ point to a potentially radically new approach to public information and its use. As will be seen below, this can be

33 See <http://datasf.org/> which is a clearing house of datasets available from the City and County of San Francisco and also applications such as <http://sf.everyblock.com/> which allow residents to monitor local services and news or <http://bit.ly/sfdat1> where a visualisation tool draws upon crime data and school locations to provide residents with a 'heatmap' of drug crime near schools (last visited 7 January 2010).

34 Cabinet Office, *The Power of Information: An independent review by Ed Mayo and Tom Steinberg* (2007).

35 *ibid* 3. Mash-ups or applications of this kind are of course not only government initiatives. Indeed the enlistment of a wide range of actors in these activities is what makes this important. Many exist beyond the remit of the various government initiatives reviewed below. See, for example, the work of the activist MySociety group and their sites FixMyStreet.com; WriteToThem.com and Theyworkforyou.com which are designed to put public representatives to work for their constituents. At a global level see HURIDOCs – Human Rights Information and Documentations Systems International – which seeks to use information gathered from as wide a range as possible to monitor human rights internationally and build capacity among NGOs at <http://www.huridocs.org> (last visited 2 March 2010).

36 See Cabinet Office, *The Government's Response to The Power of Information: An Independent Review by Ed Mayo and Tom Steinberg* (2007) Cm 7157 (2007).

37 See <http://powerofinformation.wordpress.com/> (last visited 7 January 2010).

38 See further, Digital Britain: The Final Report 2009 available at <http://www.culture.gov.uk/what-we-do/broadcasting/6216.aspx>; *Open Source, Open Standards and Re-Use: Government Action Plan* available at <http://www.cabinetoffice.gov.uk/media/141716/090224opensource.pdf>; R. Thomas and M. Walport, *Data Sharing Review Report* (2008) available at <http://www.justice.gov.uk/reviews/docs/data-sharing-review-report.pdf>; and the DirectGov/Innovate site at <http://innovate.direct.gov.uk/> which is dedicated to developing apps for government information (last visited 12 July 2009) See also the new *Government ICT Strategy: Smarter, Cheaper, Greener* (2010) available at <http://www.cabinetoffice.gov.uk/cio/ict.aspx> (last visited 16 February 2010). See also *The Conservative Technology Manifesto* (2010) at p. 9 available at <http://www.conservatives.com/policy/where.we>

allied to new, consumer-based approaches to personalised service delivery where more informed, choosing citizens can measure public sector performance and exercise choice about how to spend resources and where to seek services. Local government information too is being revolutionised. A number of public sector bodies have authorised reuse by offering online licences such as the Click-Use Licence, which is hosted by the Office of Public Sector Information, and indeed any public sector organisation can allow their information to be made available via this route.³⁹

Another important development in making information available lies with the Department of Communities and Local Government Places Database launched in 2008.⁴⁰ This is a major repository of information bringing together a wide range of statistical and geographic evidence around the concept of 'place'. It is intended to help communities understand the trends and challenges in their local area and improve delivery of evidence-based decision-making. The idea here is to develop a shared understanding of the 'facts' and so facilitate more effective collaboration and partnership at all levels of policy-making. The Department and its external partners aim to establish a common resource that can provide consolidated sources of evidence organised on topics of interest at every level in England from local to regional and national level. This is made available via a number of tailored 'Analytical Windows' which provide huge volumes of information of use in various contexts.⁴¹ There is information coordinated by geographical area in relation to government targets and deprivation indices. Data from police, NHS, and job centres is combined with information from charities, community organisations and local government.⁴² Open and green spaces can be mapped. Data can be viewed comparatively across the 56 largest cities, city regions and neighbourhoods, and in relation to multiple indicators with regard to economic, social and housing issues. Most local services can be plotted on to geographical maps.⁴³ Information is mashed up, and census data along with hosts of other official information is combined into publically accessible websites to provide a yet wider range of data on local conditions.⁴⁴ Finally, in January 2010 data.gov.uk was launched and now has more than 2500 public datasets made available to be directly accessed by users and developed into whatever applications or visualisations may be desired through a dedicated apps page.⁴⁵ This is not simply another

stand/technology.aspx (last visited 23 March 2010) and the promised right of access to government data sets contained in *The Coalition: Our Programme for Government op cit* n 14, 21.

39 See <http://www.opsi.gov.uk/click-use/> (last visited 7 January 2010).

40 See <http://www.places.communities.gov.uk/> (last visited 7 January 2010).

41 See <http://www.communities.gov.uk/communities/placematters/placescommunity/> (last visited 7 January 2010).

42 See <http://www.localpriorities.communities.gov.uk/> (last visited 7 January 2010).

43 See <http://www.gps.communities.gov.uk/communitymaps> (last visited 7 January 2010).

44 See <http://www.neighbourhood.statistics.gov.uk>. 'Local Information Systems' are publicly accessible websites managed by local authorities and their partners to provide insight on local conditions using evidence to inform policy makers and citizens to improve strategy formulation, see <http://www.esd.org.uk/esdtoolkit/Communities/LIS> (last visited 7 January 2010).

45 See <http://www.data.gov.uk/home> and the apps page at <http://www.data.gov.uk/apps> (last visited 11 February 2010). This seeks to build a repository of applications for use in activities as diverse as a private sector company offering a service using geographical data to find a parking space to an alert service for civil service vacancies. The page also solicits ideas for further development by the user community and seeks to harness users in an interactive process of development.

big government IT project but rather an application of the next evolution of the World Wide Web into the Semantic Web where the development of linked data allows users to make connections based on the meaning of information rather than simply connecting to other documents.⁴⁶ This undoubtedly is a massive resource for all actors in governance to use. It is interesting to speculate how the information supplied in this way can become the vocabulary of action and be deployed as part of a technology of governance. How and to what effect has information become the basis of government? At this point Latour's idea of 'inscription devices' may be helpful in understanding those material conditions which enable thought to work upon an object and render it knowable.⁴⁷ For Latour it is by means of 'inscription' that reality is made knowable, stable, comparable and usable. Information is not the product of some neutral recording function but rather a way of acting upon the real, a way of inscribing it to make the world susceptible to evaluation, calculation and intervention. This inscription of reality enables the creation of particular forms of knowledge. Latour terms these 'centres of calculation' – portable, authoritative, generalisable and powerful resources which can be used in devising strategies of governance and claiming legitimacy for these strategies. While Latour characterised these processes happening largely in order that government in the formal sense can become possessed of the power to govern, the Web 2.0 phenomenon combined with the power of information approach has potentially dispersed this governing resource much more widely. While it may remain the most powerful, government is still only one of a range of actors able to develop this information. This has a potentially transformative power. The revolution in information is now combined with new ideas about interactivity, end-user focus, and with new conceptions of the public, the community and the digitally aware, active citizen-consumer as partners in a wider governance assemblage. The possibilities here for Gov 2.0 are significant and must be examined.

GOV 2.0: NEW TECHNOLOGIES OF GOVERNANCE

In this section the potential of Gov 2.0 will be explored. This will be considered here mainly in terms of government initiatives although the importance of more citizen and user-led developments should be acknowledged. While the significance of Gov 2.0 lies with the potential of many users to become engaged with governance issues, and this should include groups and individuals becoming involved independently, it is clear that official initiatives dominate, particularly at this early stage.⁴⁸ Government has begun to develop a number of projects that

46 For the technology behind the semantic web and the linked data approach see the Talis Platform wiki at <http://n2.talis.com/wiki/MainPage> (last visited 11 February 2010).

47 See B. Latour, 'Visualization and cognition: Thinking with eyes and hands' (1986) 6 *Knowledge and Society: Studies in the Sociology of Culture, Past and Present* 1–40. See also I. Hacking, *Representing and Intervening* (Cambridge: Cambridge University Press, 1983) for an historical account of the process of using information within a wider political project to provide a calculated administration of life.

48 As Latour points out, the 'macro-actor' is not different in kind from the 'micro-actor', but is merely one who has a longer and more reliable 'chain of command' or 'range of power relationship' (as quoted in Rose, n 4 above, 5).

start to deliver upon the promise of a more engaged, interactive and informed public sector with improved interaction with the citizen-consumer. Some of these involve developing new technology and there is certainly considerable interest in how e-government can deliver significantly on the agenda of modernisation through the re-invigoration of participatory politics and the re-engineering of public services.⁴⁹ However what might be described as the emergent Gov 2.0 project is not exclusively rooted in applications of new technology, although the core ideas of interactivity and user-generated content, combined with new levels of information, are central to all aspects. As the emergent Gov 2.0 project is examined it is important to look critically to determine if this engagement really is open, free and as democratically interactive as the rhetoric of Gov 2.0 (expressed from the government perspective) might like to suggest. It must be questioned whether or not what we have is instead a largely 'managed' space where it is government who provide the information and control the process of interaction.⁵⁰ Taking the critical perspective provided by a governmentality approach it is possible to assess these early steps at establishing Gov 2.0 not simply as a straightforward re-invigoration by government of democratic engagement and a re-engineering of public services, but as involving something more complex. In contrast to the view generally taken by constitutional reformers, we should consider power in the constitution not simply as something that government possesses like a commodity, that can be taken away, limited or transferred through a legal act, but as circulating with what Foucault describes as a 'net-like character', and as 'something that is exercised and that . . . exists only in action'.⁵¹ With this in mind we can not only see Gov 2.0 as an exercise of governing power but as one which enlists a much wider range of participants and depends on a whole range of tactics to instantiate its operation. As Rose tells us, governmentality is a study 'of the invention and assemblage of particular apparatuses and devices for exercising power and intervening upon particular problems . . . [it is] concerned . . . with the conditions of possibility and intelligibility for certain ways of seeking to act upon the conduct of others, or oneself, to achieve certain ends'.⁵² Such a governmentality approach will also alert us to how the Gov 2.0 exercise is linked to wider projects of government and in particular to the re-making of the idea of the public and the role of the citizen-consumer in public services that was sketched out earlier. Gov 2.0 developments can now be outlined under two headings.

49 See further S. Coleman and J. Blumler, *The Internet and Democratic Citizenship: Theory, Practice and Policy* (Cambridge: Cambridge University Press 2009); P. Dunleavy, H. Margetts, S. Bastow, and J. Tinkler, *Digital Era Governance: IT Corporations, the State, and E-Government* (Oxford: Oxford University Press, 2006); P. Foley and X. Alfonso, 'eGovernment and the Transformation Agenda' (2009) 87 *Public Administration* 371–396; Local Government Information Unit, *Local government 3.0: How Councils can respond to the new web agenda* (2009) available at <https://member.lgiu.org.uk/whatwedo/Publications/Documents/Local%20Government%203.pdf> (last visited 16 July 2009).

50 In an earlier critique of what might now be termed Gov 1.0 this author with David Newman argued that the consultation elements of DirectGov were structured in such a way as to be inimical to a full, open democratic interaction. See J. Morison and D. Newman, 'On-line Citizenship: Consultation and Participation in New Labour's Britain and Beyond' (2001) *International Review of Law, Computers and Technology* 171–194.

51 M. Foucault, *Society Must be Defended* (London: Penguin, trans D. Macey, 2004) 14–15.

52 Rose, n 4 above, 19.

Improving Democracy: Re-invigorating formal politics and engaging the public

In the United Kingdom as elsewhere in much of the developed world there is a feeling that many people, particularly the young and the poor, have disengaged from formal electoral politics. This has been exacerbated by scandals about parliamentary expenses. However, while voter turnout figures may show a general decline,⁵³ detailed research provides a more nuanced position. When political engagement is viewed more generally to include involvement with pressure groups, boycotting goods, attendance at demonstrations etc the position is less clear-cut.⁵⁴ Notwithstanding this, a number of bodies have identified various forms of crisis in political engagement. Civil society groups have concentrated on issues of democracy and disengagement,⁵⁵ civil society and trust,⁵⁶ and threats to rights from the war on terror,⁵⁷ as well as more mainstream constitutional reform.⁵⁸ Even very traditional commentators such as Vernon Bogdanor have identified new forms of democratic engagement as the next important element in our constitutional future.⁵⁹ Government has responded with a series of initiatives for a second wave of traditional style constitutional reform based around *The Governance of Britain* initiative which sets out the Government's vision for what it terms 'constitutional renewal'.⁶⁰ Ambitiously, the forward to this document promises to start 'a national conversation' about how to 'forge a new relationship between government and citizen' and 'begin the journey towards a new constitutional settlement'.⁶¹ (The Conservative - Liberal Democrat Coalition Government has indicated that it too has ambitions for reform but these seem to be focused initially mainly on ad hoc tinkering with the formal constitutional machinery of voting and Parliament.)

More interesting perhaps for ideas of Gov 2.0, there are behind all this a whole series of detailed initiatives from Government aimed at increasing public participation and engagement, and re-ordering the public sector. As argued

53 See for example, <http://www.psr.keele.ac.uk/area/uk/turnout.htm> (last visited 7 January 2010) and C. Hay, *Why We Hate Politics* (Cambridge: Cambridge University Press, 2007).

54 See further Hansard Society, *Audit of Political Engagement 5: The 2008 Report* (London: Hansard Society, 2008) and *Audit of Political Engagement 6* (London: Hansard Society, 2009).

55 See for example, The Power Inquiry, *Power to the People: The Report of Power: An Independent Inquiry into Britain's Democracy* (London: Power Inquiry, 2006) and the Power 2010 Campaign to elicit the most popular reform issues from the public for the 2010 election (see <http://www.power2010.org.uk/home> (last visited 12 February 2010)).

56 See the Carnegie Trust UK *Inquiry into the Future of Civil Society in the UK and Ireland* at <http://democracy.carnegieuktrust.org.uk/civilsociety> (last visited 23 April 2009).

57 See for example Amnesty International's Campaign at <http://www.amnesty.org/en/counter-terror-with-justice> (last visited 6 January 2010).

58 See the Unlock Democracy campaign at <http://www.unlockdemocracy.org.uk/> (last visited 7 January 2010).

59 *The New British Constitution* (Oxford: Hart Publishing, 2009).

60 See the green paper Cm 7170 (2007). See also Ministry of Justice, white paper and draft bill *The Governance of Britain – Constitutional Reform* Cm 7342 (2008) and the update of progress from October 2009 available at <http://www.parliament.uk/commons/lib/research/briefings/snpc-04703.pdf> as well as Gordon Brown's Royal Society of Arts speech on transforming politics on 2 February 2010 available at <http://www.number10.gov.uk/Page22337> (last visited 17 February 2010). See also *Building Britain's Future* Cm 7654 (2009) and A. Le Sueur, 'Gordon Brown's new constitutional settlement' (2008) *Public Law* 21.

61 *The Governance of Britain – Constitutional Reform* *ibid* 5.

above, versions of these are much more likely to survive into a new government and beyond. These democratic innovations developed by various elements of government – central, devolved and local – are aimed at citizens in different guises, as members of civil society, voters and consultees as well as consumers of services and, indeed, participants in governance. It is hoped by their instigators that the new levels of information from government data now on offer can provide a ‘factual basis’ for this new engagement and discussion. A few of these initiatives – both at central government level and in local government – can be reviewed to provide an indication of how this new official turn towards interactivity is developing. Some of these involve new information technology and some do not. However they all share the defining elements of interactivity and user-focus, which combined with qualitatively new approaches to information, go to make up an emerging idea of Gov 2.0.

Initiatives from the Prime Minister’s Office

While they have something of the character of a gimmick, there are three particular experiments from the Office of the Prime Minister that indicate some possible future directions for a more interactive approach. First there is online questioning of the Prime Minister where the PM will respond to the most popular questions submitted by the YouTube community. Videos of up to thirty seconds in length containing questions for the Prime Minister can be submitted and those that are selected by the YouTube users will be answered.⁶² There is an e-zine newsletter from the PM where supposedly ‘personal messages’ will be sent by the Prime Minister on a range of topics to those who subscribe.⁶³ Finally, building upon initiatives in devolved and local government, there are e-petitions to the PM.⁶⁴ While these innovations do represent a small step towards developing in government the sort of direct access and interactivity that many of the target audience will be familiar with from their own personal social networking context, their use is very carefully controlled.⁶⁵ This is a carefully structured and authorised space. Official discourses are being offered in formats more usually associated with counterpublics but they are highly controlled. Arguably, like those marketing professionals known as ‘coolhunters’ who interview fashionable young people and trawl the internet for advance information on street trends in order to re-package them for re-sale to a wider group of the young, government is attempting to take the format of Web 2.0 engagement to sell familiar ‘official’ messages.

62 See <http://www.youtube.com/DowningSt> (last visited 4 August 2009).

63 See <http://newsletter.number10.gov.uk/subscribe.html> (last visited 4 August 2009).

64 See <http://petitions.number10.gov.uk/>. There are some 4,500 current petitions and more than 21,000 have lapsed without achieving the 500 signatures required to ensure a response from government. Many of these have only the signature of the person proposing the petition but the most popular, on road pricing, has more than 1.7 million signatories. See also related external programmes such as Bebo’s Big Think with its competition to pitch an idea to the Prime Minister at <http://www.bebo.com/bigthink> (last visited 4 August 2009).

65 See for example the acceptable use terms for the e-petition at <http://petitions.number10.gov.uk/terms> and the terms and conditions for the Youtube questioning at <http://askthepm.googlepages.com/tandc.html> (last visited 18 September 2009).

National Framework for Greater Citizen Engagement

Ideas about engaging the public more closely in decision-making have of course been around for some time.⁶⁶ However *A National Framework for Greater Citizen Engagement* published by the Ministry of Justice in July 2008 is perhaps the most recent recognition of the idea that traditional democracy might be strengthened by looking at ways of facilitating participation. It notes the decline in traditional political activity, a reduction in trust in politicians and in deference, and the growth of new technology promoting more direct and interactive ways of communicating. In response it contains a series of examples and further suggestions to promote democratic engagement. While being careful to maintain Parliament at the centre of governance, the paper indicates a number of areas at the national level where greater public input is particularly beneficial and it reviews a variety of engagement mechanisms from traditional referendums through to more innovative deliberative forums. In particular it examines Citizen Summits (where large groups of between 500–1000 people broadly representative of the public, debate face-to-face or online); Citizen Juries (where 50–100 people deliberate over a period of 1–2 days, with information and policy options provided); and Petitions (where the emphasis is on petitions at local level,⁶⁷ and in the Scottish Parliament, has inspired interest at Westminster and proposals for a national system⁶⁸). These exercises in managing participation raise a whole series of questions about whether power remains in the hands of those who control the format of the deliberation. Decisions about what issues to open up, whom to ask and what effect to give to the views expressed are generally taken outside the participative process. Indeed it may even be argued that this process of creating an official ‘community view’ involves muffling any opposing positions as the officially selected view is used to stand in for all wider community views.

Local Government and Communities

There have been several initiatives from central government that have effect at the local government level with particular regard to improving participation. Indeed local government has been a particular site for innovation with work on practical steps for community engagement by the Local Government

66 For some reasonably recent examples, see the House of Lords Science and Technology Committee in its Third Report published in February 2000 which referred to a ‘new mood for dialogue’ between the public and the science community and reviewed the options for developing better engagement (see chapter 5). These included: consultations at national level; consultations at local level; deliberative polling; standing consultative panels; focus groups; citizens’ juries; consensus conferences; stakeholder dialogues; internet dialogues; and a government programme called Foresight which involved groups of people from different sectors of society speculating on future developments in a particular field.

67 See further The Local Democracy, Economic Development and Construction Act 2009 which obliges councils to provide an e-petition facility and publish schemes for both electronic and traditional petitions, to acknowledge any petition to its organiser, and to offer a response, all of which should be published online. See also the consortium of local authorities providing an online community of best practice at <http://www.idea.gov.uk> (last visited 4 August 2009).

68 See House of Commons Procedure Committee, *e-Petitions: HC 136, First Report of Session 2007–08 – Report, Together with Formal Minutes, Oral and Written Evidence*.

Association.⁶⁹ These have not always involved new technology as such (although there has been valuable work on e-engagement methods coordinated by a Local e-Democracy National Project⁷⁰). Four particular sets of initiatives (with only limited new information and communication technology but containing the Gov 2.0 elements of interactivity, user engagement and new forms of information) can be reviewed briefly and their role within a wider governing project briefly indicated.

First, there is the Local Government and Public Involvement in Health Act 2007, which introduced mandatory Local Strategic Partnerships (LSPs). These are to act as a strategic level partnership for a local authority area of all statutory agencies and contain private and voluntary sector representation. They agree and monitor the aims, vision and outcomes for the local area through an action plan. LSPs must involve communities in setting and reviewing the aims, vision and outcomes for the area, and it is here that new levels of consultation and interactivity have been required. All LSPs must now produce Local Area Agreements (LAAs). These are three-year action plans for the LSP to monitor and implement. They will contain targets and milestones towards achieving the various aims, vision and outcomes for the local area. The LAA also includes up to 35 government indicators, against which the LSP sets annual targets and for which there is a reward grant – if the targets are achieved. Significantly the Act also requires that LSPs involve communities in developing LAAs, which run for three years but are refreshed annually. It is intended that the LAAs are linked locally to neighbourhoods and connected as appropriate to Neighbourhood Action Plans, Neighbourhood Charters, Neighbourhood Management structures or other neighbourhood processes whereby there can be much more ‘bottom up’ engagement with the community in identifying priorities. All of this enforced consultation is capped by a ‘duty to involve’ where the Act moves beyond simple consultation to require that local people should be informed, consulted or involved in other ways on services in their local areas. The duty is intended to represent a step change in the way in which councils engage with local people in the design and delivery of services.

This would seem from a governmentality perspective to be a classic example of a programme designed to translate an area of activity into an object of government. There is a whole new vocabulary to locate knowledge and ensure that certain forms of activity have validity. There are processes that must be gone through, targets to be met and rewards to be allocated. There are a whole cast of experts and officials who have opportunities to broker power across a panoply of relationships. Further, this particular initiative can be seen as resonating with the wider processes of constructing an idea of ‘community’ and contributing directly to its deployment as both a site and a mechanism of government.

69 See Communities and Local Government, *An Action Plan for Community Empowerment: Building on Success* (2007) and S. Bailey and M. Elliot, ‘Taking Local Government Seriously: Democracy, Autonomy and the Constitution’ (2009) 68 *Cambridge Law Journal* 436.

70 See Local e-Democracy National Project, *e-Methods for Public Engagement: Helping Local Authorities to Communicate with Citizens* (2007). This guide considers the value in this context of webcasts, FAQ, blogs, quick polls, surveys, chat rooms, decision-making games, discussion forums, e-panels, e-petitions, e-deliberative polling, virtual communities, alert mechanisms.

Secondly, the main focus of the important white paper, *Communities in Control: Real People, Real Power*⁷¹ is on devolving power to communities and reinvigorating democracy. The paper recognises the explosion of information and the increase in technologies available to government to use, as well as the personalisation of entertainment, products and services more generally. In response it offers rather a disparate range of initiatives to re-energise political engagement, improve accountability and free up information in order to develop democracy.⁷² Among the initiatives is a 'duty to promote democracy' that is suggested for local authorities. This builds on the work carried out by the Councillors Commission⁷³ and complements the 'duty to involve' that was introduced in the Local Government and Public Involvement in Health Act 2007. This is part of a stated desire to re-brand local government as more than simply a unit of local administration. Instead local authorities are to be regarded as 'democratic centres' or 'vibrant hubs' of local democracy, with a statutory duty to provide better information, where council publications and websites give clear information about political control, council meetings, councilors' surgeries and how to contact both councillors and local political parties. This is based on the idea that with better (or at least more) information, people will be empowered, and able to become involved in government directly or through challenging those in power.⁷⁴ This is accompanied in the White Paper by a variety of measures, plans, programmes and simple invocations of better practice.⁷⁵

Again all of these can be seen as part of a new technology of government. They are a set of programmes, strategies and assemblages designed to mobilise local communities to become agents of policy as well as simply objects of policy. Such initiatives can be considered as concerned with producing new fields and forms of governmental practice under a general rubric of localised democracy, and this is surely something that merits further investigation in these terms.

A third example from the local government level is participatory budgeting, which features in the *Communities in Control* White Paper and is seen as one of the main mechanisms in this wider process of the empowerment of citizens. Participatory budgeting (PB) allows citizens of an area to participate in the allocation of part of the local Council's or other statutory agency's (health services, police) avail-

71 (2008) available at <http://www.communities.gov.uk/publications/communities/communitiesincontrol> (last visited 4 August 2009).

72 This paper was preceded by a Department of Communities and Local Government document called *The Community Power Pack* (April 2008) available at <http://www.communities.gov.uk/publications/communities/powerpack> (last visited 4 August 2009), which provides background details to the initiative generally as well as suggested activities and advice about how to run events to debate issues of community empowerment.

73 Communities and Local Government, *Representing the Future: The Report of the Councillors Commission* (2007). See also <http://www.communities.gov.uk/councillorscommission/> for the work of this body (last visited 16 February 2010).

74 As the (then) Secretary of State for Communities and Local Government, Hazel Blears, puts it in her introduction to the paper, 'That people should have the maximum influence, control and ownership over the decisions, forces and agencies which shape their lives and environments is the essence of democracy. There are few ideas more powerful, or more challenging' (*ibid*, iii).

75 These range from the banal – encouraging local radio and allowing councillors to hold surgeries on council premises, through the aspirational – encouraging under-represented groups to become councillors, to the more practical – a new 'Empowerment Fund' of at least £7.5m.

able financial resources. PB aims to increase transparency, accountability, understanding and social inclusion in local government affairs. There are now some 1,500 instances of PB around the world, and PB is now a compulsory part of budgeting exercises in some contexts.⁷⁶ New information and communication technology has been used to develop e-PB and experiment with innovative ways of setting budgets in a democratic and transparent manner. In whatever form, its purpose is to enhance information flows, deliberation and voting procedures and it very much conforms to the Gov 2.0 model. In the UK around £10 million of UK public money has been allocated through PB since 2004 and many neighbourhood, regeneration or local authority areas have used PB to distribute typically between two to three percent of the annual revenue budgets.⁷⁷ PB requires that citizens be provided with sufficient information to allow them to make priority decisions and its advocates hope that the process will become embedded into an annual budgetary cycle involving setting priorities and monitoring outcomes. Indeed the duty to involve mentioned earlier specifies PB as one of the ways that local authorities can meet this expectation and it is intended to extend this duty to other agencies including police authorities and community safety.

While this has elements that are undoubtedly attractive, viewing the exercise of PB from a governmentality perspective again raises important questions about how this fits into a wider governance project and whether the democratic value that is claimed for it can be viewed unequivocally. In particular, further questions need to focus on whether, in pursuit of a wider agenda of managing the public, government is also seeking to individualise potentially disruptive publics in order to de-politicise and thus disempower them. By soliciting individual responses, and indeed by locating them within (usually a very) local community context, the process may be seen as cutting off connections to wider political forces and constraining the connections that participants can make to wider issues and broader identities.

The fourth example is the Sustainable Communities Act 2007 which contains another important innovation thought by many to introduce a new, more cooperative method of decision-making with the potential to reinvigorate consultation and put citizens in charge of government.⁷⁸ Essentially the act introduces a legal duty on government to assist local authorities in England in promoting the sustainability of communities. Sustainability is defined widely and covers almost

76 See further Y. Sintomer, C. Herzberg and A. Röcke, 'PB in Europe: Potentials and Limitations of Participatory Budgeting' (2008) 33 *International Journal of Urban and Regional Research* 164.

77 Central to PB in the UK is the Participatory Budgeting Unit which is a project of the charity Church Action on Poverty and supports public sector and community groups in developing participatory budgeting processes in their local areas within the UK. It works with the Department for Communities and Local Government in rolling out and supporting their programme of participatory budgeting pilots. (See further <http://www.participatorybudgeting.org.uk/> and the useful guide provided by the PB Unit, *Participatory Budgeting: Values, Principles and Standards* (2008) available at <http://www.participatorybudgeting.org.uk/documents/PBVPS.pdf> (last visited 7 January 2010)).

78 See the campaign group Unlock Democracy at <http://www.unlockdemocracy.org.uk/> and Local Works which is a coalition of over 90 national organisations campaigning to promote the use of the Sustainable Communities Act and its extension through an amendment bill at <http://www.localworks.org/> (last visited 17 February 2010).

all areas of local community activity. The Secretary of State must invite all councils to make proposals as to how government can assist in promoting sustainability – on issues ranging from retaining local post offices to developing sustainable local energy, planning and local food production and beyond. The local community is encouraged to develop bottom-up suggestions which may include ideas that need funding. Government is required to open the books to allow local communities to see how much money is being spent on any service and whether such services (and their funding) should be transferred to the local authority. Proposals from councils are shortlisted, not by the government but by a ‘selector’ who is the Local Government Association which represents local authorities. The Secretary of State is then required to agree with the selector which proposals should be implemented and report to Parliament with reasons. This is intended to be a regular, annual exercise and to date over 100 councils have submitted almost 300 proposals.⁷⁹

Aspects of this are undoubtedly important. However, as with the other examples given there is a particular value in viewing this critically through a governmentality lens and connecting it up with wider processes of remaking the public within ongoing modernisation of government strategies. Again there is room for further critical work exploring whether mechanisms such as these (and similar further proposals from the Coalition Government) involve producing a sort of de-politicised participation – individual and atomised rather than class based and organised. For example, critics such as Abram refer to ‘participatory de-politicisation’, and connect this to an undermined, de-politicised public sphere which can act as only a weakened counterweight to the retreat of state provision and diminished public accountability.⁸⁰ As Newman and Clarke point out, from a Foucauldian perspective this sort of analysis needs to be overlaid with an understanding of public participation as one of an array of strategies in a wider project of ‘governing the social’.⁸¹ The public is being constituted as a new kind of governable subject. Ideas about participation, empowerment and interaction involve encouraging people to see themselves – however unrealistically – as partners in their own governance. The ‘real’ experience of being a citizen-consumer in a neo-liberal economy is re-packaged as one where the individual is the author of policy and not simply its object.

Of course this may be seen as a rather negative view – there are counter publics and Web 2.0 is perhaps uniquely organised to allow such voices to organise and be heard. However such organisation must take place beyond government interventions and programmes. As the government directed elements of Gov 2.0 are considered it is important to look beyond simple assertions of enhanced participation and perhaps question the degree to which the government strategies are concerned to manage the experience of being a relatively powerless citizen-consumer while at the same time borrowing the authenticity of direct experience through engagement with a series of routinised consultation and participation strategies.

79 See the Local Government Association list at <http://www.lga.gov.uk/lga/core/page.do?pageId=2766081> (last visited 8 January 2010).

80 S. Abram, ‘Participatory depoliticisation: the bleeding heart of neo-liberalism’ in C. Neveu (ed), *Cultures et Pratiques Participatives: Perspectives Comparatives* (Paris: L’Harmattan, 2007).

81 n 15 above, Ch 7.

New forms of service delivery

The general modernisation of government that has been a central part of the Labour Government programme has brought an ongoing re-engineering of public service provision. General aspects of this have been discussed already. The major themes can be outlined in terms not only of multiple and hybrid suppliers beyond the traditional state bureaucracy but also a newer, individualised consumer culture. This entails demands that public services should empower citizens, and a re-working of ideas of the public and associated concepts. Much of this involves developing the sort of approaches that are found with Web 2.0. As Leadbetter and Cottam point out, 'we need a way to create public goods that takes its lead from the culture of self-organisation and participation emerging from the Web.'⁸² Gov 2.0 will require users of services such as patients to become participants and producers of their own health, and indeed Leadbetter and Cottam envisage a participative process where standards and outcomes are defined by the user, perhaps along the style of e-bay rating systems.

There is, however, a particular element involving ICT more directly that builds upon other initiatives and perhaps shows the way towards operationalising Gov 2.0. The Cabinet Office report, *Transformational Government: Enabled by Technology*⁸³ contains the idea of using technology to transform radically not simply the back office but the whole way in which services are experienced. In particular there is the idea of personalisation. As the report puts it, transformational government is not just to about trying 'to do IT better' in the context of the past models for delivery of public services. It is also about 'doing IT differently' to support the next phase of public service reform – building services which are more joined-up, more personalised, more efficient and more effective in terms of policy outcome.⁸⁴ This may involve customer surveys,⁸⁵ but it is also predicated on ideas of customer/citizens making informed choices using the sort of new, enhanced data that is now becoming available. As evidenced by the Department of Health's *High quality care for all: NHS Next Stage Review final report*⁸⁶ there will be increased personalisation of health care with greater choice, published measures of the quality of care, and pilot personal health budgets. The next stage will involve citizens with individual budgets for health rather than a universal health budget, and possibly discretion about which supplier to go to.⁸⁷ Indeed, the Cabinet

82 C. Leadbeater and H. Cottam, 'The User-generated state: Public services 2.0' in P. Diamond (ed), *Public Matters: The Renewal of the Public Realm* (London: Politico's, 2007) 122. They point to the tax system as an example which increasingly depends on mass involvement in self-assessment and reporting.

83 (2005) Cm 6683.

84 Cabinet Office, *Transformational Government: Enabled by Technology* (2005) Cm 6683 at para 20.

85 See for example, Communities and Local Government, *Best Value User Satisfaction Surveys 2006–07 – General Survey National Report* (2007).

86 Cm 74323 (2008). See also the Conservative Party's *Renewal Plan for a Better NHS* (2008), which contains very similar ideas.

87 See the report for Demos by C. Leadbetter, *Personalisation through Participation: A New Script for Public Services* (London: Demos, 2004). Cf T. Cutler, B. Waine and K. Brehony, 'A New Epoch of Individualization? Problems with the 'personalisation' of public sector services' (2007) 85 *Public Administration* 847.

Office publication, *Excellence and Fairness: Achieving World Class Public Services* (2008) sets out an agenda for putting citizens in control by increasing choice and introducing the opportunity of personal budgets in the National Health Service and in areas like adult skills, social care and disability. It also stresses the importance of giving clear and comparable information about service quality and ensuring that user satisfaction becomes the key measure of success and reward. It is here that the new forms and levels of information become centrally important. The Cabinet Office document, *Working Together: Public Services on Your Side* from March 2009, talks about developing 'a smarter, more strategic state' and 'equipping people with far better, richer information and using new technologies and opportunities to foster a dialogue about public services and policy with citizens and civil servants'.⁸⁸ Indeed, in his forward to this document the Prime Minister referred to an 'information revolution' underpinning this transformation in public services and endorsed the 'democratising power of information' in the context of choosing GP practices or nursery provision.⁸⁹ *Building Britain's Future* published in June 2009 also envisages patients and parents being given clear entitlements and introduces new elements involving movement away from targets and central control towards enforceable entitlements.⁹⁰

This idea of releasing local, real-time data to help individuals and communities assess the effectiveness and performance of service providers is manifest in several contexts including health⁹¹ and education.⁹² The cross-governmental Data Interchange Hub gives local authorities access to the most up-to-date information on National Indicators⁹³ and through that, the chance to compare local performance against Local Area Agreement targets as described above. This allows local authorities to benchmark their performance against similar authorities elsewhere in the country. Reporting of the Comprehensive Area Assessment – the main indication of local performance – will enable citizens to compare the performance of all areas against all the National Indicators, while far-ranging data available from the Audit Commission's Comprehensive Performance Assessment allows people to evaluate

88 *Working Together: Public Services on Your Side* 65, available at <http://www.hmg.gov.uk/workingtogether.aspx> (last visited 27 April 2010). See also IPPR and PwC, *Towards a Smarter State* (2009) available at <http://www.pwc.co.uk/eng/publications/towardsasmarterstate.html> (last visited 14 December 2009).

89 *ibid.*, 4.

90 Cm 7654, chs 4 and 5.

91 NHS Choices produces data to enable people to make informed choices about their care. Some of this information is provided by patients themselves and informs people about the quality of care in their local area. This includes data on the outcomes of surgery and other medical interventions and the levels of patient satisfaction with hospitals and other clinics. See <http://www.nhs.uk/choiceintheNHS/Pages/Choicehome.aspx>, <http://www.nhs.uk/Pages/HomePage.aspx> (last visited 8 January 2010).

92 Proposals are coming to ensure that in England all secondary schools by 2010, and all primary schools by 2012, will report online to parents on their child's attendance, behaviour and attainment, and special needs.

93 Indicators cover a wide range of national priorities, such as pupil achievement in schools and numbers of new homes. The new set of 198 National Indicators was announced as part of the Comprehensive Spending Review 2007 and came into force on 1 April 2008, replacing all previous performance indicators including Best Value Performance Indicators and Performance Assessment Framework indicators.

the performance of their local authority.⁹⁴ The Office for National Statistics offers detailed statistics for neighbourhoods, for example in relation to regeneration schemes⁹⁵ and, as reviewed earlier, the Department for Communities and Local Government provides wide ranging data through its Places Community website.⁹⁶ All of this amounts to a further potential revolution in service provision. Older ideas about mixed providers and partnerships have given way to notions of the citizen as not merely a consumer but as an informed, choosing citizen-consumer who is actively engaged in shaping, monitoring and controlling demand-led services.

CONCLUSION: GOV 2.0 A DESIGN FOR NEW MODEL CITIZENS OR DEFIANT PUBLICS?

It has been argued here that new elements associated with Web 2.0 relating to interactivity and end-user focus have combined with the availability of new levels of information to encourage the development of a Gov 2.0 approach. This, in combination with recent initiatives in the modernising government programme, has emphasised new levels of public participation and engagement with government as well as a re-engineering of public services to make them more responsive to their end users. While this has been developed initially under Labour Governments it will continue, and perhaps even intensify, with the Coalition Government. Adopting a governmentality perspective, it has been argued that this has involved a wider process of governing through constructing and reconstructing ideas of the public, community and individual citizen-consumers who take on a role in their own governance.

This should be seen as one among a range of new forms of governance.⁹⁷ This particular governing construct involves the dispersal of state power through individual citizen-consumers and self-regulating bodies or agencies who govern themselves in accordance with templates of power contained in notions such as localism and community, participation and dialogue, choice and personalisation, service and outcomes etc. These governing ideas are set up in opposition to (or rather, instead of) traditional ideas of equal state provision. Indeed, as Sorenson and Torfing argue, ideas of participation are used to detach public services from an integrated public sector and loosen what has been termed the 'democratic anchorage' of public services within the state. Instead there is on offer a more fluid

94 See <http://www.audit-commission.gov.uk/cpa/index.asp?page=index.asp&area=hpcpa> (last visited 8 January 2010).

95 See <http://www.neighbourhood.statistics.gov.uk/dissemination/> (last visited 8 January 2010).

96 See <http://www.communities.gov.uk/communities/placematters/placescommunity/> (last visited 8 January 2010).

97 Newman and Clarke urge a distinction between, for example, 'the overt extension of state power, exercised through audit and inspection bodies; the dispersal of state power through "self-regulating" managerial agents; and the emergence of templates of "good governance"' (n 15 above, 99). The whole surveillance agenda within the criminal justice system and beyond provides an obvious additional instance, as indeed does the whole planning and construction of urban space (see A. Minton, *Ground Control: Fear And Happiness in the Twenty-First Century City* (London: Penguin, 2009)).

concept of public participation and stakeholder involvement within a hybrid model of provision where ‘public’ has changed its meaning.⁹⁸ As Newman and Clarke argue, it involves the creation of “ordinary peoples” – who can be summoned as partners of participants in new assemblages of rule.⁹⁹ Not only are the public to be seen acting as consumers and citizens they are also participants, expert in their own condition and able to represent the experience of being a consumer or user of services as they participate further in their own governance.

This idea of constituting the public in relation to its role in public participation is really central to this new way of governing through the public but it involves complex processes and is not unambiguous in its results. The governance project invoked by Gov 2.0 must be seen as establishing a space that is subject to contradictory sets of processes which are mediated and translated by a range of actors (policy-makers, managers, civil society groups, service providers etc) and passed from one to another, accepted, enrolled in new contexts, articulated, assembled and re-assembled in a series of complex, often contradictory, ways full of tensions and ambiguities.¹⁰⁰ We may suspect that efforts to re-work ‘the public’, and the emphasis on ideas of empowerment, may in fact conceal not only efforts to move away from conceptions of the public that accord with older ideas of a welfare state and universalist notions of public good, but also a shift of power towards existing authority – whether within the state directly or in associated private bodies. For all the rhetoric about user involvement, the participation of users in public services in the role only of mere consumers does not necessarily ensure that public services remain political in character, and so public or democratic in a wider sense.

The actual operation of participation structures suggests that this may not always be a space for equal exchange between official and participant views. There may well even be a controlling agenda in place. A number of critics have noted how official constructions of the ‘the public’, and of community and citizenship not only help shape the conceptions that officials draw on as they establish new forums for participation but also condition the conceptions members of such forums bring to the process of dialogue.¹⁰¹ The use of information only from government sources through the Places Database and related sources, and its control in government sponsored programmes where expertise may trump more everyday versions of knowledge, suggests that this may be as much about de-politicising and avoiding conflict as it is about hearing new voices in governance. Not only may the ‘facts’ and the value to be attached to them often be controlled but, as Barnes et al describe from an empirical study of public participation forums, the process too is often very structured: invitations to participate are issued by government, agendas are set and records kept by officials, and consensus is invariably

98 E. Sorenson and J. Torfing, *Theories of Democratic Network Governance* (London: Palgrave, 2006).

99 n 15 above, 46.

100 Newman and Clarke, *ibid*, provide a detailed template for analysis in terms of concepts of ‘empowerment’ (considering how and where power actually moves within new formulations), ‘assemblage’ (looking at how spaces constitute themselves), and ‘translation’ (the ways in which actors engage in working through the ambiguities in new formations of power). See also A. Sharma, *Logics of Empowerment* (Minneapolis: University of Minnesota Press, 2008) and T. Li, ‘Practices of Assemblage and Community Forest Management’ (2007) 36 *Economy and Society* 263.

101 See, for example, M. Barnes and D. Prior, n 18 above.

sought.¹⁰² Indeed, the very process of being consulted may limit potential for dissent as the experience of the wider community is disabled by the force of a process where the views of a selected public have been presented as authoritative. Pratchett et al in their review of evidence as to whether the sort of strategies in the 2008 White Paper *Communities in Control*¹⁰³ actually deliver increased local influence, distinguish four levels of citizen governance and suggest that e-participation, participatory budgeting and petitions are not as yet unambiguously successful in delivering their potential.¹⁰⁴

Clearly Gov 2.0 may not necessarily be an open space of enlarged thinking or communicative democracy in a Habermasian sense. There are familiar problems about inclusion and contention, while universalist notions, drawn up without full recognition of gender, race and other difference, may well mask the problematic access to citizenship for many groups.¹⁰⁵ However it is important to develop fully the understanding of power that the governmentality approach provides which suggests that power is never monolithic or operating in one direction only. Power exists in many sites: it is rhizomatic. As power is operationalised and transmitted along the chain there is opportunity for resistance and modification. People are not simply passive objects of power, but rather 'active subjects' who not only collaborate in the exercise of government but also shape and inform it.¹⁰⁶ This occurs in e-government and e-democracy as elsewhere. There are opportunities for what Fraser describes as 'subaltern counterpublics' to mobilise, circulate counter discourses, and formulate oppositional interpretations.¹⁰⁷ Indeed, given the nature of Web 2.0 this is surely inevitable. Gov 2.0 will not be satisfactorily established until Citizen 2.0 flourishes too. The qualities of interaction and end user focus, combined with the accessibility of official information to be mashed up, translated and re-used to support alternative positions, suggests very strongly that counter publics with different views can spring up and mobilise almost (if never

102 See Barnes et al n 19 above. As Newman and Clarke observe (n 15 above, 25), 'even the work of making some things technical rather than political is political work'.

103 n 71 above.

104 See the report authored by L. Patchett et al for the Department of Communities and Local Government, *Empowering Communities to Influence Local Decision making: A Systematic Review of the Evidence* (London: DCLG, 2009) 58–64. In addressing the question as to 'what are the "public" supposed to do and why are they there?', the report distinguishes four levels of citizen governance: type one is the ideal type where citizens act as *representatives* of a wider community, speaking for it, accountable to it and linked to official decision-making structures; type two has citizens inputting their *local knowledge* to improve decision-making, although with no formal link to the mechanisms of actually deciding; type three is where a community or voluntary agency acts as an *organisational proxy* for the community and, in a sense, does its deciding on its behalf; and type four is where individual community members are involved in a *semi-professional* way as, for example, non-executive members of boards with only very limited spill-over in the sense of empowering the community more generally. Each of these provides different levels of empowerment to the community and to the individual involved.

105 See further I. Young, *Inclusion and Democracy* (Oxford: Oxford University Press, 2000); N. Fraser, 'Transnationalizing the Public Sphere: On the Legitimacy and Efficacy of Public Opinion in a Post-Westphalian World' (2007) 24 *Theory, Culture and Society* 31; and C. Mouffe, *On the Political* (London: Routledge, 2005).

106 See further Morison, in Leyland and Bamforth (eds), n 3 above.

107 See N. Fraser, *Justice Interruptus: Critical Reflections on the Post-Socialist Condition* (New York: Routledge, 1997).

quite) on an equal basis to more official sources.¹⁰⁸ Citizens may be irreversibly consumers now but in the Gov 2.0 environment there is a choice whether they are to become simply new model citizens within a wider state-sponsored programme or more defiant, active and assertive citizens within their own governance projects.

108 See D. Drache, *Defiant Publics: The Unprecedented Reach of the Global Citizen* (Cambridge: Polity, 2008).