



Electronic Petitions and the Relationship between Institutional Contexts, Technology and Political Participation

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1. Introduction

The opportunity to petition political authorities can be traced back into ancient history (Bockhofer 1999; Hirsch 2007; Klasen 1991). During the course of the centuries, this communication channel between subjects and rulers was continuously adjusted to changing political and social circumstances and needs. The most recent developments of the political opportunity to submit petitions are closely related to the rise of the internet as a medium of mass communication.

Among the numerous possibilities to offer formal online participation channels to citizens, e-petitions were clearly at the forefront of official, fully operational e-democracy activities of governments and parliaments. In 2000, the Scottish e-petitioner was the first e-petition system to be established by an elected parliament. Two years later, another regional parliament, the Parliament of Queensland, followed suit by designing an e-petition system of its own. Since 2005, Germany's Federal Parliament, the Bundestag, is operating an e-petition system similar to the Scottish one. And at the local level, over a dozen Norwegian municipalities are offering e-petitions to their communities since 2005. Moreover, the British Parliament in London is also seriously thinking about implementing an e-petition system in the near future (House of Commons 2008). But not only parliaments, also governments started to follow this path: The probably most famous example – and a highly controversial one at the same time – is the British Prime Minister's e-petition system which started in 2006.¹ This list could be continued with a number of other examples, such as the e-petition systems of the European Parliament² or in South Korea³.

Compared to the quite impressive uptake of e-petitions by many public entities, other forms of formal – meaning: institutionalized and codified – political participation via the internet seem to be less advanced, tend to remain at an experimental stage or are confined to very specific purposes. To our knowledge, online voting in general elections and referenda has so far only been introduced as a

¹ <http://petitions.pm.gov.uk>

² <http://www.europarl.europa.eu/parliament/public/staticDisplay.do?id=49>

³ <http://www.epeople.go.kr/jsp/user/on/eng/intro01.jsp>

regular and guaranteed feature in Estonia⁴; most other governments which have seriously inquired on the issue eventually refrained from introducing regular online voting due to unresolved political, legal and technical challenges. Online consultations offered by governments are much more common (e.g., European Commission⁵, the Canadian federal government⁶). Yet, compared to e-petitions, e-consultations are usually not codified in law, and can generally be characterized as non-compulsory.

In short, e-petitioning has been implemented by a number of public institutions and is in many ways – compared to most other forms of formal e-participation – relatively mature. Against this background, having a closer look at the developments during the past decade in the field of e-petitioning seems to be particularly promising if the understanding of the relationship between public institutions and internet-based systems designed to make available additional and/or new channels for political participation is to be improved.

The aim of this paper is twofold: 1) What are the main institutional and technical features of the e-petition systems currently being offered? How and by whom are these systems being used? With regard to design and procedures, can examples of “good practice” be identified? 2) These rather descriptive aims provide the basis for a more analytical perspective: Which conclusions with regard to the interplay of “offline” institutions, technical design and political participation can be drawn from the empirical analysis of current e-petition systems? Why are electronic petitions, compared to other conceivable forms of online participation generally available to official institutions, apparently so much more attractive to parliaments and governments? In order to answer these questions, the e-petition systems of three parliaments (the German Bundestag, the Scottish Parliament and the Parliament of Queensland) and the e-petition system implemented at the local level in Norway will be analyzed.

The empirical basis for this paper was primarily generated during the scientific project “Public electronic petitions and civic involvement” carried out by the Office of Technology Assessment at the German Parliament (TAB) on behalf of the Bundestag.⁷

The paper is organized as follows: First, a definition of “e-petitions” and its main features is presented. The ensuing section lays out the main empirical findings of the four e-petition systems operated by public institutions in comparative perspective; where deemed useful, these findings are supplemented by the insights gained from the analyses of a political campaign based on e-petitions, and two private platforms which make available the technical infrastructure for launching petitions and online signatures. Finally, a conclusion attempts to answer the research questions.

⁴ <http://www.vvk.ee/engindex.html#0002>

⁵ http://ec.europa.eu/yourvoice/consultations/index_en.htm

⁶ <http://www.consultingcanadians.gc.ca>

⁷ <http://www.tab.fzk.de/en/projekt/skizze/epetition.htm>

2. Defining E-Petitions

Generally, petitions are defined as formal requests to an authority, usually a governmental institution. In most liberal democracies, the citizen's right to petition government, parliament and/or other public entities is codified in legal documents, in many instances even in constitutional law (e.g., UK, USA, FRG). With regard to electronic petitions (e-petitions) which involve new information and communication technologies, it is necessary to distinguish between formal and informal types (Santucci 2007): *Formal* e-petitions refer to institutionalized and at least to some extent legally codified e-petition systems operated by public institutions. *Informal* e-petitions, on the other hand, are systems established and managed by non-governmental, private organizations. Thus, the procedural requirements for launching informal e-petitions and collecting signatures online are not subject to public law. Of course, informal e-petitions usually seek to address public institutions after a certain number of signatures have been collected. Empirically, two main types of informal e-petitions can be distinguished: e-petitions initiated by NGOs as part of political campaigns, and e-petition platforms operated by private organizations (both commercial and not-for-profit) which provide the internet-based infrastructure to initiate e-petitions and collect signatures online.

Moreover, we suggest distinguishing between the following types of formal e-petitions:

- *Petitions submitted electronically*: In the case of this most basic e-petition type, petitions are also accepted by the addressees if they are submitted electronically, either via e-mail or by using a web-interface. The person submitting the e-petition is usually required to include her/his name, address and other information as part of the identification procedure. Compared to traditional paper petitions, the novelty of this e-petition type merely refers to the initial submission phase.
- *Public e-petitions*: Irrespective of the way it has been submitted, a petition is defined as a public e-petition if the petition text is published on the internet. The actual petition text can also be supplemented with additional background information concerning the petition issue and/or the different procedural steps related to the submitted petition.
- *Public e-petitions with additional participatory elements*: In this case, the public e-petition is enriched with additional participatory opportunities made available to the public. The most widespread participatory element, which is also common place among all informal e-petition systems, is the opportunity to support a public e-petition with an electronically submitted signature. Not quite as common are internet-based discussion forums which allow for public debates on the issues raised by a public e-petition. Beyond these participatory elements, other functions such as automatically generated e-mail alerts sent out to users once public e-petitions on related issues are submitted, or a “wiki-style” authoring of e-petition texts prior to an official submission are conceivable.

3. International E-Petition Systems in Comparative Perspective

As the main research interest of this paper is the complex interplay between institutional and political context, the configuration of the technical design of the online-based petition systems and the dynamics of political participation, the analysis of the e-petition case studies particularly deals with the following issues:

- What was the rationale for introducing the e-petition system, which goals did the promoters seek to achieve?
- What is the constitutional, legal and socio-political setting in which the e-petition system operates?
- What are the main procedural and technical features of the e-petition system, and what are the differences between off- and online procedures?
- How and by whom is the e-petition system being used, what can be said about the political impact?

Of the 25 potential international e-petition cases, which were identified in a preliminary research step, the following formal e-petition systems were selected for the in-depth analysis:

- the e-petitioner of the Scottish Parliament,⁸
- the e-petition system at the Parliament of Queensland,⁹
- and the e-petition system at the municipal level in Norway.¹⁰

The Bundestag's e-petition system¹¹ was predetermined as a case study from the outset as it was the main research object of the scientific evaluation conducted by the Office of Technology Assessment at the German Parliament (TAB). With regard to cases of informal e-petition systems, it was decided to focus on the Control Arms e-petition campaign "one million faces"¹² and on the private e-petition platforms "ipetitions"¹³ and "petition-them"¹⁴. The selection process was guided by the intention to include cases with a medium to high technical and procedural sophistication (thus excluding cases that merely offer electronic submissions), a broad range of institutional and socio-political contexts and a reasonable degree of empirical accessibility. Apart from the Scottish e-petitioner which is well documented and has repeatedly been subject of scientific inquiry (Malina et al. 2001; Macintosh et al. 2002; PPC 2006), literature and scientific research on all other cases are nearly non-existent or hardly accessible. Thus, in many ways, the analyses entered uncharted seas.

The main results and insights of the analyses of the case studies will be presented in comparative perspective.¹⁵ The comparison is organized in three main parts: (1) procedural characteristics, (2) internet-based features and (3) political and institutional impact. Table 1 provides a comparative overview over the main features which will be discussed in the following sections.

⁸ <http://epetitions.scottish.parliament.uk>

⁹ <http://www.parliament.qld.gov.au/view/EPetitions%5FQLD>

¹⁰ <http://www.e-initiativ.no>

¹¹ <http://itc3.napier.ac.uk/e-petition/bundestag>

¹² <http://www.controlarms.org>

¹³ <http://www.ipetitions.com>

¹⁴ <http://www.petitionthem.com>

¹⁵ The complete results of the case studies and the documentation of the scientific evaluation will be published in Lindner/Blümel (forthcoming) and Riehm et al. (forthcoming).

3.1 Main Procedural Characteristics

Procedural design and formal requirements are important factors that structure the whole (e-)petition process. From the perspective of a citizen who intends to submit a formal e-petition, the first contact with the public entity to which the petition is addressed represents a significant step. In most cases, an administrative body receives the petition request and checks whether all formal requirements are met. If necessary, the administration may contact the principal petitioner in order to resolve the issue at stake and advise him/her on how to meet the formal criteria (e.g., regarding the wording of the petition text). Parliaments rooted in the tradition of the British Westminster system (Lijphardt 1999: 9ff.), such as the Parliament of Queensland, usually feature a special procedure in this early submission phase: As a reference to the principle of parliamentary supremacy, petitions can only be introduced by a member of parliament (MP). Consequently, a principal petitioner needs to find a so-called "sponsor" among the sitting MPs who agrees to formally present the petition in parliament.

With regard to the actual enforcement of the official requirements, some of the cases, particularly the Scottish parliament and some of the Norwegian local authorities, revealed that the administrations' discretionary power was frequently used to approve of formally inadmissible e-petitions. Moreover, the personal support and advice provided by the administration has positive effects on the overall acceptance and assessment of the e-petition system by the petitioners.

	Scottish Parliament	Parliament of Queensland	German Parliament	Norwegian Municipalities
<i>General information</i>				
Level of government	regional	regional	federal	local
Petition right since	1999	1859	1949	2003
E-petitions since (begin of normal operation after trial period)	2000 (2004)	2002 (2003)	2005 (2007)	2005 (2007)
<i>Main characteristics of the (e-)petition process</i>				
Initial point of contact	Clerk to the Public petitions committee	Member of Parliament (sponsorship model)	Administration of the petitions committee	Member of the local administration
Difference between submission channels	E-pet.: contact with clerk prior to online collection of signatures mandatory, otherwise identical.	E-pet.: contact with MP prior to submission mandatory, otherwise nearly identical	E-pet.: submission prior to online collection of signatures mandatory. Administration decides if e-pet. will be treated as a "public petition"	E-pet.: contact with administration prior to online collection of signatures mandatory, otherwise identical
Collection of signatures on- and offline simultaneously	yes	yes	no	yes
Definition of length of signatory phase	Principal petitioner, usually 6 weeks	Principal petitioner, 6 months max.	Predefined, 6 weeks	Principal petitioner, unlimited
<i>Main features of the e-petition systems</i>				
Type	Public e-pet. with participatory elements, paper submissions	Public e-pet. with participatory elements, paper submissions	Electronic submission; Public e-pet. with	Public e-pet. with participatory elements

	Scottish Parliament	Parliament of Queensland	German Parliament	Norwegian Municipalities
	published online	published online (not open for online signatures)	participatory elements	
Online submission without media breaks	yes	no (due to sponsorship model)	yes	yes
Information on the issue	yes	no	no	no, but planned
Information on status of e-pet.	yes, including minutes of committee sittings, official correspondence etc.	yes, but limited	yes, but limited	yes, but limited
Discussion forum	yes	no	yes	yes

Table 1. Formal E-Petition Systems in Comparative Perspective

Through these personal contacts, overly optimistic expectations on the likely outcome of an e-petition can be put into a more realistic perspective. This important consultative role of the administrative staff should be taken into account in the design of e-petition systems.

One of the main differences between traditional paper petitions and new e-petitions in all four public cases is the point of contact between the principal petitioner and the receiving institution. In the case of paper petitions, the principal petitioner normally gets in touch with the administration (or the sponsoring MP in Queensland) *after* having collected signatures, and hands over the actual petition, the lists with signatures and other required documents all at once. The internet-based procedure, however, requires the petitioner to contact the administration *prior* to the signature phase. So far, only few insights could be gained on the political effects of this early procedural "filter". On the one hand, the early contact with the experts in the administration opens the opportunity to improve the petition text, and the petitioner may receive useful tactical advice on how to promote the e-petition. On the other hand, it cannot be ruled out that the petitioner's genuine request might be distorted in this process. By comparison, paper petitions, submitted after the signatory phase, are – at least theoretically – more likely to be rejected on formal grounds.

Another procedural design element of internet-based petitions is the definition of the length of the signatory phase. In some cases, such as in Scotland and Queensland, the principal petitioner may independently define the end of the collection phase within a predefined time frame. At the German parliament, the principal petitioner has no influence on the duration of the signature and discussion phase. And in Norway, the petitioner is completely unrestricted in defining the signatory phase.

3.2 Main internet-based features of the e-petition systems

All four cases offer two central functions to the user which can be termed as "common standard": E-petitions can be initiated via the internet, and these e-petitions, once published, can be supported with electronic signatures. However, in Queensland, the submission procedure involves media breaks due to the requirement to find a sponsor. Thus, the central online component of the Queensland system is the possibility to support an e-petition electronically. In the rather complicated German example, e-petitions can be submitted using a web-interface, in which case the petitioner merely performs an electronic submission. If the petitioner intends to have the petition

accepted as a "public" e-petition, he/she is required to submit the petition by e-mail attachment. In this case, the administration decides whether the request qualifies as a public e-petition – meaning: the petition deals with an issue of general public interest – or not. If the request is declined, the petition will be treated as a regular petition without being published on the internet. In 2006 and 2007, only about 38 % of all public e-petition requests were accepted.

Regarding the online collection of signatures, the analyses drew attention to an unexpected problem: In contrast to what might be assumed, interviews with principal petitioners in Queensland (Oakes 2005) and in Norway (Winsvold 2008) highlighted the fact that collecting signatures on the internet can be a challenging task. Contrary to traditional methods of soliciting supporters in public places such as shopping malls or by door-to-door canvassing, e-petitioners need considerably different promotional skills in order to adequately capitalize on the network potential of the internet. In the Norwegian case, where (e-)petitions require at least 300 supporters to be officially accepted, the difficulty to collect a sufficient number of signatures proved to be a major and eventually insurmountable obstacle for the majority of the initiated e-petitions.

Another important feature of e-petition systems which can productively unfold the technical capacities of the internet in the political process is the possibility to provide ample background information on political issues, and information on the current procedural status of an e-petition. Nonetheless, the cases under review tend to be rather reluctant to take advantage of these design options. With regard to background information on the issue raised by an e-petition, only the Scottish system provides the principal petitioner with the opportunity to publish additional information online, for example by including links to external websites. The situation is a bit better concerning the information being provided on the procedural status of an e-petition. In three of the four cases the users of the e-petition websites may retrieve basic information on the current status of an e-petition (e.g., "open for signatures", "tabled in parliament"). Again, the Scottish public petitions committee (PPC) provides much more and very comprehensive information online: In addition to the procedural status, the Scottish PPC also publishes information such as the minutes of the committee meetings, documents laid before the committee or written questions. Compared to the other cases, the Scottish information policy effectively contributes to enhanced procedural transparency.

The option to integrate an online discussion forum in the e-petition system was only dismissed in the case of Queensland; all other formal e-petition systems offer this opportunity to their users. In comparison, the discussion forums are used significantly less than the online signatories. Serious and continuous problems with inappropriate behavior in the discussions were not reported. Nevertheless, a fundamental issue is still waiting to be resolved: Which function should the discussion forums fulfill in the context of the petition process? So far, the arguments developed in the forums are not systematically channeled into the political decision-making processes of the addressees. If the discussion forums ought to be more than pseudo-democratic exercises, effective mechanisms need to be developed in order to improve the linkage between the citizens' online debates and the politicians.

3.3 Political and institutional impacts

The user statistics show that the e-petition systems operated by the three parliaments by and large have been accepted by the petitioners and their supporters. The percentages of e-petitions as a share of all petitions submitted ranges from roughly 17 % in Queensland and Germany to about 62 % in Scotland. Moreover, the option to electronically support e-petitions has been widely used in these cases as well (Table 2). If the development of the data since the introduction of the e-petition systems in Scotland and Queensland is taken into account, a clear upward trend can be observed

(PPC 2006; Table Office 2008).¹⁶ The popular acceptance of the e-petition system in the 14 Norwegian municipalities which participated in the initial pilot project deviates from this observation. In fact, in most of the 14 municipalities, not one e-petition was initiated during the period under review (Winsvold 2008).

The available data gives no indication that the introduction of the e-petitions systems in Queensland and Germany has significantly contributed to an overall increase of petitions submitted and to an increase of the total number of signatures. Similar comparisons for Scotland and Norway are not feasible as the petition right was more or less introduced at the same time as the e-petition systems. From a digital divide perspective (Riehm/Krings 2006), the socio-demographic composition of the user populations are highly interesting. Despite the fact that the data on user demographics are sketchy and need to be interpreted with caution, it can generally be concluded that the introduction of the e-petition systems in our four cases failed to significantly mobilize non-participating or underrepresented social groups. The typical user of the German, the Scottish and the Queensland systems tends to be a middle-aged male with an above-average level of formal education. These results generally confirm the demographic make-up of the participants which is to be expected according to the standard model of political participation (Milbrath 1965). At least for the time being, the high hopes of many e-petition promoters who argued that e-petitions will increase political participation of underrepresented groups in the petition process have not been fulfilled.

	Scottish Parliament		Parliament of Queensland		German Parliament	
Total number of petitions 2007	85	100 %	205	100 %	15.800	100 %
Number of e-petitions 2007	53*	62 %	35	17 %	2.764**	18 %
Total number of signatures 2007	n.a.		254.274	100 %	ca. 640.000	100 %
Number of e-signatures 2007	n.a.		102.213	40 %	417.000	73 %

* For the parliamentary year 05/2007 – 03/2008.

** The number of e-petitions to the German Bundestag consists of 2.131 electronically submitted "regular" petitions, 633 electronically submitted petitions to be published, of which 245 were accepted for publication on the internet.

Note: In the 14 Norwegian municipalities participating in the pilot project, a total of 16 e-petitions were submitted between 2005 and 2007. Of these, only two e-petitions met the minimum requirement of at least 300 signatures.

Table 2. Selected (E-)Petition Statistics in Comparison

Another highly relevant but extremely difficult question to answer relates to e-petitions' impact on decision-makers and policy. With regard to the effects of the e-petition systems on the political agenda-setting processes, our research delivered some anecdotal evidence. In Norway, local politicians reported that they tend to deal with petitions, irrespective of the submission channel, differently than with "normal" political issues. The effects on the agenda-setting processes seem to be slightly more obvious in the case of the Bundestag. Since the launch of the pilot project "public petitions" in 2005, several instances in which e-petitions received considerable support occurred, and some of these e-petitions eventually caught substantial media attention. In effect, the petitions committee seemed to be more inclined to seriously consider the e-petitioners' request, for instance in public hearings. Another indication of some impact on the political behavior of politicians was observed in Queensland. After the introduction of the e-petitions, the number of official ministerial responses to tabled petitions increased considerably. This improved responsiveness might be

¹⁶ In the German case, data on submitted e-petitions are only available for 2006 and 2007 (Petitionsausschuss des Deutschen Bundestages 2007). Thus, at this point it is too early to identify a trend in the acceptance of e-petitions.

explained by the e-petition system's contribution to an enhanced procedural transparency (Laurie 2003).

4. Conclusions

The case studies repeatedly demonstrated the close relationship between institutional contexts, procedural standards and technical design. The technical, internet-based features and their associated procedures were usually designed with the intention to mirror the traditional paper petitions as far as possible. The strong linkage is particularly evident in the case of Queensland. This Westminster-style parliament with its defining features of executive dominance, debating parliamentarianism and weak parliamentary committees are well reflected in the e-petition procedures: After the signing period, the e-petition – just as a traditional paper petition – is tabled in parliament without any further debate; a copy of the request is transferred to the responsible minister who then may officially respond to the petition. Against this background, the decision not to offer an online discussion forum seems less astonishing. The situation in the Scottish parliament is quite the opposite. This new institution,¹⁷ in a deliberate attempt to distance itself from the Westminster tradition, represents a working-type parliament with a well developed and influential committee system. Accordingly, the public petitions committee deals with the submitted petitions – paper and e-petitions alike – in a very comprehensive and at times even compassionate manner. In international comparison, the high degree of information transparency demonstrated by the Scottish parliament, and which was made possible by the existence of the internet in the first place, is particularly impressive. This specific characteristic resulted from the founding period of the parliament in the late 1990s during which transparency was declared as one of its three central mission statements (The Scottish Office 1998).

This observation leads to the general question about the rationale for the establishment of formal e-petition systems. Regardless of the obvious historical and politico-institutional differences, the goal to advance political legitimacy proved to be a decisive factor in all four case studies. Promoters and supporters sought to reduce the perceived deficits of legitimacy of their political institutions by introducing e-petition systems.

In Scotland, the specific challenge was to legitimize the founding of a new parliament in the process of devolution (Coleman 2000). The institutional design of the petition system and its online version should contribute to this overall goal. And indeed, many procedural and technical features, such as the high degree of transparency, the enhanced participation possibilities and the political responsiveness of the public petitions committee, reflect the effort to create a positive image of the new political system in the Scottish society.

The introduction of internet-based petitions can be interpreted as a response to specific problems of political legitimacy in the case of Queensland and Norway. In both instances, notable changes in the patterns of political participation contributed to the political elites' perception of crises. In Queensland, the window of opportunity for institutional innovations was opened as the vote shares for the established political parties dramatically declined at the end of the 1990s (Wanna 2003). And in Norway, the introduction of the right to petition at the local level was a direct response to declining participation rates in local elections. By comparison, the situation in Germany was not as clear cut, but an important factor in the decision to reform the petition system in 2005 was the aim to heighten the Bundestag's visibility vis-à-vis the federal government and to improve its popular image.

¹⁷ The Scottish Parliament was (re-)established in 1999.

But why did these institutions opt for e-petitions as a solution to their perceived problems of legitimacy instead of other conceivable internet-based participation mechanisms? Apart from rather self-evident reasons such as costs, technical feasibility, legal considerations and path dependencies, e-petitioning arguably represents a safe "playing field" from the perspective of established political institutions. This specific participation channel is highly compatible with the principles of representative democracy, and its transformative potential is very moderate. These findings support the notion that political actors' strategic orientations and democratic values are significant factors in the processes of selecting, adopting and configuring new information technologies for political communication purposes (Lindner 2007: 382ff.).

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