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# **Open Government Policymaking by Popular Voting: Comparing Canada and New Zealand**

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The connection between open government policy and popular voting is understudied, yet it can reveal interesting patterns of policymaking that blend agenda setting, policy formulation, and decision-making in semiformalized fluid forms. This inquiry investigates the link between policy voting and open government by comparing the case studies of cocreating open government partnership national action plans in Canada and New Zealand. It examines the role of voting within the policy cycle of open government as a system of governance comprised of transparency, participation, accountability, and civic education. It further employs an exploratory mixed-methods approach of analyzing applied reports, official documents, social media campaigns, and expert interviews. It was found that not the voting format but the government's approach to interaction with stakeholders is associated with the diverging patterns of open government in the two countries.

Keywords: open government; policy making; voting; Canada; New Zealand

### **Introduction**

This inquiry seeks to explore the role of nonbinding popular policy voting in open government as a system of governance. The challenge is that voting is often associated with elections for public office (Ehin et al., 2022; Heintz et al., 2023; Spycher-Krivososova, 2022). However, voting has more applications—in particular, for selecting policy proposals. Furthermore, there is abundant research on binding policy voting, usually at referenda (Germann, 2021; Germann & Serdült, 2017; Rodríguez-Pérez et al., 2022). However, in terms of the influence of policymaking, there is a spectrum that encompasses binding decisive referendum and nonbinding consultative polling (Krimmer & Kripp, 2009; Hennen et al., 2020). Within this range, there is also advisory voting accompanied by deliberation with the less formalized procedure, which makes it less formal but also more open to policy innovations. This is the case of voting for draft policies within the Open Government Partnership (OGP) cocreation process.

OGP is an international initiative that sets up a common framework (Open Government Partnership, 2022) for developing, implementing, and assessing reform plans in participating countries and municipalities. OGP methodology requires that a government designs a national action plan (NAP) jointly with the public. In some OGP participant countries, the public was enfranchised with the right to vote to propose or prioritize policy ideas for that country's NAP. Presumably, there is a substantial difference in the role of such voting, depending on voting design, political culture, the interaction between the government and the public, and on other

country-specific circumstances. Hypothetically, by being entitled to vote for policy proposals, civil society can be empowered by gaining some sort of decision-making power and leverage in advocacy for their causes. In turn, by returning part of its decision-making power back to its constituents, the government can become more open to input from the public. In general, in the process of cocreating a joint action plan, civil society and authorities may develop a more cooperative approach and thereby rebalance representative democracy more toward direct and participatory democracy.

To explore the role of voting during the OGP policy cocreation empirically, this paper examines the voting for OGP draft policy commitments in the two countries of the Commonwealth of Nations that have reportedly performed voting for OGP draft policy commitments: Canada and New Zealand. The 56 commonwealth countries (The Commonwealth, ND) share the fundamental values of fundamental human rights, democracy, the rule of law, and just and honest government (Commonwealth Secretariat, 2019). Canada and New Zealand share the similarity of being parliamentary democracies under a constitutional monarchy. However, they are different in administrative structure, whereas Canada is a federation and New Zealand is a unitary state. Furthermore, Canada is considerably bigger than New Zealand in terms of its territory and population. Presumably, this may shape the patterns of nationwide policymaking differently. The two states are also participants of the international OGP initiative: Canada from 2011 (Open Government Partnership, ND-a) and New Zealand from 2013 (Open Government Partnership, ND-b). Both countries have utilized voting while cocreating NAPs: Canada in 2016 online (Karanicolas, 2018) and New Zealand in 2018 offline (Booth, 2020). These basic similarities and specific differences make the two national cases suitable for an international comparison of the role of voting for open government draft policies.

This paper's central research question asks: What is the role of voting for policy proposals in open government in Canada and New Zealand? This potential connection is discerned in three aspects. First, we aim to identify the role of voting for policy proposals within the stages of the policymaking cycle of the OGP cocreation process. This is identified by the instances of applying voting and using its results at particular policymaking stages. Second, we inspect if and how voting for policy proposals are linked with open government policies as inscribed in national action plans. This is assessed by the number of top-voted policy proposals that are written in the national action plans. Third, we search for the association of voting for policy proposals with open government principles of transparency, accountability, participation, and civic education. This is evaluated by the scale of government activities of documenting the cocreation process and its outcomes, responding to public input, engaging stakeholders, and communicating the OGP model to the public.

The paper starts with a review of prior studies of popular voting for open government policies, then outlines the conceptual framework of this inquiry, details the research methodology, analyzes the context, process, and outcomes of open government policy voting in Canada and New Zealand and ends with a conclusion, discussion, and policy recommendations.

### **Available Research of Open Government Policy Voting**

The role of voting for policy proposals in open government is a rather niche topic, yet there are some studies available. By definition, open government implies the use of digital technologies. Therefore, although voting for open government priorities can and does occur in person, virtually all identified inquiries on the link between voting and open government examined i-voting, mostly on dedicated e-platforms (websites that have an integrated function of casting and counting votes over the Internet).

The most relevant case was the U.S.'s Open Government Dialogue. Back in 2009, it combined online brainstorming, deliberating, voting, and codrafting ideas for making the government more transparent, participatory, and collaborative (Bingham, 2010). The analysis of website

content and statistics found that during the Open Government Dialogue voters did use the voting mechanism to provide feedback on ideas, engaged in deep conversations on policy issues, and small groups of acquaintances with a common goal collaboratively drafted policy proposals (Bingham, 2010). In a similar three-stage process in 2010, participants submitted and voted on ideas about goals and objectives for the United States National Dialogue on the Quadrennial Homeland Security Review, decided how best to prioritize and achieve proposed goals and objectives, gave feedback on the final products, and identified the next steps (Lukensmeyer et al., 2011). Evidently, the multistage model of crowdsourcing ideas, deliberating on the raised issues, prioritizing policy proposals in i-voting, and codrafting them online was outlined and piloted already in the early years of open government reforms.

One of the most immediate features of i-voting for open government policies is its usability. Thus, an international survey of open governance usage factors performed in 2013 in six countries identified that the perceived ease of use was directly linked with the intention to use open government (Jurisch et al., 2015). Furthermore, a research review of online voting and deliberation platforms found that some e-platforms aiming to capture more systematic and deliberative decision-making have proven to rapport with higher quality results, but since very few users can and are willing to use these e-platforms, their use tends to be connected with even more reduced participation (Hansson et al., 2015).

Moreover, an empirically based reflection on the role of information and communication technologies in the development of open government assumed that digital technologies have sometimes facilitated voting overall, but this has not necessarily resulted in more informed or more representative voting (Alderete, 2018). However, another analysis of i-voting and deliberation platforms demonstrated that waiving the requirement to register engages a large number of silent visitors who are able to observe the ongoing discussion, thereby supporting educational objectives and awareness of the open government platform (Koch et al., 2011). This shows that the accessibility and ease of use of e-platforms have the potential of a strong association with high awareness, knowledge, and voter turnout for open government policies; however, these links are inconclusive. Consequently, the design of voting for open government policies requires thorough study.

A more complicated substantial characteristic of an open government e-platform is its functionality in relation to policy making. An international comparative study of 465 ICT open government platforms between the years 1999–2019 demonstrated that an online platform is more sustainable if it focuses on a specific policymaking stage, although if it allows citizens to propose policies or demand holding governments accountable, it will likely be discontinued (Cingolani, 2021). For instance, the 2014 analysis of open data portals revealed that an Australian portal allowed users to vote on the best suggestions, while a New Zealand portal provided mechanisms to monitor the processing of each request (Lourenço, 2015).

If these possibilities were combined, they would empower voters to shape decision-making and to monitor policymaking outcomes. In one instance, a qualitative comparative analysis of digital platforms in France, Italy, and the United Kingdom showed that e-voting at collaborative platforms in the United Kingdom encompassed the ability to vote online to choose among different proposals and reach a common decision and also an online consultation based on questionnaires and closed answer forms and e-petitions (De Blasio & Selva, 2019). A qualitative comparative analysis of a survey of innovation activities of Norwegian public administration agencies identified a positive relationship between user input and service outcomes (Gesierich, 2023). These studies reveal that voters and authorities consider the potential association of their online deliberation and voting with open government policies. Thus, an open government cocreation process should be located within the policymaking cycle.

Deliberation on social media is also part of a voting campaign. A study of the 2009 United

States Open Government Dialogue found that a proper understanding of open government debate requires the analysis of discussions not only on dedicated platforms but also at external social networking websites (Konieczka, 2010). A more recent inquiry into open government initiatives illuminated the importance of analyzing social media discussions (Kalampokis et al., ND). Clearly, the public is inclined to use multiple online media for debating open government policy proposals. Thereby, it is reasonable to analyze the scope and content of such discussions, primarily on social media. Thereby, we can bridge the two aspects of digital democracy: the electoral aspect (digital democracy as a digital transformation of government work, marked by open government data, digital services, and digital information) and the nonelectoral aspect (digital democracy as an opportunity for civil society to be involved in political participation in a country, such as electronic elections, online political participation, and digital activism) (Ali et al., 2023).

Overall, there are a number of academic, applied, and policy studies on the discussion, drafting, and voting for open government policy proposals. Still, specifically, the role of voting for draft open government policies within the broader open government ecosystem is understudied. Therefore, this paper aims to contribute to this limited field by exploring the two countries as case studies.

### **Conceptual Framework**

For the purposes of this inquiry, we use a broad notion of popular voting as a process that allows citizens to vote on policy issues (el-Wakil & McKay, 2020). Thereby, such voting can be applied to mapping ideas, crowdsourcing proposals, or making decisions. Further, this definition of voting can be employed for nonbinding consultations, binding decision-making, or a mixed formally nonbinding, yet informally binding, exercise. Also, eligible voters can belong to the general public, civil society, and public authorities, thus encompassing public and expert voting formats. Finally, voting can be performed in-person (offline) or remotely (online), embracing different channels of vote casting and counting. For parsimony, all varieties of voting performed via the Internet, online, or via any computer or mobile device are further named i-voting. Internet voting (i-voting) is defined as voting using internet and computer technologies at least for casting and counting votes (Khutkyy, 2020). Such a broad view on voting allows us to explore a wider variety of policy cocreation forms and identify their role in the open government policymaking cycle.

To better understand the role of voting for policy proposals, we seek to locate this practice within the policymaking cycle. The policy cycle is defined by Cheung (2011) as the process whereby political actors attempt to shape the definition of problems, the setting of a policy agenda, the formulation of policy alternatives, the adoption and implementation of policy decisions, and the evaluation of policy outcomes. Within this cycle, there are five stages: agenda setting; policy formulation; decision-making; policy implementation; and policy evaluation. In relation to voting, in this study, we refer to the first three stages only. These concepts are defined by Howlett and Giest (2015).

Agenda setting refers to the first stage in the process when a problem is initially sensed by policy actors and a variety of solutions are put forward. Policy formulation refers to the development of specific policy options within the government when the range of possible choices is narrowed by excluding infeasible ones and efforts are made by various actors to have their favored solution ranked highly among the remaining few. Decision-making refers to the third stage in which formal actors in government adopt a particular course of action. This resonates with a newer integrated policymaking process framework (Banha et al., 2022), which builds on fundamental stages of the public policy cycle but has a more detailed understanding of the agenda-setting, decision-making, and implementation stages.

For a more standardized assessment of voting role in open government policymaking as indicated in NAPs, we consider the Association for Public Participation (IAP2) "Spectrum of

Participation” adapted by the independent reporting mechanism (IRM). This model classifies the levels of participation according to the public’s role in any public participation process and consists of five levels of public impact: inform; consult; involve; collaborate; and empower (IAP2 International Federation, 2018). IRM added the lowest “no consultation” level and reformulated the definitions as follows: “inform,” the government provided the public with information on the action plan; “consult,” the public could give inputs; “involve,” the public could give feedback on how commitments were considered; “collaborate,” there was iterative dialogue AND the public helped set the agenda; and “empower,” the government handed decision-making power to members of the public. Since the IRM did not present this model in its handbooks, we use the model presented in Canada and New Zealand IRM reports (Karanicolas, 2018; Booth, 2020).

Furthermore, as we examine only the development of NAPs, not their implementation, in this paper, we count only the levels of public participation during the development of a NAP. This participation spectrum is useful, as it allows a systematic comparison between different participation processes. In this respect, we disagree with May (2006) that the “star of participation” or the “triangle of engagement” is better than the “ladder of participation.” May’s argument that “most thinking about participation focuses on the needs of the agency, and not on the needs and desires of the participants themselves” (2006, 5) is not so relevant in the context of OGP NAP development processes in Canada and New Zealand. The reason is that, in these countries, the active public does want a higher level of influence on open government policies; rather, it is the government’s position and the cocreation design that limit the scale and depth of public input. In addition, we consider the democratic quality of cocreation (Ansell et al., 2023).

In this inquiry, open government is interpreted not as an organization but as a particular system of governance, i.e., an open as opposed to a closed one (Felin & Zenger, 2014). Since this study examines practical cases within the framework of OGP, here, the core concept of open government is also defined in practitioner terms. According to OECD (2016, p. 3, 4) open government is “a culture of governance based on innovative and sustainable public policies and practices inspired by the principles of transparency, accountability and participation that fosters democracy and inclusive growth.”

The three core principles are specified by OGP (2022, p. 20) in the following definitions. Transparency includes “publication of all government-held information (as opposed to only information on government activities); proactive or reactive releases of information; mechanisms to strengthen the right to information; and open access to government information.” Accountability assumes “rules, regulations, and mechanisms in place that call upon government actors to justify their actions, act upon criticisms or requirements made of them, and accept responsibility for failure to perform with respect to laws or commitments.” Participation supposes that “governments should seek to mobilize citizens to engage in a dialogue on government policies or programs; provide input or feedback; and make contributions that lead to more responsive, innovative, and effective governance.”

Additionally, it is useful to consider the concept of civic education, which is often performed in relation to open government frameworks and policies. According to Banda (2009), civic education is a process of learning to think about one’s life as a citizen in a community and cultivating the knowledge and skills needed to act as such. Some approaches aim to locate these principles into consecutive stages (Pirannejad & Ingrams, 2023). In contrast to them, for a more multidimensional analysis, in this study, we treat all these four aspects of open government as relatively independent.

### **Research Methodology**

In order to identify the role of offline and online voting in open government in different settings, this was an exploratory study applying a mixed-methods approach.

A number of applied reports, as a relevant source of information about the OGP process in the studied countries, were scrutinized. Primarily, these were IRM reports. These assessments evaluate the cocreation process of NAPs according to IRM standards. They are performed by independent researchers, thereby being nonpartisan and objective. The only drawback is that they are not focused on the role of voting in cocreation, mentioning it only marginally. In total, seven IRM reports were analyzed (four from Canada and three from New Zealand). In addition, six government self-assessment reports, providing the government's perspective on the cocreation and implementation of NAPs, were inspected (three from Canada and three from New Zealand).

Furthermore, a policy analysis of OGP-related official documents published by a national multistakeholder forum (MSF) and the government was performed. First, these covered 10 government-adopted NAPs (five in Canada and five in New Zealand, including two updates). Second, these included more specialized documentation. In Canada, these were five government-published online documents: an overview of the NAP development and implementation; background on the consultation; events schedule; discussion on the draft NAP; and the summary report. In New Zealand, there were 26 documents (14 by the government official group and 12 by the expert advisory panel [EAP]). There were agendas and minutes of meetings, especially those illuminating discussions and decision-making about the cocreation process, specifically designing, communicating, and counting voting for open government policy priorities.

Awareness-raising and civic education campaigns were reviewed using the manual qualitative content analysis of social media accounts of MSF and government agencies responsible for communicating the national OGP process. In total, 68 social media posts (48 in Canada and 20 in New Zealand) from four social media accounts (two Twitter accounts in Canada; a Facebook and Twitter account in New Zealand) were analyzed. The examined parameters included the number of social media posts, online discussion duration, the number of reactions from the online audience, and the scope of audience interaction, in terms of the number of comments and reposts.

Aiming to understand the opinions of stakeholders knowledgeable about the cocreation process and especially voting for open government draft policies, we conducted online semistructured interviews with experts from the government and the public. To reconstruct a diverse multistakeholder vision of the cocreation, we approached independent experts, civic activists, development specialists, and government officials potentially well-informed about the voting performed during the OGP cocreation process in Canada and New Zealand. Prospective respondents were identified via the lists of MSF members on OGP-related government websites and via recommendations by interviewees using the snowball technique. We reached out to 19 prospective informants (eight in Canada and 11 in New Zealand). The response rate was 47% resulting in nine responses: eight interviews (four with Canadian and four with New Zealand experts) and one written answer from September 19 to October 25, 2022. Although the final sample is not extensive, given the requirement of awareness of the highly focused issue of the role of voting for draft open government policies, it is a good result.

All interviewees provided informed consent that their answers could be audio-recorded, transcribed, and cited in publications. Only two persons (both from Canada) chose to remain confidential (they are referred to as "Confidential Informant One" and "Confidential Informant Two"). On average, interviews lasted for 52 minutes. In cases when the interviewees requested to authorize their quotes, respective draft citations for the paper were shared with their authors who verified the correctness of understanding and explanation. Two informants also wrote IRM reports (one about Canada and one about New Zealand); therefore, these experts are cited in two capacities: as authors of applied reports and as interview respondents. Wherever possible, we verified expert statements either corroborating them against other

publications or by comparing them with other experts' opinions. Interview questions and transcripts were respectively structured and coded around three topics: the role of respondents in the OGP cocreation process; voting design; and the impact of voting on open government.

## **Policy Voting and Open Government in Canada**

### *OGP cocreation advancement in Canada*

Over more than a decade of participation in OGP, Canada has undergone an evolution in open government policy cocreation. The country's government joined OGP in 2011 and since then it has developed five NAPs and accomplished three of them (Open Government Partnership, ND-a). Over this time, Canada's style of interaction between the government and the public has changed considerably. It has progressed from limited consultations in 2011–2012 (Francoli, 2015) through wider and deeper consultations in 2014 (Francoli, 2016), up to even more engaging and innovative consultations in 2016 (Karanicolas, 2018). However, these reports indicate that these cocreation processes were either government-controlled (steering the process rather strictly) or government-dominated (having the highest share of civil servants among all stakeholders participating). It is worth noting that the Canadian government was already practicing the digital format of e-consultations for drafting open government commitments in 2011 (Francoli, 2015) and 2015 (Francoli, 2016). In 2016, i-voting for open government cocreation (in the sense of i-voting for draft policy commitments) was introduced (Karanicolas, 2018). This shows that experimentation with i-voting for policy cocreation was a stage in the broader transformation of interactions between citizens and authorities, though not perfect, in the context of the open government process.

### *The 2016 open government policy voting format in Canada*

Canada's 2016 i-voting for open government draft commitments utilized upvoting for proposed ideas on the government's website. The government website reads that this voting was conducted from March 31 to May 15, 2016 (Government of Canada ND-b). This was a reasonable period for submitting succinct proposals and voting for those offered by others. As assessed by an online platform user, from a technical point of view, the platform worked perfectly well, and it was easy to use (Toby Mendel, civic activist). The government preset six themes (open information, social and economic development, innovation and prosperity, fiscal transparency, and enabling citizens), so that each proposal from the public had to fit one theme (Government of Canada, ND-c). This narrowed the spectrum of possible inputs from the public and would indicate that the government had set up the policymaking agenda from the very beginning.

Overall, according to the IRM research, during the 2016 cocreation process, the i-voting system for potential open government commitments allowed online visitors "to express approval for particular ideas by marking them with a thumbs up, and thereby gauge which inputs were garnering traction with the public" (Karanicolas, 2018, 23). As reported by the government, people were able to suggest new ideas for the upcoming NAP as well as comment and vote on existing suggestions (Government of Canada, ND-b). Also, one informant clarified that ideas collected at the initial phase were filtered down to a shortlist, which then was posted on the government's website for public voting (Confidential Informant One). The availability of three online options for submitting policy ideas, discussing, and voting for them enfranchised the public with basic e-participation instruments for policy drafting.

Yet, this did not empower the public with decision-making itself. The online system of voting only allowed citizens to either like or dislike a proposal during the consultation/discussion phase (Mary Francoli, independent expert). In terms of the cocreation process, it was a type of internet-based public consultation (Confidential Informant Two). In addition, as identified by the IRM researcher, a series of in-person roundtable consultations were held in cities across Canada on April 20, May 3, May 5, May 10, and May 12, 2016 (Karanicolas, 2018, 23). Such offline discussions served as a parallel channel for policy input and deliberation, thereby

creating an opportunity for greater inclusivity of the NAP cocreation process.

*2016 cocreation-related communication campaign in Canada*

The government held an awareness-raising and civic education campaign to inform and engage the public in the cocreation of Canada's third NAP. The government reported that its Treasury Board of Canada Secretariat (TBS) tweeted about consultation opportunities and events to encourage Canadians to make their voices heard on open government and invited Canadians to tweet using the #opengovcan hashtag to share their thoughts and create their own open dialogue (Government of Canada, ND-d). An independent researcher acknowledged the government's genuine efforts to use social media and to try to get as many people across as possible (Michael Karanicolas, independent expert). Indeed, the search on Twitter found 48 tweets with the #opengovcan hashtag tweeted before and by the end of the i-voting period. All of them were tweeted from the @TBS\_Canada account of TBS (TBS Canada, ND).

Specifically, tweets on April 20, 21, 22, and 24 as well as on May 10, 11, and 13, 2016, called for inputs to the third NAP and provided a link to the idea mapping, online deliberation, and i-voting webpage (Government of Canada ND-c). This webpage provided a link to background information about the online consultation process (Government of Canada, ND-a). This reflected an element of civic education about open government conducted by the Canadian government. In addition, Canada's OGP website is powered by the Really Simple Syndication (RSS) feed, allowing visitors to subscribe to website updates in a reader-friendly format. As reported by the government, overall, the OGP cocreation webpages gained 12,782 views (Government of Canada ND-d). Considering the Canadian population of approximately 40 million (Statistics Canada, ND), this might reflect a relatively low to moderate awareness and interest in the topic from the public. One reason for that might be the lack of internet access in some remote parts of Canada. Another more significant reason might be a suboptimal communication campaign. As assessed by an informant with relevant expertise, Canada's OGP process was "poorly marketed" (Confidential Informant Two).

This individual suggested that this is linked, in part, to a mistaken assumption about the extent to which people monitor and engage with government initiatives through online channels, how and what people might search for online, and their capacity to make effective use of the government information/data they might find online. One informant said that the call for submissions was not disseminated enough, and their civil society organization knew about the call because they were "wired" into the IRM system (Toby Mendel, civic activist). This shows that the information campaign about Canada's cocreation process probably has reached people already closely following the government's updates.

*Document-evidenced pattern of the 2016 cocreation in Canada*

The 2016 online idea mapping, e-deliberation, and i-voting altogether revealed moderate participation of the Canadian public. As reported by the government, all online channels of public input into the draft NAP (online idea generation, Twitter participation, online plan drafting, and email submissions) comprised 56% of the total number of 535 participants (Government of Canada, ND-d). As i-voting was a part of online idea generation, 27% of engagement indicates that 144 persons took part in it. The i-voting webpage shows that 66 ideas were submitted, 37 of them were commented on (attracting from zero to 40 comments), and all of the ideas received some number of votes (ranging from one to 151) (Government of Canada, ND-c).

Interestingly enough, the government report provided slightly different statistics: a total of 1,152 ideas and comments, but only 127 votes on ideas and comments were cast online (Government of Canada, ND-d). In any case, the observed numbers reflect a significant level of discussion and expression among participants. It is worth noting that the participants could either post anonymously or disclose their names. On one side, this made the discussion more open but on the other side reduced the level of responsibility for the online debate. The



availability of detailed i-voting results online demonstrated solid government transparency.

*Expert-evaluated pattern of the 2016 cocreation in Canada*

The 2016 i-voting for open government ideas created an opportunity for the public to shape Canada's open government policies, and, though most probably such an opportunity was in place, the government kept its ultimate decision-making power. One expert expressed the opinion that the online platform helped reach more people than offline meetings, but the level of engagement was a lot more cursory (Confidential Informant One). Another interviewee agreed that it was good that the voting drew people into the process, that stakeholders had a chance to vote, that they found meaning in their engagement, and that they felt like they were doing something meaningful because they press the button and then something actually changes, but the real change was questionable (Michael Karanicolas, independent expert).

The challenge was that the voting results did not directly define the final NAP. Three experts on Canada's OGP cocreation process concurred that it was not the public but the government who made the final decision about open government policies included in the third NAP. It was a process controlled and driven by the government; civil society and external stakeholders did not really have any control over how the process unfolded and where the process ended up (Michael Karanicolas, independent expert). "Final decision for what commitments get included in the plans has always been with the government," noted one respondent (Mary Francoli, independent expert). Another expert echoed that "final decision-making authority continues to rest with the government" (Confidential Informant Two). It is reasonable to conclude that, during the 2016 cocreation of third Canada's NAP, the agenda was set up by the government, proposal submission and prioritization of i-voting were grassroots, but the decision-making was made by the government. Because of this, the analyzed i-voting was of nonbinding and consultative character.

The crowdsourcing of ideas and i-voting for them created space to express the government's generic accountability about the consultation outcomes, but it lacked individual responses and clear criteria for adopting final specific commitments. As an independent researcher put it: stakeholder input from the consultations went into the "black box" of government and a bunch of commitments came out of it; moreover, there was an imbalance in developing new commitments (Michael Karanicolas, independent expert). He added that there was a lot of confusion about where the commitment came from.

Nevertheless, the government made a substantial effort in responding to public input in a meaningful and approachable manner. It published a report containing succinct and extended summaries of suggestions for each theme and the government's response to them (Government of Canada, ND-d). It was written with plain language and accompanied by a glossary of key terms, selected citations from comments, and infographics, thus making it easier for a lay reader to understand the report. The government stated that it has incorporated public input into commitments number one, three, four, five, six, 16, 19, 20, and 21 (Government of Canada, ND-d). This comprises 41% of the 22 commitments of the resulting third NAP (Government of Canada, 2016). An IRM researcher confirmed that a lot of the feedback the government received was reflected in final commitments (Michael Karanicolas, independent expert).

Since this feedback about the government considering the public's suggestions for the NAP was aggregated in response to offline and online inputs, we cannot attribute this to i-voting only. Nevertheless, given that the majority of public input was provided via online channels, of which online idea generations and i-voting prevailed, it is reasonable to assume that i-voting plays a role in the resulting NAP. What we can state with confidence is that, by publishing its response to the public input, the government demonstrated accountability on the issue. Yet, this feedback was generic and not input-specific. As put by one informant: "When you have a broad consultation with a lot of people weighing in, then you hear a lot of things and you're

not going to detail every single thing that you heard from every single person” (Toby Mendel, civic activist).

Similarly, the IRM researcher found that “some stakeholders expressed skepticism toward the degree to which their input actually impacted the final action plan” (Karanicolas, 2018, p. 24). Indeed, it would have been even better practice to publish government responses to each individual submission. Still, the government’s use of summaries by theme as justifications for their decisions constituted a basic form of accountability. Moreover, the public was able and did comment on the draft NAP by providing 233 comments (Government of Canada, ND-d). Therefore, Canada has reached the “involve” level of public influence on the contents of the action plan meaning that “the public could give feedback on how commitments were considered” (Karanicolas, 2018, 25). It is better than the lower “no consultation,” “inform” and “consult” levels yet not as advanced as the higher “collaborate” and “empower” levels.

### **Policy Voting and Open Government in New Zealand**

#### *OGP cocreation advancement in New Zealand*

During its nine-year OGP involvement, New Zealand has demonstrated a transformation in open government practice. New Zealand became a national member of OGP two years later than Canada—in 2013. By the end of 2022, it has designed and realized three NAPs (Open Government Partnership, ND-b). In relation specifically to cocreation, the New Zealand government’s practice of interacting with the public for drafting OGP commitments has changed. It shifted from limited consultations in 2014 (Price, 2016) to wider consultations albeit with low engagement in 2016 (Booth, 2018) to more comprehensive consultations with higher public participation in 2018 (Booth, 2020).

However, these reports highlight the problem of excessive government power in drafting NAPs: shaping the plan overall in 2014, preferring individual over organizational inputs from the public in 2016, and the lack of interactive development of priority themes in 2018. Concerning the use of digital tools, New Zealand’s government practiced online consultations throughout all three cocreation processes (Price, 2016; Booth, 2018; Booth, 2020). Still, this communication channel was used for collecting inputs only. A kind of voting was improvised in an offline format during the third NAP cocreation in 2018 (Booth, 2020). However, it was not effectively integrated into OGP policy drafting.

#### *2018 open government pr-voting in New Zealand*

In the New Zealand 2018 cocreation process, there was an offline narrow meeting of EAP and authorities with prevoting for draft OGP commitments. Prior to the multistakeholder synthesis workshop, there was a meeting between the civil society and government representatives that developed a list of draft policies to discuss at the workshop. As the minutes of the joint EAP-officials meeting of June 5, 2018, read, the participants of the meeting all received policy proposals prior. These were organized into themes, both irrelevant and relevant to open government, and ranked the latter seven themes with respective subthemes through a vote of top-three preferences. Furthermore, this decision was published on the OGP New Zealand website (Open Government Partnership New Zealand, 2018a).

#### *2018 cocreation-related communication campaign in New Zealand*

Communicating the outcomes of the above-mentioned prevoting for New Zealand’s open government policies was problematic. The meeting occurred almost a month before the planned synthesis workshop. However, the formulated, voted, and ranked policy proposals were not sent to the workshop attendees. A workshop participant clearly stated that he did not receive draft commitments in advance (Andrew Ecclestone, civic activist). Another workshop participant noted that there was no formal process set out in advance, there was no input into the synthesis workshop designed by participants, and draft commitments came as a surprise (Simon Wright, civic activist). Perhaps, this occurred because a week before the workshop the officials group (OG) meeting minutes indicated that the agenda and process for the workshop

were still being finalized by the State Services Commission (Open Government Partnership New Zealand, 2018b).

This might also be due to prolonged government publication practices. EAP minutes are formally approved before they are published; therefore, the minutes of the meeting do not appear until after the following meeting, which could be three months after the meeting to which the minutes relate (Andrew Ecclestone, civic activist). He also noted that the OGP New Zealand website lacks an RSS feed, preventing website users from receiving instant RSS notifications about updates to the government's web pages on its Open Government Partnership work. As identified by an independent IRM researcher, since the proposals were not sent out in advance of the workshop, this prevented the delegates from properly preparing or consulting on the policy issues (Booth, 2020). This reflected the transparency and communication challenges of the New Zealand government. These were especially notable since the government did publish plenty of open government-related information, including MSF and OG meetings on its website (Open Government Partnership New Zealand, ND-a). Evidently, the New Zealand government's communication policy and the transparency in relation to the open government were inconsistent.

Such an approach to informing the public about the draft policies went contrary to an earlier campaign on social media aimed to engage the public for prior offline workshops and to provide input to the draft NAP. The IRM researcher identified the government's active promotion of public engagement on Twitter, Facebook, and LinkedIn (Booth, 2020). Indeed, during April–May 2018, the New Zealand OGP Facebook page (OpenGovNZ) published eight posts, while the New Zealand OGP Twitter account (@ogpnz) tweeted five tweets, containing an invitation to participate in offline workshops and submit proposals on a website (Open Government Partnership New Zealand, ND-b). Engagement with the audience was not high (a maximum of six “likes,” one comment, and six “shares” of a Facebook post and a maximum of 16 “likes,” one comment, and 13 “retweets” of a tweet). As an EAP member contemplated: “Public sector organizations were not that effective at using databases and any kind of social media to genuinely engage with an audience” (Dame Suzanne Snively, civic activist). Nevertheless, prepublishing prospective draft commitments on social media for voting would have increased the transparency of the cocreation process and the quality of deliberation at the workshop.

#### *2018 open government policy voting format in New Zealand*

The consecutive synthesis workshop was held with a multistakeholder audience. The exact number of participants is unclear. But it is most likely that the audience consisted of roughly half civil servants and half civil society (Keitha Booth, independent expert). As observed by the workshop participant from the EAP, although there were attempts to involve people outside of Wellington, travel and participation were too time-costly to them, so the event mostly accommodated Wellington-based participants (Dame Suzanne Snively, civic activist). A synthesis workshop participant assumed that OGP New Zealand did not cover either travel or accommodation costs of the attendees of the synthesis workshop in Wellington, which raised questions about the representativeness of civil society participants from other parts of New Zealand (Andrew Ecclestone, civic activist). Therefore, a further challenge concerned inclusivity and representativeness, given the purported difficulty of involving participants based beyond the capital, which accounts for only about 422,000 of New Zealand's 5 million inhabitants.

The public voting for open government priorities for New Zealand was conducted as an offline multistakeholder exercise during an in-person synthesis workshop on July 2, 2018. As a workshop participant recalled, the structure of the workshop was comprised of small group discussions, talking about values and goals that OGP might help deliver or embody, and an ad hoc voting for 15 proposals from the government (Simon Wright, civic activist). An independent IRM researcher reported that the voting occurred as three multiple-choice

options per person among draft policy commitments put forward by the government as a collated essence of the earlier discussed 449 proposals (Booth, 2020); although, in practice, one person was able to put three votes to one proposal (Keitha Booth, independent expert). This shows that the voting procedure was inconsistent.

As a workshop participant from the civil society described the voting process, there were presentations of proposals from government agencies followed by putting some sticky labels on Flipchart paper with no further opportunity to hold the pen or draft the wording of the commitments themselves (Andrew Ecclestone, civic activist). A member of the EAP had another perspective. She explained that the choice of commitments rested with government agencies willing to deliver them, so the agencies proposed the commitment list to civil society representatives, who had a voice in commenting and prioritizing policy choices (Dame Suzanne Snively, civic activist).

However, the IRM researcher stressed that the one-day session did not provide enough time to discuss the officials' proposals, and other priorities, or to codevelop commitments together with civil society (Booth, 2020). Such policy drafting and voting design indeed were problematic in terms of a procedural power imbalance, where government representatives controlled agenda setting, drafting, voting, counting, and decision-making process, while civil society delegates had little influence. A workshop participant described the process as follows: "From a position of power dynamics, all the power was with the officials, and no power was held by civil society" (Andrew Ecclestone, civic activist).

#### *Document-evidenced pattern of the 2018 cocreation in New Zealand*

The 2018 public multistakeholder voting for New Zealand's open government policy priorities had only a marginal, poorly documented, and communicated role in the final NAP. According to a workshop participant, the proposals with the highest number of "sticky note" votes were deemed to be not the final commitments, but the foci of attention for developing fully formed commitments (Simon Wright, civic activist). So, by design, the government used this voting as a nonbinding prioritization exercise, loosely connected with further policy drafting and decision-making. Still, as recalled by an EAP member, one civil society concept got prioritized, discussed by a government agency, and resourced with a budget and civil servants, but that represented only one exemplar case (Dame Suzanne Snively, civic activist). Another workshop participant also noted that all the proposals were merely business as usual, done from standards, and not transformative in terms of transparency, participation, and accountability (Simon Wright, civic activist).

Thus, voting alone was not able to raise the ambition of policy proposals. As highlighted by the IRM researcher, after the synthesis workshop, delegates and members of the public had no further involvement in developing and finalizing the commitments beyond receiving advice to comment on the draft action plan after its publication (Booth, 2020). One participant noted the potential rationale for this: To get a policy approved by the government, it is formulated carefully and cautiously to get the approval of the Cabinet of New Zealand (Dame Suzanne Snively, civic activist). Still, drafting a policy proposal appealing to the government can be performed together with civil society. Furthermore, the results of the voting at the synthesis workshop were not properly documented, i.e., these statistics were not found in any report. This highlights the challenge of government transparency in this respect. After the voting at the synthesis workshop, New Zealand officials finalized the prioritized proposals, the EAP reviewed them, and the government reviewed and approved them (Booth, 2020). This indicates that some civil society representatives and members of the MSF had a degree of shaping the contents of the NAP, but the ultimate decision-making power was with the government.

The criteria for prioritizing open government policy commitments after the synthesis workshop that were included in the final NAP were not clearly communicated. An EAP

member confirmed that outreach and ongoing monitoring of impact were missing elements (Dame Suzanne Snively, civic activist). The insufficient reporting about the voting process, outcomes, and their consideration undermined the New Zealand government's transparency and accountability as values of the OGP cocreation process. Therefore, IRM researcher evaluated New Zealand's level of public influence on the NAP as "involve," indicating that "the public could give feedback on how commitments were considered" (Booth, 2020, p. 12).

*Expert-evaluated pattern of the 2018 cocreation in New Zealand*

The voting for open government policy proposals at the synthesis workshop only resonated with the conciliation of civil society, which had been dissatisfied with the government's attitude toward interaction with civil society, reflected in the workshop design. Clearly, there was a mismatch of expectations regarding the cocreation process at the synthesis workshop between the authorities and civil society. According to an independent researcher, civil society participants of the synthesis workshop had expected to receive submissions ahead of the workshop and to contribute actively during the day (Keitha Booth, independent expert). As assessed by a workshop attendee, civil society got pretty upset, even angry, because the civil servants were not involved in the earlier cocreation process, were not listening to the concerns raised by the civil society, and were putting forward proposals disconnected from prior policy discussions (Simon Wright, civic activist).

Yet, he admitted that the voting exercise was aimed at placating the voters, since this idea looked like a way of handing power back to the civil society people. Another workshop participant confirmed that civil society delegates were angry at the representatives of the government department leading the OGP plan development for taking them by surprise at the workshop with the policy proposals put forward by authorities and for being involved in a process not meeting the cocreation requirements of the OGP (Andrew Ecclestone, civic activist). He labeled this approach to open government action plan development by New Zealand public officials as "performative cocreation, not real cocreation." He was referring to the concept of performative democracy (Matynia, 2016). An independent researcher also assessed that the workshop process did not meet cocreation and participation standards (Keitha Booth, independent expert).

Only one informant from the EAP evaluated the quality of workshop facilitation as "impressive" and assessed the workshop process as democratic, where every comment was taken seriously, enlisted, and fed into the plot (Dame Suzanne Snively, civic activist). She emphasized that one jointly developed commitment to publishing legislation was an example of a "good cocreation between civil society, the public sector, the EAP, and the agency organizing it." However, this individual perception goes contrary to the concerted voice of other interviewees and sources that the synthesis workshop with the voting for open government draft policies was badly prepared and conducted in terms of cooperation between the government and civil society.

### **Conclusion and Discussion**

Although the generic level of public participation during the NAP development in both countries gained the same "involve" level, the particular voting for open government policy proposals in Canada and New Zealand demonstrated several profound differences and diverging patterns of open government in the aspects of transparency, accountability, participation, and civic education.

In Canada, i-voting for draft open government policy proposals was introduced at the early ideation phase lasting sufficient time. It was well integrated into the wider public online crowdsourcing and discussion that the Canadian government thoroughly reviewed and provided feedback upon. The government invested some effort into ensuring online civic education on open government-related themes. Then, the public was given the opportunity to voice their ideas, deliberate, and vote for policy proposals online. The online format of e-

consultations and i-voting combined with regional in-person workshops created an opportunity for greater inclusivity. Afterward, the government provided a detailed report on the cocreation process and its overall rationale in accepting or rejecting policy inputs for the final NAP. Due to its transparent, engaging, and accountable design, the Canadian cocreation i-voting facilitated the deliberation process and accorded with the final government policy commitments.

In New Zealand, the voting for open government policy priorities was in-person. During the prevoting, a narrow circle of civil society and government members grouped and prioritized policy proposals. This meeting was planned, structured, and documented but poorly communicated. At the public voting, a wider circle of representatives voted on the draft policies. However, the voting was an impromptu exercise, with little time to deliberate, and unclear review procedures and outcomes neither properly documented nor communicated by the government. The voting at the workshop was associated with some reconciling; nevertheless, participants were disappointed with the government's overall irresponsiveness to civil society. Besides, holding the underfunded offline workshop with voting for policy priorities in the capital cut off stakeholders from other regions, for instance, from Auckland, the country's largest city, which hosts around one-third of the population of New Zealand. Because of these questionable procedures and practices, New Zealand voting hardly facilitated any progressive government's policies and practices of collaboration with civil society.

Despite the above-mentioned differences, Canada and New Zealand's voting processes and their roles in open government share some similarities. Both governments conducted communication campaigns on their websites and social media, which received low engagement from their respective audiences. In the deliberation workshops of both countries, governments were overrepresented at deliberation workshops with civil society and were overly controlling the cocreation process, allowing only nonbinding consultative voting to prioritize draft policy proposals. Both governments lacked clearly formulated and communicated criteria and transparent procedures for finalizing open government policy commitments. Governments in both countries were also missing accountability in the form of published feedback to individual draft policy submissions. Probably, in part due to these shortcomings, NAP development processes in Canada and New Zealand were located at similar relatively low "involve" levels of public participation.

Evidently, it was neither the voting format (online versus offline) nor the generic representative democratic practices per se that predefined policy outcomes for the open government. It was the government's approach to procedural transparency, audience outreach, communication with stakeholders, delegating part of decision-making power, and accountability that mattered for the voting in particular and public consultation in general. More specifically, this relates to the political culture of the particular government agency responsible for the cocreation process. It is hardly reflected in any systematic international research and is difficult to measure. Yet, we can find the indications of such an approach revealed by country experts and manifest in the cocreation procedures and outcomes.

In order to have a genuinely engaging, empowering, and collaborative process of joint public-government policymaking, it should be designed and implemented together by all stakeholder groups from the very beginning, made consensus-based, and properly communicated. This requires regular communication among stakeholders, which establishes relationships, builds trust, and makes participatory government fruitful. To avoid erosion when individuals leave the process, once created, such practices should be institutionalized in respective process guidelines and formal procedural regulations. Potentially, such an approach could be reproduced in other countries under diverse political settings with at least basic democratic institutions. Furthermore, such cocreation can be scaled up beyond OGP to other policies, aimed at increasing its government transparency, accountability, and civic engagement.

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