

Cyberdemocracy and the Future of the Australian Senate

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As new technologies revolutionise the way society operates, the federal parliament remains an anachronism in many respects. Despite the availability of information technologies that have enhanced the operations of almost every modern organisation, the Australian parliament operates in a very traditional manner. In this paper, I argue that the effective use of online technologies would greatly enhance not only the operations of parliament, but also the ability of its members to function more efficiently. More importantly, it would bring the parliament in step with changes taking place in society. I conclude by suggesting that parliament might well benefit from serious examination of the United States model of electronic voting.

Already the Internet is enabling mass participation in the democratic process and cyberdemocracy is becoming a reality that politicians cannot ignore. Before long we will have a parliament dominated by a new generation of computer-literate politicians who will be demanding online services in the chambers of parliament.

In democracies all around the world, online technologies are gaining increasing credibility in the political system. Political campaigners in Australia are starting to wake up to the potential of the Internet as a primary tool for electioneering, fundraising and organising. The Australian Labor Party's web site in the 1998 federal election campaign received an unprecedented two million hits over the five-week campaign. In a country of 18 million people, of whom 11 million are voters, this was a remarkable achievement; one that was accomplished through the use of Internet-based techniques never before used during a campaign. The ALP site established visitor loyalty through its dynamic structure and managed to attract visitors who would never before have visited a political site and who in doing so were exposed to the ALP's political message. All this was backed up with an email-based query service, which answered more than 1,100 policy related queries each week of the

campaign. To provide an alternative to the media's campaign coverage, the ALP's 1998 election web site offered exclusive access to major events that received only selective coverage in the mainstream press. An example of this was the ALP campaign launch, which was webcast live and viewed by more than 105,000 Internet users across Australia and around the world.

Email has become an entrenched form of communication between political representatives, their offices and constituents. Increasingly, it is being used as a lobbying tool by those individuals or organisations who are looking for new real-time ways of engaging in the current political system. While some political offices still fail to give email correspondence the same weight as a written letter, the effectiveness of this tool in 'bombing' politicians' email accounts and disrupting traditional office procedures during the recent debate over the Broadcasting Services Amendment (Online Services) Bill cannot go unnoticed.

Cyberdemocracy brings with it the opportunity for a reassessment of the methods by which government services are provided. Through increasing departmental utilisation of the online environment, access to details of government services and initiatives could be extended to include all Australians regardless of their geographic location and with no limitation of access to public service working hours. Numerous opportunities exist with respect to possible new dimensions of government presence in an online environment. Programs are also needed to encourage effective participation in Australian democracy through the use of interactive technologies. The unrepresentative nature of Australians who are currently online provides a limited audience for a participatory democracy, and brings its own inequities in giving undue weight to the information 'haves', at the expense of the information 'have nots'. It must be acknowledged, however, that before any real change in this area can occur, government policies must redress these inequities of Internet access. Government priorities in this area must include the provision of high-quality access for all Australians to information and communications technology, such as programs to facilitate community-based training in using the Internet and ensuring the affordability of Internet connectivity.

As the Internet and email become more entrenched in the political process, the pressure on our parliament to continually upgrade its technology increases. The time to embrace the concept of a cyberdemocracy with a degree of forward thinking and an acceptance of the use of technologies to enhance the running of federal parliament is upon us. The next few months will see the final stages of Internet connectivity rolled out to parliamentarians' electorate offices.

The next challenge is for parliamentarians and political parties to develop the skill base necessary to gain maximum advantage from the World Wide Web. The value in publishing a web site is as much related to providing for interactive communication with politicians as it is a potential source of accurate and timely information. These technologies, though reasonably new to the political domain, have been developing in the private sector for the past decade, and many of them are already used in electronic commerce and by research and information services.

The United States example

The US Congress is by no means a 'technology-free zone', even though the 104th US Congress in January 1995 amended a clause prohibiting the use of 'electronic office equipment ... including computers' on the floor of House. The reason for this ban was 'to avoid the disruptions and distractions that can be caused by sound emitted from such equipment.' Congress has about 40 electronic voting stations and there is electronic equipment at the respective floor managers' tables that is used to monitor the progress of votes. Computers located at the back of the chamber are part of a connected voting system for use by members. Since 1970, electronic voting in the chamber has been available and 'the names of Members voting or present may be recorded through the use of appropriate electronic equipment.' (In November 1971, the House installed an electronic voting system with supporting legislation enacted a year later, and on 23 January 1973, the new electronic voting system became operative with its first use being to conduct a quorum call.)

Although the US Congress has experienced many changes affecting its management, structure, administration and decision-making over the years, the distribution of computers is a most significant development. Congress initiated the CyberCongress Project aimed at providing an extensive range of information resources including email, committee information, Internet access and improved links between offices. Also, clerks and officers in the House have phones, fax and computer services available as part of their electronic voting operations and to assist with official business.

Unlike the US Congress, the Australian Senate has assigned seats. If electronic voting was introduced in the Australian Senate, rather than spending eight minutes for every division where the Whip reads out every attending senator's name to the Clerk, senators could identify themselves and indicate their voting intentions electronically as a supplement to traditional voting systems. This would not reduce the public visibility of voters' intentions.

Arguments for developing online technologies

1. Parliament would be more efficient and productive

Developments in the United States demonstrate that legislatures are more effective and productive after the introduction of electronic devices. There are excellent efficiencies in delivering online information on bills, amendments and calendar updates. Accessing parliamentary records (Hansard) and the Internet from the floor of parliament allows members instantaneous information at minimal costs. Access to word-processing applications enhances the writing of speeches, briefs or amendments and email access permits the rapid exchange of information and documents between members.

Electronic voting has also sped up the passage of bills and allowed members more time to pursue other duties.

2. Parliament has a proven record of innovative use of information technologies

Except for the floors of the House and Senate, information technologies are already extensively used in both parliament house and in electorate offices. Mobile phones,

paggers, fax machines, email and the Internet are used to communicate between members, staff and constituents. The use of some, if not all, of these technologies should be available inside the chambers. Although members and senators can be contacted through their mobile phones and paggers, once inside a chamber, the only form of communication is via a direct phone link between the seat allocated to the politician and his/her parliamentary office. In today's world, this lack of wider communication access is anachronistic. We should actively consider the merits of politicians being able to contact their electorate offices, another chamber, departmental staff or even their families electronically as this would not disrupt proceedings any more than the use of the existing phone. Likewise, multimedia applications on a laptop computer can enhance an understanding of bills or legislation. This is certainly true with respect to complex technical or scientific legislation where 'virtual' displays can be both informative and instructive.

The Australian parliament has been able to leapfrog a generation of technology and is preparing for live webcasts of parliamentary proceedings, having avoided the prospect of broadcast technologies such as C-span in the United States. Digital video conferencing technologies could change the way Senate committees operate both within the parliament and in taking evidence from the Australian public.

While others have identified the risk of information overload, the reality of information-technology service provision in the chambers is that members and senators would only access what they as individuals deemed necessary to fulfil their parliamentary duties in a co-ordinated and timely manner.

3. The Internet and Intranet are transforming the political landscape

The Australian parliament has both an Intranet and a Parliamentary DataBase System available to all electorate and parliamentary offices. The Intranet comprises various online services, including Hansard, Parliamentary Directory Services (comprising an occupant directory and listings of committee-room meetings), and the Electronic News Service. ParlInfo is a searchable database containing information on legislation, publications, Hansard, policy papers, procedural matters, library and media resources as well as the Parliamentary Handbook. These services are critical to the activities of parliamentarians and should be made available on the floor of parliament, either through in-built computers or by allowing laptop computers to be used by members and senators.

4. Email is critical to exchanging documents and information

Electronic mail has transformed modern society and facilitated the rapid exchange of documents and information. Email can be used to instantaneously update legislative amendments, bills in progress, Hansard, news and so on. That is how a modern parliament should operate and, more importantly, that is what the public expect, given their level of cynicism at the archaic and bureaucratic nature of parliament. During sitting periods, senators and members need to communicate with their staff who frequently need to provide updated information, research, diary changes or to pass on constituent or other correspondence.

While it has been argued that the floor of the House should be insulated from outside interference, that notion is not necessarily valid in today's world, where the accessibility of information is paramount. In addition to contacting staff and receiving

information on legislation, email could be used to provide a direct communication link between the House and Senate. Furthermore, access to email would facilitate the exchange of correspondence between members and electors and electorate offices. Again, there is a view that if members are exchanging emails then they are not giving their undivided attention to debates and speeches. However, this presumes that no member reads newspapers, clippings, correspondence and the like while in the chamber—all practices well known in the Australian parliament.

5. Electronic technology would not disrupt parliament

The possibility that online services would cause disruption and diversion was a factor in the US Congress' decision to prohibit the use of such services on the floor. It was argued that it would be 'discourteous' to a politician making a speech if other members were glued to their computer monitors, answering emails or researching legislation. According to the US Subcommittee on Rules and Organization of the House (21 November 1997), 'If electronic devices are permitted in the chamber, lawmakers may be so engrossed in their "electronic office" that they are unlikely either to be "hearing" or "studying" the viewpoints of their colleagues.'

On the other hand, there is nothing to prevent similar 'distractions' of members and senators conducting their own work while in the chamber. Noise is not a valid argument for banning computers from parliament. Anyone familiar with the level of 'activity' in either the House of Representatives or the Senate would be hard-pressed to argue that either computers or electronic voting devices would disrupt proceedings any more than is the current situation. In some respects, electronic technology might result in a 'quietening down' of parliament, as members would be able to work during normally inactive periods.

6. Parliament is old fashioned

Given the workload that most politicians are burdened with, and the time-constrained environment in which they operate, the ability of modern parliaments to deal effectively with all business is questionable. Therefore, the provision of online technologies would only improve the quality and quantity of parliamentary output, particularly with respect to legislation where bills could be better scrutinised, rather than just processed. Furthermore, if parliament is to effectively deal with the complexities of the 21st century, it must embrace the technology of the day. It is a bizarre situation when legislators are debating digital television, conversion, encryption, electronic voting, privacy and the Internet yet they are not able to use these technologies within the legislature.

Problem areas

The introduction of information and communications technologies in the chambers, and their application in all aspects of parliamentary proceedings, will no doubt be subject to some initial teething problems. With the provision of adequate training and support, this transition will be made a lot smoother. It must be acknowledged that politicians, like members of the community, will all choose to use the technology in a different way. Attempts to overly homogenise information systems would—not surprisingly—be resisted. Technology should not inadvertently be used to discriminate against those whose life experience perhaps does not engender comfort or ease with its use.

Some broader problems have also been identified with respect to the introduction of a cyberdemocracy. Lobbyists, constituency groups and sections of the community would no doubt use email and the Internet to flood ('bomb') politicians with electronic messages during consideration of legislation. 'Electronic lobbying' in parliament would be an ever-present possibility whenever controversial legislation was being debated.

In a paper tabled by the President of the Senate in 1990, it was argued that the use of electronic voting in the Senate chamber would be of little assistance because:

assuming that Senators would continue to vote in person in the chamber, very little time would be saved because four of the approximately seven minutes spent on each division consists of the time taken to ring the bells to summon Senators to the chamber.

The paper also illustrated the perceived disadvantages of electronic voting, summarised by Kirsty Margarey as follows:

- removal of a pause in the proceedings that is often convenient;
- possible transfer of activities that now take place during the count to other components of the time spent on divisions, so that little time would in fact be saved;
- loss of advantages of the current practice of senators sitting to the right or left of the chair, particularly the visibility and public nature of the act of voting;
- possible increase in the calling of divisions.

From a purely party political point of view, it may also be harder for parties to ensure that senators and members follow caucus decisions on voting.

Another 'problem' is whether the use of electronic technology would alter the way parliament processes bills. Would technology transform existing power arrangements or create new divisions between those who are computer literate and those who are not? Would politicians become too reliant on technology? What would happen when computer glitches occurred or the server goes down? These issues would need to be fleshed out. However, international experience may offer solutions to these problems.

Regardless of which direction the Australian Senate decides to take with respect to the introduction of electronic voting or the use of information and communications technologies on the floor of parliament, new political technologies are here to stay. As Dana Milbank says, whether or not that is a good thing is still a topic of debate:

Though it has the potential to reverse voter apathy, it might further disenfranchise the poor. Though it could limit the power of special interest groups, it might also cause presidential [or, in the Australian case, parliamentary] candidates to pander to more and more people, as if they

were running for city council ... A politician [could] make me one promise and you one promise, and his competitor wouldn't even know it.

Problems regarding privacy and democracy will no doubt become more prevalent as the use of technology in the political arena expands. While the current debate circulates around the value of the technologies themselves and their merits in a participatory democracy, broader issues regarding the nature, scope and use of an online environment and its accessibility must receive the attention they deserve. Only then can we create a political culture that will truly embrace the concept of an Australian cyberdemocracy.