

Citizen Hacker

by *Clément Mabi*

To increase citizen participation and political responsiveness, today new civic tech claims to be ‘hacking’ democracy. Going beyond their immediate appeal, can these technologies deeply transform politics? What project do they propose?

The diagnosis is now widely accepted: democracy, at least in its representative form, is ‘ill’, and exhausted. It is said to be overwhelmed by the distrust expressed by citizens who have taken refuge in abstention, and are ready to take to the streets to contest decisions made by governments short on legitimacy.¹ Indeed, a patient has rarely seen so many doctors at his bedside: one can no longer count the proposals for institutional transformation or the theoretical reflections on ways to reform the manner in which our institutions function.² A number of the latter rely on citizen participation to revivify public life and embody a ‘new spirit of democracy.’³ Despite undeniable achievements, the institutionalisation of participative democracy has produced relatively contrasted results that drive actors and observers to agree on the limits of the process, and its low capacity to engender social transformation.⁴ Offers to participate largely serve as a ‘distraction to ensure nothing changes’ and to ‘democratise inequalities’ as democracy develops, favouring certain social groups over others.⁵

¹ Pierre Rosanvallon, *Democratic Legitimacy: Impartiality, Reflexivity, Proximity*, Princeton University Press, 05 July 2011. *La légitimité démocratique. Impartialité, réflexivité, proximité*, Paris Seuil, 2008.

² See Pierre Rosanvallon’s latest work *Le bon gouvernement (The Good Government)*, Paris, Seuil, 2015, or the report edited by Michel Winock and Claude Bartolone, *Rapport du groupe de travail sur l’avenir des institutions – Refaire la démocratie* (<http://www.ladocumentationfrancaise.fr/var/storage/rapports-publics/154000692.pdf>)

³ Loïc Blondiaux, *Le nouvel esprit de la démocratie*, Paris, Seuil, 2008.

⁴ As an example we can mention the difficulties in the ‘environmental dialogue’ around infrastructure projects like the airport at Notre Dame des Landes.

⁵ Edward T. Walker (ed.), *Democratizing Inequalities: Dilemmas of the New Public Participation*, New York, NYU Press, 2015.

The latest remedy used to ‘update’ democracy is digital tools.⁶ The bubbling, plural and inclusive culture of public expression that characterises the Web is closely watched, particularly by the participative world, which for its part often has difficulty mobilising citizens. Some see it as an opportunity to encourage democratic pluralism and enable large-scale inclusive exchanges.⁷ Nonetheless, is this proximity sufficient to radically transform the way in which democracy functions? There is a lot of talk of ‘hacking’ democracy, but does it make sense? This article seeks to show that despite enthusiastic discourses, the answer is no. In itself, democracy and its institutions cannot really be transformed solely by means of digital tools, and the question of equipment should not relegate a reflection on the nature of the political project these systems support, to the background.

The temptation of digital politics

At this point we should recall that digital tools are primarily a technological innovation, and like any innovation they are part of a specific imagination⁸ and give rise to a discourse of rupture that assumes the imminence of a radical transformation (we then speak of ‘disruptive’ discourse). Many promises have been made, particularly regarding the ability of these technologies to cripple existing forms of representation and to weaken intermediary structures in different areas of society. The media awkwardly use the term ‘uberisation’ to describe the desire to employ digital tools to allow new actors to emerge on a market, in order to offer consumers direct access (without an intermediary) to a service.

After flat rentals and exchanges of cultural goods it is now democracy’s turn to cope with these transformations. We also see economic actors, often start-ups or associations that provide services, investing the public domain to renew the forms of mediation between the governing/governed, and to facilitate citizen involvement in various areas of democracy such as electoral campaigns⁹ or in the field of consultation.¹⁰ All these initiatives state they want to change the rules of the democratic game (hackers) and give citizens a new place.

⁶ See the report produced by the think tank Renaissance Numérique ‘La démocratie mise à jour’ http://www.eurocloud.fr/doc/democratie_maj.pdf

⁷ On this point see Laurence Monnoyer-Smith, *Communication et délibération*, Paris, Hermès, 2010; Stéphanie Wojcik, Fabienne Greffet. Talking Politics online. A review of French and English-language research. *Réseaux*, Lavoisier, 2008, 4/2008 (150), pp.19-50.

⁸ Patrice Flichy, *L’imaginaire d’internet*, Paris, La Découverte, 2001.

⁹ Since Barack Obama’s campaign in 2008, the main candidates have used streamlining software to manage activist activities during the campaign. For a case study see Clément Mabi Clément and Anaïs Theviot, ‘La rénovation par le web? Dispositifs numériques et évolution du militantisme au PS’, *Participations*, n° 8, 2014, pp. 97-126.

¹⁰ On this point, see Laurence Monnoyer-Smith, ‘Être créatif sous la contrainte. Une analyse des formes nouvelles de la délibération publique. Le cas DUSCAI’, *Politix*, n°75, 2006.

The emergence of civic tech

This is the context in which civic tech emerged. A vague label and a many-tiered concept, if ever one existed, this English expression designates civic technologies. Since its appearance in 2011 numerous definitions of this term have circulated.¹¹ The limits of the field within which civic tech is defined are generally very wide and include all the digital tools that seek to transform the functioning of democracy and improve its efficiency and organization, by renewing the modes of citizen involvement.

Thus, as early as 2013, the Knight Foundation suggested a typology organized around two main categories. The first includes the tools used for ‘open government’, in reference to the project to overhaul the functioning of the administration supported by Barack Obama in 2009.¹² Open government is based on three main political pillars: transparency of public action, collaboration between governmental agencies and citizen participation. The aim is to improve the efficiency of public action by making data pertaining to the administration’s activities available, and encouraging the reuse of this information by new services using digital applications. The *School Cuts* project in Chicago is an example of this, where students’ parents cross-referenced various data concerning schools in the city (population density by neighbourhood, public transport accessibility, etc.) to mobilise public opinion against their closure.¹³

The second category of the typology groups ‘community actions’, or the tools that facilitate exchange and cooperation between citizens, with an aim to resolving certain local issues. In this category we find participative funding platforms and streamlining systems for community based platforms like *Waze*,¹⁴ an application based on crowd intelligence to inform car drivers of possible slowdowns in traffic, or like *Ushabidi*,¹⁵ a participative cartographic software that allows citizens to report electoral irregularities and to help with coordinating humanitarian aid in the event of disasters.

¹¹The think tank Point d’aencrage provides a useful historical summary in its report ‘*Démocratie 4.0*’ <http://pointdaencrage.org/democratie-4-0-partie-2-construire-nos-institutions-numeriques/>

¹² <https://obamawhitehouse.archives.gov/open>

¹³ <http://www.schoolcuts.org/>

¹⁴ <https://www.waze.com/fr/>

¹⁵ <https://www.usahidi.com/>

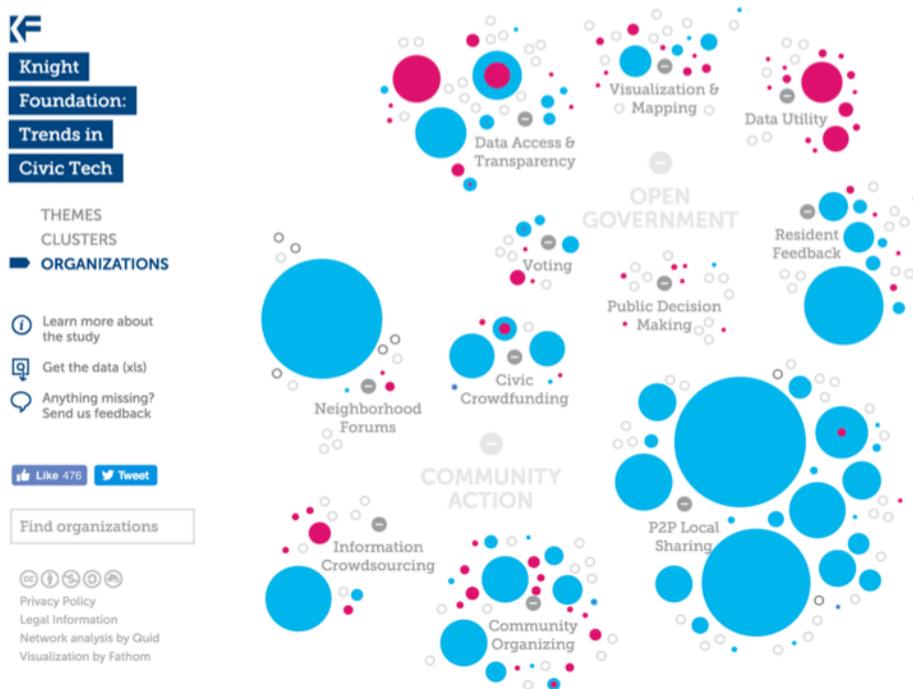


Figure 1 Typology of civic tech developed by the Knight Foundation

The distinction the Knight Foundation suggests is strongly rooted in Anglo-American culture and implicitly mobilises a view of civil society organized and structured around community preoccupations. It encompasses a wide range of citizen uses of digital tools, geared towards the resolution of public problems using collaboration and community intelligence, but neglects certain aspects of democratic activity, particularly at the institutional and partisan levels, where digital tools are nonetheless widely mobilised.

In 2016, when the civic tech movement was developing in France, the State Secretariat for Digital Technology suggested a new classification, also organized around two major axes. This makes it possible to better specify the field of action of civic tech, as it is implemented in France. A first category gathers the ‘technologies for democracy’ that is to say the initiatives at work in the institutional field. These include electoral campaign tools developed, for example, by the Liegey Muller and Pons (LMP) agency,¹⁶ as well as those that allow people to report road malfunctions (Tellmycity¹⁷), or to question elected representatives by means of petitions (Change.org¹⁸). The second category ‘technologies for civic engagement’ is closer to the ‘community services’ of the earlier classification. It includes social networks like *Facebook* or *Twitter* as well as participatory financing platforms or collaborative science platforms like *seintinelles.com*¹⁹ that puts researchers and volunteers in touch with each other to participate in studies for the fight against breast cancer.

¹⁶ <http://www.liegeymullerpons.fr/>

¹⁷ <http://www.tellmycity.com/>

¹⁸ <http://www.change.org/>

¹⁹ <https://www.seintinelles.com/>

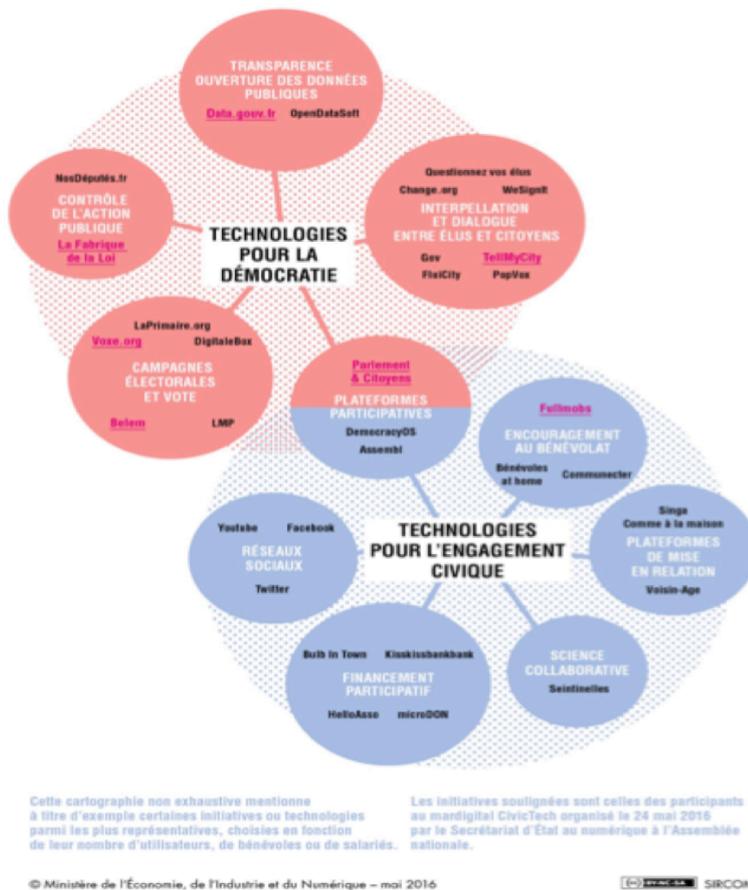


Figure 2 Typology suggested by the French Secretariat for Digital Technology

Here too, the typology remains problematic at several levels. We can regret, in particular, the lack of distinction between initiatives managed by the State, companies or associations, thus providing a very vague definition of ‘civil society’. This category includes giants like *Google* (via *Youtube*) or *Facebook* alongside associations fighting for transparency in public action, like *Regards Citoyens* (via its project *nosdéputés.fr*²⁰). This inclusive approach runs the risk of placing initiatives with radically different political projects at the same level and making them comparable.

A rough cartography of civic tech

How does one find one’s way through this frenzy of initiatives? How can one identify those that focus on the more limited field of the functioning of democracy, without including the wide diversity of citizen uses of digital tools? To achieve this we think it is necessary to shift the perspective of the abovementioned typologies. Instead of using a classification of tools as our standpoint, we prefer to start by questioning the political positioning of these

²⁰ <http://www.nosdéputés.fr>

technologies. We thus suggest a rough cartography of civic tech, organized around the two main tensions that we believe embody the principal lines of cleavage between the various initiatives.

The first tension characterizes the degree of institutionalization of each civic tech and the proximity it maintains with the public powers. On one side we find projects that fall within a rationale of counter-power or counter-democracy, to use Pierre Rosanvallon’s expression, that is to say those that seek to form a sort of citizen’s lobby in order to affect institutions from outside. At the other end of the axis, we find projects that collaborate actively with the public powers and attempt to act taking institutional limitations into account. The second axis includes the desire to induce a social transformation of certain projects, with on the one hand those who seek to deepen institutional democracy, and are fairly well identified in the earlier definitions, and on the other hand, those who seek to transform its organization and renew its functioning.

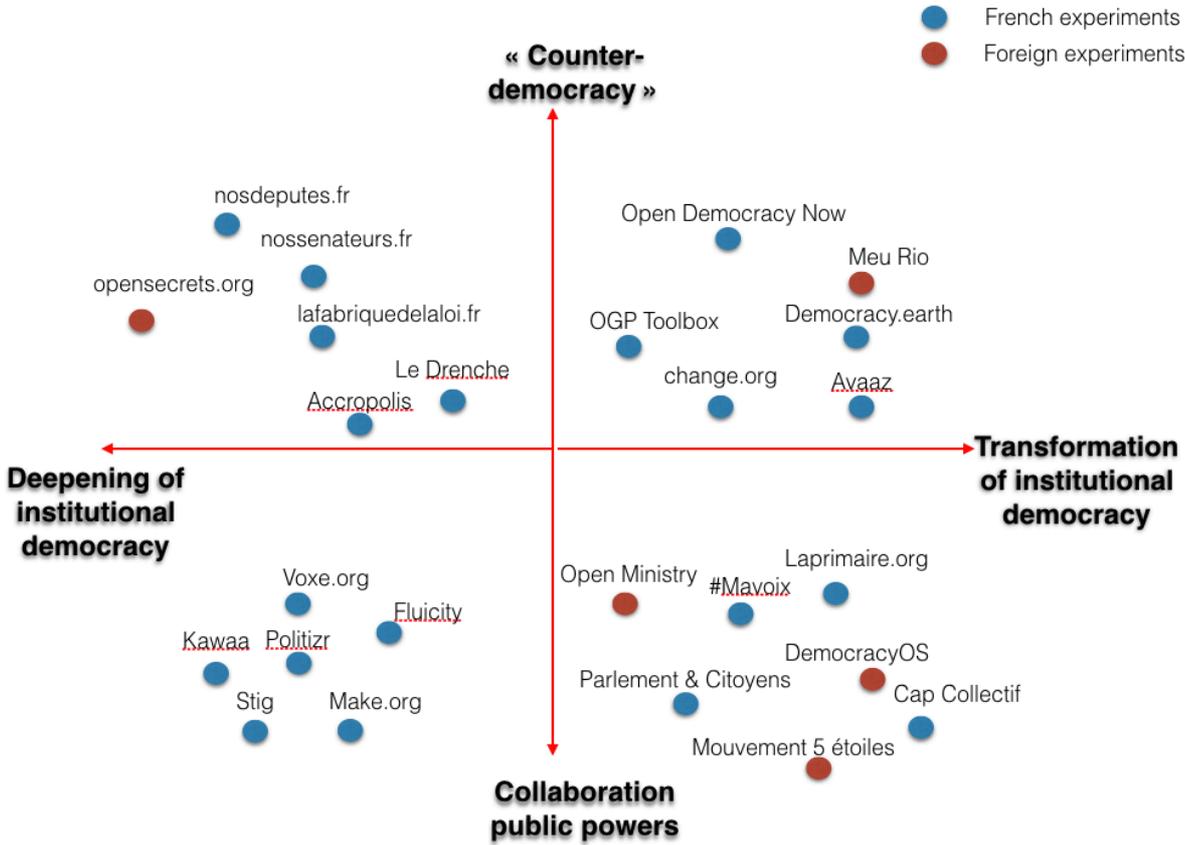


Figure 3 Map of civic tech

This typology reveals several trends that allow us to formally identify four groups or large families. They give us a glimpse of the diversity of strategies civic tech employ to more or less profoundly renew the functioning of democracy.

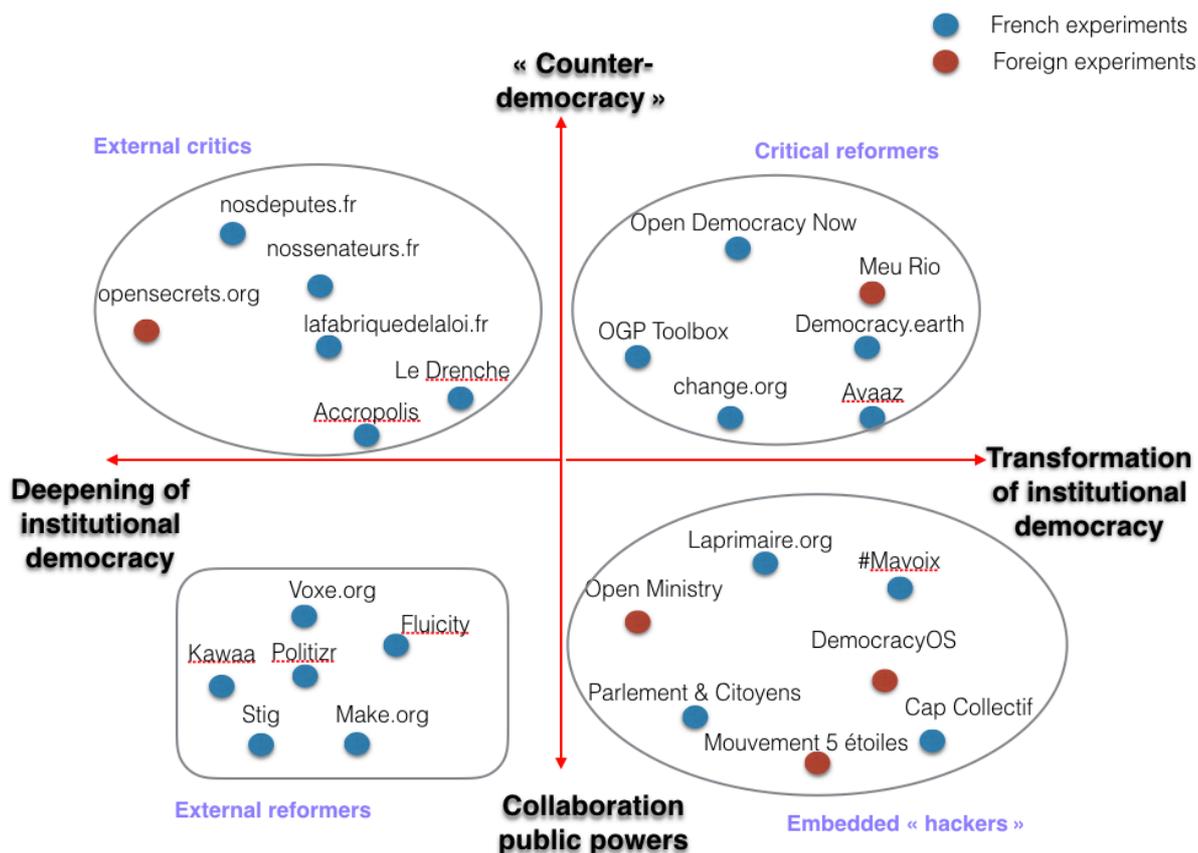


Figure 4 Typology of civic tech families

The first group, made up of the ‘external critics’, gathers the initiatives focusing on counter-democracy, which seek to deepen the functioning of representative democracy by developing better control over the representatives and a more subtle knowledge of its workings. Here we find the initiatives that fight to improve the transparency of public action and the circulation of information. The work done by the association Regards Citoyens²¹ and its tools nosdeputés.fr²² and nossenateurs.fr,²³ fall within this approach. Using a web platform, it assembles all the data concerning the parliamentarians’ activities (attendance rate, participation in commissions, amendments tabled, interventions in the form of written questions, etc.) and translates it into, or represents it, in the form of graphs to allow citizens to follow and evaluate the actions of their representatives. In the same vein, the initiative opensecrets.org²⁴, based in Washington, contributes to making public the funding sources of all the American candidates’ electoral campaigns, in order to allow citizens to better identify the lobbies that develop behind the candidates. The site lafabriquedelaloi.fr,²⁵ for its part, deciphers the progress of bills at the National Assembly and the Senate, in order to explicate the various stages involved in the creation of a legal act. Motivated by the same concern with

²¹ <https://www.regardscitoyens.org>

²² <http://www.nosdeputés.fr/>

²³ <https://www.nossenateurs.fr/>

²⁴ <http://www.opensecrets.org/>

²⁵ <http://www.lafabriquedelaloi.fr>

pedagogy, the channel *Youtube Accropolis* provides live analyses of government question sessions at the Assembly. In a style commonly associated with the world of video games, the sessions are broadcast accompanied by a live commentary. The audience can interact with the commentator using the system's 'comment' button.

The second group, the 'external reformers', seeks to deepen the functioning of representation by encouraging collaboration between citizens and institutions. This inclusive movement can take different forms, from citizen consultation (surveys) to the co-construction of public action, or even civic education. In this category we find community intelligence and debating platforms like *Politizr*, *Stig* or *Fluicity*, tools for collecting public opinion like *Make.org* or systems like *Voxe.org* that enable a comparison between candidates' programmes and create awareness amongst citizens about the electoral issues at stake. For the time being in France, the external reformers are the best-developed category of civic tech, and the most visible. Indeed the type of project they implement is a continuum of traditional participative democracy and finds a certain echo amongst the elected representatives who see it as a means of remaining in touch with citizens.

The third group is the 'critical reformers', whose projects belong to the field of 'counter-democracy' and seek to transform institutional democracy. Here, the mode of action is based on mobilising civil society in order to create pressure on those who govern. This group uses digital tools suitable for self-organization²⁶ to amplify citizens' voices to ensure certain subjects are placed on the agenda, and in an attempt to influence decision-making. Numerous open source projects that rely on collaborative approaches to structure a part of civil society, in order to dialogue with institutions, fall within this category. Activists and developers meet at hackathons to improve civic tech and they then deploy this technology to rally people around mobilising causes or issues raised by citizens. In Brazil, the platform *Meu Rio*²⁷ thus led to the modification of over 60 local public policies, thanks to the electronic messages the 250 000 registered participants (one young person out of fifteen in Rio) sent to the relevant elected representatives. On the basis of this first success, and thanks to its open code, the tool was imported into numerous towns in South America. In France, the *Open Democracy Now*²⁸ project has been organizing hackathons for over a year to contribute to this dynamic and to develop an active community in France. This category of 'critical reformers' also includes tools for questioning, like online petition sites such as *Change.org*,²⁹ used by over 140 million people throughout the world.

The last group, the 'embedded hackers', gathers the actors seeking an in-depth reform of the system while actively working towards it. Their aim is to hack democracy, in the real sense of the term, that is to say, to participate in its functioning, to modify it *from within* making use of its resources. Here, in particular we find platforms that want to give the

²⁶ On this subject, see Dominique Cardon, *La démocratie Internet*, Paris, La République des Idées, 2010.

²⁷ <https://www.meurio.org.br/>

²⁸ <http://opendemocracynow.net/>

²⁹ <https://www.change.org/>

initiative for law making to citizens. This is the case of the platform *Open Ministry*³⁰ in Finland. Since 2012 citizens are allowed to propose laws or make suggestions that promote the common good. The aim of the platform is to accompany them in the translation of their project into legal terms. Other systems seek to directly associate citizens with the formulation of laws. In this perspective, the project *Parlement et Citoyens*³¹ proposes an online debating tool to bring about ‘citizens amendments’, or in other words, to allow citizens to give their opinion on a bill supported by a member of parliament, and to enrich it by means of a collective discussion. In 2015, the State Secretary for Digital Technology, Axelle Lemaire chose this platform to open up the ‘Digital Republic’ (République Numérique) bill for discussion. Twenty thousand participants left 8,000 messages, and 140,000 votes. Similarly, *Democracy OS*³² that exists since 2012 in Argentina, and was recently imported into France, makes it possible to organize a debate on the follow-up bills. The ‘parti des réseaux’³³ (‘network party’) seized upon it to suggest that members of parliament should only be given an imperative mandate remotely guided by citizens via this platform. In the same manner, some citizen communities like #Mavoix³⁴ attempt to introduce more direct democracy by sending candidates, whose names are drawn by lot, to the assembly: during the legislative by-elections in Strasbourg, held on May 22 2016, the community’s candidate thus obtained close to 4,2 % of the vote. *Laprimaire.org*³⁵ for its part organized a ‘preliminary citizen election’ to reveal candidates outside the traditional parties: a candidate chosen by over 32,000 voters, Charlotte Marchandise, was then unable to obtain the required number of signatures to stand for the 2017 presidential election. The results of these experiments are modest but open up interesting perspectives, particularly by inviting citizens to undertake a critical questioning of the functioning of democratic representation.

A community at the crossroads

As is the case of all nascent political formations, the actors that belong to the civic tech community have to make decisive choices about the movement’s future. In terms of the political position they represent to start with: the desire to fight (or not) against inequality with a view to emancipation, constitutes a divisive political marker in the burgeoning community. Will civic tech become the new space for criticism tolerated by the existing powers, given their inability to deeply transform the place of citizens in democracy? Unlike in the world of sport, with its well-known saying, what counts in politics is not participating, but

³⁰ <http://openministry.info/>

³¹ <https://www.parlement-et-citoyens.fr/>

³² <http://democracyos.eu/>

³³ <http://partidodelared.org>

³⁴ <https://www.mavoix.info/>

³⁵ <https://laprimaire.org/>

transforming lived reality.³⁶ The good intentions that would lead people to congratulate themselves on a participation mainly evaluated in quantitative terms, seen through a procedural prism familiar to researchers on participation, inevitably leads to its instrumentalization by the existing powers.

Secondly, the tension between institutionalization and the independence of the initiatives is another major challenge civic tech has to face. Here too, questions well known to those who study the relationships between social movements and participative mechanisms are raised in other terms.³⁷ Digital tools only endow them with a new relevance: should one enter into a logic of accompanying the existing power and the management of public services, an approach that runs the risk of transforming participation into a sort of ‘sticking-plaster’ for inequality? Should mobilization remain on the fringes of the system while attempting to correct certain asymmetrical distributions of resources that undermine the functioning of our democracies? To what extent should one collaborate with institutions without preventing the expression of discord and the demonstration of power relationships? The answer to these questions must, to an extent, be sought in the collective ability to imagine autonomous democratic spaces (mixed or not) where citizens can formulate their interests, compare their viewpoints and deliberate before putting their arguments up for public debate.³⁸ Do civic tech have the resources to develop as a counter-power and to structure the words of the most dissenting audiences?

In addition, the civic tech community has to question the social representativeness of the audiences they reach. Who uses these tools? To what extent are they sufficiently representative of society to be able to defend the common good? While it is necessary to conduct rigorous surveys on this point, the first observations show that the audiences mobilized closely resemble the designers of the tools: they are young, urban and white. From this perspective, we can question the role of civil society in these operations. Is the vocation of civic tech to serve a wider group than the community their creators belong to and citizens already familiar with digital tools? Beyond discourse, for the moment numerous systems are mainly preoccupied with proving their efficiency, even if this means addressing certain segments of society rather than others, instead of seeking to serve society as a whole. The idea of involving the world at large seems to be highly premature for the moment.

One can also question the choice of technical equipment civic tech makes. Research in the human sciences has long shown the political and symbolic dimension of technical choices in the digital world, and the ideological biases that accompany its development. As early as

³⁶ <http://www.laviedesidees.fr/L-essentiel-n-est-pas-de.html>

³⁷ See Cécile Blatrix, Loïc Blondiaux, Jean-Michel Fourniau, Rémi Lefevre, Martine Revel, *Le débat public: une expérience française de démocratie participative*, Paris, La Découverte, ‘Recherches’, 2007.

³⁸ Julien Talpin, *Community Organizing. De l'émeute à l'alliance des classes populaires aux États-Unis*, Paris, Raisons d'agir, 2016.

1999, in his work *Code is Law* with his formula that is still widely cited today, Lawrence Lessig recalled that Internet should not be considered a space outside of any rationale of regulation, to the extent that in a digital environment the social norms and rules of behaviour are incorporated *into* the technique. Thus, whoever designs the technical architecture also structures the power relationships he or she establishes with the users. This perspective allows us to better grasp how different tools embody different political visions and different conceptions of citizenship. Civic tech is in no way an exception to the rule and we see a tension taking shape. It expresses the classic cleavage in the digital world, between those who choose ‘proprietary’ software where the code used to develop the tool is seen as a source of income that must be protected, and those in favour of open source, who freely share their code, allowing the community to appropriate it and contribute to the evolution of the mechanism.

The discussions are fierce. The ‘proprietary’ approach produces quick results, in that it is easy to attract investors and this accelerates development, unlike the ‘open’ approach that requires the structuring of a community before a mature technical solution can be proposed. However, the tools developed in this manner have an extraordinary capacity for distribution and adaptation to local contexts, unlike ‘proprietary’ tools, which evolve according to a more rigid strategy defined with the investors. Each of these options reflects specific political views and is inscribed in strategies that should be explicated. What democratic value does one want to attribute to collaboration? Should democracy be considered a common good? How far should rationales of transparency be taken?

Finally, the last issue, and not the least, depends on the choice of the economic model. Obviously this question cannot be completely dissociated from the previous ones, particularly in terms of the choice of tools. A first option could be to consider that democracy has nothing to do with commercial logic and should only be based on unpaid and activist commitments made by citizens, through associations. One can also envisage a subsidy system dedicated to the common good. This second model nonetheless leads us to question the independence of those who would benefit from this aid in relation to those who commission the software. Some partisans of the open model, like Valentin Chaput, fight for a variation that would take the form of targeted support by the public powers for collaborative initiatives that valorise common tech,³⁹ or technologies freely available to the community. This option avoids placing the common good in the hands of private actors and encourages a growth of open models that can go on to find an economic equilibrium by offering paid services that could involve platform development (specific features, animation).

The third option, the business model, inherited from the digital start-ups, is favoured by a number of actors in the civic tech sphere. One can but note that in an economically fragile field, those who rapidly manage to reach a financial equilibrium are those who provide

³⁹ <https://medium.com/open-source-politics/la-civic-tech-fran%C3%A7aise-aise-risque-de-se-d%C3%A9tourner-de-la-cr%C3%A9ation-des-biens-communs-num%C3%A9riques-dont-9ebcf5c55c2e#.mara24q2h>

technological solutions to compete for public tenders. But the rationale of competition in the field of democracy raises numerous questions like the non-mutualisation of knowledge produced, the possible commercialisation of user data and obviously client pressure to orient the results of the dialogue. How does one avoid the establishment of monopolies like *Facebook*, *Twitter*, *Airbnb* or *Uber*, so characteristic of the mature markets in the digital world? The association Regards Citoyens recently decried the climate of '*open washing*', a sort of 'democratic whitewashing', and the lack of transparency in the civic tech world, renamed civic business on this occasion, to denounce the advent of a market for democracy that would turn its back on the founding values of digital technology.⁴⁰

Transforming without reinventing the wheel?

It is important to recall the great fragility of this movement that still has to prove itself. Contrary to the claims of disruptive discourse, democracy has not yet undergone a radical digital transformation and the revolution expected by some is still nothing more than a desire. Yet, this call for modesty should not prevent us from recognizing and taking into account the aspirations for change promoted by a section of citizens and the 'horizontal imperative' that is the result of numerous democratic experiments that are currently multiplying.⁴¹ The ability of digital tools to provide resources to develop more transparent, collaborative and open forms of public action that are likely to transform the core of democratic activity, should be seen as a resource to equip activist and citizen action.

While the approaches are original and set in our times, the democratic problems that are being tested are relatively old and have already been raised by other communities, in other contexts. Civic tech would hence gain from not reinventing the wheel and drawing lessons from the experiments conducted in other fields.

The field of participative democracy has thus revealed the limits of the institutionalization of participation, too often uncoupled from the decision-making process. The current renewal of forms of involvement outside institutions can be very instructive in this respect. We see mobilizations taking shape on the basis of community organizing methods, which draw from principles of independence and the establishment of power relationships, to associate participation with a transformation of living conditions. By aiming for concrete results, these initiatives seek to bring democracy closer to its audiences and to

⁴⁰ <https://www.regardscitoyens.org/civic-tech-ou-civic-business-le-numerique-ne-pourra-pas-aider-la-democratie-sans-en-adopter-les-fondements/>

⁴¹ See the book by Elisa Lewis and Romain Slitine, *Le Coup d'État citoyen*, Paris, La Découverte, 2016.

question the coherence between the demands formulated and the aspirations expressed by the base.⁴²

It would also be interesting to take advantage of the enthusiasm provoked by online participation at a general level, without neglecting the few successes it has produced. In particular, this would involve refraining from fetishizing the tools while taking their *intrinsically* political nature into account along with the question of their *design*.

On the crucial point of the economic model, the field of social economy has long been considering how to reconcile the common good with economic development by inventing new models like cooperatives, which deserve to be explored.

The list of related domains could certainly be even longer. The compilation of knowledge, the sharing of experiences and meetings between actors lay the foundations for a programme of academic and citizen action for the coming years.

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Published in *Books & Ideas*, 6 July 2017.

⁴² See Paula Cossart, Julien Talpin, *Lutte urbaine. Participation et démocratie d'interpellation à l'Alma-Gare*, Vulaines-sur-Seine, Éditions du Croquant, 2015.