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À PROPOS DE NOUS

La **Revue Internationale de droit des données et du numérique (RIDDN)/ the International Journal of Digital and Data Law** est une revue universitaire créée et dirigée par Irène Bouhadana et William Gilles au sein de l'IMODEV, l'Institut du Monde et du Développement pour la Bonne Gouvernance publique.

Irène Bouhadana, docteur en droit, est maître de conférences en droit du numérique et droit des gouvernements ouverts à l'Université Paris 1 Panthéon-Sorbonne où elle dirige le master Droit des données, des administrations numériques et des gouvernements ouverts au sein de l'École de droit de la Sorbonne. Elle est membre de l'Institut de recherche juridique de la Sorbonne (IRJS). Elle est aussi fondatrice et Secrétaire générale de l'IMODEV.

William Gilles, docteur en droit, est maître de conférences (HDR) en droit du numérique et en droit des gouvernements ouverts, habilité à diriger les recherches, à l'Université Paris 1 Panthéon-Sorbonne où il dirige le master Droit des données, des administrations numériques et des gouvernements ouverts. Il est membre de l'Institut de recherche juridique de la Sorbonne (IRJS). Il est aussi fondateur et Président de l'IMODEV.

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The **International Journal of Digital and Data Law / Revue Internationale de droit des données et du numérique (RIDDN)** is an academic journal created and edited by Irène Bouhadana and William Gilles at IMODEV, the Institut du monde et du développement pour la bonne gouvernance publique.

Irène Bouhadana, PhD in Law, is an Associate professor in digital law and open government law at the University of Paris 1 Panthéon-Sorbonne, where she is the director of the master's degree in data law, digital administrations, and open governments at the Sorbonne Law School. She is a member of the Institut de recherche juridique de la Sorbonne (IRJS). She is also the founder and Secretary General of IMODEV.

William Gilles, PhD in Law, is an Associate professor (HDR) in digital law and open government law at the University of Paris 1 Panthéon-Sorbonne, where he is the director of the master's degree in data law, digital administration and open government. He is a member of the Institut de recherche juridique de la Sorbonne (IRJS). He is also founder and President of IMODEV.

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THE GENDER-GAP IN POLITICAL ONLINE-PARTICIPATION – NEW CHANCES AND NEW CHALLENGES FOR SOCIAL EQUALITY

by **Sabrina SCHÖTTLE**, Research Assistant at Heinrich-Heine-University Düsseldorf Institute for Social Science, Sociology II.[1]

§ 1 – ONLINE-PARTICIPATION – NEW CHANCES, NEW CHALLENGES?

The Internet has become a widely used medium alongside telephone, television, radio and newspapers. The Internet influences to a greater or lesser extent all areas of daily and working life, including the use of commonplace communication messengers such as *WhatsApp*, *Viber* or *Facebook*, the use of google tools like calendars for organization, and the use of email. Moreover, social networks like *Instagram, Snapchat, Facebook* or *Pinterest* are frequently used. The threshold for Internet participation is low, making access easy.

Through the spread of the Internet, numerous new and innovative possibilities have emerged. One example is the potential for online involvement in political decision-making processes; this possibility expands traditional offline methods of communication. One well-known example of political online-participation on the national level involves petitions on the Internet. In Germany, different kinds of formal national petitions can be signed on https://epetitionen.bundestag.de/ after a quick registration on the platform, and these forms can be accessed easily and without great effort. Online-Participation can also take place on the local. The cities in North Rhine-Westphalia such as Bonn and Cologne provide good examples with people being asked for their opinion and suggestions regarding the use of community funds. As the opportunities for participation expand beyond the traditional forms, citizens, politicians and lawmakers face new challenges. Over the last few years, online participation has increased. Community democracy can be energetic, can involve people through online participation, and allow citizens to follow and participate in political processes and decisions as they unfold. Examples of such participation can be found in very different areas such as construction planning, noise protection and traffic management. Many municipalities seek citizen opinions in different ways, and in different formats, on specific community topics. In this way, citizens can take part in decision-making in community politics. New and innovative forms of online

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[1] email: schoettle@phil.hhu.de.

participation are gradually being tested and becoming established. For example, the cities of Cologne and Bonn have budgets for citizen participation for the fourth or the fifth year in a row. If one analyses the participants in these processes, not all people with all possible sociodemographic characteristics tend to participate online. The aim of political online participation should not be to marginalise certain social groups, but to create full participation for all citizens. Men and women should be involved in equal numbers, as should people from all social groups, areas, classes and backgrounds. Citizen participation should be equally accessible for everybody, and should exclude nobody.

§ 2 – SOCIAL INEQUALITY AND LEGITIMACY OF NATIONAL DEMOCRACIES

Unequal motivation and differences in the possibilities and opportunities for (online) participation can however lead to social inequality. If one does not express his/her political views, those interests will not find their way into the political decision-making process. This presents a danger to democracy. Ongoing and comprehensive involvement in online participation is particularly important for municipalities which are comparatively small in comparison to the German national level. Otherwise, political decisions cannot be both representative and legitimate. It is also important to have gender diversity. If women and men do not take part in equal number in decision-making processes, there are far-reaching consequences. For example, if women do not take part in debates on political topics, they will have little impact on politics and political decisions. If women contribute markedly less to online forums, and if they comment and vote less, they have less influence than men. Moreover, the needs and interests of women are not heard if women do not participate in the decision the same way and intensity as men do. Recent history shows that men have been predominant in politics, and therefore have made decisions for both men and women even though have not been affected in the same way as women. According to Ina Bieber, women "have other needs, experiences and interests […] that must be brought into politics in a more appropriate and personally relevant manner".[2] Accordingly, political decisions and laws must be discussed and agreed upon by both sexes.

The strength and condition of modern representative democracies can be seen in the degree of political participation, from both a quantitative and a qualitative perspective. Unequal participation by some social groups, classes or backgrounds is not consistent with participatory democracy theory. Such a democracy should be labelled "deficient".[3] Many classical democracy theories do not

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[2] INA E. BIEBER, FRAUEN IN DER POLITIK: EINFLUSSFAKTOREN AUF WEIBLICHE KANDIDATUREN ZUM DEUTSCHEN BUNDESTAG (2013).

[3] ELKE BIESTER ET AL. eds., DEMOKRATIE ODER ANDROKRATIE?: THEORIE UND PRAXIS DEMOKRATISCHER HERRSCHAFT IN DER FEMINISTISCHEN DISKUSSION (1994).

regard equal participation and representation of women and men as necessary for the success and functioning of a democracy.[4] The sex of participants plays no particular role in most theoretical approaches. This is made clear, for example, by Abraham Lincoln's classical formulation of democracy, as "government of the people, by the people, for the people"[5]. Sexual equality in political participation and representation of interests is regarded as pivotal to a functioning democracy by many theorists. In the classical writings of political theory, men and women are not described as equal in public and political life. Instead, men are seen as superseding women in every aspect of public and political life. Men are viewed as having more wisdom and strength than women, who by contrast are seen as "incomplete" members of society, and just subjects or even slaves.[6]

Other classics political theories see the preserve of women as focused on the house and the family, and bar women from public and political engagement. Under these theories, women have no access to the political sphere, and no rights or opportunities.[7] In 1792, Mary Wollstonecraft recognised and pilloried these theories in a pamphlet entitled "The Vindication of the Rights of Women."[8] This piece of writing can be viewed as the beginning of feminist theory in political sciences, and precipitated a first and powerful revolt against male supremacy in public and private life. Compared with these theories of state, participatory democracy theory pursues a different approach, striving for the "[…] political participation of as many people is as many ways, in the sense of participation in terms of giving and taking on the one hand, and inner participation in the goings-on and fare of the body politic on the other".[9]

According to participatory democracy theory, the sex of the participant is an important factor, and is included in the theoretical explanation for participation and democracy. Democracies in which men and women are not equally able to represent their interests or take part in the political process are not complete, and therefore are seen as deficient[10] because women must be represented equally as men, and no fundamental part of the

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Brigitte Geißel & Virginia Penrose, *Dynamiken der politischen Partizipation und Partizipationsforschung – Politische Partizipation von Frauen und Männern* GENDER…POLITIK…ONLINE (2003).

BARBARA HOLLAND-CUNZ, FEMINISTISCHE DEMOKRATIETHEORIE: THESEN ZU EINEM PROJEKT (1998).

[4] PETER MASSING & GOTTHARD BREIT eds., DEMOKRATIETHEORIEN: VON DER ANTIKE BIS ZUR GEGENWART : TEXTE UND INTERPRETATIONEN (2003).
RAINER-OLAF SCHULTZE, DEMOKRATIE (Dieter Nohlen ed. 2003).

[5] ABRAHAM LINCOLN & EKKEHART KRIPPENDORFF, GETTYSBURG ADDRESS 19. NOVEMBER 1863 (1994).

[6]JOHN LOCKE, ZWEI ABHANDLUNGEN ÜBER DIE REGIERUNG (1st ed. 1977).
JEAN-JACQUES ROUSSEAU, VOM GESELLSCHAFTSVERTRAG ODER GRUNDSÄTZE DES STAATSRECHTS (1977).

[7] ARISTOTELES, NIKOMANISCHE ETHIK (1986).

[8] MARY WOLLSTONECRAFT, A VINDICATION OF THE RIGHTS OF MEN: AN HISTORICAL AND MORAL VIEW OF THE FRENCH REVOLUTION (2008).

[9] MANFRED G. SCHMIDT, DEMOKRATIETHEORIEN (2000).

[10] *Id.* and *see* BIESTER, *supra* note 2.

population may be excluded from the decision-making process. Furthermore, it can be assumed that men and women do not bring the same experiences, needs and interests to politics and participation. In many ways, they have very different backgrounds in terms of life and experience. An example is provided by political debates regarding the right of women to self-determination, particularly regarding abortion in different Western European countries. In a few nations in Europe, such as Poland and Ireland, abortion is still not legal and there are many controversial debates about this topic in both society and politics. Generally speaking, politics must not exclude half of the population.[11] The same is true for public life. For these reasons, the equal and just participation and representation of interests of women and men is a prerequisite for successful, functional modern democracies. Sexual equality must be regarded. Against the backdrop, it is important and trendsetting for the democracies of tomorrow. A comprehensive awareness of these problems is not always evident in politics and administration, and must exist in order to avoid social inequalities.

§ 3 – ONLINE-PARTICIPATION AND PARTICIPANTS

Attention should now focus on forms of citizen and online participation. The emphasis of this research project is on the citizen participation processes in the Federal Republic of Germany and the state of North Rhine-Westphalia. Furthermore, there will some examination of municipal online-participation in German cities such as Duesseldorf, Cologne and Bonn. Online participation is defined in this research as participation processes that involve citizens in political decision-making. Such participation enables elaboration of different views and opinions regarding a planned project or other issue. In Cologne and Bonn in North Rhine-Westphalia, citizens have the opportunity to express their views regarding the use of public money, and to influence political decisions on the municipal level such as town planning and development. Citizens are involved in the early planning phases of political decisions, such as the building of ring roads, new swimming pools or recreational areas. It is important for politics and the economy, to include citizens very early in the planning-processes of big projects. The goal is make sure that no counter sentiments are disregarded. The possibilities for online participation extend to major construction proposals or noise-reduction proposals at the community level in Germany.

In the ideal scenario, as many citizens as necessary are included in electronic participation processes of this kind, with as much variety of background as possible. Normally, citizen participation processes are preceded by drawn-out negotiations, leading to a great amount of work and administration. Generally speaking,

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[11] *Id.*
Birgit Meyer, *Frauen an die Macht!? Politische Strategien zur Durchsetzung der Gleichberechtigung von Mann und Frau,* AUS POLITIK UND ZEITGESCHICHTE 15 (1987).
Birgit Meyer, *Die "unpolitische" Frau,* AUS POLITIK UND ZEITGESCHICHTE 3 (1992).

these online processes do not lead to final decisions, but present an impression of opinion that community representatives can consider in their final decisions A representative committee, to whom the final decision falls after the online phase, is elected and therefore democratically legitimate. For this reason, online participation processes are not equivalent to elections.[12] The topics discussed in online participation processes, and which must be decided upon, are often suggested and set by policy which is of interest and importance to a broad public.

By way of example, an online project on the topic of bike safety is sketched took place in the German capital, Berlin, in 2014. That project involved an online portal prepared and managed by Zebralog, the Agency for Cross-Medial Citizen Participation. Bike riding is an important and emotive topic in Berlin. The city has more than three million inhabitants, and there are numerous danger points for bike riders within the city's traffic system. These points are not always easy to recognise, and there are daily accidents between bike riders and drivers, as well as pedestrians. This online platform asked citizens to list what they saw as conflict points at dangerous locations, and they were invited to leave comments. Furthermore, the police identified objectively verified conflict points which could be commented upon. An interactive map of the city of Berlin made these subjective and objective conflict points visible and geographically locatable online.

After the active phase, the platform was closed and evaluated. The comments left by citizens online were evaluated using qualitative content analysis and text-mining programmes, and the online remarks were then categorised and evaluated. This discussion could not have taken place offline because it would not have been possible to question so many inhabitants of Berlin about danger spots for bike riders in the city, and to allow these danger points to be discussed. Another factor is that the scope of opinion is very different online compared to offline. "E-participatory processes are explicitly intended to produce a spectrum of discussion and rationale on a specific issue that is as heterogeneous as possible," says Oliver Märker, executive partner at Zebralog.[13] In offline events on similar topics, the audience is normally very homogenous. It is usually only citizens with sufficient interest, as well as time and energy, that come to such events and discussions. This online platform can be seen as successful regarding opinions on biking safety. The senate administration for town development and environment in Berlin has included the results in their work.

"E-participatory citizen participation can be understood as attempts to organise political consultation from the ground up, while keeping the rules of the game and results understandable for the public"[14], Märker says. In the ideal case, online participation leads on the one hand to better problem orientation with an

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[12] *See* Oliver Märker, *Entmystifizierung der E-Partizipation* (2014), https://www.digital-ist.de/experten-blog/entmystifizierung-der-e-partizipation.html.

[13] *Id.* at 63.

[14] *Id.* at 65.

improvement to politics. On the other hand, the legitimacy of decisions can be increased on the input side through online participation. It is not just the citizen participation platform that counts in online participation; other forms can be named in this regard. Which Internet activities count as forms of political online participation? Some examples are: Writing comments or making contributions on social networks on the Internet (e.g., on Facebook, Twitter, Instagram, Pinterest or by email); Forwarding or sharing political contributions on social networks on the Internet (e.g., Facebook, Twitter or email); By "liking" political contributions on social networks on the Internet (e.g., Facebook, Twitter, Instagram or Pinterest); By taking part in online petitions (e.g., www.epetition.de); Using citizen participation platforms from state authorities (e.g., https://epetitionen.bundestag.de/ (budgets, liquid-democracy forums and so on)).[15]

The need for a cross section of the population to be represented also applies to online participation as it does to all other citizen participation processes. If this representation does not exist, the legitimacy of political decisions, as already posited, does not exist. There are consequences if certain groups not participating such as social minorities, foreigners, migrants, less-educated people, as well as men and women. This research effort focuses on the political and legal aspects, and much more on the sociological reasons. Participants and their intentions and motivation for e-participation, and their actual attitude towards its use, are very much the emphasis. The research considers what motivates people to participate, their underlying intentions, and the differences that can arise in all these aspects. From these results, success factors for online participation can be deduced and can be used for future online-tools for participation.

§ 4 – RELEVANT FACTS FOR GERMANY

Representative survey data for the Federal Republic of Germany provides insight regarding the participation by sex regarding the general use of the Internet. According to the ARD-ZDF online study in October 2015, 83% of men and 76% of women in Germany use the Internet at least occasionally, and 64% of men and 58% of women in Germany use the Internet every day. Regarding mobile Internet use, for example smartphones and tablets, there are hardly any differences between the sexes[16]. Larger differences arise between men and women when it comes to accessing current political news on the net: 24% of women as compared to 37% for men in Germany. 23% of women read political and social articles online, while 34% of men do.[17] Women in Germany visit the websites of politicians somewhat less than

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[15] *See* HANS RATTINGER, ET AL., LANGFRIST-ONLINE-TRACKING: T21 (GLES) (3rd ed. 2015).

[16] ARD/ZDF-Onlinestudie, *Entwicklung der Onlinenutzung* MEDIA PERSPEKTIVEN (2015).

[17] *Id.; supra* 11.

men according Emmer et al., at 21% and 35% respectively.[18] Political information on the Internet is used less by women than men. Further studies provide insights regarding social-structural characteristics. 18 to 36 year-olds are the most active participants online. Income differences play only a small role in terms of the motivation to go online. Level of education is, however, important, as is interest in outcomes and enjoyment of use. Self-efficacy can be regarded as the ability to understand the political system, trust in politicians and the conviction to be able to change something in society and politics. Political self-efficacy also plays an important role regarding political Internet use.[19] It is therefore possible to assume that women with lower education levels tend to participate less than better-educated, younger men with higher incomes; assumptions that are confirmed by the latest empirical data regarding the West European population. However, as regards differences in online participation, there is no comprehensive and significant data yet, and little information regarding the intentions that drive different patterns of use.

Forms of online participation have not previously been investigated in an extensive manner in Western European countries or the United States. When it comes to online communication and participation, Martin Emmer's study[20] provides an overview of political participation in Germany; both offline and online, along with different forms of online participation and usage backed up by data. The focus of this study is on political communication rather than political sociology so that there is no focus on the backgrounds of the participants.[21] The *Alexander von Humboldt Institute for Internet and Society* goes into depth regarding online participation and describes different forms of participation by social structure and sex, on the Internet. This study is, however, not representative for all of the Federal Republic of Germany. The focus is only on those who actively participate. The Hoffmann et al. study focuses more on motivation for online participation which is important when one considers the influences on political participation.[22]

These studies do not permit one to draw conclusions regarding the motivations for women and men to engage in online participation, and does not focus on potential differences that exist. In order to draw additional conclusions, above and beyond the current state of research, further data on individual online citizen participation processes must gathered.

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[18] MARTIN EMMER, ET AL., BÜRGER ONLINE: DIE ENTWICKLUNG DER POLITISCHEN ONLINE-KOMMUNIKATION IN DEUTSCHLAND (1st ed. 2011).

[19] Humboldt Institut für Internet und Gesellschaft, *Online-Partizipationsstudie 2014* (2014).

[20] *Supra* 17.

[21] *Id.*

[22] Hoffman, Lindsay H., Philip Edward Jones, and Dannagal Goldthwaite Young., *Does My Comment Count? Perceptions of Political Participation in an Online Environment*, 29 COMPUTERS IN HUMAN BEHAVIOR 2248 (2013).

§ 5 – THEORETICAL APPROACHES TO AN EXPLANATION AND MODELS ON POLITICAL PARTICIPATION

The studies on online-participation are in no way comparable with the abundance of studies on conventional political participation, especially in the areas of sociology and political science. However, the sociology and political science literature help explain offer explanations for why citizens do or do not engage in political participation. One explanation for the absence of political participation is provided by Verba, Schlozman and Brady: "Because they can't, won't, or because nobody has asked"[23]. These authors have created the SES explanation model which is also known as the resources, socialization and mobilization model. It suggests that political participation outside of elections, for example signing petitions or attending demonstrations, is mainly dependent on the education, income and career status of individuals. Other studies demonstrate that more highly educated men are most likely to participate politically.[24] Whether these explanation models and factors on political participation are transferrable to online participation must be considered dispassionately. Fundamentally, there is stabilization of political participation online and offline. That means that those population groups of the population who have already participated tend to participate again.[25] Others tend to participate less as suggested by Norris' mobilization thesis in 2001.[26] More recent studies from Jensen postulate however that traditional prediction factors behind political participation, such as the SES explanation model, are losing potency.[27] Other and new factors are gaining in importance. For example, technical capabilities can be important such as the ability to switch on a computer, to use it, and to find specific websites on the Internet such as those of politicians, or online platforms and petitions. Furthermore, individuals must have the ability to carry out discussions online, and sign petitions. These factors are independent of socio-economic status, meaning independent of education and income, which have up to now served as the primary explanations for political participation. So called Computer or Internet Skill are important as well.

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[23] SIDNEY VERBA, ET AL., VOICE AND EQUALITY: CIVIC VOLUNTARISM IN AMERICAN POLITICS (1995) at 15.

[24] LESTER W. MILBRATH & MADAN L. GOEL, POLITICAL PARTICIPATION: WHY AND HOW DO PEOPLE GET INVOLVED IN POLITICS (2nd ed. 1977).
Jan W. VAN DETH, VERGLEICHENDE POLITISCHE PARTIZIPATIONSFORSCHUNG (Dirk Berg-Schlosser & Ferdinand Müller-Rommel eds., 4th ed. 2003).

[25] Scott L. Althaus & David Tewksbury, *Patterns of Internet and Traditional News Media Use in a Networked Community*, 17 POLITICAL COMMUNICATION 21 (2000).

[26] Jakob Linaa Jensen, *Political Participation Online: The Replacement and the Mobilisation Hypotheses Revisited*, 36 SCANDINAVIAN POLITICAL STUDIES 347 (2013).
Rachel K. Gibson et al., *Online Participation in the UK: Testing a 'Contextualised' Model of Internet Effects1*, 7 BR J POLITICS & INT RELATIONS 561 (2005).
PIPPA NORRIS, DIGITAL DIVIDE: CIVIC ENGAGEMENT, INFORMATION POVERTY, AND THE INTERNET WORLDWIDE (2001).
Dhavon V. Shah et al., *Information and Expression in a Digital Age: Modelling Internet Effects on Civic Participation*, 32 COMMUNICATION RESEARCH 531 (2005).

[27] *Id.* Shah at 360.

"Internet skills have been identified as having independent influence on political participation distinct from levels of socioeconomic advantage […]".[28]

§ 6 – RESEARCH QUESTION AND METHODICAL APPROACH

To achieve more equal and therefore qualitatively better participation online, a survey is essential. As shown, there are a lot of meaningful and informative studies on political participation, especially regarding offline participation. Future research on online participation must be carried out into how participation is lacking, with emphasis placed on certain factors. The theoretical background on the different aspects of political online participation just outlined leads to the following research questions:

– *Where do differences in online political participation between men and women actually lie?* To what extent do these differences this engender, reproduce or remove social inequality between the sexes? Research should identity whether differences exist and, if so, what the consequences of these differences are. These questions must be answered in the context of a research project, which is my thesis as part of the inter- and trans-disciplinary graduate college *NRW Fortschrittskolleg Online Participation.* After addressing the theory pertaining to offline participation processes, these theories will be checked for their transferability to online participation. This will lead to a theory on the possible bases of these potential differences. Possible cause-effect relationships will be deduced, and hypotheses presented. For empirical analyses, data from participation processes in Nordrhein-Westfalen will be used, along with representative survey data for Germany. These survey data were gathered initially in October 2015. As part of quantitative analyses, these assumptions will be tested for empirical validity and relevance. There is then a broad evaluation and discussion of the results of these analyses with a view to the theoretical considerations and research questions posited.

– *Where are potential differences and inequalities in online participation to be found, and what can be done about this?* Political (online) participation should be considered for this purpose at different points in time. The initial focus is on aspects of actual participation: motivation, opportunity and access to political online participation. Meanwhile, the use of different types, forms and designs of (online) participation are of interest. Following on from actual participation, success factors, evaluation and loyalty towards specific forms of participation are relevant, ideally so that repeat participation is the result. The whole cycle of online participation is to be considered and researched in terms of the gender perspective.

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[28] J. Oser et al., *Is Online Participation Distinct from Offline Participation? A Latent Class Analysis of Participation Types and Their Stratification*, 66 POLITICAL RESEARCH QUARTERLY 91 (2013) at 92.

§ 7 – BRIEF OUTLOOK

The aim of the proposed project is to fill a gap concerning the research on political participation. As the Internet spreads, questions regarding online participation will become more important in the coming years. Gender Diversity as a part of daily and public life must be considered. Moreover, the research results can be employed in practice, not least in the municipalities investigated in North Rhine-Westphalia, in order to create future online tools in a way that allows participation of those who are otherwise excluded, or who exclude themselves. Platforms for budgets can designed in a way that takes note of these results, and participants recruited in different ways. Social inequality, and inequality between the sexes, should be removed or at least limited. The potential for online participation be exploited far and wide, especially on the municipal level. These topics have, up until now, only been investigated to an insufficient degree.