



“Don’t Worry, We Are From the Internet”

The Diffusion of Protest against the Anti-Counterfeiting Trade Agreement in the Age of Austerity

Julia Rone

Thesis submitted for assessment with a view to
obtaining the degree of Doctor of Political and Social Sciences
of the European University Institute

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European University Institute

Department of Political and Social Sciences

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Examining Board

Prof. Donatella della Porta, Scuola Normale Superiore (EUI/External Supervisor)

Prof. László Bruszt, Scuola Normale Superiore

Dr. Sebastian Haunss. BIGSSS, Universität Bremen

Dr. Paolo Gerbaudo, King’s College London

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...just don't let the human factor fail to be a factor at all

[Andrew Bird, Tables and Chairs]

“Leave Our Internet Alone”: On the Importance of Studying ACTA and What to Expect from this Thesis

-INTRODUCTION –

0.1. What is ACTA and why it is important to study the diffusion of protest against it?

In the aftermath of the 2007-2008 financial crisis, which soon developed into a complex economic crisis and a recession, a wave of contention spread throughout the world. It started with protests in Iceland in 2008 and spread to other countries crossing geographical, cultural, and language boundaries with varying speed and success (Gerbaudo, 2013). The 2011 protests that shook the MENA countries and became known as The Arab Spring were followed by Geração à Rasca in Portugal, Los Indignados in Spain, Occupy in the US, and a series of mass protests in Turkey, Bulgaria, Romania, Brazil in 2013, in Bosnia and Ukraine in 2014, and finally by the Nuit Debout protest in France in 2016 (della Porta and Mattoni, 2014: 3; Gerbaudo, 2017: 33). Throughout this period but especially before 2012 there were sustained protests (even if not on such a mass scale) in Greece and Italy as well (Andretta, 2017; Kousis, 2014; Zamponi, 2012). Nevertheless, there is one transnational mobilization that is rarely mentioned in the context of this wave of contention, even though it took place at its peak – in early 2012. The mobilization in question is the campaign against the Anti-Counterfeiting Trade Agreement (ACTA).

This thesis focuses precisely on the anti-ACTA mobilization and the way it fits within the broader wave of contention. While the anti-ACTA campaign did not include occupation of squares (but only the more traditional protest marches), it shared many important features with other protests in the wave of contention, including the adoption of the Anonymous mask and the national flag as crucial symbols (Gerbaudo, 2017), the demand for more democratic decision-making, and most importantly – the belief in the Internet as a tool for empowerment that could contribute to a more horizontal democratic society (Beyer, 2014; Jarvis, 2014; Juris, 2012; McCarthy, 2015). The big difference is that for anti-ACTA protesters, the Internet was more than a tool - it became a cause in itself. People protested to defend Internet freedom, interpreted in a wide variety of ways by different actors, but most often as the freedom of sharing culture (and files) online, the freedom of not being

under surveillance, and the freedom of expressing oneself as a key prerequisite for the functioning of any democratic community.

The reason why I got interested in anti-ACTA mobilization, to begin with, and decided to investigate it further is a rather non-original one. I had to take part in the anti-ACTA protest in Sofia (11th of February 2012) and film it as part of a research project, but once I joined the march, I could not help feeling that something unprecedented, at least for the Bulgarian context, was happening. The temperature was -10 degrees Celsius, protesters with Guy Fawkes masks were marching on the streets, and I had not seen such crowds in front of the Bulgarian parliament for more than a decade. On the same day, the 11th of February 2012, protests against ACTA took place also in Berlin, Hamburg, Munich, Sofia, Vienna, and many other European cities. But the wave of discontent had already started weeks earlier in Poland.



Fig. 1. Polish lawmakers wearing Guy Fawkes masks, January 2012.¹

On the 23rd of January 2012 the web site of the Polish Prime Minister was hacked and the contents replaced by a video urging Internet users to oppose ACTA – the Anti-Counterfeiting Trade Agreement, which Poland had planned to sign on the 26th of January.² On the 26th of January Poland signed ACTA in Tokyo, together with other 21 EU member states and the EU

¹ Source: *International Business Times*, <<http://www.ibtimes.co.uk/acta-polish-mps-guy-fawkes-masks-288548>> [15.04.2016].

² Radio Poland (2012): PM Tusk's Website Hacked in anti-ACTA protest. <<http://www.thenews.pl/1/12/Artykul/83924,PM-Tusks-web-site-hacked-in-antiACTA-protest>> [18.08.2017].

itself.³ At this point, there were already thousands of Polish citizens protesting on the streets, while a group of Polish lawmakers put on Guy Fawkes masks during a session of their parliament to symbolically oppose the signature.⁴ Kader Arif, the European Parliament's rapporteur on ACTA, resigned denouncing the negotiations for the treaty as a "masquerade".⁵ Dozens of protests followed all around Europe. As the map below shows, the protest in Sofia I attended was just one dot among many others in a truly transnational mobilization.

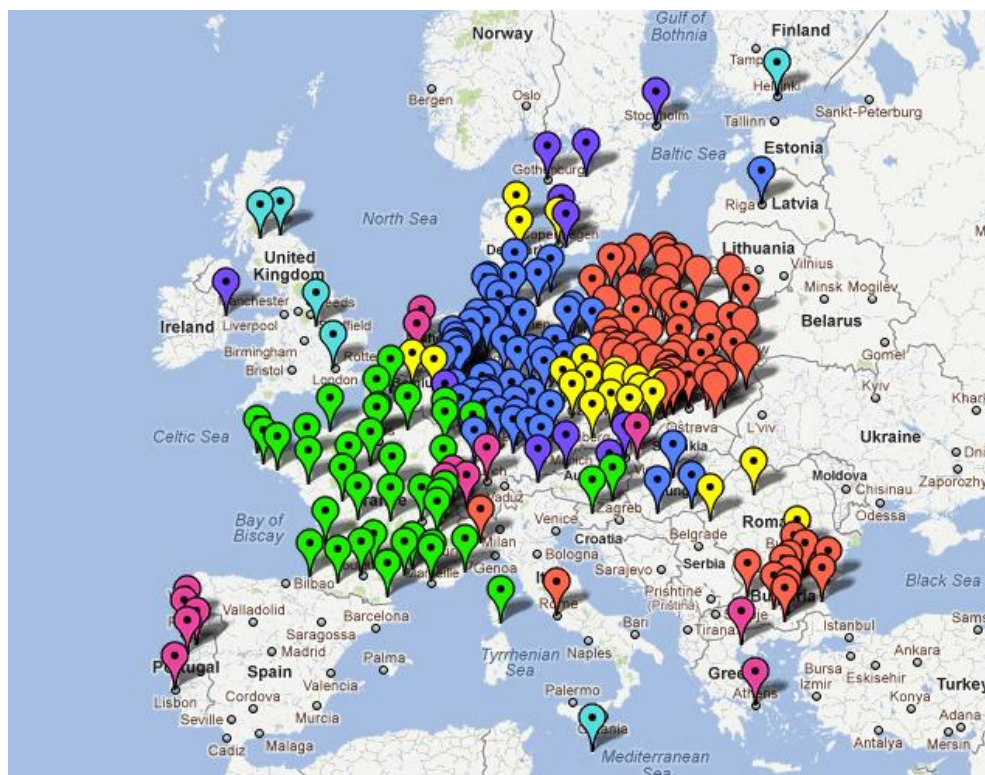


Fig. 2. Planned Protests against ACTA, as published on the 5th of February 2012.⁶

In this thesis, I analyse the specific pattern of diffusion of anti-ACTA protests across countries and explore what types of frames and forms of contention diffused between different countries and across time and why. Understanding the mobilization against ACTA is important as it was one of not too many successful examples of trans-European protest

³ Bryant, Martin (2012): The EU and 22 member states sign the controversial ACTA 'Internet surveillance' treaty, In: *The Next Web*. <https://thenextweb.com/eu/2012/01/26/the-eu-and-22-member-states-sign-the-controversial-acta-internet-censorship-treaty/#.tnw_zawL8Qpu> [18.08.2017].

⁴ Myslewski, Rik (2012): Polish Lawmakers Don Guy Fawkes Masks to Protest ACTA. In: *The Register*. <https://www.theregister.co.uk/2012/01/27/acta_protests_in_poland/> [18.08.2017].

⁵ Lee, Dave (2012): European Parliament Rapporteur quits in ACTA protest, In: *BBC News*, <<http://www.bbc.com/news/technology-16757142>> [18.08.2017].

⁶ Source: <<http://www.ritholtz.com/blog/2012/02/europe-rises-up-against-acta/>> [30.05.2016].

taking place in several EU member states (della Porta and Caiani, 2009; della Porta and Parks, 2012; Teune, 2010). It also came to be the first trade agreement to be reviewed by the European Parliament, providing an example of a trans-European public debate (Losey, 2013: 50). What is more, it was the first agreement to be rejected by the European Parliament after its powers were extended by the Lisbon Treaty, which came into force in 2009. On the 4th of July 2012 478 MEPs voted against ACTA, 39 in favour, and 165 abstained⁷. The legally informed, persistent and innovative campaigning by transnational NGOs, many of which based in Brussels, successfully combined with spontaneous protests of thousands of people in many EU countries to create a remarkable instance of citizen involvement in EU politics. Considering the cyberattacks carried by members of the hacktivist group Anonymous on governmental websites and the thousands of emails that cluttered the accounts of national and EU deputies, citizen participation definitely did not take the nice and friendly form that fans of deliberative democracy would hope for. But one thing was certain: people engaged with the issue with unprecedented enthusiasm. Nevertheless, a careful in-depth analysis of the protests – what triggered them, where they diffused, and why - is still missing.

What is more, while several authors have examined ACTA in the context of long-term struggles against stringent IP rules (Benkler et al., 2015; Lee, 2013; Horten, 2013), a key novelty and contribution of this thesis is that it examines the anti-ACTA mobilization in the context of the protest cycle in the aftermath of the financial crisis. In the last two years, several in-depth case studies have been published with a focus on post-2008 protests in the Southern (della Porta et. al., 2017) and Eastern Peripheries of Europe, as well as in Brazil, South America, Turkey (Beissinger and Sasse, 2014; della Porta et al., 2017b; Junes, 2016), including a comparative analysis of this latest wave of contention and the earlier Global Justice movement (Gerbaudo, 2017). Nevertheless, with some exceptions (della Porta and Parks, 2015), the anti-ACTA protests have rarely been included in the analyses of the latest wave of contention.

The first broad goal of my thesis is to fill in this gap in the literature and explore the anti-ACTA campaign as an integral part of the latest cycle of contention. By focusing on the anti-

⁷ European Parliament (2012): European Parliament Rejects ACTA
<<http://www.europarl.europa.eu/news/en/news-room/20120703IPR48247/European-Parliament-rejects-ACTA>> [Last accessed 05.04.2016].

ACTA mobilization, I try to shed light on an intense protest cycle from an unusual perspective, to reveal and, at the same time, to challenge some of its prominent presuppositions that have been taken as given, most importantly the myths around the Internet and social movements. Myths here are understood not as “lies” or untrue beliefs, but rather as beliefs that inform and structure human action, and as such are living and persisting, regardless of their truth or falsity (Mosco, 2004).

I am particularly interested in the glorification of the Internet as a tool but also as an ultimate cause, in at least three senses of the word “cause”. First, in the Aristotelian sense of a *formal cause*, a template, a model for a better society we strive for – the “network” as an organizational model of openness, horizontality, and leaderlessness that overcomes the petty political quarrels and factions from the past. Second, in the sense of an *efficient cause*: a trigger, a push that started the protests – this is often what people meant when they discussed the “Facebook” or “Twitter” revolutions in Egypt and Tunisia. Some authors even went as far as to claim that “digital media has...become a necessary and sometimes even sufficient cause of democratization” (Howard and Hussain, 2013: 39). Third, a cause in the Aristotelian sense of a *final cause*, a goal, a telos, but also a cause in the everyday use of the word: a goal, a socially valuable aim that is worth fighting for. In the protests against ACTA Internet itself became a cause worth fighting for.

Even though in the last years there has been a surge in critical research of the Internet and social movements (Dencik and Leistert, 2015; Gerbaudo, 2012; Haunss, 2015; Treré 2016; Treré and Barassi, 2015; Lovink, 2012; Lovink, 2016; Lovink and Rasch, 2013, etc.), it has not explicitly addressed problems of social movement diffusion. Thus, the second broad goal of my thesis is to bridge the insights of critical Internet research with social movement diffusion theory.

The title of this Introduction “Leave our Internet Alone” is in fact a slogan that was used in the protests against ACTA. I have chosen this slogan as a title precisely because I do not intend to leave the Internet alone. On the contrary, I claim that studying the diffusion of protests against ACTA is important because it allows us to explore the glorification of social media, online tools, and the Internet as a space of freedom that appeared in its most crystallized form in the mobilization against ACTA, but permeated to a different extent the discourse of both protesters and researchers in the shadow of the Great Recession.



Fig. 3. Protest against ACTA in Sofia, 11th of February 2012.⁸

0.2. Main puzzles and questions with regard to the diffusion of protest against ACTA

But why was an agreement on counterfeiting perceived as an assault on the Internet and what type of values and discourses informed the resistance to ACTA? In order to understand this, I explore the interests and the arguments of the proponents and the opponents of ACTA. I examine in particular which countries and actors pushed for ACTA, why different types of intellectual property rights (such as trademarks, patents, and copyright) were bundled together in the agreement, and how the original values of the Internet and free software inspired a counter-mobilization against ACTA. These reflections touch upon discourses on the politics of technology and, furthermore, upon discourses that focus on technology as a political agent.

The *second* issue I am interested in is simple and counter-intuitive: the countries that protested most actively against austerity - Greece, Italy, Portugal, Spain - did not protest against ACTA. The countries that protested the most against ACTA were less affluent countries from the East such as Bulgaria, Romania, Poland, Slovenia, and more affluent countries from the West such as Germany, Austria, Denmark, and Sweden. I try to

⁸ Source: <http://www.deviantart.com/art/Anti-ACTA-protest-4-284435597>.

understand what might be the possible factors that explain such a curious pattern of diffusion?

But there is also a third problem that puzzles me and I want to understand better. Was there really a transnational dialogue with regard to ACTA? In my thesis I set out to explore why some types of frames diffused in the protest against ACTA and others failed to diffuse, in what directions they spread, and was there a difference between types of frames depending on who spread them. In addition, I want to analyse how protesters translated frames in ways that were often highly nation-specific. For example, at the Bulgarian protests, which I attended, there was a protestor holding a flag with the mask of the hacktivist group Anonymous on its obverse side and the slogan “Freedom or Death” on its reverse side. “Freedom or Death” is a key historical phrase from the 19th century struggles for national liberation, which has been recently rediscovered by the radical right in the country. During the anti-ACTA protests this romantic nationalist vision of freedom became entangled with Internet freedom in a common frame. This however seemed more characteristic of the discourse of protesters than of the discourse of NGOs. Another issue I focus on is the interaction between protesters, NGOs and political parties, and the spread of different forms of contentious action.

Finally, I am interested in whether the remarkable success of the anti-ACTA campaign set a precedent and influenced the subsequent mobilization against two different trade agreements: The Transatlantic Trade and Investment Partnership with the US (TTIP) and the Comprehensive Economic and Trade Agreement with Canada (CETA). I explore to what extent the frames and forms of contentious action from the campaign against ACTA were later used in the campaign against TTIP.

In addressing these issues, I draw on insights from the literature on political economy of intellectual property and intellectual property contestations (Farrand, 2014; Haggart, 2014; Haunss, 2013a) and place my research within the framework of social movements theory on cycles of contention, protest diffusion, and spillover (Givan et. al., 2010; della Porta and Mattoni, 2014; Kriesi et al., 1995; McAdam, 1995; Meyer and Whittier, 1994; Soule, 2007; Tarrow 1995, Tarrow, 2011). The main paradox at the heart of my thesis, is that despite the high expectations for the Internet’s role in protest diffusion (Breuer, 2012; Castells, 2012; Howard et al., 2011; Kwon and Hemsley, 2017; Mercea, 2013, Mercea, 2016; Vasi and Suh,

2013), the factors that explain best the diffusion of Internet-related protests themselves are the presence and absence of protest traditions, i.e. already established formal and informal activist networks, and the timing of protests, which in some countries came too late, after a more general social critique had already been formulated and enacted. As Sebastian Haunss has noted in his meta-analysis of research on social movements use of Internet technologies, “protest remains place-based and still relies to a very important amount on pre-existing and face-to-face social networks” (Haunss, 2015: 28). Extending this observation to the field of social movement diffusion, I show that in the transformative age of digital technologies, human agency, long-term connections built over time online and offline, and the meaning work involved in framing still matter enormously for spreading protest. Diffusion is not a spontaneous automatic process facilitated by technology, but a political endeavour of actors with competing frames and strategies of contention. The best way to make this point for me was to explore a strongly Internet-focused protest, and to show that even in this case the human factor is crucial. In the next section of the Introduction, I outline the main chapters of this thesis and show the logical structure behind the unveiling of my arguments throughout the work.

0.3. Chapter Plan

In chapter One, I provide the general theoretical framework of the thesis and formulate the main research questions. Drawing on social movement theory on cycles of contention, protest diffusion, and spillover, I ask: (1) why anti-ACTA protests diffused successfully in the North, West and East but failed to diffuse in the South of the EU? (2) why particular anti-ACTA frames and forms of contention diffused between different countries, while others failed to diffuse? (3) why particular anti-ACTA frames and forms of contention diffused *across time* to the anti-TTIP and CETA mobilizations, while others failed to diffuse? In short, I ask questions about failed and successful diffusion of mobilization itself and about the failed and successful diffusion of frames and forms of contentious action within the same mobilization and between different mobilizations. My research, on the one hand, aims to expand and complement the empirical knowledge of anti-ACTA mobilization and on the other, to expand the already existing theories of protest diffusion explaining what diffuses, how, and why. By contrasting the empirical reality of protest diffusion with techno-fetishist myths, I want to emphasize that protest diffusion is highly political, it depends on pre-

existing efforts and networks, and there is no technical quick-fix neither for spreading protest, nor for achieving change.

In Chapter Two, I explain what ACTA was all about, who pushed for it and what its main provisions were. It is an introduction to intellectual property (IP) contestations for all those who have not followed the issue closely. Most of my thesis is dedicated to resistance to one particular agreement – ACTA - and thus it is important to explore what the agreement is all about, before I trace how the protests against it diffused. Such an introduction is necessary not only in order to understand better the frames used against ACTA but also in order to understand more generally debates on Internet freedom and control that have informed the whole protest cycle in the shadow of the Great Recession. First, I explore the way ACTA mixed different types of intellectual property such as trademarks, patents and copyright. In addition, I present research on the political economy of intellectual property that analyses how developed countries strategically connected intellectual property (IP) to trade in international law and how they adopted a forum-shifting strategy in the ACTA negotiations, pursuing the agreement outside of WIPO and the WTO. Second, I analyse the push against stringent IP protection and in defence of the values of sharing, collaboration, and participation that are believed by tech activists to be inscribed in the “design” of the Internet. I pay particular attention to the legacy of the free software movement and activists that have insisted that openness and collaboration should be defended already at the stage of coding. After focusing on the politics of technology, I explore discourses that go a step further and assume that technology is political. They claim, for example, that the Internet could stimulate democratization. I explore these discourses as instances of “technological fetishism” (Dean, 2009; Harvey, 2003). Finally, I present some crucial insights from critical Internet research that counters overly ambitious claims about the radical potential of the Internet with careful empirical observations about actual practices. Indeed, while rightly insisting that technology is political, many tech-activists have failed to realise that politics is about more than simply having the “right technology”. After all, politics is political too and believing that complex political problems can be solved with technological means is a good example for “techno-solutionism” (Morozov, 2013).

In Chapter Three, I explore my first research question: *why anti-ACTA protests diffused successfully in the North, West and East, but failed to diffuse in the South of the EU?* I reject

possible explanations that attribute this pattern to economic factors, support for file sharing, levels of file sharing, political opportunity structures, and social media use, amongst others. In fact, from the analysis of the cases it emerges that anti-ACTA protests were big in countries where there had been previous contestations over Internet issues but *NO* previous sustained anti-austerity mobilizations. Thus, it is mobilization traditions and the influence of social movements over subsequent social movements that explain diffusion in this case. This is an argument that emphasizes agency and focuses on the influence of social movements on other social movements more than on the technologies used or on “external”, contextual factors.

At the theoretical level, I claim that the presence of established civil society and protest networks, ideologically favourable to the protest, frames and forms of contention being diffused⁹, *facilitates* diffusion. Nevertheless, the presence of established civil society and protest networks might *prevent* protest diffusion, if these established networks (1) have already reached a more advanced stage of institutionalization and articulation (Zamponi, 2012) or (2) have experienced a discursive growth in generality: from single-issue protests to more general system critique. Pointing out and exploring in detail this second condition has been my particular contribution to the theory. Spain and Italy, where (despite the politicization of Internet issues and the presence of potentially supportive groups) no anti-ACTA protests took place, are a good example for the importance of the discursive growth in generality as a factor impeding subsequent single issue protests.

To begin with, in the case of Spain, the massive protests from May 2011 had already moved to a more generalized social critique by 2012, when ACTA emerged as an issue. Thus, ACTA came too late in order to make a difference. In Italy, where social movements remained rather techno-sceptic (Treré, Jeppesen and Mattoni, 2017), the Five Star Movement “owned” (Budge, 2015; Lefevre et al., 2015) the issue of the Internet but used “web ideologies” (Mosca, Vaccari and Valeriani, 2015) in a rather instrumental way and did not recognize ACTA as a cause to fight for. In both cases Internet issues were previously

⁹ Most of the authors studying the importance of protest tradition and memories for facilitating mobilization (Flesher Fominaya, 2013; 2015; Zamponi, 2012; Zamponi and Daphi, 2014) focus on protest continuity between movements of the left, i.e. between movements that are ideologically close. Nevertheless, as research on the absence of anti-austerity protest in the Irish context (O’Connor, 2017) and of failed diffusion of anti-austerity frames in the Bulgarian context (Rone, 2017) has shown, the presence of strong right-wing (conservative or neoliberal) protest traditions might in fact impede the spread of protest and protest frames from the left of the political spectrum.

politicized but within broader anti-systemic (bottom-up or top-down) populist mobilizations, which meant that it was difficult for a new single issue protest to gain salience. The analysis of the failed cases thus reveals that *both* the politicization of the Internet and the absence of previous anti-systemic mobilizations are important factors for the diffusion of anti-ACTA protests. In a sense, anti-ACTA protests gave vent to popular indignation and replaced anti-systemic anti-austerity protests in countries where the latter did not take place for a variety of reasons.

Chapter Four is dedicated to my second research question regarding the diffusion of frames and forms of contention across space, i.e. between the countries where anti-ACTA protests took place. In the first part of the chapter, I try to establish what types of frames have diffused between countries, in what direction these frames have diffused, and to what extent there has been a truly transnational dialogue. I show that frames diffused mainly from expert transnational NGOs to NGOs and protesters at the national level, and what is more, there was little cross-country horizontal diffusion of frames taking place. Thus, one of my original findings is that there was a clear centre-periphery model of diffusion of information contrary to predictions that Internet mobilizations could empower peripheral actors and give them voice. While there was a truly transnational dialogue, it was dominated by frames produced and spread by transnational NGOs. A second important finding is that there was a considerable difference between the types of frames diffused through transnational NGOs networks and the types of frames originating at the national level. In the second section of Chapter Five, I pursue this finding further: I move beyond expert framing and explore how protesters at the local level, beyond simply adapting frames offered by NGOs, put forward frames that were often highly nationally specific. In Poland for example, sometimes the fight against ACTA was compared to the fight against Nazism or communism, while Bulgarian Internet users called ACTA “the Ottoman Empire of the Internet”. Regardless of these national specificities, however, NGOs managed to dominate the debate and impose a coherent set of expert frames in the transnational media coverage. It becomes clear that, contrary to the often more contextual and sometimes even nationalistic frames used by protesters, NGOs focused on more technical frames referring to procedural problems of the ACTA negotiations and on frames pointing to infringement of fundamental rights.

Finally, in the third part of Chapter Four, I analyse the diffusion of forms of contentious action and the tense interaction between street protests, hacktivism and lobbying at the EU parliament. I show that diffusion of forms of contention was the outcome of the political battles and competing visions of different sets of actors. While different protest repertoires had different time trajectories, the combination between short-lived mass protest mobilization and hacktivism and long-term lobbying and expertise provision proved to be a viable strategy for defeating the agreement. The democratic participation of protesters and angry citizens who called MEPs was legitimized by the expertise of NGOs in a symbiosis that happened unexpectedly and led to the rejection of ACTA. All in all, diffusion of frames and forms of contentious action in the mobilization against ACTA was not a smooth, “viral” spreading of contagious “memes”, but a contested process in which different actors used their influence, pre-existing connections, and a variety of media channels to promote their own preferred frames and forms of contention.

Chapter Five addresses my third research question and explores how particular frames and forms of contentious action from the mobilization against ACTA have diffused *across time* to the campaigns against the more recent trade agreements TTIP and CETA, which have often been compared with ACTA.¹⁰ I show that, when it comes to frame diffusion, the Global Justice movement has been much more influential for anti-TTIP and CETA mobilization than the anti-ACTA organization. At the same time, there have been consistent attempts by the radical right to reframe resistance to TTIP and CETA and “own” the issue. Nevertheless, when it comes to forms of contention, the mobilization against ACTA provided important lessons to NGOs in particular on how to organize a trans-European campaign. My conclusion is that sometimes diffusion between protests from different protest cycles is stronger than diffusion between protests within the same protest cycle. I explain this again with the presence or absence of established protest tradition, paying special attention to the content of what is diffused.

By situating the anti-ACTA protests in the context of a broader wave of contention, I aim to go beyond “movement exceptionalism” and follow David Meyer’s urge to avoid studying a

¹⁰ Greens (2015): Remember ACTA? The Commission is using the same rhetoric for TTIP. And it’s not going to work. <<http://ttp2016.eu/blog/Max%20Andersson%20TTIP%20ACTA.html>> [20.08.2017]; Graf, Marlon (2014): ACTA Revisited? TTIP and Data privacy. In: Atlantic Community.org. <<http://www.atlantic-community.org/-/acta-revisited-ttp-and-data-privacy>> [20.08.2017].

single movement without paying attention to its connection with other movements and party politics (Meyer et al., 2002: 17-19). Studying the influence of movements on other movements (Koopmans, 2007; Whittier, 2007; Soule, 2007) and the interaction between social movements and party politics (Kriesi, 2014) seems to be not only a reasonable holistic approach but also the only responsible way to address the important problems of our time that go beyond the narrow issue of Internet freedom and put to test our very conceptions of democracy and who makes the laws, how, and in whose interest.

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To sum up, it is important to study the mobilization against ACTA because it is one of the key examples of a successful trans-European mobilization. What is more, ACTA became the first trade agreement rejected by the European Parliament. At the same time, there is a dearth of research on ACTA in the larger context of the protest cycle following the financial crisis. While there is a lot of research on the use of the Internet and digital technologies in protest organization, what was new in the ACTA campaign was that the Internet was not just a tool but also a political cause in itself. By focusing on the diffusion of anti-ACTA protests, my research sheds light on the whole protest cycle and questions the myth of the Internet as an emancipatory technology. It thus brings some of the insights of critical Internet research to the field of social movement diffusion studies.

Ultimately, this thesis reveals how the empirical reality of the anti-ACTA campaign contradicted the mythical expectations of freedom and empowerment through the Internet that had inspired it. The anti-ACTA campaign was the strongest in countries without big anti-austerity protests, where the defence of Internet freedom, in a sense, filled the void left by these absent anti-austerity mobilizations. What is more, contrary to narratives of Internet use leading to emancipation and bottom-up knowledge production, there was a clear top down directionality in frame diffusion, with transnational NGOs providing legal expertise to NGOs and protesters in different national contexts, without any reciprocal frame diffusion. Thus, the use of new technologies did not lead to more participatory, distributed production of knowledge but replicated old patterns of information diffusion. What is more, NGOs “translated” popular demands voiced in protests in a language acceptable by EU institutions in what was ultimately a highly successful campaign. They imposed a unified set of frames that took away the political edge of popular protests at the national level and focused on

procedural problems and threats to fundamental human rights. What was lost in this translation was the highly politically charged, sometimes even nationalist edge of national-level protests. And while the mobilization against ACTA could be interpreted as a precedent for the mobilizations against the more recent trade agreements TTIP and CETA, my research reveals that the diffusion of frames and forms of contention between these three mobilizations has been less strong than expected. Interestingly enough, groups active in the Global Justice movement have been much more active in organizing against TTIP and CETA. This last observation points once again to the role of pre-existing protest and civil society networks and the importance of the content of what is being diffused and the timing of diffusion.

It is not that the Internet has not been important for protest diffusion. But it has been less of a game-changer than protesters (and researchers alike) believed it to be. Thus, it is not a matter of “yes” or “no” but rather of “more” and “less” important. Technologies are most effective and important when they move beyond the stage of the mythical and become banalised (Mosco, 2004). By exploring one particular protest in defence of the Internet, I aim to show that the importance of the Internet has been exaggerated by media, and even social movements scholars, and it is time to banalise the Internet (similar to the way we have banalised the radio, TV, cable TV, etc.) in order to impartially explore its uses and most importantly, focus again on politics that cannot and should not be wished away by technology.

By focusing on the politics of technology and the belief that technology could avoid the trifles of politics, many protesters in the anti-ACTA campaign (but also in the whole post-financial crisis cycle of contention) ignored the *techne* of politics. Protest organization is a political effort, not the spontaneous outcome of the “invisible hand of digital technologies”. And protest diffusion is political too – it requires constant collective effort, organization, and competition between different groups and visions of what is to be diffused. No technology, no matter what values are imbued in it, can help us avoid the power struggles, the friend-enemy relations, the acts of promise and forgiveness, and the compromises we make when we act with other people as political animals.

Spreading Protest: Analysing ACTA as part of the Cycle of Contention

Following the 2007-2008 Financial Crisis

- CHAPTER ONE -

every event... is a conscious reaction to a situation, not the effect of a cause

Robin Collingwood

In the first section of this chapter, I present the epistemological grounds of my approach that goes beyond the comparative analysis of cases (treated as if they separate and unconnected entities) in order to trace the links and connections between cases within complex systems. In the second section, I introduce existing research on ACTA and present my main theoretical framework that focuses on protest diffusion, cycles of contention, and the influence of social movements on other social movements. The use of this theoretical framework to analyse the case of ACTA allows me to address original questions that have not yet been addressed with regard to the mobilization. In the third section, I present my three main research questions: (1) why anti-ACTA protests diffused successfully in the North, West and East but failed to diffuse in the South of the EU? (2) why particular anti-ACTA frames and forms of contention diffused *between different countries*, while others failed to diffuse? (3) why particular anti-ACTA frames and forms of contention diffused *across time* (specifically to the anti-TTIP and CETA mobilizations), while others failed to diffuse. Existing approaches focusing on independent variables or protest opportunity structures cannot adequately address these questions in the case of ACTA. Theories of diffusion and influence of social movements on other social movements, on the other hand, prove to be much more helpful for explaining the mobilization against ACTA. At the same time, these theories cannot fully explain the empirical details of this concrete empirical case and I need to complement and expand them, while challenging some of the overly optimistic predictions of the role of the Internet and social media for diffusion. Thus, the thesis not only expands the empirical knowledge we have of the anti-ACTA mobilization but also identifies new factors that could explain protest diffusion and reveals the political and contested character of the diffusion process.

“Hard to be a God”: Moving beyond comparative analysis

In a famous passage of his “The Idea of History” Robin Collingwood states that “every event, so far as that event is an expression of human thought, is a conscious reaction to a situation, not the effect of a cause” (Collingwood, 1993: 475). This observation draws attention to the fact that people are reflexive agents that find connections between events and act ultimately on the basis of their interpretation of complex situations. Thus, people’s actions cannot be explained with isolated causes or neat independent variables. People react to situations, taking multiple factors and considerations into account, not least their direct or indirect experience with similar situations. What people do in a particular case is often strongly influenced by what has been done in similar cases in another time or another place.

The dream of disentangling cases from each other and analysing them separately, keeping certain factors constant, as if in an experimental setting, has been uniquely captured in the 1967 Russian sci-fi novel “Hard to be a God”. Anton, the main character of the novel, has been sent on a mission to a distant planet inhabited by human beings who still have not advanced beyond the Middle Ages. Anton can only observe and is not allowed to interfere as this might change the course of history, which proves to be increasingly difficult for him. The fictional plot of “Hard to be a God” points to some of the crucial dilemmas of social science. Is it possible to observe a foreign society and assume it is completely independent from ours, as if it were on a different planet? How long can “separate” cases remain isolated from each other before diffusion of ideas or practices takes place?

“Hard to be a God” raises questions which are particularly relevant with regard to the comparative analysis approach employed in what Adams et al. define as “the second wave of international sociology” (Adams et al., 2003). This second wave international sociology “was defined by a shared set of commitments: a substantive interest in political economy centred on questions of class formation, industrialization, and revolution, along with a (usually implicit) utilitarian model of the actor” (ibid, 7-8). Within this tradition, authors such as Theda Skocpol explored the “great revolutions” of France, Russia, and China in order to understand why revolutions did not happen exactly how and where Marxists expected them. Comparative analysis was carried out in a strongly positivist tradition. “It was defined at the outset as one of the methods available to control hypotheses on the relations between two or more variables, keeping constant (or parameterizing) all potentially

disturbing elements” (Della Porta, 2008a: 200). In order to test the hypothesis, a distinction was made between conditions treated as parameters which did not/should not change and causal conditions which varied in order to assess their influence on the outcome. There have been three main approaches within comparative analysis: the experimental method, the statistical method, and the comparative method (Della Porta, 2008a). Regardless of whether they deal with a small-N or large-N analysis, they all focus on the way different variables correlate with particular outcomes.

There are two main criticisms to this extensive focus on variables. First, within the language of variables, authors like Peter Hall (2003) underline how complex the interaction between variables and outcomes might be. Hall emphasizes the importance of multiple conjunctural causation, interaction effects, and path dependence. Variables do not only affect outcomes but interact with each other across time. In addition, classical comparative analysis in its experimental or statistical versions, neglects the role of agency and the strategic interaction between individual actors. Finally, timing and sequencing should be brought back in: “Comparative politics has moved away from ontologies that assume causal variables with strong, consistent and independent effects across space and time towards ones that acknowledge more extensive endogeneity and the ubiquity of complex interaction effects” (Hall, 2003: 387). Second, the very language of variables enters in stark contradiction with qualitative approaches focusing on meaning, understanding and interpretation of holistic systems (Della Porta, 2008a; Jasper, 2014; Poletta, 2006).

Contrary to the type of sociology that treats the world as an empty experimental space, I base my thesis on an understanding of the world as a complex system which is constantly transforming itself. What is important in complex systems are not their different components analysed separately from each other, but the very process of interaction and communication between components forming a part of a single whole. As the philosopher of information Paul Cilliers insists, “complex systems display behaviour that results from the interaction between components and not from characteristics inherent to the components themselves. This is sometimes called emergence” (Cilliers, 2005a: 257). Cases cannot be neatly distinguished from each other as they form part of the same system – one case would not be the same without the other. At the same time, what counts as a case is a result of a dialectical relationship between the way we know the system and the way the

system itself functions: “Boundaries are simultaneously a function of the activity of the system itself, and a product of the strategy of description involved. In other words, we frame the system by describing it in a certain way (for a certain reason), but we are constrained in where the frame can be drawn” (Cilliers, 2005b: 610).

To adhere to the complex systems approach in my research on anti-ACTA protests means in practice to analyse the mobilization against ACTA as a conscious reaction to a situation rather than as the effect of a particular cause. I place the anti-ACTA protests in the wider context of, on the one hand, the contestations over intellectual property and information in the knowledge society, and on the other hand, the cycle of contention starting with Iceland’s 2008-2009 protests and moving to the Arab Spring, Los Indignados, Occupy, until the most recent protests against the trade agreements TTIP and CETA. But while complex systems theory provides a more general theoretical framework and justification for my approach, it is social movements theory that allows me to frame and address with more precision the questions on successful and failed diffusion of protest, protest frames and forms of contention that I am interested in. In the next section I provide a brief overview of the existing literature on ACTA and elaborate why I need to introduce a new theoretical framework to approach the empirical case, and how the analysis of the empirical case opens new avenues for theory.

Literature Review and Theoretical Framework

Literature Review

The protests against ACTA have definitely not suffered from a lack of academic attention. Still, a large part of the literature on the agreement comes from the fields of international law and political economy (Aaronson, 2016; Bitton, 2013; Blakeney, 2013; Bridy, 2016; Farrand, 2014; Haggart, 2014; Hofmann, 2012; Horten, 2013; Kaminski, 2011; Mercurio, 2012; Roffe and Seuba, 2015), while social movement research on the topic is still scarce with a few important exceptions (Herweg, 2013; Lee, 2013; Losey, 2013; Mercea, 2016; Parks, 2013). Thus, there are detailed analyses of the legal aspects of the agreement and the political battles around intellectual property (IP) law making, but there is less research on the transnational mobilization against ACTA as a form of political action. What is more, ACTA was certainly one of many controversial transnational agreements and it remains to be explained why by 2012 it was precisely ACTA (and not another agreement) that provoked mass protests across Europe, with thousands of people going to the streets. An even tougher question that has not been addressed in the literature is why the anti-ACTA protests that started in Poland diffused more successfully in some EU countries than in others. My thesis aims to fill this gap and offer a comprehensive account of diffusion of protest against the agreement.

To explain why anti-ACTA protests reached the scale they did, it is important to emphasize the fact that anti-ACTA mobilization was, first of all, an episode in a broader series of conflicts over the ownership, use, and control of information in a knowledge society (Haunss and Shadlen, 2009, Haunss, 2013a) and drew a lot from this tradition. With the politicization of IP, the number of conflicts over control of IP has increased: from movements for access to medicines and against bio-piracy, through the fight against the Software Patents Directive in the EU and the rise of the Pirate Party at the electoral arena (Haunss, 2013a) to the unprecedented campaign against SOPA and PIPA in the U.S. (Bellville, 2012; Benkler et al. 2015) and the popular protests against ACTA that surpassed all previous mobilizations in terms of numbers of protesters and media coverage. These conflicts over the international system of intellectual property are the result of new cleavages in the knowledge society (Haunss, 2013a), the rising importance of immaterial labour and goods (Hardt and Negri, 2005), and the emergence of collective actors to contest the existing order.

But do these collective actors form a movement? Indeed, some authors see in the rise of groups such as WikiLeaks and Anonymous an emerging “free information” movement - a “digital, peer-produced movement concerned with the asymmetrical distribution of information” (McCarthy, 2015). Activism that is facilitated over the Internet and focuses on communication policy seems to have a dual character: “it employs features of participatory and networked information sharing and uses these to develop discourses that support the Internet as a site of free expression” (Powell, 2015: 253). Nevertheless, other authors are more cautious and sustain that there is no evidence of the existence of a social movement specific to media and technology in the same way as one could speak of the environmental movement or the animal rights movement. Instead, one could speak of the presence of a “karst movement”, manifested in separate movement dynamics that coincide and converge occasionally when there is an open policy window or some instance of repression: “During periods of latency, the karst movement tends to disappear underground, concentrating on challenging cultural codes by providing communication services that offer an alternative to commercial infrastructures” (Milan, 2013: 168).

I find particularly useful Postill’s notion of “nerd politics”, which is flexible enough to encompass a variety of forms of activism (that go beyond protesting on the streets or hacking) on a variety of issues, without at the same time insisting they form a movement or losing sight of what unites them all. Postill (2017) identifies a set of core issues around which nerd politics has consolidated: freedom of expression, intellectual property, net neutrality, and digital privacy. These issues are often drawn together under a common frame through online and offline campaigning. “Nerd Politics” operates in four main spaces, or fields: *digital rights activism*, *data activism*, *social protest*, and *electoral politics* (Postill, 2017). Sometimes, there are actors who manage to transverse these spaces: for example, the Spanish collective XNet that started as a *citizen platform* in defence of Internet freedoms, then joined informally Los Indignados *protesters*, only to move on to *data activism* and create the 15MpaRato platform (collecting the names of those responsible for the crisis in Spain) and the theatre play “Hazte Banquero” (exposing corruption in the famous bank Caja Madrid, now Bankia). XNet moved also in the space of *electoral politics* by establishing Partido X [Party X] (Postill, 2017). While XNet are example how a collective of activists can transverse spaces, many other actors remain rather confined within a single

field of nerd politics: the field of digital rights activism (groups such as the *European Digital Rights Initiative*, *La Quadrature du Net*, etc.), social protest (the Initiative against Software Patents), data activism (the hacktivist collective Anonymous, for example), or party politics (the Pirate Party).

Postill's classification shows clearly that there is no ultimate space of "nerd politics" but rather overlapping arenas connected by transient publics: "a social space as nebulous and scattered as nerd politics can only attain focus and collective action during short bursts of shared "games" (e.g. sharing a viral video, occupying a square, signing a petition to stop an anti-piracy bill). So there is an irregular alternation within such social spaces between relatively long periods of entropy (dispersal or disordering of political energies) and shorter periods of negentropy (gathering or ordering of political energies)" (Postill, 2017: 17). These "shorter periods of negentropy" in Postill's framework in fact point again to Milan's "karst movement" and help us understand better the ebbs and flows of nerd politics, and the reappearance of IP as an issue over the years with an increasing intensity: for example, the fight against the Software Patents Directive in Europe (Haunss and Kohlmorgen, 2010) was followed of a relatively quiet period, before the mass mobilizations against SOPA and PIPA in the US and against ACTA in the EU.

At the same time, research that traces the genealogy of ACTA strictly to other movements opposing stringent intellectual property rights such as SOPA and PIPA (Horten, 2013; Losey, 2013) overlooks the fact that ACTA happened in 2012, in the midst of a cycle of contention in the shadow of the Great Recession (della Porta and Mattoni, 2014; Gerbaudo, 2017). The anti-ACTA mobilization was influenced as much by the struggle against the Software Patents Directive (Haunss and Kohlmorgen, 2010) as by the explosive rhetoric of the Arab Spring. The year 2011 preceding the anti-ACTA mobilization, was labelled by the "Times" magazine as the "Year of the protestor" reflecting clearly the general mood of the time. But while the continuity between anti-ACTA protests and previous campaigns related to Internet freedom and intellectual property has been acknowledged, the connections between the anti-ACTA protests and other protests within the same protest cycle in the shadow of the Great Recession has remained unstudied. It is this connection that allows us to explain best where anti-ACTA mobilization managed to diffuse and where it failed. Social movement theory of

diffusion and movements' impact on other movements offers important new perspectives for research of ACTA that have not yet been pursued.

Indeed, within the field of social movement theory, ACTA has been examined so far with a focus mainly on the role of political opportunity structures, framing, discourse coalition building, and digital media use, but not on diffusion in particular. Thus, Parks shows that the institutional arrangement of the European Union has opened space for particular articulations of dissent and has allowed activists in the campaign against ACTA to exploit the tension between the European Commission and the Parliament (Parks, 2013). Nevertheless, as Haunss and Kohlmorgen (2010) have shown in their analysis of the campaign against Software Patents, it is not only the political opportunity structure (Kitschelt, 1986; Kriesi et al., 1995) or the mobilization of resources (McCarthy and Zald, 1977) that matter for successful campaigning, but also the building of dense alliances of committed individuals that can create the impression of collective identity while fighting under the same banner. Correspondingly, on the basis of discourse-network analysis (that explores network dimensions and framing at the same time), it has been demonstrated that the debate around ACTA was effectively won by the pro-ACTA discourse coalition that managed to dominate the discourse and influence decision makers (Herweg, 2013). Finally, existing social movements research on ACTA has shown that organizing protest and building discourse coalitions was particularly facilitated by the technological affordances of digital tools and social media in particular (Losey, 2013; Mercea, 2016).

Nevertheless, none of the analyses of ACTA so far has focused on diffusion of protest and thus, any questions of what diffused and why during this truly transnational mobilization have remained unaddressed. To a certain extent this might be due to what McAdam called "the single movement approach" (McAdam, 1995: 218). Already back in 1995 McAdam argued that "the conception of the social movement as the fundamental 'unit of analysis' combined with the methodological dominance of the case study approach has resulted in a highly static view of collective action that privileges structure over process and single movements over cycles of protest" (McAdam, 1995: 218). Indeed, regardless of the broader issue social movement researchers focus on (mobilization, internal dynamics, outcomes), what still characterizes many studies on social movements is the often exclusive focus on one movement - feminist, environmentalist, gay rights, far right, labour, Global justice, etc.

Of course, there is also plenty of comparative research comparing different types of movements, the most prominent example being the famous comparison between “new” and “old” social movements (Melucci, 1980; Buechler, 1995; Pichardo, 1997). Yet, there are still important gaps to fill when it comes to research on cycles of contention, transnational protest, and protest diffusion and spillover- research fields that have increasingly risen in importance in the two decades since McAdam’s urge to move beyond the “single movement approach”. In the next paragraphs I introduce my theoretical framework that builds upon existing research on *transnational social movements and the globalization of protest* (Beyeler and Kriesi, 2005; della Porta and Tarrow, 2005; della Porta and Caiani, 2009; Della Porta, Andretta, Mosca and Reiter, 2006; Parks, 2015; Tarrow and McAdam, 2005; Teune, 2010), *cycles of contention* (McAdam, Tarrow and Tilly, 2001; Tarrow, 2011), *protest diffusion* (McAdam and Rucht, 1993; Kriesi et al., 1995; Soule, 1997; Strang and Soule, 1998; Chabot and Duyvendak, 2002; Kenney, 2003; Soule, 2007; Givan et al., 2010; Guelke and Junes, 2012; Gerbaudo, 2013; della Porta and Mattoni, 2014) and movements’ influence on subsequent movements (Meyer and Whittier, 1994; Whittier, 2007).

Theoretical Framework

This thesis sets out to explore how the mobilization against ACTA diffused in a world of “complex internationalization” in which international institutions and regimes have expanded and the resources of local and national actors have been transferred to the international stage, creating threats, opportunities and resources for international NGOs, transnational social movements and, also, grassroots movements (della Porta and Tarrow, 2005: 235). Adopting a complex systems perspective, I am interested in how the transnational anti-ACTA mobilization fits within long-term contention over Internet freedom and within the cycle of contention in the age of austerity.

As McAdam notes, there are four basic truths that have long been known to activists but have been neglected by researchers: “First, the social movements are not discrete entities, akin to organizations. Second, social movements are normally inseparable from the broader ideologically coherent ‘movement families’ (della Porta and Rucht, 1991) in which they are embedded. Third, as Sidney Tarrow (1983, 1989) has long argued, it is the rise and fall of these ‘families’ or cycles of protest that we should be trying to explain. Fourth, most social

movements are caused by other social movements and the tactical, organizational, and ideological tools they afford later struggles” (McAdam, 1995: 218).

Accepting these truths, according to McAdam, would require changing our conceptual and methodological approach. We would need to shift our focus of attention from discrete social movements to broader “movement families” or “cycles of protest” in which they are typically embedded. Secondly, we would also need to emphasize the relationships between ideologically and temporally proximate movements by using methods that are designed to assess the extent and nature of links between groups, such as network analysis or diffusion studies combined with the comparative case approach. Finally, McAdam insists that instead of conceiving of all movements as emerging independently from each other, following their own internal logic, we might distinguish between initiator movements that set in motion the cycle of contention and *spin-off* movements that draw impetus and inspiration from the original initiator movements (ibid, 219). Once we distinguish between the two types of movements, according to McAdam, the general question of movement emergence can be replaced by two more specific questions: (1) what factors and processes account for the emergence of initiator movements and (2) through what processes (for example diffusion or contagion) initiator movements give rise to broader cycles of protest and specific spin-off struggles (McAdam, 1995).

Before elaborating on protest diffusion though, I must first define more clearly what is meant by the term “cycle of contention” that I have mentioned several times already. I use the classic definition by Tarrow who defines a cycle of contention as “a phase of heightened conflict across the social system, with rapid diffusion of collective action from more mobilized to less mobilized sectors, a rapid pace of innovation in the forms of contention employed, the creation of new or transformed collective action frames, a combination of organized and unorganized participation, and sequences of intensified information flow and interaction between challengers and authorities” (Tarrow, 2011: 199). Tarrow emphasizes the unpredictable nature of cycles of contention that often start in the same way but evolve differently on the basis of the responses of elites, opponents and potential allies to each other (ibid, 201). Movements open opportunities for each other but also trigger responses

from the state, which means that opportunities opened for early risers might not be available for late comers, and the opposite.¹¹

The most characteristic feature of cycles of contention is their innovative nature and the role they play for the creation of transformed symbols, frames of meaning and ideologies to justify collective action that later enter the culture in more diffuse and less militant form (Tarrow, 2011: 204). Snow and Benford, the pioneers of framing theory, emphasize that social movements do not simply carry extant ideas and meanings that emerge as if automatically out of structural arrangements, unanticipated events, or existing ideologies. On the contrary, movement actors actively produce and maintain meaning for their constituents, antagonists, and bystanders (Snow and Benford, 2000: 613).

Snow and Benford perceive framing as active and processual in the sense of a dynamic, evolving process which needs the time and efforts of social movement organizations and social movement activists. Framing is also contentious because it involves the generation of interpretive frames that can differ from existing ones or even challenge them (ibid, 614). The products of framing activity are “collective action frames”. There are three main types of frames: diagnostic, prognostic and action mobilizing frames which are the results of collectively negotiated meaning (ibid.). Both McAdam (1995) and Meyer and Whittier (1994) emphasize the role of initiator movements in forging “master frames” that emerge early in the cycle and are adopted with modifications by later movements. Of course, frames are never transmitted uncritically and activists in movements within the same cycle of protest, including latecomers, can reshape each others’ frames (Whittier, 2007). The last observation points to the important fact that we could never speak of pure diffusion but rather of a complex process of translation (Latour, 1987) and adaptation of frames and forms of contentious action. It is never the exact same protest that diffuses through different countries, nor can we conceptualize frames or forms of contentious action as objects that are simply transplanted from one place to another.

¹¹ An important note about the concept of “cycle of contention” is that using the notion of “contention” instead of “protest” is not a coincidence. The notion of “contention” provides an umbrella term for revolutions, protests, strikes, wars, ethnic mobilization, democratization, and nationalism (McAdam, Tarrow and Tilly, 2001). These phenomena have common features and can all be classified under the term “contentious politics” to refer to “episodic, public, collective interaction among makers of claims and their objects when (a) at least one government is a claimant, an object of claims, or a party to the claims and (b) the claims would, if realized, affect the interests of at least one of the claimants” (McAdam, Tarrow and Tilly, 2001, 5).

Transferring these insights to my research on the mobilization against ACTA, I insist that the anti-ACTA protests were a spin-off movement in a larger cycle of contention triggered by the economic crisis. What I want to explore is how protest and protest frames and forms of contentious action *diffused* within the campaign against ACTA itself and between the anti-ACTA mobilization and the subsequent mobilizations against TTIP and CETA. I adopt the definition of diffusion proposed by Elihu Katz and embraced by McAdam and Rucht in their important article on diffusion of movement ideas (1993): "Diffusion... [is] defined as the acceptance of some specific item, over time, by adopting units - individuals, groups, communities - that are linked both to external channels of communication and to each other by means of both a structure of social relations and a system of values, or culture." (Katz, quoted in McAdam and Rucht, 1993: 59). The authors outline four main elements of diffusion: "(1) a person, group, or organization that serves as the emitter or transmitter; (2) a person, group, or organization that is the adopter; (3) the item that is diffused, such as material goods, information, skills, and the like; and (4) a channel of diffusion that may consist of persons or media that link the transmitter and the adopter" (McAdam and Rucht, 1993: 59).

Most research on diffusion so far focuses on three main questions: what diffuses, how, and why (della Porta and Mattoni, 2014), with some researchers (Givan et al., 2010) asking also a fourth question: what is the impact of diffusion? When it comes to **what** is being diffused, apart from protest itself (della Porta and Mattoni, 2014), the content of diffusion can occur on two primary dimensions: behavioural and ideational (Givan et al., 2010: 5), i.e. what is diffused are movement tactics, collective action repertoires, and frames¹². An important

¹² Kriesi, Koopmans, Duyvendak, and Giugni offer a more detailed list of what is being diffused: (1) the very content of mobilization: "a particular goal, issue, theme, idea, slogan and so on, which is adopted by new actors and articulated in a different context"; (2) the form of organization: a particular feature of "the internal structure of a social movement organization, such as the division of tasks, the administrative form, or the degree of centralization or professionalization"; (3) a form of action, e.g. Tactical innovations; (4) a model of action: "a social movement's mobilization becomes an example for other actors, mobilizations, or movements"; (5) the likely effects of collective action: "adoption of particular features of a challenging group by another group" or "the spread of collective action itself from one area or sector to another" (1995, 185-186). The analysis of the post-financial crisis cycle of contention gives examples for all types of content diffusion: of goals (e.g. more direct democracy), slogans (e.g. "We are the 99 percent"), forms of organization (e.g. horizontal form of organization, including the wide use of citizen assemblies), forms of action (e.g. the occupation of squares), models of action (e.g. the way Anti-ACTA protesters used the model of previous protest from the cycle), the effects of collective action (the adoption of many of the left-wing frames by the populist right in multiple national contexts). In my research on the diffusion of protests against ACTA I have

point to make is that we can rarely speak of a simple “diffusion”, as actors often transform forms of contentious action and frames while diffusing them through time and space, as Stobaugh and Snow, for example, clearly show in their research on the transformation of creationist frames into “intelligent design” ones during the long struggle with the evolutionist movement over school programs (2010). What is more, the authors show that the transformation of frames is the result of a dialogue with institutions, i.e. diffusion is a highly relational process (ibid). Chabot and Duyvendak (2002) in their fascinating study of the diffusion of the Gandhian repertoire to the civil rights movement in the US address the fact that “diffusion items may be dynamic, ambiguous, and malleable, both in the transmitting and receiving context” (ibid., 706) by introducing three pairs of concepts: hyper-difference and over-likeness, dislocation and re-location, brokerage and collective appropriation (ibid, 707). Hyper-difference and over-likeness are interpretive obstacles that mainstream receivers construct and critical communities have to overcome by uprooting, i.e. dislocating the diffusion item from its original context and re-locating it in the new context, through brokerage and collective appropriation as the mechanisms to do it. Mainstream adopters in the US either claimed that the Gandhian repertoire could only work in an Eastern society such as India and not in the US (hyper-difference) or, conversely, simplified Gandhi’s image and equated him to Christ and other familiar examples, losing the political edge of what Gandhi did (over-likeness). On the contrary, critical communities recognized that the Gandhian repertoire could also work in the US and tried to re-locate it by experimenting with new protest ideas and practices, highlighting the fact that transnational diffusion is more than a “deterritorialized” flow of information, in the sense that it involves creative reinvention and pragmatist agency on the part of those who receive the information (ibid, 707).

These last remarks point to the importance of **how** protest, protest frames and forms of contention diffuse. In their 1993 article on diffusion of social movements McAdam and Rucht’s outline two main mechanisms of diffusion: relational diffusion (direct relational ties) and non-relational diffusion (a more mimetic process facilitated by existing relational channels of information). In both cases, the attribution of similarity - the perception of the adopters that they are similar to the transmitters – is crucial (1993). Recent contributions

chosen to use, for the purposes of clarity and feasibility, the simpler model of Givan, Roberts and Soule that focuses mainly on diffusion of forms of contentious action and frames.

(Givan et al., 2010; Tarrow, 2010) have added a third mechanism for diffusion, presenting overall three mechanisms of diffusion: relational, non-relational, and mediated diffusion. Relational diffusion is based on direct network ties between individuals and organizations. Yet as networks, tend to be segregated, “how far the innovation will travel depends on at least some members’ connections beyond a given network” (Givan et al., 2010: 10). In terms of non-relational diffusion, mass media play a key role as channels of diffusion that allow geographically-distant actors to get acquainted with latest developments, frames, and forms of contentious action from far away contexts. A telling example in this respect is Guelke and Junes’ research on the diffusion of protest tactics from Poland’s movement against the communist regime to the South African resistance against apartheid. In the absence of significant direct relational ties, the role of television for spreading the example of Polish resistance turned out to be extremely important (Guelke and Junes, 2012). Finally, in mediated diffusion, known also as brokerage, “actors are similarly connected to a third actor, who is able to facilitate the diffusion of information and actions” (Givan et al., 2010: 212). NGOs, for example, often play the role of brokers between national struggles, facilitating the creation of transnational networks of actors fighting for a particular cause. Their intervention raises important questions on expertise and knowledge production (Rochon, 1998) and on how messages and practices are changed or lost in the process of “translating” local struggles (Herring, 2010).

The most recent strand of research on mechanisms of diffusion draws attention to the role of the Internet, and social media in particular, as a channel of diffusion that blurs the distinctions between relational and non-relational diffusion: users can often connect directly to each other and spread information (Bailón et al., 2013; Kwon and Hemsley, 2017; Mercea, 2016). What is more, there are voices suggesting that social media change the nature of protest mobilization and diffusion and lead to a new type of “connective action” (Bennett and Segerberg, 2012). Finally, digital media have been considered crucial facilitators of the so called “networked public sphere”, perceived as a more open arena for public discourse and political debate, that has managed to avoid the domination of large media entities and government control, and thus welcomes wider participation (Benkler et al., 2013: 5).

Nevertheless, following more recent critical work on expectations for Internet's role in protest mobilization (Gerbaudo, 2012; Treré, 2016) and protest diffusion in particular (Gerbaudo, 2013), I argue that the spread of protests against ACTA cannot be explained with the increased adoption of social media, but was due rather to the presence/absence of protest traditions and to timing. Social media are just a channel – they could be the answer to a “how”-question but not as convincingly to a “why”-question with regard to diffusion.

Which brings us to the third group of issues addressed by diffusion research – **why** do particular protests, forms of contentious action and frames diffuse? This simple question has received a variety of possible answers, which however can be complemented even more. To begin with: a process of attribution of similarity should take place that allows adopters at one place to perceive themselves as structurally or culturally similar to the transmitters (Tarrow, 2010). What is more, cultural and linguistic differences matter and Gerbaudo notes that the 2011 protest wave diffused more slowly than the 1848 wave, not least due to the fact that it had to cross culturally very dissimilar regions: initiating in the MENA countries and moving on to the Mediterranean and then to North America: “This strong segmentation in the protest wave appears to reflect the importance of world cultural regions as partly autonomous spaces of diffusion” (Gerbaudo, 2013: 94).

But apart from more general structural and cultural contexts, the influence of social movements on each other can also be a crucial factor explaining why protest, protest frames and forms of contention diffuse (Whittier, 2007). Whittier distinguishes between two types of effects that movements can have on other movements: first, *generative effects*, that is creating new challenges, changing the overall level of protest, and even provoking counter-movements. Second, spillover effects: movements “can alter the form of other protests through social movement spillover that shapes frames, collective identities, organizational structures, and relations with authorities” (Whittier, 2007: 533). Meyer and Whittier show (1994) that like generative effects, spillover effects travel through shared personnel (as a result of biographical and generational outcomes), organizational and movement community overlap and coalition, and reflected influence from external contexts and shifts in the social movement sector. A range of movement characteristics can spillover from one challenge to another, including frames, collective identities, tactics, and movement culture.

Without using the language of spillover and generative effects, several other authors have drawn attention to the role of already existing protest cultures and network ties for making diffusion possible (Evans, 1980; Klandermans, 1990; Flesher Fominaya, 2013, 2015; Zamponi, 2012; Zamponi and Daphi, 2014; Zamponi and Fernández González, 2017). For example, Flesher Fominaya has drawn attention to the influence of the British Anti-Roads Movement on the Global Justice Movement (2013) and later to the evolution of an autonomous collective identity predicated on deliberative movement culture in Spain since the early 1980s (2015). Zamponi and Daphi (2014) analyse the role of memories of Global Justice movement activists for creating a continuity between this earlier movement and the anti-austerity movement in Italy. New research on the absence of anti-austerity protests in Ireland (O'Connor, 2017) points to the historical weakness of the Irish left, i.e. to the lack of historical tradition and network ties, as a potential factor for the country's protracted quiescence in the face of the economic crisis. Finally, Zamponi and Fernández González (2017) reveal the importance of student movements for elaborating a discourse of resistance to neoliberalism and securing a discursive continuity between education-related protests and anti-austerity mobilizations in Spain and Italy since 2008. The authors analyse the way student movements built an anti-austerity discourse around concepts such as precarity, youth, austerity, and Europe and acted "as initiators in respect to the following anti-austerity mobilisations and as brokers in the adaptation of the anti-neoliberal discourse coming from the previous tradition in the new context of economic crisis" (ibid, 77). These careful empirical analyses confirm to a large extent Whittier's claim (2004) that "early risers", influential movements that emerge early in a cycle of contention, have important cognitive, organisational, cultural, and tactical effects on subsequent movements.

Yet, path dependency and pre-existing protest traditions can also have a series of adverse effects for subsequent mobilizations that impede them instead of stimulating them. Focusing on the failed diffusion of Indignados-type protests in Italy, Zamponi underlines that the Indignados identity was much broader and inclusive, characteristic of the early stages of a cycle of contention, while in Italy there had been already 3 years of anti-austerity mobilization and activists were much more politicized (Zamponi, 2012: 422). Accepting that the main stages in every cycle of contention, broadly defined, are *emergence*, *coalescence*, *bureaucratization* (formalization), and *decline* (due to success, organizational failure, co-

optation, repression, or establishment within the mainstream society) (Christiansen, 2009), we could say that the Italian anti-austerity protests were already at the stage of bureaucratization when the Indignados protests were at the stage of emergence. Thus, as Zamponi underlines, timing matters to a great extent. In a nutshell, while the presence of ideologically favourable movements in the past could certainly facilitate protest diffusion and have diverse positive effects on subsequent movements, in some cases it can also impede protest diffusion: mainly when new protests come too late and the previous ones have already been institutionalized and formalized.

This last insight is a crucial contribution to a field of protest diffusion theory, and social movements' theory more generally, that has remained under-researched: namely why protest diffusion fails in some cases. As della Porta and Mattoni emphasize, understanding cases of failed diffusion (in time and space) within a cycle of contention is crucial for understanding successful cases: "negative cases – that is, countries in which contentious actions did not spread during a wave of global mobilizations – might also be relevant in explaining why diffusion processes develop in other countries" (della Porta and Mattoni, 2014: 279). Two other issues, apart from failed diffusion, that have been pointed out as venues for future research, are the diffusion of protest over time and the role of social media for protest diffusion (ibid., 278-284). My thesis aims to contribute to the understanding of all three issues: using the framework of protest diffusion studies, I explore successful and failed diffusion of anti-ACTA protests, frames and forms of contentious action across space and time, and finally I challenge overly optimistic accounts of the role of social media in diffusion.

In the next section I formulate my main research questions and show how diffusion theory can expand our knowledge on the empirical case of ACTA and, at the same time, how exploring the empirics of the case might expand and complement the existing theories.

Spreading protest: Research Questions and Methods

Drawing on theories of protest diffusion and social movements' influence on other social movements, this thesis aims to answer three main questions related to the diffusion of anti-ACTA protests within the EU:

(1) why anti-ACTA protests diffused successfully in the North, West and East, but failed to diffuse in the South of the EU?

(2) why particular anti-ACTA frames and forms of contention diffused *between different countries*, while others failed to diffuse?

(3) why particular anti-ACTA frames and forms of contention diffused *across time* (specifically to the anti-TTIP and CETA mobilizations), while others failed to diffuse?

Put briefly, I analyse successful/failed diffusion of protest, diffusion of frames and forms of contentious action between countries, and diffusion of frames and forms of contentious action between different protests in time. In order to be able to adequately address these issues, I adopt a pluralist methodological approach that allows me to tackle each question in depth and with attention to its own specifics (della Porta and Keating, 2008). In the next paragraphs I will present the methods used to tackle each of my research questions.

In order to answer my first research question on why ACTA diffused successfully in North, West and East of the EU, but not in the South, in Chapter Three I perform protest event analysis (Earl et al., 2004; Hutter, 2014; Portos García, 2016) of protest events in the 27 European countries from January 2007 until June 2012 on the basis of data from the BBC and Reuters. I have searched the news archives of both media using the English keywords "protest", "manifestation", "march against", plus each one of the 27 country names. What is more, when it comes to anti-ACTA protests, I expanded the sources for the protest event analysis to include national news agencies and I used Google Search Scraper (a tool for automatic retrieval of search results) in order to get all possible exact information on the place of protests and numbers of those who attended. The keywords I searched for were "protest", "manifestation", "march against", "ACTA", "anti-ACTA" plus each one of the 27 country names. I have compared different numbers of protesters and usually taken the average number (as organizers tend to overestimate the number of people attending and the police records, quoted in media, often tend to underestimate the number of protesters).

On the basis of data collected I have created a series of maps tracing in which countries the anti-ACTA protests diffused and in which countries they did not.

Subsequently, in order to trace which could be the factors for successful diffusion of protest. I perform content analysis of documents of activists, media reports and secondary literature. After rejecting several explanations based on independent variables (such as economic development, levels of support for illegal downloading or levels of downloading, social media use) and on political opportunity structures (more closed/open POS), I draw attention to the importance of previous mobilizations for anti-ACTA protest diffusion. First, I explore the extent to which the politicization of Internet issues could be identified as a crucial factor for protest diffusion. I then move on to analyse cases of failed diffusion and choose Spain and Italy as my objects of analysis, because they are the two EU countries with complete absence of an anti-ACTA protest and also for the pragmatic reason that I can read in both languages, which has allowed me to acquaint myself in detail not only with the latest academic research on contentious and party politics covering the period I analyse, but also to analyse Internet materials produced by social movements in blogs or wikis, as well as of multiple online discussions and newspaper articles. An important source for the Spanish case has also been 15M-Pedia containing information on the history, motivations, popular representation of the 15-M movement, including detailed information on all the collectives that started the movement, all assemblies throughout its existence and the different “mareas” (tides) tackling issues such as healthcare, education, housing, Internet freedom, etc. When it comes to my analysis of the Italian case, the blogs of Beppe Grillo and the Five Star Movement were particularly important. Finally, on the basis of my analysis of the failed cases, I hypothesize that the absence of sustained anti-austerity mobilization is the second crucial factor explaining the successful diffusion of anti-ACTA protests. I use secondary literature on social movements, austerity policies, and political economy in order to check whether there have been any sustained anti-austerity mobilization in the countries where anti-ACTA protests diffused successfully. I show that in fact none of these countries had systemic anti-austerity protests prior to ACTA, which confirms my expectations. Thus, all in all, I claim that the two factors explaining successful diffusion of mobilization against ACTA are: 1) previous politicization of Internet issues 2) absence of a big scale anti-austerity mobilization.

I address my second research question - why particular anti-ACTA frames and forms of contention diffused *between different countries*, while others failed to diffuse – in three separate sections of Chapter Four, each of which deals with a different aspect of the question.

In the first section of Chapter Four (4.1.) I combine content analysis, network analysis and discourse analysis in order to check what types of frames diffused between transnational NGOs (many of which based in Brussels) and actors at the national level. To begin with, I perform qualitative and quantitative content analysis (Hsieh and Shannon, 2005; Markham and Baym, 2009; Miles and Huberman, 1994) of documents and web pages produced by transnational NGOs and actors in Bulgaria, Poland, and Germany. I focus on actors from these particular countries as they were among the ones with the biggest anti-ACTA protests. These were also the countries that emerged from my snowball sampling of who quotes whom, and last but not least, they were mentioned often as important cases in my interviews. What is more, the need to narrow down my analysis to three countries was imposed also by the sheer amount of data that would have been too difficult to analyse, had I included all countries with anti-ACTA protests. First, I noted down all the frames actors were using, categorized them according to the issues they were referring to, and counted them in order to see which the most prominent frames in the campaign against ACTA were. Second, I performed social network analysis (Haunss and Kohlmorgen, 2010; Wasserman and Faust, 1994) and by tracing who quotes whom, I reconstructed a directional network of quotations consisting of 290 unique actors. I focused on the connections between transnational NGOs and national actors (NGOs, protest organizations, bloggers, lawyers, etc.) in Bulgaria, Poland and Germany. This is a one-mode (actor to actor) network that allows me to trace the connections between actors and the direction of the flow of information. In order to check how actors relate to other actors with regard to the frames they use, I followed the innovative method of discourse-network analysis, introduced by Philip Leifeld (2013), and created a dataset of actors and their frames (162 actors, 1325 frames altogether, 288 unique frames) and projected this two-mode dataset into one-mode

networks¹³. First, I projected the two mode data into a one mode actor-to-actor network, in which actors related to each other with regard to shared frames. Second, I projected the data to a frame-to-frame network, in which frames related to frames with regard to being used by the same actors. For visualizing the networks and exploring their statistical properties I used the open-source software *Gephi*¹⁴.

I triangulated the data from these methods with data from 20 semi-structured interviews with activists from transnational NGOs and in Bulgaria, Germany and Poland. I started conducting the interviews in Bulgaria, and Brussels, Poland and Germany emerged often in the interviews as important loci of struggle. Thus, I also conducted interviews there and used snowball sampling to find respondents. Throughout the thesis, I use the interview data to triangulate the textual data I analyzed through content, social network and discourse network analysis, as described above.

In terms of types of actors I interviewed, they were mainly activists of transnational digital and human rights organizations and activists from the national campaigns: representatives of national NGOs, student organizers, and online campaigners¹⁵. I found my respondents on the basis of preliminary research on key actors in the campaign and then used a snowballing technique, which allowed me to gain access to respondents more easily but also meant that I interviewed only one representative of the Pirate Party, since the NGOs did not work closely with the Pirates in all contexts. I conducted 20 semi-structured interviews on ACTA in Brussels, Sofia, Berlin, Warsaw, Paris and Oxford, in the period 2013-2015.

All interviews were semi-structured and covered the same 9 basic questions, organized around the topics how organizations participated in the campaign against ACTA, what were their main alliances and interactions with other actors, and what were their main objections against ACTA. The interviews lasted between thirty-five minutes (the shortest) and three hours (the longest). I do not engage in detailed discourse analysis of the interviews but use

¹³ The reason why the one-mode directional data has 290 actors and the bimodal data of actors and frames only 162 actors is that some of the actors linked to did not produce frames of their own, the most common example being signatories in common letters against/in favour of the agreement, who however did not produce separate statements. In such cases I interpreted the authors of the collective letter as a single collective actor in terms of frames production but still wrote them down separately in my directional network in order not to lose important details.

¹⁴ <<http://gephi.github.io/>> [11.06.2015].

¹⁵ The full list of the names and professions of my respondents and of the main questions asked is available in the Appendix.

them as a source of empirical information and as a way to triangulate the data from the other types of analysis I engage in. I describe in more detail the concrete steps taken for the content, network and discourse-network analysis of frame diffusion in the anti-ACTA protests in the first section of Chapter Four (4.1.1) before presenting the results of the analysis in 4.1.2 and 4.1.3.

In the Second Section (4.2) of chapter Four, I focus more on the idiosyncratic national frames, basing my observations on qualitative content analysis of online comments. I explore how the concept of “Internet freedom” has been enriched by previous historical layers of meaning (Kosellek, 2002) and has been related to freedom from foreign oppressors, and from communist or Nazi censorship, among others. My aim is to explore *the frames offered by protesters, not NGOs, in different national contexts*. I have chosen to analyse as country cases again Bulgaria, Germany and Poland in order to be consistent with the cases analysed in the previous chapter. A crucial consideration is the problem of comparability. How could I be sure that the comments to an article in a left-wing German newspaper are comparable to the comments to an article in a right-wing Polish newspaper? Could it be that the frames I interpreted as being used by protesters in general were in fact just frames used by a small segment of the population? I solve this problem by analysing comments on a platform that is used in all the countries I observe and attracts diverse audiences both from the left and from the right: *YouTube*. An analysis of the comments to the most popular *YouTube* videos on ACTA in each country gives a good general idea of the frames that have been most popular among non-experts interested in ACTA. For each of the countries: Bulgaria, Poland and Germany, I performed a YouTube search with the terms “ACTA” and “protest” and singled out the top five videos in terms of views (the list of videos with links to them can be found in the Appendix). Then I read through the comments on these videos, which, as already mentioned, were more than 3000 and coded them allowing the categories to emerge from the material. I chose the 5 most-viewed videos for each of the countries I focus on (Bulgaria, Germany, and Poland) and analysed more than 3000 YouTube comments under those videos. Even though 3000 comments is a large number, most of them were short phrases such as “greetings from Austria”, “well done!”, and a lot of curses. Excluding these comments, I categorized the comments related to ACTA in nine

broad categories some of which coincided with the categories of frames I extracted when reading NGOs' materials, while others were highly idiosyncratic and did not coincide.

In the third section of Chapter 4 (4.3.) I examine the spread of forms of contentious action and the often tricky interaction between transnational and national NGOs, protest organizers, and hacktivists taking down government sites in Bulgaria, Germany and Poland. I count on empirical information from my interviews, which I triangulate with analysis of web content of organizations, news articles and secondary sources on forms of contentious action in the campaign. Again, the spread of forms of contentious action emerges as a highly political process, in which different actors with competing visions oppose each other or cooperate strategically in order to advance their goals. The different time-horizon of different types of contentious actions and the different levels of engagement and contentiousness are also important factors that influence what forms of action would spread and how they would interact with other forms of contentious action.

Finally, in Chapter Five I address my fourth and last research question on the types of frames and forms of contentious action that have diffused between the anti-ACTA and the anti-TTIP mobilizations. I perform qualitative and quantitative content analysis of activists' materials on TTIP, count the frequency of frames and categorize them. What is more, I perform social network analysis in order to reveal which actors clustered together and the direction of information diffusion, and I triangulate this data with data from seven semi-structured interviews with anti-TTIP activists, conducted in 2016-2017 in Sofia and Vienna. Finally, I analyse online materials and organizations' documents in order to trace the diffusion of protest against TTIP from the left to the right. In fact, in my research on mobilization against TTIP, I use all the methods used for the previous chapters, apart from discourse network analysis.

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In a nutshell, I draw on theories of social movements diffusion to formulate the main research questions and combine a plurality of methods (qualitative and quantitative content analysis, social network analysis, discourse network analysis and semi-structured qualitative interviews) in order to address the anti-ACTA mobilization from a new perspective. While the mobilization against ACTA has been considered as part of a longer series of contentions around intellectual property and Internet freedom, it has not yet been considered in the

context of the post-financial crisis cycle of contention. My research aims to fill this gap in the literature and show the connections between the anti-ACTA protests and both previous and subsequent mobilizations, starting from the premise that “no protest is an island”, if we paraphrase John Donne’s famous line that no man is an island in and of itself.

My analysis shows that anti-ACTA protests concentrated popular discontent in European countries, where Internet issues had been politicized but there had not been sustained anti-austerity protests. Thus, Internet as a cause replaced other possible causes and articulations of the crisis. On a more theoretical level, I demonstrate that a crucial factor for protest diffusion is the presence/absence of pre-existing protest networks. I show that sometimes the presence of previously established protest networks might impede the diffusion of even ideologically similar movements, due to a shift in generality, which makes single issue protests less likely to diffuse. When it comes to the transnational diffusion of frames and forms of contention, I analyse diffusion as an agentic and highly political process: what types of frames diffuse is the result of the conscious effort of the actors who diffuse them to provide expertise, create networks and quote each other and establish a particular narrative. Thus, it is no surprise that the frames that diffuse transnationally and become part of a common dialogue are in fact the frames promoted by transnationally connected NGOs. What is more, there is a clear directionality of frame diffusion from transnational NGOs to those at the national level, with little cross-national diffusion. The types of frames that diffuse in such a way are different from frames used by non-experts, in the sense that they are less nationally-specific, less connected to national politics, and more relevant to the requirements and expectations of Brussels’ based decision makers. Similarly, the diffusion of forms of contention action is highly political, with NGOs, protesters and hacktivists having diverging views on what the most appropriate type of campaigning might be. The balance of power between each of these groups and the pattern of communication between them differs in each of the countries I consider. Nevertheless, the combined effect of their widely diverging forms of contention and the fact that each group operates on a different time scale, allowed for an ultimately successful campaign. Finally, in analysing the diffusion of protest, frames, and forms of contention between the anti-ACTA mobilization and those against TTIP and CETA, I show clearly that despite the fact that in all these cases there is a mobilization against free trade agreements, in fact the Global Justice movement has been

much more influential than the anti-ACTA mobilizations for the mobilizations against TTIP/CETA. Thus sometimes protests from different cycles can influence each other more than protests from the same cycle.

All in all, my aim is to show that contrary to narratives that mythologize the Internet, and social media in particular as tools for protest diffusion, it is the human factor – the presence and tradition of protest networks that explains best the diffusion of mobilization against ACTA across space and time. What is more, the very defense of the Internet as a cause that was epitomised by the protests against ACTA risks to take one ideological feature of the global wave of protests after the financial crisis and elevate it unduly. Yes, Internet freedom is crucial. But it is probably not the main prerequisite for improving democracy or the economy. There is no magic technology that can replace the very human effort of contacting others, creating lasting connections with them, spending time on an issue, putting efforts into it, maybe institutionalizing the common endeavour or keeping it informal, maintaining connections. These are all conscious, political actions done by people together. They lead to creating protest networks and these protest networks are the ones to pick up new issues and facilitate protest diffusion, when the right time comes. By analysing the case of ACTA, I try to both broaden the empirical understanding of this concrete case and enrich existing theories of protest diffusion. In both these efforts I try to unsettle the ideology of the Internet as a game changer (Mosco, 2004) and show that both protesters and protest researchers have professed too high hopes for a technology, which at best helps our very own human efforts to live politically together.

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In the next, second chapter of this thesis, I present a general overview of what ACTA was all about. As the protest against this agreement is the main object of study of my thesis, it is only fair to provide more information about the agreement and the context of its negotiations and the controversy it raised. I focus on the tension between efforts to push for stringent IP protection and the values of openness, sharing and participation, considered crucial for the early Internet and the free software movement. By exploring in detail discourses on the politics of technology and on technology as a means to change politics, I also expose their inner contradictions and outline their limits, preparing the ground for my own critique of Internet ideologies in the Conclusion.

What does ACTA have to do with Internet freedom? And what does Internet Freedom have to do with Democracy?

- CHAPTER TWO -

Governments of the Industrial World, you weary giants of flesh and steel, I come from Cyberspace, the new home of Mind. On behalf of the future, I ask you of the past to leave us alone. You are not welcome among us. You have no sovereignty where we gather.

John Perry Barlow, "A Declaration of the Independence of Cyberspace"

In several blog posts related to the Anti-Counterfeiting Trade Agreement¹⁶ the opinion prevailed that politicians "just don't get the Internet". This is a claim that has been brought up time and again every time there has been controversial digital policy legislation. The four main reasons why digital policy has been so bad have been summarized as: (1) Governments don't understand the Internet; (2) Governments don't understand the entertainment industry; (3) Governments don't understand law; and (4) Governments don't understand privacy (Bernal, 2012). Some authors had already long ago proclaimed that governments are stuck in a *Repetitive Mistake Syndrome* due to their poor understanding of what the Internet is (Searls and Weinberger, 2003). The fact that many of the countries that signed ACTA subsequently backed out and the ambassador of Slovenia issued a formal apology confessing that she signed due to "civic carelessness" certainly did not help disprove such claims.

In this chapter I explore why ACTA - an anti-counterfeiting trade agreement - was perceived as an assault on the Internet? And how the values of Internet freedom and the free software movement informed tech activists fighting against it? My main goal is to explain how ACTA is connected to Internet freedom (as the connection between counterfeiting and

¹⁶ Guestpost: Why Some Politicians Don't Get the Internet? <<https://burdzeyeyview.wordpress.com/2012/04/24/guestpost-why-some-politicians-dont-get-the-internet/>>; Dear Politicians, Stop Supporting Laws You Don't Even Understand! <<http://gizmodo.com/5879894/dear-politicians-stop-supporting-laws-you-dont-even-understand>> [31.05.2016].

digital rights is not obvious) and to introduce social and political scientists to the main debates, utopias and dystopias of the digital age. I try to show that far from being an example of “governments not understanding the Internet”, the attempt to push for ACTA was a coordinated effort of governments to impose strict IP rules and change the Internet as they saw fit. The mobilization against ACTA was an episode in a long tradition of struggles over protecting Internet freedom and the particular culture of Internet: a culture that values participation, openness, horizontality, and a particular irreverence towards established authorities, a desire to subvert orders and engage in free experimentation. Digital rights activists and computer programmers who engage with the more philosophical aspects of programming insist that these values have been inscribed in the very design of the Internet. Paying attention to these values will not only help us understand how they contradict restrictive intellectual property regimes (such as the one envisaged by ACTA) but also how the whole discourse of horizontality and leaderlessness that permeated the post-financial crisis cycle of contention has been inspired by ideas developed in the field of technology.

The mobilization against ACTA was connected to other movements in the cycle of contention by virtue of the emphasis it placed on Internet freedom, by its embracement of the Anonymous mask and national flags as its symbols (Gerbaudo, 2017), and by virtue of the demands for more democracy and citizen participation. But it was also a single-issue protest against a specific agreement that had to be overthrown. In order to understand why people were so angry about this particular agreement and used the frames they used to oppose it, I first shed light on what exactly ACTA was and which businesses and governments pushed for it. What is more, I explain why activists felt that ACTA assaulted the original values of the Internet related to sharing, openness and collaboration. Subsequently, I introduce the concept of “techno-fetishism” and the way both activists and academics have ascribed to technology an agency it simply does not have. After I present several discourses connecting the Internet to democratization, I introduce more critical research of the Internet, and on social movements’ use of digital technologies. I claim that the emphasis on the politics of technology and the search for simple technological solutions (Morozov, 2013) have prevented some activists from focusing on the *techne* of politics and on the ways in which technology developments are embedded in a wider societal context. The main goal of my research is to show the need to move beyond exploring technology as an agent, as a

type of “deus ex machina” that can save democracy, and focus once again on organized people as agents of protest organization and diffusion.

ACTA: The State(s) Strike(s) Back

In order to understand why many people perceived ACTA as a threat to Internet freedom, it is important to provide a short introduction to what the agreement is and what were the main motives to push for it. To begin with, ACTA stands for “Anti-Counterfeiting Trade Agreement”. The stated goal of the agreement is to provide an international framework to improve the enforcement of intellectual property rights (IPR) laws. The three primary components of ACTA are international cooperation, enforcement practices, and the establishment of a new international benchmark for legal frameworks on IPR enforcement (ACTA Fact Sheet, 2008). Areas for possible provisions of the new benchmark for legal frameworks included *border control measures* (mechanisms for seizure of infringing goods at the borders), *civil enforcement*, *criminal enforcement*, *Internet distribution and information technology*. The justification for providing a new benchmark for legal frameworks is that it would help bring counterfeiters “to justice” (ACTA Fact Sheet, 2008, 3).

What is in a name?

The first substantial problem with ACTA lies in its very name: *Anti-Counterfeiting Trade Agreement*. The terms “counterfeit” and “counterfeiters” are used in a rather loose and instrumental way in the title and throughout the agreement and can often be misleading: especially when applied to cases that are *not* examples of counterfeiting.

A typical example of a counterfeit good might be a bag with the label “Gucci”, sold on the streets, that was actually not produced by “Gucci”. The proponents of ACTA gave also scary examples of counterfeit toys that might be dangerous for children, or even counterfeit medicines (ACTA Fact Sheet 2008, 1). But while there are few doubts when it comes to counterfeit toys or bags, the questions of counterfeit medicines is more tricky and controversial. Organizations such as *Doctors Without Borders* claim that the very term “counterfeit medicines” is highly misleading as it lumps together legitimate quality generic medicines with substandard medicines (that do not meet quality standards – might contain too much, or too little of the active ingredients, might be contaminated, etc.) or even fake medicines (deliberately and fraudulently mislabelled, giving false information on where it

was made or by whom) (Access Campaign, 2009). Kader Arif, the lead ACTA negotiator in the European Parliament, emphasized that “[G]eneric medicines are not counterfeited medicines; they are not the fake version of a drug; they are a generic version of a drug, produced either because the patent on the original drug has expired, or because a country has to put in place public health policies” (Arthur, 2012). In fact, many countries such as India or South Africa have used compulsory licensing - allowing the production of medicines whose patents have not expired in exchange for a set fee for the license paid to the owner of the patent. This possibility has been foreseen in the TRIPs agreement (Agreement on Trade Related Aspects of Intellectual Property Rights) and is crucial for developing countries which cannot afford to pay for highly expensive patented HIV drugs, for example.

But ACTA used a very broad and vague notion of counterfeit not only when it comes to medicines. Within the Anti-Counterfeiting Agreement there were also provisions extending to the digital environment and addressing copyright infringements. Thus, the famous Article 27 of ACTA posits that civil and criminal enforcement should be available "to permit effective action against an act of infringement of intellectual property rights which takes place in the digital environment" (ACTA, 2011: Article 27, paragraph 1). Furthermore, “each Party’s enforcement procedures shall apply to infringement of copyright or related rights over digital networks, which may include the unlawful use of means of widespread distribution for infringing purposes”. The procedures should be implemented in a manner that “avoids the creation of barriers to legitimate activity, including electronic commerce, and, consistent with that Party’s law, preserves fundamental principles such as freedom of expression, fair process, and privacy” (ACTA, 2011: Paragraph 2). Each party is encouraged to actively cooperate with the business community (ACTA, 2011: Paragraph 3) and it becomes clear that measures against circumvention of systems to prevent copying should also be implemented (ACTA, 2011: Paragraph 6).

Online infringement of copyright is not the same as counterfeit and is in fact difficult to address from a technical perspective (Adams and Brown, 2009). In order to know whether users are infringing copyright, Internet Service Providers must monitor users’ communications which might lead to serious breaches of privacy. Addressing copyright infringement online raises significant fears about digital surveillance which in turn raises

fears of censorship, chilling effects and deterioration of democratic dialogue.¹⁷ In fact, it was precisely ACTA's attempt to tackle also copyright infringement in the digital environment that provoked mass discontent and protest.

Clearly, the scope of ACTA goes beyond counterfeit and covers a broad range of intellectual property infringements and/or legitimate practices. As Kader Arif notes, "The title of this agreement is misleading, because it's not only about counterfeiting, it's about the violation of intellectual property rights... There is a major difference between these two concepts" (Arthur, 2012).

In order to better understand what Kader Arif means by claiming ACTA is not about counterfeit but about the violation of intellectual property rights in general, it is important to establish a clear definition of what intellectual property rights are. According to the World Trade Organization (WTO), intellectual property rights are "the rights given to persons over the creations of their minds. They usually give the creator an exclusive right over the use of his/her creation for a certain period of time" (WTO IPRs, 2016). Intellectual Property is usually divided into two main areas: "(1) *copyright and rights related to copyright*: the rights of authors of artistic works and neighbouring rights such as the rights of performers, producers of phonograms and broadcasting organizations, and (2) *Industrial property* which itself can be divided in two groups: protection of distinctive signs such as *trademarks* and *geographical indications*; and types of industrial property that are protected to stimulate innovation, design and creativity: innovations (protected by *patents*), *industrial design* and *trade secrets*" (WTO IPRs, 2016).

Thus, intellectual property is the general concept, while copyright, patents, etc., are its sub-types. The term "counterfeit" relates mainly to infringement of trademarks, such as in the fake "Gucci" bag example above, but it cannot be used to describe downloading a song online (which is an infringement of *copyright* instead, we do not produce "fake" songs by downloading them) or a company producing a medicine, whose patents have not expired (which is an infringement of *patents*, the generic medicine is not "fake", it has the same properties).

¹⁷ The point is that if people know that they are being observed online, they would be reluctant to write or do things that might incriminate them and would be prone to self-censorship. What is more, in countries without strong rule of law, blunt externally imposed censorship could take place.

It is important to keep in mind the difference between different types of intellectual property and not bundle them together. Richard Stallman emphasized this point in his originally entitled essay “Did you say ‘intellectual property’? It’s a Seductive Mirage” (2015). Stallman claims that companies that gain from the confusion of different types of intellectual property promote the general term and toss inside everything so that they could make more convincing arguments. But many digital rights activists also often speak in general and renounce every type of intellectual property, transferring arguments from copyright to questions of patents, etc. The debates that have gained most public attention recently are those related to copyright and those related to patents mainly due to the presence of strong pressure from the content industry (that pushes for longer copyright terms and stricter copyright enforcement), and from pharmaceutical companies (that push for better legal protection and enforcement of patents). The debate around ACTA is not an exception, as governments bundled different types of IP together in the same agreement claiming that they were fighting counterfeit, while activists opposed this very same agreement claiming they were defending the Internet.

Who Benefits from stronger IP protection?

The question is: if the motive for ACTA was not necessarily (or at least not only) to protect society from the undesired and dangerous effects of counterfeit, why did different countries pursue the agreement? The EU Commission, from its point of view, gives a clear and reasonable answer in the context of the EU: “The competitiveness of the EU economy depends on large part of economic activities that need IPR protection, i.e. high quality products and brands (trademarks, geographical indications), innovative industries (patents) or entertainment (copyright). Large-scale abuse of these rights, by counterfeiters who free-ride on the innovative and quality-enhancing efforts undertaken by the EU industry has a devastating impact on growth and employment” (ACTA Fact Sheet 2008). Thus, there is a clear economic logic of protecting competitive advantage behind negotiating ACTA.

This has been the case both for the EU and the U.S., though to a different extent. Trade in royalties and license fees has consistently increased in the U.S. and the EU¹² in the period 1986-2009. There are important differences between different countries, of course. While the U.S. has been throughout the whole period a net exporter, among the EU countries only the UK has been for most of the time a net exporter, more recently joined by Denmark,

France and the Netherlands, while Germany, Greece, Ireland, Italy, Portugal and Spain have had negative balances (Haunss, 2013a: 15). When it comes to pharmaceuticals however, which is an industry where patents plays substantial part, the EU12 are net exporters and profit from strong IP rights protection (ibid.).

With regard to the Internet economy, the U.S. have a privileged position with 38 percent of the production needed to build Internet-related hardware, software, and content originating there (Powers and Jablonski, 2015). Japan and China follow behind contributing respectively 14 percent and 10 percent (ibid.). The U.S. also captures 35 percent of global internet connectivity (telecommunications) revenues and more than 40 percent of net income generated online: “This position is due to strong growth and sales in software and services, hardware, telecommunications, as well as the U.S. position as global leader in cultural exports” (Powers and Jablonski, 2015: 109). According to a report from the Bureau of Economic Analysis (BEA), “ICT-enabled services accounted for 45 percent of U.S. exports in 1998; by 2010, they accounted for 61 percent, generating \$324 billion for the U.S. economy. Royalties, license fees, and intellectual property exports accounted for \$106 billion in exports in 2010” (ibid, 109).

Thus, it is no wonder that the U.S., followed by the EU and Japan, among other developed countries, has pushed for strong IP protection. The fact that intellectual property has ascended from the sidelines to the centre of discussion in G8 documents in the last decades reflects “the changing perception of IP, shifting from a technical specialist issue to a general political issue of great importance” (Haunss, 2013a: 18).¹⁸ The attempt to push for more stringent intellectual property regimes has become an important goal of lobbyists both at the domestic and at the international level. The negotiation of ACTA can be understood as part of this more general trend.

¹⁸ When it comes to copyright, the push to expand copyright provisions has been also related to the more substantial affordances provided by the Internet for distribution of cultural content. Larry Lessig has showed convincingly that the attempt to address copyright infringements online has led to disproportionate measures that override many legitimate interests and criminalize legitimate practices of cultural consumption. Because of the fact that every interaction with a digital objects presupposes “making a copy”, legitimate practices such as sharing a book with a friend or reading it to your child might be criminalized or what is more curbed through means of digital rights management (Lessig, 2004).

Connecting IP to trade. Forum-shifting

One of the pivotal events that changed the international framework of IP regulation was the establishment of a connection between IP and trade. Once these two areas were connected, developed countries found effective mechanisms to pressure developing countries into accepting IP protection laws. The inclusion of TRIPS (Agreement on Trade-Related Aspects of Intellectual Property Rights) in GATT (General Agreement on Tariffs and Trade) was the culmination of a program of intense lobbying by the U.S., supported by the EU, Japan, and other developed countries. Rules on IP protection were imposed externally on countries from the developing world that did not benefit from strict protection of patents or industrial design, for example, as they had to develop and catch up. The only reason why many developing countries accepted the TRIPS agreement is because its ratification was a compulsory requirement for World Trade Organization Membership and any country that wanted to gain access to the markets opened by the WTO had to take TRIPS as well, or leave everything (Hoekman and Kostecki, 1995; Martin, 2015). Once they had signed TRIPS, states could be challenged for IP infringement through the WTO (World Trade Organization) dispute settlement mechanism.

One of the most controversial aspects of TRIPS which became the apple of contention later on during the Doha Round of negotiations of the WTO (the round begun in 2001 and negotiations broke down in 2008) was the question of access to medicines. The problem was often understood as an inadequate balance of interests between the pharmaceutical companies of the developed world and public health in the developing world. Some authors go as far as claiming that the IPRs initiative of the developed countries goes against human rights and is responsible for many additional deaths of the global poor by cutting them from life-saving medicines for the AIDS/HIV virus, for example (Pogge, 2005).¹⁹

The developing countries led by Brazil and India coordinated their opposition to stringent IP protection rules during the Doha negotiations, which led the EU and the U.S to adopt strategies of “forum shifting”: trying to bypass the WTO and the World Intellectual Property

¹⁹ Authors such as Volker Heins however argue against a strictly human-rights based critique of IPRs (Heins, 2008) because there are many additional problems with the contemporary IPRs system that elude such a critique. One such issue for example is biopiracy: “the use of biological resources and/or knowledge of indigenous tribes or communities without allowing them to share the revenues generated out of economic exploitation or other non-monetary incentives associated with the resource/knowledge” (Efferth et al., 2016; Rimmer, 2016; Marinova and Raven, 2007).

Organization (WIPO), considered ineffective, and push forward TRIPS-plus intellectual property restrictions (Sell, 2009; Rossini, 2012).²⁰ The Anti-Counterfeiting Trade Agreement was precisely such an attempt for forum shifting (Roffe and Seuba, 2015: 21).

One of the best summaries of the global intellectual property ratchet is provided by Peter Drahos who analyses carefully the process that led to TRIPS and to subsequent TRIPS-plus arrangements: “TRIPS itself was the product of a highly sophisticated and co-ordinated international campaign by a group of multinationals with U.S. multinationals in a leadership role. Lobbying understates the actual process of what occurred. It was in reality a form of private governance that might best be described as nodal governance. This process of nodal governance, which has evolved over the last 20 years within the U.S., has resulted in a centrally co-ordinated process of standard-setting for sectors of key importance to multinational companies – intellectual property rights, services and investment” (Drahos, 2003: 11). Developing countries have few strategies to counter this centrally coordinated strategy, because every time they manage to organize successfully in one forum such as the TRIPS Council, they encounter a forum-shifting response: “The global intellectual property ratchet is precisely the product of this centrally co-ordinated strategy of forum shifting” (ibid)

Not just policy takers?

However, the *policy-making/policy taking* paradigm has its own deficiencies. As Laszlo Bruszt observes in a different context, in relation to European integration, the EU had a much more serious leverage in domestic politics and capacity building during the period of accession of countries to the EU, than after the accession, when there were less mechanisms present to prevent democratic backsliding, for example (Bruszt, 2015). In a similar vein, once NAFTA was signed, the U.S. lost some of its levers of influence (Hagaart, 2014). Then it was domestic actors who could decide when, how and whether the intellectual property provisions under NAFTA would be ratified and implemented. Thus, in reality, international pressure becomes secondary in importance compared to domestic

²⁰ Bringing countries in line with the higher intellectual property standards of the developed world can happen also through bilateral agreements as a way to bypass vocal resistance to the transnational ones such as TRIPS/ACTA etc. For example, smaller countries have less leverage when negotiating bilateral agreements with the U.S, which gives the latter more power to push for the standards it finds appropriate.

institutional path dependency. It is the influence of content industries, of distribution channels, and of civil society actors that shapes the particular outcomes. In addition, the growing debates around IP in the U.S. and within the EU makes their approach towards intellectual property not as unified as before and further complicates the policy making/policy taking paradigm.

The complex and ultimately political nature of IP policy making is additionally emphasized in Benjamin Farrand's exploration of networks of power in digital copyright making and policy (2014). Exploring the complex interdependence of actors in the EU, Farrand shows clearly that coercion and pressure are not the only type of power at play when it comes to copyright policy and very often law making is the result of soft power. Using Culpepper's concept of "quiet politics" (Culpepper, 2011), Farrand reveals how business lobbyists use their expertise of the inner workings of EU institutions to appear at the right time and at the right moment in order to provide the type of expertise that favours their interests. What has made this possible however has been the low saliency of copyright in the public radar. Once issues become politicized it is much more complicated for lobbyists to get laws and policies the way they want them. And it is precisely because of the politicization of ACTA, that the endeavour of lobbyists ultimately failed. But ACTA was not a separate case.

Contestations over IP

Intellectual property as an issue is becoming more and more politicized as evidenced by the campaign against the Software Patents Directive in Europe, the dedication of campaigners fighting for access to affordable medicines, the numerous conflicts around indigenous knowledge and biopiracy, the rise of pirate parties in multiple countries worldwide and by the massive mobilization against SOPA and PIPA in the U.S., against ACTA in Mexico and the EU, and nowadays against TTIP (Burkart, 2014; Cammaerts, 2015; Hartleb, 2013; Haunss, 2013a; Haunss and Shadlen, 2011; Lee, 2013; Postill, 2017).

The questions of IP control ultimately lead to broader questions of control over knowledge and information and the role of the state. As Postill (2017) has noticed, politicization might take different forms, with NGOs, bottom-up protesters, hacktivist, and Pirate Parties all having an important role in conflicts around digital rights. In a sense, the politicization of digital rights has been compared to the politicization of environmental issues decades ago and the rise of pirate parties was addressed from a new social movements' perspective as a

phenomenon similar to the rise of the Green movement. The main diagnostic frames offered by European pirate parties have been:

- copyright and the commodification of culture/knowledge impede creativity;
- the right to privacy and opacity;
- the lack of genuine participation in liberal democracy;
- pressures on social and educational services (Cammaerts, 2015).

According to Burkart (2014), the Pirates have tried to defend the “commons” and fight against the colonization of the life world, a notion he borrows from Habermas. Nevertheless, it remains questionable how durable the influence of cyber parties will be – in fact, there is a high chance that “the ‘parties of tomorrow’ will be reformed ‘parties of today’, with more participative elements and with fewer party members” (Hartleb, 2013: 368). What seems to be certain though is that the appeal of cyber parties and digital rights popular movements relates to a great extent to their anti-elitism and their ability to bridge issues of intellectual property and privacy with larger deficiencies in present-day democracy.

In fact, an important problem with ACTA that appeared in many of the framings of the protests was the lack of genuine citizen participation in the discussion of the agreement. Both activist organizations and bottom-up mobilizations opposed the secrecy of negotiations of ACTA and the fact that lobbyists pushed for stronger mechanisms of IP enforcement, shielded from public scrutiny. NGOs reacted to the fact that governments in their role as champions of security and legal protection of property increasingly serve as the managers of political authority of international institutions, of private and transnational actors (Genschel and Zangl, 2008: 25).

In fact, the disputes over intellectual property, are just one example from an increasing number of cases in which NGOs “use several opportunities in the evolving multilevel and transnational governance to signal problems in enforcement or engage in contesting existing rules” (Bruszt and Holzhaacker, 2009: 2). The increased importance and engagement of NGOs in transnational networks to contest rules has its structural reasons in the fact that “[T]he transnational embedding of domestic rule- and policy-making went hand in hand with the extension of political opportunities for a diverse group of domestic actors to

participate in the contestation, monitoring, enforcement and changing of these rules” (ibid). To put it simply, not only the state and the economy are becoming increasingly transnational but also civil society connects transnationally to oppose rules coming from TIRs (transnational integration regimes) challenging domestic rule-making.

Thus, the campaign against ACTA opposed both substantially the commoditization of knowledge and culture and procedurally the way this commoditization was pushed for by private corporations, disregarding the sovereign self-determination of the people. What triggered public anger particularly strongly was the way ACTA tried to criminalize file sharing on the Internet. While the proponents of ACTA claimed it was meant to target counterfeit, even though the agreement had broader aims than this, the opponents of ACTA focused on the way it threatened Internet freedom, even though the agreement had aims also broader than this. The protection of IP rights and the commoditization of knowledge and culture, without regard to sovereign decision making, have been opposed from different normative standpoints: from a liberal standpoint that values freedom of speech, free markets and civil rights, from more anti-capitalist standpoints promoting concepts such as “the commons”, from libertarian standpoints opposing all types of legislation regulating the Internet, etc. However, all of these standpoints had something in common – the underlying belief that there is something unique about the Internet as a network of networks, in which people participate directly and non-hierarchically. In a sense, one could even speak of a new deeper normative order of the “network” that has emerged as an ideal form of social organization (Boltanski and Chiapello, 2007).

In the following section of this chapter, I try to trace the origins of the normative ideal of networks and show how the original values guiding the design of the Internet found their way into political theory and started a cross-fertilization between technological discourse and political thought. I explore in more detail the origins of the Internet, the history of the free software movement and the different expectations related to the advent of the Internet and its influence on politics. To put it briefly, after I explored what ACTA has to do with Internet freedom, in the next section I explore what does Internet freedom have to do with democracy.

A Declaration of the Independence of Cyberspace?

Origins and values

The Internet has its origins in post-World War II research and development commissioned by the United States government and was built by engineers and computer programmers in a spirit of open collaboration, experimentation, and sharing (Leiner, Cerf et al., 2012; Abbate, 1999). The most crucial property of the Internet is that the Internet is not a thing: it is a protocol that allows all things that call themselves networks to coexist and work together. The Internet is “stupid” on purpose: it does not know identities, permission, priorities, etc. It knows only that some bits of information need to move from one end of the Net to the other. The second crucial property of the Internet is that it is not centralized: as every end is connected, each to each and each to all, the ends aren’t endpoints (Saltzer et al., 1984). To join the Internet anyone (or anything) should just use the Internet protocol. These technical properties of the Internet lead to three main rules of behaviour:

- “No one owns the Internet.
- Everyone can use it;
- Anyone can improve it” (Searls and Weinberger, 2003).

These points are directly relevant to the question of Net Neutrality for example. The Internet does not know the content of the data that is being transferred and thus cannot privilege some kinds of data over others. The principle of neutrality is a founding principle of the Net, inscribed in its design. But an important point to be made here is that this principle can be circumvented. Even though the original architecture of the Internet has exhibited certain properties, there is nothing necessary in them – this was simply the way it was built to reflect particular values but ultimately, it is changeable.

For example, if Internet Service Providers (ISPs) monitor communications, they could slow down traffic to particular websites owned by their competitors or websites defined as dangerous by the authorities to be. Of course, monitoring of communications *seriously breaches privacy* and is *highly costly*. For these reasons, ISPs in the West have traditionally protested at attempts to make them liable for the wrongdoings of users and thus also responsible for monitoring them. For years, requests for monitoring have been the apple of contention between ISPs and the content industry, which has repeatedly tried to make

them liable for breaches of copyright. The situation however has been changing mainly due to the fact that “as broadband access and mobile networks have proliferated, people increasingly consume copyrighted content over the Internet, and ISPs now play a greater role than ever before in the distribution of creative content. Furthermore, ISPs have an additional financial incentive to curb online piracy because the unauthorized distribution of creative content creates a significant burden on their pipelines” (Owen, 2012: 560-561). Thus, even though net neutrality was “built into” the Internet it can be circumvented, changed and tinkered with.

The fact that the link between technology and values is a fragile and ultimately political – the result of conflicting interpretations of what is good for society – was acknowledged early on by Richard Stallman, the founding father of the Free Software Foundation. In 1971 Richard Stallman joined a team of geeks at the MIT that had its origins in the early days of computers. The operation system in the lab had been developed by this community and was freely shared with everyone who wanted to have a look, share or even modify. Cooperation was a way of life (Stallman, 2017). This community however was soon to be destroyed and the symbol of change became the replacement of the old big common computer. At this point, Stallman had to make a career choice: join a company that writes proprietary code, switch from programming to another job, or do something radically different. He opted for the third. Stallman created the Free Software Foundation dedicated to the promotion of free software, which respects users’ freedom and community (ibid). A programme is free software if users have four essential freedoms:

- “The freedom to run the program as you wish, for any purpose (freedom 0).
- The freedom to study how the programme works, and change it so it does your computing as you wish (freedom 1). Access to the source code is a precondition for this.
- The freedom to redistribute copies so you can help your neighbour (freedom 2).
- The freedom to redistribute copies of your modified versions to others (freedom 3). By doing this you can give the whole community a chance to benefit for your changes. Access to the source code is a precondition for this” (Free Software Definition, 2016).

It is crucial to note that the word “free” in “free software” refers to liberty not to price. To understand the concept one should think of “free” as in “free speech” and not as in “free beer”. This mode of production is legally guaranteed by corresponding licences such as the “copyleft” licence, which is the rule that when redistributing the program, you cannot add restrictions to deny other people the central freedoms (What is Copyleft, 2016) .

If we compare the three rules of the behaviour with regard to the Internet with the freedoms guaranteed by the Free Software movement, we notice a common set of values challenging proprietary logic and promoting decentralized collaboration in the name of innovation. That these values are at the core of both the Internet and free software is not a mere coincidence. Both the Internet protocol and free software are the results of work of people coming from the academic field. Sharing, collaboration, and exchange of information have long been associated with the ethics of academic life, even though this might be less and less the case in recent years (Mirowski and Sent, 2002).

The idea that the Internet is a space with its own values and rules was particularly powerful in the 1990s, the time when John Perry Barlow wrote his emblematic “Declaration of the Independence of Cyberspace” (1996), in which he claimed that the governments of the industrial world had no sovereignty over cyberspace. This was a period of wild utopias and dystopias related to the Internet and the possibilities of digital technologies in general that basically ended with the dot.com economic crash in the end of the 90s. But only several years later, in what seemed a new cycle of utopian thinking, marketing gurus and tech analysts started proclaiming the advent of Web 2.0 which was supposed to radically democratize communication, allow everyone to voice their opinion and influence the political process and ultimately empower people (Morozov, 2015). Then, in the third instalment of the hype, the Big Data boom came, with analysts and pundits claiming that analysis of big data could help us assess and shape policies (Ingram, 2015; Rockefeller Foundation, 2014). Vincent Mosco noticed early on the cyclical nature of technological hypes (2004). The common motive of all technology-related utopias is their emphasis on freedom conceived both in a negative sense as absence of control or interference from the state and in a positive sense as empowerment and unleashing of the creative potential of the individual or community (depending on the type of discourse).

Nevertheless, both Internet-related utopias (it will bring the death of geography, the death of politics as we know it, and the death of history (Mosco, 2004)) and dystopias (it will destroy democracy, turn us into idle slacktivists, or into a society of wide-spread surveillance, etc. (Carr, 2015 Morozov, 2013, 2015; Persily, 2017) fall prey to the same mistake – they endow technology with an agency it simply does not have. Before exploring in more detail the multiple ways in which the Internet was connected to democracy and social movements, I want to explore in a bit more detail the notion of technological fetishism, as it is a crucial one both for this chapter and for my thesis, as a whole.

Who Said Techno-fetishism?

Digital technologies can be used both by liberal and illiberal movements and governments; they can be used both to encourage more openness and to create and maintain new hierarchies and exclusions. The way technology is designed, built and used depends on the existing institutional, political, social, economic, and cultural context. The belief that technology is an independent variable, an actor with its own agency that can improve or threaten society is nothing but a form of techno-fetishism. In this regard, fighting for Internet Freedom and for preserving the original values of the Internet should be interpreted exactly like this. It is a fight to protect Internet freedom and keep the original values of a technology from being changed. Any belief that by protecting Internet freedom, we are also, as if automatically, securing an open collaborative society and/or destroying capitalism, is a far stretch, to say the least. Provided that many additional efforts are done, it might be the case. Yet there is no necessary connection between trying to inscribe particular values in a technology, making the technology work, and changing society through technology.

Inscribing values in technological design is never as straight-forward as imagined. Technological design cannot (as if automatically) lead to the realization of values. Such beliefs have been convincingly criticized in a recent analysis by Solon Barocas of attempts to build social networks alternative to *Facebook*. Tech-activists have become fascinated with the notion of decentralized architecture and have been pushing for finding decentralized alternatives to proprietary social networks. There has been a belief deeply held among activists that decentralization has the potential to precipitate radical restructurings of power, even though “questions remain whether a change in architecture can, on its own,

address sumptuous issues like privacy, autonomy, and other fundamental freedoms on the internet, let alone the struggle for a just society” (Barocas et al., 2013: 348). There is no straight path from having a set of values to inscribing these particular values in a technology and making it work. Usability and reliability can often be lost in the attempt to provide decentralization and openness. In the next lines I systematize several reasons why the link between values and technology might be more problematic than it seems.

First, no matter what good intentions people have while designing a technology in a particular way, it is highly probable it will not do exactly what is expected from it. Technology is not a shortcut between values and their manifestation, but always contains an element of unpredictability. Thus, for example, despite the good intentions of the masterminds of the Internet, all things considered, not all ends are of equal value. The more links a particular page has, the more links it will have. There is a particular power law at play on the Internet whose importance cannot be underestimated (Lovink, 2007, 2012; Wu, 2010). Some of the biggest monopolies in the contemporary business world are *Amazon*, *Google*, *Facebook*, Internet’s most emblematic enterprises....Similarly, even though free software (and its spin-off that got rid of the ideological lawyer: open source software) was supposed to encourage participation and better understanding of the technological underpinnings of our lives, it ended up being extremely popular (and ultimately more reliable) when it comes to servers but is considered cryptic and not user-friendly by people without technological background.

Second, even in the ideal case of perfectly designed technology, which does exactly what its authors want it to do, there could never be an ultimate compromise what we want from technology. This is a political question whose answers are constantly made and remade at different pace. Which values we want to pursue is ultimately a political question. What is more, in a context of constant innovation, no technology is built once and for all. Change is a constant and at every point of building something new, particular values (e.g. decentralization) can be replaced by others (e.g. centralization if it is more functional), modified and set aside.

Third, and finally, believing that any type of technology in itself has the powers to solve complex societal problems, to provide us with a better life, etc. – is taking away our own agency and makes us victims of “technological solutionism” (Morozov, 2013). Jodi Dean

(2009) offered a poignant and provocative analysis of the neoliberal fantasy of communicative capitalism and the non-substantiated belief that the abundance of communication channels and the circulation of messages would automatically lead to real dialogue or collective deliberation. What we have got instead is a cacophony of voices and no real exchange of opinions or participation, at best, and an echo chamber effects, at worst. Addressing the promises of the culture of sharing, Dean describes the early website for music sharing Napster as a *technological fetish* onto which all sorts of fantasies of political action were projected: “The technological fetish covers over and sustains a lack on the part of the subject. That is to say, it protects the fantasy of an active, engaged subject by acting in the subject’s stead. The technological fetish ‘is political’ for us, enabling us to go about the rest of our lives relieved of the guilt that we might not be doing our part and secure in the belief that we are after all informed, engaged citizens. The paradox of the technological fetish is that the technology acting in our stead actually enables us to remain politically passive” (Dean, 2009: 38).

The fetishization of technology is a complex phenomenon in which all kinds of social actors (corporations, the government, military actors, activists, etc.) endow technology with magical powers and critics, researchers and analysts, instead of demystifying the fetish, go along with it. The problem with such an attitude is that it makes us believe that there is an easy technological fix to every problem, and that technological changes cause and determine social changes. As David Harvey notes, “the fetish of technology worms its subtle way into even the most perceptive of critical commentaries as well as into everyday conversations when we say things like, for example, ‘the automobile has radically changed the shape of our cities.’ The problem is to unpack the real role of technology while demystifying ourselves of the habit of endowing it with powers it simply does not and cannot have” (Harvey, 2003: 3-4).

Harvey’s take on technological determinism is illuminating because he clearly shows that technological innovation is endogenous to the competitive social relations of capitalism: innovation brings competitive advantage in a process almost poetically described by Schumpeter as “creative destruction” (1942). Expecting from technology to bring revolutionary change is certainly not exclusively related to digital technologies but is a central feature of the capitalist mode of production in general and has its material origins in

the role of increased productivity for rising standards of living. What Harvey shows clearly however is that whether increased productivity leads to a rising physical standard of living depends ultimately on the social (power) relation between capital and labour (Harvey, 2003, 7). Thus, technological progress in itself does not lead to higher standard of living. It is human agency and political struggles that actually determine what the consequences of adopting new technologies would be.

To sum up, first, technology does not always do what we want it to do: there is no shortcut between the values embedded in technology and how it performs; second, deciding what technology should do is a political question that has no simple answer. Internet activists have no privilege in deciding how the Internet should function. And third: organizational form, hardware and software are agents of social change but they are inscribed in infinitely complex relations of power, which means that there is a need for a much more complex approach to social change.

Bringing this observations to the field of digital technology, it must become clear that the cyberspace is not “independent”. What is more, the Internet is not an independent cause of change that might bring about democratization, emancipation or social justice. But even if *hard technological determinism* (for example claims that social media in themselves cause revolutions) is not that widespread²¹, *soft technological determinism* that fails to address the Internet and “social media’s complexity in the reconfiguration of political participation” (Treré, 2016: 169) is widely present both in activist practice and in social movement research. In the next paragraphs, I present an overview of the main positions connecting Internet freedom to democracy and democratization, before introducing in the last section of the chapter more critical Internet research that questions straight-forward predictions on the role of the Internet in social movements and tries to introduce more empirical and theoretical complexity in discussions on the topic.

What does Internet Freedom have to do with democracy?

One of the light motives in both marketing and academic research has been the potential of digital innovations to enhance democracy. Internet freedom has been perceived by activists, commentators and researchers alike as leading to more democratic societies and enhancing

²¹ With some notable exceptions such as Howard and Hussain, 2013.

democracy. There have been four key positions addressing the democratizing potential of the Internet: liberal-individualist, rational deliberation, counter-publics and autonomist Marxist. There are other possible articulations such as cyber-feminist, communitarian, cyber-libertarian, liberal digital *commonism*, postmodern, and some more dystopian positions (Dahlberg, 2011: 857). Yet the four positions that have been mentioned have been the most prominent ones and differ from each other in terms of the democratic subject they assume, the related conception of democracy they promote, and the associated democratic affordances of media (Ibid, 856).

First, according to the *liberal-individualist position*, the Internet allows the rational, self-seeking, instrumental utility maximizer to make a strategic choice in a democratic system perceived as a “marketplace of ideas”. The Internet is important because it allows for the provision of systems that maximize information flows and the registration of choices: “The position embraces digital media for enabling and enhancing direct individual representative communication. It looks to bypass state, corporate, political party, and lobby group interference in this individual-representative relationship. However, it does not go so far as cyber-libertarianism, which celebrates an online democracy free of representative government” (Dahlberg, 2011).

Second, according to the *rational deliberation thesis*, the individual does not precede the process of deliberation but is formed in it and democracy itself is understood as deliberation and consensus rather than as aggregation of individual preferences. Digital media in general and the Internet, in particular, are understood to foster deliberation because the low cost, two-way communication online is supposed to encourage sharing of information, rational debate and opinion formation (ibid, 859-860).

Third, the *counter-publics* position focuses on the importance of digital media for political group formation, activism and contestation. The democratic subject is constituted through taking a position and engaging in building alliances, contestation and activism. What is particularly valuable about the Internet is that online voices that have been previously excluded from dominant discourses are able to “form counter-publics and counter-discourses; to link up with other excluded voices in developing representative, strategically effective counter-discourses; and subsequently to contest the discursive boundaries of the mainstream public sphere” (ibid, 861).

A more radical vision of democracy is associated with the fourth position – the autonomist Marxist one, which is associated above all with Dyer-Witheford and Hardt and Negri. The autonomous Marxist position overlaps to a great extent with what Dahlberg calls “liberal digital communism” associated with figures such as Larry Lessig and Yochai Benkler (Dahlberg, 2011). The main difference between the former and the latter is the fact that the first starts from communist premises while the latter from liberal ones. What they agree on, however, is the importance of the “commons” – a type of property relation that goes beyond both private property and public property to describe resources owned together by the community. Both positions stand for a radical ideology of sharing, inspired to a great extent by the original values of the Internet and by the Free Software Movement already mentioned in this chapter.

Lawrence Lessig has used the principles of free software, formulated by Richard Stallman, in order to propose a vision of free culture (Lessig, 2004), in which sharing and remixing of cultural products enhances creativity and innovation. However, the parallel is mainly metaphorical as there is a qualitative difference between software and cultural products. Unlike software, art and culture do not have use value for the process of production which makes the question who would finance them much trickier (Kleiner, 2007). The economic dimension of collaborative production has been similarly understudied in Yochai Benkler’s “The Wealth of Networks” (2006), in which the author proclaims the advent of peer-to-peer production, epitomized above all by *Wikipedia’s* success. Benkler explores collaborative projects such as *NASA Clickworkers*, which was “an experiment to see if public volunteers, each working for a few minutes here and there can do some routine science analysis that would normally be done by a scientist or graduate student working for months on end.” Users could mark craters on maps of Mars, classify craters that have already been marked, or search the Mars landscape for “honeycomb” terrain (Benkler, 2006: 69). The problem with the account of the transformative nature of collaborative production that Benkler offers has been succinctly summarized by Dmitry Kleiner who notes that “The wealthy networks exist in the context of a poor planet” (Kleiner, 2006). The narrative that peer-to-peer production will usher in a new economic era ignores that even *Wikipedia* editors need something to eat and the economy of peer-to-peer production is still to a large extent inscribed in and defined by the current capitalist mode of production. As Tony Prug notes:

“Any social phenomenon that is loaded with claims of being a new mode of production, or being beyond ‘left’ and ‘capitalist’ ideologies has to demonstrate its claims in the core theoretical fields where those analytical and ideological battles are fought: political economy, economics and politics” (Prug, 2012).

The glorification of the commons as a mode of production however is performed not only by the thinkers of the Silicon Valley, the representatives of what Dahlberg calls “digital liberal communism”. The possibilities offered by new digital technologies for participation and collaboration have been also championed by autonomous political movements that “seek to expand democracy and to help individuals break free of political structures and behaviour patterns imposed from the outside” (Katsiafacas, 2006: 6). Following the initial metaphorical transferral of the principles of free software that led to coining the concept of “free culture”, authors such as Hardt and Negri move one step further to propose the concept of a society with “open code” whose workings are subject to transformation and follow the political will of the *multitude*, a network in which everyone is connected yet different from everyone else. The multitude is engaged in the new dominant mode of production - the immaterial production of knowledge and affect which are held in common – the commons are neither private property, nor public property belonging to a state, party, or any institution. The Empire exploits the productive process of the multitude but remains external to it, which means that the multitude has a historical chance of liberating itself from the constituted power of Empire (Hardt and Negri, 2005).

Both the liberal digital *commonist* and the autonomist Marxist position have been influenced by the original values of the Internet and the free software movement. What is more, both the liberal digital *commonist* and the autonomist Marxist position have been highly influential in informing social movement theory and practice (Gerbaudo, 2012). It is indicative that the Forward to the key alter-globalization movement book “Another World is Possible. Popular Alternatives to Globalization at the World Social Forum” (2004) is written by Hardt and Negri (Rone, 2014a: 714). The autonomists argue strongly for independence from institutionalized politics and for a type of politics that could be best described as prefigurative – enacting in the present the democracy desired for the future (della Porta, 2013a; Flesher Fominaya, 2009; Smucker, 2014; Yates, 2015). Networks have been considered not only as means for connecting different people, but also as a model for

establishing alternative power dynamics (della Porta and Tarrow, 2005; Juris, 2004; Flesher Fominaya, 2010). Nevertheless, the empirical realities of network organization have often contradicted overly optimistic expectations about the effects of networks, both as models and as tools.

Critical Internet Research

All of the positions systematized so well by Dahlberg have been subjected to extensive critique, which has sometimes lumped them all together without losing its critical sting. The concept of “echo chamber” effect, for example, addresses the way communities self-encapsulate online in enclosed systems in which ideas, beliefs and opinions intensify and alternative visions are censored (Jamieson and Cappella, 2008). Such a situation might alternatively be described as “cyber-balkanization” (van Marschall and Brynjolfsson, 1996). Thus, instead of increasing the number of options for the liberal individual and allowing for a process in which a rational exchange of opinions leads to consensus, the Internet more often leads to self-enclosure of communities and radicalization. In his analysis of digital emotions and the content of the messages and causes that gain the most popularity online, Ivaylo Ditchev underlines the highly affective dimension of online communication and asks “is democracy on the way of becoming emotocracy” (Ditchev, 2009).

What is more, excluded voices do not get included and represented online as easily as it might be expected in the counter-publics position (Graham, Hogan, et al., 2014; Karakusheva, 2012). And often the fact that the Internet allows communities not represented offline to voice their views makes it the preferred space for the radical right and other radical groups whose very ideology goes against plurality and dialogue (Berntzen and Weisskircher, 2016; Simpson and Druxes, 2015). Nationalism flourishes online, often in sub-cultural version that treats it as a “lifestyle” (Ditchev, 2010). Ultimately, Jodi Dean claims that the idea that the mere abundance and proliferation of information and information channels online might stimulate political dialogue or discussion is nothing but a neoliberal fantasy (Dean, 2009).

To sum up, the liberal-individualist, the rational deliberation, and the counter-publics positions have all interpreted the Internet as reinvigorating representative democracy and have fallen under attack for being too utopian and wishful thinking. But these positions have often been criticized also for being not utopian enough and for not challenging the system

in any fundamental way. The autonomist Marxist/digital commonist positions that treat the Internet as a pre-figurative space where old hierarchies are abandoned by new social movements and private property is replaced by the commons, however, have also been criticised. In fact, some of the most interesting critical Internet research has appeared at the cross-section of communication studies and social movement studies.

First of all, the belief in leaderlessness (as the organizational equivalent of the equality of nodes on the Internet) has been inspiringly challenged by Paolo Gerbaudo's research on the Arab Spring, Indignados, and the Occupy protests (2013). Gerbaudo has noted that power in "leaderless", "networked" movements often ends up concentrated in the hands of informal charismatic leaders. The notion of "protest choreography" that he introduces makes explicit the crucial role of informal leaders for the organization of the protests and at the same time their reluctance to describe themselves as such, thus effectively remaining backstage (Gerbaudo, 2012). The contradiction between movement rhetoric and movement organizational practice is particularly striking in the case of the Italian Five Star Movement (Movimento 5 Stelle), which uses web ideologies of participation and horizontality to cover the authoritarian approach of the leader Beppe Grillo (Mosca, Treré and Barrasi, 2015). Such examples show that trying to avoid government intervention and striving for the "independence" of cyberspace or autonomous social movements, does not guarantee full democratic participation and horizontality.

Secondly, while the concept of "openness" (as in "open data", "open source", etc.) is often used in relation to concepts such as collaboration, participation, transparency, it also has important continuities with previous writings on "openness", most notably in the work of Karl Popper and Friedrich Hayek. The logic of openness often "gives rise to, and is perfectly compatible with, new forms of closure; indeed, that closure is inherent in Popper's notion of openness" (Tkacz, 2012). What is more, "there is something about openness, about the mobilisation of the open and its conceptual allies that actively works against making these closures visible" (Tkacz, 2012: 400). The rhetoric of openness and participation often hides strong hierarchies, such as the ones observed among editors in Wikipedia (ibid.) but also in file-sharing sites (Rone, 2012).

Thirdly, the fact that *Facebook* (which uses proprietary closed code, collects information of its users, cooperates with governments, etc.) brands itself with the language of openness,

sharing and participation has been aptly described as a form of rhetorical “wiki-washing” (Fuster Morell, 2009). Companies such as *Facebook* have benefited immensely from the almost unquestioned association between new technologies and democratization, an association that crosses the borders of political ideologies to attract enthusiastic supporters from the far left to the far right. Nevertheless, as it has been convincingly shown these platforms are not “innocent” transmitters of information but active agents with their own norms and rules (for example the real name rule on Facebook), engaging in censorship and voluntarily or involuntarily facilitating surveillance (Hintz, 2015; Treré, 2016). What is more, companies such as Facebook and Twitter have become to a large extent monopolies, super-nodes which have stifled competition and have increasingly privatized the terrain of our social life (Andrejevic, 2011; Lovink and Rasch, 2013; Lovink, 2012). This has not remained unnoticed by activists. Indeed, during the latest cycle of contention, many social movement participants did not use digital technologies uncritically and with blind belief in Internet utopias. Often media such as Facebook were used for purely practical reasons, trying to reach as many people as possible (Gerbaudo, 2017). The levels of pragmatism have certainly differed between more experienced activists and newcomers, between the almost euphoric glorification of *Facebook* and *Twitter* in Egypt, Tunisia, and Spain, and the more technosceptic attitudes of Italian activists, for example (Treré, Jeppesen and Mattoni, 2017).

Forth, while social movements’ research has focused greatly on the potential of the Internet to enable new forms of protest organizing (Bennett and Segerberg, 2012; Castells, 2012; Shirky, 2008), it has often ignored the fact that governments also use the Internet. The focus of both activists and researchers exclusively on “open” alternative projects underestimated for a long time the extent to which governments penetrate cyberspace and use new technologies to infiltrate social movements. Emiliano Treré’s fascinating research on the use of bots, undercover agents, and organized digital campaigns by the Mexican government (Treré, 2015; Treré, 2016) is a case in point. But already in 2012 the king of the sceptics Evgeny Morozov underlined the extent to which governments such as the Iranian or Chinese one use new technology for surveillance and stifling anti-governmental activity. The Snowden revelations made it clear that not only distant dictatorships engage in digital surveillance but also the U.S., the UK, and most of the governments in the West (Bauman et al., 2014). These revelations put into question the utopias of independence of cyberspace

and its role for prefiguring alternative power relations. The governments, those weary giants of flesh and steel, turned out to be not that weary after all.

Finally, a lot of the assumptions about the relations between Internet technologies and social movements seem to have questionable empirical and theoretical foundations. Haunss (2015) summarizes the literature on social movements and Internet technologies by outlining four main claims that can be encountered in the cyber optimists accounts (but also in the cyber pessimist accounts, albeit with an inverted sign):

“Claim 1: The Internet solves the problem of transaction costs

Claim 2: The Internet solves the (rational choice) problem of collective action.

Claim 3: The Internet corresponds to the conflicts of the network society

Claim 4: The Internet enables new form of protest organizing” (Haunss, 2015, 17).

Nevertheless, high transaction costs have been rarely identified as the one major problem for social movements. In order to act collectively and have influence, social movements “have to define a problem, create a shared interpretation, engage in a continued interaction with an opponent, find allies and create a collective identity” (ibid., 18). Lowering transaction costs might facilitate some of these tasks but would still leave the others unresolved. With regard to the second claim, collective action has rarely conformed to the rational choice model. Social movements can be motivated by many things and cost-benefit calculations are one feature among others (ibid, 20). Thus, while the logic of connective action might make it easier to form weak-ties, it is probably just one more element in the repertoire of social movements and not a really radical transformation (ibid.) With regard to the third claim, the networking logic of communication and collaboration has been present in social movements long before the advent of the Internet, thus it can hardly be interpreted as a revolutionary new phenomenon (ibid, 22). Finally, regarding the fourth claim, it seems that digital communication creates only one layer of ties in a multiplex network of connections between activists that crosses the offline and online divide, and “new forms” of protest organizing can be subject to the old struggles for influence, leadership, and are still dependent on mass media and a wide range of complex media strategies and practices (ibid, 23-24; Mattoni, 2012).

Even though the belief in the Internet as a tool for democratization was widespread both among protesters and researchers during the post-financial crisis cycle of contention, the previous paragraphs have clearly shown that many scholars managed to keep a critical perspective and explore Internet uses and practices in all their complexity and contradictions, with a strong focus on empirical detail. Nevertheless, many of the conclusions of critical Internet research have not yet been applied to the field of protest diffusion studies. In my thesis I try to bridge this gap. I explore protest diffusion precisely in a protest in defence of Internet freedom in order to show that even in this case, the Internet and social media did not allow for radically new voices to enter in the debate and pre-existing protest networks and traditions mattered more for diffusion than the mere use of digital technologies. What is more, I try to show that the fetishization of the Internet as a tool for democratization, and ultimately, as a political cause, has led to a fixation on technology at the expense of more traditional political causes.

Indeed, while doing research on ACTA and the protests in defence of Internet freedom, I could enjoy the collaboration and support of liberal bloggers, football hooligans, and far left activists. While on the one hand, this convinced me of the universal appeal of the Internet as a cause it also made me think. The focus on Internet freedom in the mobilization against ACTA allowed diverse constituencies of people to find a common ground and a common cause to fight for. The focus on Internet freedom as a gateway to democracy in a way replaced boring questions about wealth redistribution, taxation, and austerity measures, for example. Everyone could fight for Internet freedom without entering in unnecessary petty fights on how exactly society should be changed.

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All in all, in this chapter I have tried to show that, contrary to what many users online and tech activists have insisted, attempts to control the Internet and to oblige ISPs to monitor users' communications, for example, do not result from ignorance – politicians “not understanding the Internet”. It is not a question of “understanding” or “not understanding” technology, but a question of power. Governments might not understand the technological underpinnings of the Internet, know its history and its original values, but they try to shape the Internet according to their own vision. What is more, the vision of governments is often

informed by the lobbying efforts of industries, particularly powerful when they can provide expertise on low salient issues such as intellectual property.

The influence of pharmaceutical and content industries is particularly strong also because they contribute substantially to the GDP in developed countries. Needless to say, developing countries such as Brazil, Russia or China do not have interest in providing strong protection for developed countries' IP, especially when it comes to crucial types of IP such as industrial design or patents. In order to impose stringent IP regimes on developing countries, developed countries, first of all, connected IP to trade, and second, adopted a forum shifting strategy to avoid the resistance of developing countries at the WTO, once they managed to organize. ACTA, as a typical instance of forum shifting, was negotiated outside of both the WTO and WIPO. The agreement bundled together different types of IP in order to fight trademark and patent infringement and to target copyright infringement online by achieving greater control over the Internet. It was precisely the attempt of ACTA to extend to the digital environment that provoked public outrage and made the protest against ACTA a protest for Internet freedom.

Thus, first of all, not all governments pushed for ACTA and second, governments are not the ignorant victims of a "repetitive mistake syndrome" but players who want things to happen their way, or even more probable, players who defend the interests of corporate players who want things to happen their way. The protest against ACTA was to a large extent a protest against the commoditization of knowledge and culture, driven by corporations and bypassing sovereign decision-making, but also a protest to defend and protect the original values of the Internet and the way the Internet is.

However, there is nothing necessary about the way the Internet is. There is nothing that makes the Internet or free software emancipatory and democratic in themselves. This is precisely why it is important to defend the values of the Internet every time they are questioned and assaulted. As Richard Stallman, noted early on, technology is political. But this is not enough. The anti-ACTA protests took place in a period of heightened protest activity when both media and researchers, starting from different discursive positions, emphasized the importance of the Internet for democratization. Yet, protesting for free Internet is not the same as protesting for democratization. Internet use does not necessarily

lead to democratization and emancipation. Politics goes beyond simple technological solutions.

The main claim of this chapter and of many of the subsequent reflections I offer is that “protecting” *the Internet turned out to be the perfect a-political political cause* that could attract everyone regardless of their political beliefs and provide an easy consensus against corporate power and lack of democratic participation. The problem is that the rhetoric of openness, sharing and collaboration of the Internet often obfuscated some of the darker sides of technology and the very fact that politics cannot be avoided. Old divisions emerge again online and media use in protest organizations often leads to the emergence of informal leaders, local forms of dictatorships or even government infiltration and collaboration. These are not technological problems that should lead us to techno-scepticism or simple glitches that could be fixed, but consequences of the fundamentally political nature of every human endeavour. As a wide array of critical Internet research has convincingly shown, the political has returned with a vengeance to challenge the nice a-political utopia of emancipatory technologies.

Indeed, the choice we are facing today is not between democracy and marketization but rather between politics and non-politics: “It’s a choice between a system bereft of any institutional and political imagination – where some permutation of hackers, entrepreneurs and venture capitalists is the default answer to every social problem – and a system, where explicitly political solutions that might question who – citizens, firms, the state – ought to own what, and on what terms, are still part of the conversation. However one chooses to call the world that Silicon Valley is helping to usher in, ‘digital socialism’ it clearly isn’t” (Morozov, 2015).

The protests against ACTA that diffused across Europe showed in a crystallized version the techno-fetishist belief in the Internet as a space of freedom and emancipation. While this belief was present in other protests in the cycle as well (Indignados, Occupy, the Arab Spring, for example), there it was combined with broader aspects of the ideology of citizenism as outlined by Gerbaudo (2017). The mobilization against ACTA, on the contrary, was mainly about the Internet as a tool and a political cause. That is why by exploring anti-

ACTA protests we can focus more precisely on the ideology and frames surrounding the Internet.

With these considerations in mind, it becomes especially interesting why some countries had anti-austerity protests and others had anti-ACTA protests? Understanding where the movement against ACTA was the most popular and where it failed to diffuse, what were the most popular frames and forms of contentious action against the agreement, and how it influenced subsequent movements can shed light on the wider cycle of contention after the financial crisis.

After explaining more substantially in terms of content what ACTA is all about, who negotiated it and why it was perceived as a threat to the Internet, in the next chapter I trace the pattern of diffusion of anti-ACTA protests. Without explaining what ACTA was all about and how it was related to Internet freedom, I could not have explained why it diffused where it did and why protesters used the frames they did. Once I have provided this background information, I can safely move to explore the questions on protest diffusion.

In what follows, I try to bridge some of the insights of critical Internet research with research on protest diffusion and show that even in a protest in defence of Internet freedom, the role of the Internet for protest diffusion was less important than the role of pre-established formal and informal activist networks and traditions. Thus, instead of fetishizing technology, I emphasise the agentic and ultimately political aspects of protest diffusion.

The North, the East, the West, and the Rest: Explaining the diffusion of protests against ACTA

- CHAPTER THREE -

The campaign against ACTA was a trans-European campaign that eventually led to the rejection of the agreement by the European Parliament. Yet, the campaign was undoubtedly much more successful in some countries than in others. The map of the protests was not homogenous but revealed instead a wide discrepancy between countries in terms of mobilization. In this chapter, I try to answer why this was the case. I trace the process of diffusion on the basis of protest event analysis and address my first research question, namely: *why anti-ACTA protests diffused successfully in the North, West and East but failed to diffuse in the South of the EU?* After presenting and rejecting several possible explanations for this curious pattern of diffusion, I offer an explanation that draws on theories that emphasize social movements' influence on each other and the importance of previously existing protest traditions. By exploring both successful and failed cases of diffusion, I identify as the two main factors explaining protest diffusion against ACTA first, the *presence* of previous mobilization on Internet issues – or what John Postill has called “nerd politics” (2017) – and second, the *absence* of previous mobilizations against austerity that by the time of ACTA had raised their level of generality and gone beyond single-issue protest.

An explanation based on these two factors on the one hand, falls within the framework of social movement diffusion theory and applies the work of authors such as della Porta and Mattoni, Fominaya, Gerbaudo and Zamponi (see pp. 26-31) to a new empirical case, and on the other hand, expands existing theories by emphasizing the importance of the level of generality of preceding mobilizations for the mobilizations that come after them. I show that even when there are two ideologically compatible mobilizations (such as the ones against austerity and against ACTA), if the preceding one has already made the shift in generality and tackles more general societal problems, the single issue mobilization that comes afterwards has difficulty in gaining traction. Thus, the presence of existing protest tradition and networks can both *facilitate* diffusion of protest and *impede* it. It is only by

paying close attention to the protest issues themselves and the level of generality of demands that we can figure out which of the two scenarios would take place.

3.1. Where did anti-ACTA protests spread?

The anti-ACTA protests erupted across the EU at the beginning of 2012. Yet, the first round of negotiations on ACTA had already started in Geneva back in June, 2008. The negotiations were shrouded in secrecy and most of the information on the negotiators' positions and the extent of agreement between parties came from leaked documents published on WikiLeaks. Digital rights organizations such as the U.S. *Electronic Frontier Foundation* (EFF), and the EU *La quadrature du Net* and *EDRi* followed ACTA closely from the very beginning (interviews 7, 11). A lot of expert analyses were also published by academics on both sides of the Atlantic, for example, a series of research papers by the Washington College of Law's *Program on Information Justice and Intellectual Property* (PIJIP), the opinion of Douwe Korff and Ian Brown (2011) on the compatibility of ACTA with the ECHR and the EU Charter of Fundamental Rights, and the Opinions of the European Data Protection Supervisor on ACTA (2010, 2012). What is more, the Canadian academic Michael Geist provided timely and succinct analyses of the developments with ACTA in his regular blog posts. News websites specializing in technology, such as *Techdirt* and *ArsTechnica*, were also crucial in informing about the latest controversies around the negotiations.

Nevertheless, as it has been underlined in several of my interviews (interviews 1, 2, 3, 4, 7, 14, 20), the general public, i.e. people who are neither legal experts nor tech geeks, became informed of the agreement and its potential consequences only in January 2012. This happened largely due to chance and coincidence in timing. In January, 2012 the major U.S. campaign against the U.S. Stop Online Piracy Act (SOPA) and the Protect IP Act (PIPA) bills took place: its most spectacular moment was the January 18th blackout of 115, 000 websites in the U.S., among which the English *Wikipedia*, *Craigslist*, *Cheezburger*, *Boing Boing*, *Cyanide & Happiness*, *Internet Archive*, *Marxists Internet Archive*, *Tumblr*, *Twitter*, *WordPress*, and many others (Lee, 2013: 103). *Google* joined the protest by placing a censor bar over their logo, urging people to "tell Congress: please don't censor the web!" and providing information on SOPA and PIPA.



Fig. 4. Google's logo censored.²²

On the 19th of January, the U.S. seized the domain names and closed the sites associated with *Megaupload*, the torrent tracker owned by the notorious Kim Dotcom. On the same day, in Poland there was a meeting organized by Igor Ostrowski, the Deputy Minister of the newly created Ministry of Administration and Digitization. The meeting of the “Dialogue Group” (an ad hoc group of businesses, NGOs, and other stakeholders that was formed in 2010 to advise the Polish government on laws that could affect the Internet) was held in the conference room of the Prime Minister’s office and took a dramatic turn when Ostrowski revealed that Poland was planning to sign ACTA on the 26th of January and there was no point in discussing it. The problem was that the NGOs had received an explicit promise a year ago that, until their concerns about the deal were answered, the government would cease all talks on ACTA (Woziniak, 2012). Then, out of the blue, the government announced that it would sign the bill, which made civil organizations furious and triggered them to immediately start campaigning against the signature.

It was this unique confluence of events that suddenly drew attention to ACTA and made the tension between Internet freedom and intellectual property highly salient for the general public. One of the reasons why the campaign against ACTA started in Poland was that the country already had well established and coordinated actors in the sphere of digital rights who had entered in dialogue with the Ministry of Administration and Digitization. The sense of a breach of trust when these organizations learned about the Government’s decision triggered them to quickly organize and disseminate information about ACTA. From this moment on, the connection between SOPA and PIPA in the U.S. and ACTA in Poland was not difficult to make. On the 21st and 22nd of January Anonymous hacked several Polish government websites as a sign of protest. A message from the Twitter user

²² Source: Google, Public Domain, <<https://commons.wikimedia.org/w/index.php?curid=18110133>> [16.10.2017].

@AnonymousWiki after the sites went down read: “Dear Polish government, we will continue to disrupt and interfere with your government official websites until the 26th. Do not pass ACTA.” The same user later posted: “We have dox files and leaked documentations on many Poland officials, if ACTA is passed, we will release these documents²³”. On the 24th of January, many Polish websites participated in a blackout for an hour²⁴, but the culmination of all this were the popular protests of people who self-organized on Facebook and went in thousands to the streets to protest against ACTA. More than 15 000 people took to the streets in Krakow, 5000 in Wroclaw, and thousands more in Poznan, Lublin, Sieradz, and Warsaw. In fact, Poland was the only country where the street protests preceded the signing of ACTA (26th of January) and took place on the 24th and 25th of January. Protests followed in several EU countries: several hundred protested in Paris and Brussels on the 28th of January²⁵. On the 4th of February around three thousand people went to the streets in Slovenia, mainly in Ljubljana and Maribor, and around 1000 in each of the cities Stockholm²⁶, Prague, and Bratislava. Finally, on the coordinated European day of protest - 11th of February - the protests spread in Germany (10 000 Berlin, 20 000 Munich; 1,000 people in Frankfurt, Nuremberg, Augsburg, Leipzig and Hanover²⁷), Austria (4000 in Vienna, 3000 in Graz²⁸), Bulgaria (7000²⁹), Romania (3000 in Cluj Napoca, 300 in Bucarest³⁰), Estonia (1500 in Tallinn³¹), and others. A second coordinated day of protest was planned for the 25th of February. The biggest protests on that day happened in Denmark³² with thousands of participants. Small subsequent protests took place in London and Amsterdam

²³ <http://www.bbc.com/news/technology-16686265> [29.05.2016].

²⁴ <https://www.gavick.com/blog/polish-blackout-against-acta-is-visible> [29.05.2016].

²⁵ <http://www.citizenside.com/fr/photos/a-la-une/2012-01-28/48738/manifestation-des-anonymous-a-paris-contre-acta.html#f=0/365418> ; <http://democratie-reelle-nimes.over-blog.com/article-bruxelles-28-01-2012-manifestation-les-anonymous-a-la-bourse-98099854.html> [29.05.2016].

²⁶ <http://falkvinge.net/2012/02/04/today-sweden-rallies-against-acta-and-for-freedom-of-speech-we-can-win-this> ; <https://www.theguardian.com/technology/2012/feb/13/acta-protests-europe>. [29.05.2016].

²⁷ <https://www.theguardian.com/technology/2012/feb/13/acta-protests-europe>; <http://www.socialistworld.net/print/5593>; <http://www.csmonitor.com/World/Europe/2012/0213/More-than-30-000-Germans-turn-out-against-anti-piracy-treaty-ACTA>; <https://www.wsws.org/en/articles/2012/02/acta-f15.html> [29.05.2016].

²⁸ <http://www.socialistworld.net/print/5593>; <https://edri.org/edriagramnumber10-3anti-acta-demonstrations-11-feb/> [29.05.2016].

²⁹ <https://www.theguardian.com/technology/2012/feb/13/acta-protests-europe>; <http://www.novinite.bg/articles/5987/Hilyadi-balgari-protestiraha-ACTA-la-vista-bejbi> [29.05.2016].

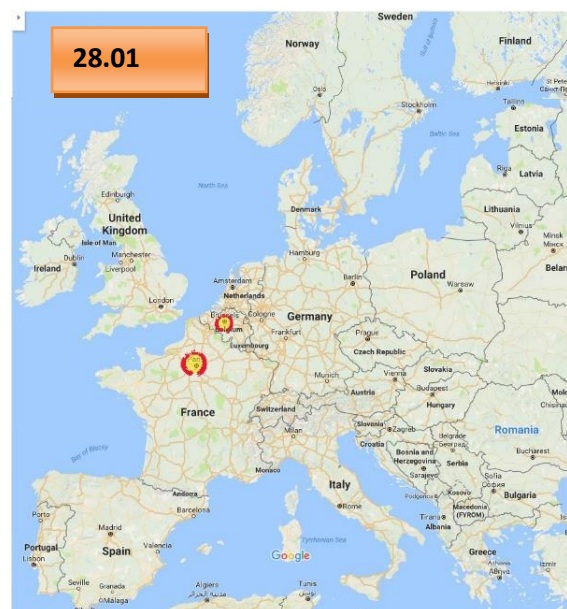
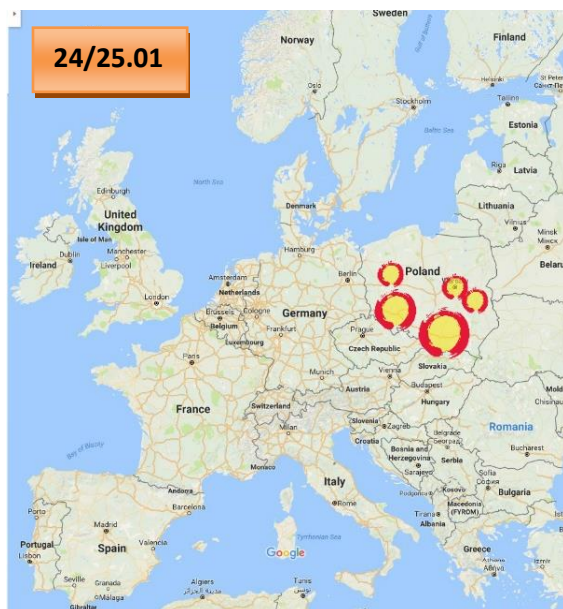
³⁰ <https://www.theguardian.com/technology/2012/feb/13/acta-protests-europe>; <https://edri.org/edriagramnumber10-3anti-acta-demonstrations-11-feb/> [29.05.2016].

³¹ <https://www.rt.com/news/acta-protests-rallies-europe-089/> ; <http://petitsioon.ee/ei-acta-le> [29.05.2016].

³² https://www.youtube.com/watch?v=cPVKJkVl_MA&index=1&list=PLpQppXqfY-SYVfVTs7tUF6zpcFaXMnY9 ; <http://clausrandrup.com/gallery/stop-acta-protest-in-copenhagen/> [29.05.2016].

on the 8th of March and on the 14th of March in Luxemburg, attracting less than 500 participants in all cases. Finally, a global day against ACTA was planned for the 9th of June but despite multiple cities vouching to participate, small protests (again, less than 500 participants) took place mainly in Germany and Belgium³³.

Using the protest event data from the BBC and Reuters, expanded with data from national websites collected with Google Search Scraper, I collected the dates and locations of protests against ACTA plus the number of participants. Once I had the data, I grouped the protests in five categories: (1) from 50 to 500 participants; (2) from 500 to 3000, (3) from 3000 to 5000, (4) from 5000 to 10, 000, (5) above 10 000 participants. On the basis of this classification I created maps for the stages of diffusion of protest and assigned to each protest a circle of different size depending on its magnitude. The five sizes of the circles correspond to the five categories of protests. Below, I present graphics that allow tracing the diffusion of protest against ACTA in the EU. While I might have missed some smaller local protests, which could have been found only by searching the name of a particular city, I believe that the maps offer an accurate picture of the main protests against ACTA. They show protests that actually took place, and not protests that were just planned.



³³ http://www.standaard.be/cnt/dmf20120609_081?ref=nieuwsoverzicht;
<https://www.rt.com/news/anti-acta-protests-global-504/> [29.05.2016].

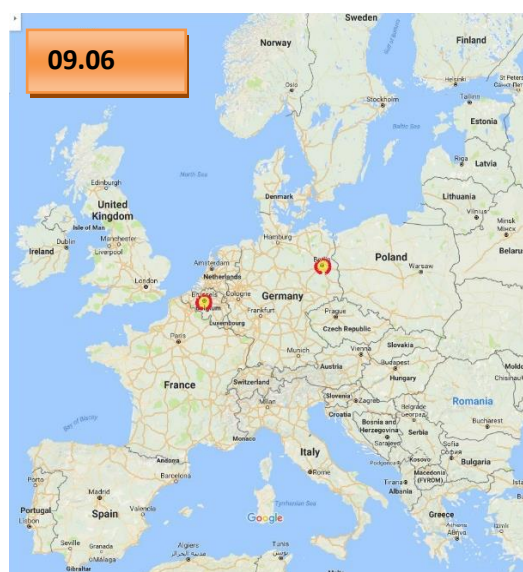
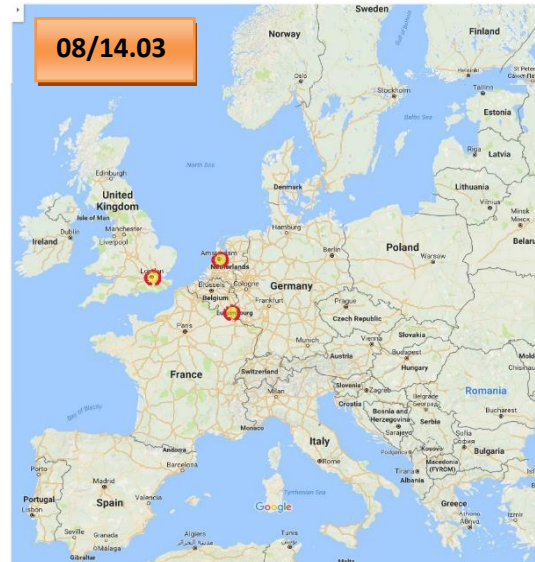
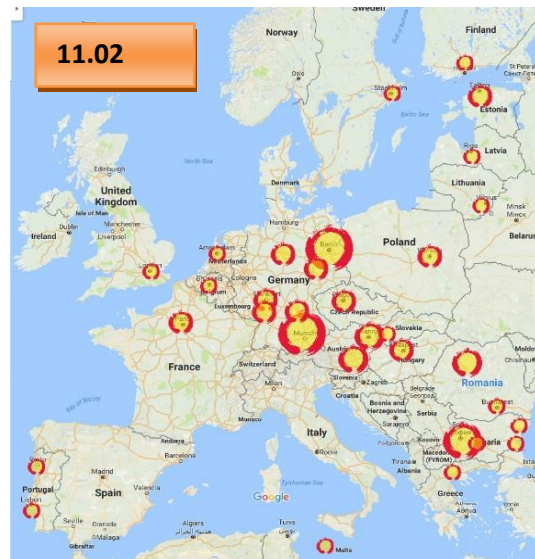
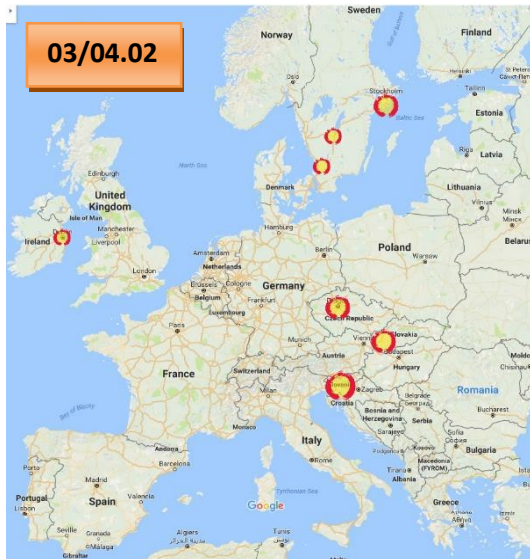


Fig. 5, 6, 7, 8, 9, 10, 11. Maps of diffusion of protest against ACTA.

Unlike the maps of planned protests against ACTA which inevitably have many more events marked, my maps reflect only the protests that took place and were reported in national and/or international media. One can clearly observe how there is an initial boom of protest in Poland on January 24th/25th with subsequent small protests in Brussels and Paris, medium sized protests in other Central European countries (the Czech Republic, Slovakia, and the biggest ones in Slovenia) until the massive protests on February 11th in Germany, Austria, and Bulgaria, followed by one last big protest in Denmark on the 25th. Nevertheless, substantial street protests against ACTA were lacking in Greece, Portugal and Ireland, where the maximum turnout was around 300 people, and in fact there were *no* anti-ACTA protests in Spain and Italy - the Southern countries that have been traditionally associated with a very high level of protest activity, and especially so since the beginning of the financial crisis.

What factors could explain this pattern of diffusion in the East, West, and North of Europe but *not* in the famous GIPS countries? In the remaining part of this chapter I explore different possible explanations why ACTA spread precisely where it did and reject most of them. I continue by outlining one possible explanation – in all countries with big anti-ACTA protests there had been a previous politicisation of Internet issues in protest or party politics. Yet, this is not enough to explain the pattern of diffusion. I claim that beyond politicization of Internet issues, the absence of sustained anti-austerity protests is a remarkable feature of all countries where resistance to ACTA became big. I reach this conclusion by exploring in depth two cases in which protest did not spread (della Porta and Mattoni, 2014: 279), namely Spain and Italy. I highlight how the analysis of successful cases and the analysis of negative cases can complement each other.

3.2. Several unsuccessful attempts to explain the successful diffusion of anti-ACTA protests

The question why the anti-ACTA protests started in Eastern Europe and were so big there is not an original one. It was asked multiple times throughout the protests and in their aftermath. The problem is that while several hypotheses were put forward explaining mobilization in Eastern Europe, none of them can explain the mobilization in the West and in the North *as well*. And the opposite, explanations of the success of anti-ACTA in Germany and Denmark, for example those focusing on the role of post-materialism or the Pirate

Party, cannot account for the extraordinary mobilization in Eastern Europe. In the following paragraphs, I discuss several possible explanations (some of which have been already proposed by analysts and some of which I myself entertained in the process of writing this thesis) before I put forward an account that could explain the strange pattern of diffusion of anti-ACTA protests.

To begin with, the high salience of ACTA in Eastern Europe has been often attributed to the heritage of communism. For example, in the context of Poland, commentators have claimed that the country's communist past has led to an increased appreciation of freedom of speech online and a readiness to protest against any attempt at censorship (Tarkowski, 2012). While relevant when it comes to Eastern Europe, this argument cannot explain why both East And West Germany, Austria and Denmark mobilized strongly against ACTA.

An alternative explanation for the strong mobilization against ACTA in Eastern Europe focuses not so much on anti-censorship and defence of free speech, as on defence of file sharing as a main reason to protest against ACTA. In the context of Eastern European countries, there is a strong case to be made for economic reasons to defend file sharing. As Karaganis et al. (2011) show in their report on media piracy in emerging economies, one of the main reasons for widespread digital piracy online is the fact that people in emerging economies simply cannot afford to buy many of the cultural products of major content industries due to their high prices. Secondly, some of the countries in Eastern Europe are considered small markets and many cultural products are not even imported there and available to buy. As a result, cultures of circulation and sharing of cultural content develop³⁴. What is more, a major reason for public support for piracy might be found in the failure of the state to provide a suitable cultural infrastructure: a good example in this regard is the mass closing of cinemas in Bulgaria after 1989 which often left whole cities without a single cinema (Rone, 2014b). Considering these factors, it is not surprising that so many people in Eastern Europe took to the streets in order to protest against ACTA and protect their "right" to download and share files. In a sense, file sharing was perceived as a common good threatened by ACTA. But again, while such types of explanations for file sharing work perfectly for Eastern Europe, they cannot explain the widespread protests against ACTA in

³⁴ <<https://www.techdirt.com/articles/20121119/08583721092/why-was-it-poland-that-led-european-revolt-against-acta.shtml>> [31.05.2016].

countries such as Germany, Austria and Denmark that are not known for dire economic conditions or deficient public infrastructure.

What is more, explaining piracy as a political cause in Sweden, Jonas Anderson (2011) makes the exact opposite point: digital piracy cannot be explained with material deprivation but rather with the recent shift to post-materialism in advanced capitalist economies. In his analysis of pirate politics, Patrick Burkart explains support for file sharing as a defence of the digital commons and a protest against the colonization of the life-world (Burkart, 2014). While such theories might be relevant for the case of Sweden, they nevertheless seem to have less explanatory power in the case of Bulgaria, for example, where only one year after the anti-ACTA mobilization people went to the streets because they could not pay their electricity bills (Rone, 2017). Indeed, we are bound to live with the contradiction that while in some cases digital piracy seems to be a materialist cause, in others it is decidedly a post-materialist cause.

But what about actual, empirically observed, levels of digital piracy? Regardless of the reasons why they practise it (materialist or post-materialist), Bulgaria and Sweden, for example, both have high levels of piracy. They were also two of the countries that took the most active participation in the anti-ACTA protests. Thus, a possible hypothesis could be that the population of countries where digital piracy is widespread felt most affected and threatened by ACTA and thus went to the streets. In order to check whether this has been the case I decided to consult the latest available statistics on digital piracy. The graph bellow shows the top ten countries in terms of percentage of their population engaged in piracy. Latvia comes first, followed by Bulgaria, Lithuania, Croatia, Spain, Greece, Serbia, Ireland, Romania, and Sweden (TorrentFreak, 2016).

46.33	Latvia
27.43	Bulgaria
24.54	Lithuania
22.70	Croatia
22.19	Spain
21.87	Greece
21.31	Serbia
19.84	Ireland
19.07	Romania
18.38	Sweden

Fig. 12. Top 10 countries in terms of percentage of the population engaging in digital piracy. ³⁵

³⁵ Source: Adapted from (Torrent Freak, 2016).

Indeed, many of the countries with big protests against ACTA are among the top 10 in terms of percentage of population engaged in piracy (Serbia and Croatia also had anti-ACTA protests but I have not included them in my data as I focus only on EU countries as of 2012). However, we cannot fail to acknowledge the lack of mobilization in Spain and Greece – the 5th and 6th countries in the list. And on the contrary, Austria, which is not at all on the list of the top 50 countries with regard to piracy, and Germany, which occupies the 49th place with only 1.71 per cent of its population engaging in piracy, have been two of the countries with the biggest protests against ACTA. Thus, levels of digital piracy alone, regardless of whether people engage in it for materialist or post-materialist reasons, cannot explain the diffusion of anti-ACTA protests.

But what about the power of collecting societies and other institutionalized actors who could pressure for more stringent intellectual property protection? Maybe the protests against ACTA were big where the main actors lobbying for ACTA were less organized and less powerful, as suggested in my interview with the German Pirate Party MEP Julia Reda (interview 10). Such a hypothesis however could not explain the mobilization in Germany for example, as GEMA, the German collecting society for musical works, has been notoriously strong and fighting fiercely for its interests (Haunss, 2013b).

Neither can we explain the mobilization against ACTA with the standard conflict of interest between developing and developed countries when it comes to investment in research and development and intellectual property infringements. We could hypothesize that countries that invest more in research and development might push for more restrictive intellectual property protection, while countries that invest less would be more defiant and fight against strict intellectual property regimes, or at least not enforce them too stringently. In practice, we notice that countries such as Sweden, Austria and Germany whose levels of investment in research and development are among the highest in the EU (R&D, 2013), also witness the biggest resistance towards stringent intellectual property regimes in terms of Pirate Party activity but also during the street protests against ACTA. The anti-ACTA protests though were also big in Bulgaria where the record of research and development investment has been particularly low and intellectual property protection has not been enforced diligently.

Abandoning the search for single factors, a classic social movement theory explanation of the diffusion of anti-ACTA protests would focus on the political opportunity structures and

show that anti-ACTA protests diffused only where the POS (understood as comprising three broad sets of properties of the political system: formal institutional structure, its informal procedures and prevailing strategies with regard to challengers, and the configuration of power relevant for the confrontation with the challengers (Kriesi, 1991) was favourable. Yet, Austria, Bulgaria, Germany, Denmark, and Poland – the countries with some of the biggest protests – had more differences than similarities in their political opportunity structures and in the elite responses to challengers demanding more Internet freedom and the “right” to share files.

Finally, an explanation that focuses on the role of social media for diffusion would try to account for successful diffusion with social network proximity-based protest exposure (Kwon and Hemsley, 2017) or more broadly conceived factors such as Internet penetration or levels of Facebook/Twitter use (Howard et al., 2011). Yet, again it seems that there is nothing distinctive about the levels of Internet penetration and Internet use in the countries where anti-ACTA protests diffused most successfully: Austria, Bulgaria, Germany, Denmark and Poland. In fact, while some of these countries (Austria, Germany, Denmark) have a high percentage of the population using the Internet, other countries such as Poland and Bulgaria are among the countries with the lowest Internet use (Seybert, 2012). It also seems rather dubious whether people from, let us say, Bulgaria would have more friends online or will follow on Twitter more people from Austria, Germany, Denmark, and Poland than from any other country. Thus, levels of social media use or social media exposure can hardly explain the diffusion of protest precisely in these countries.

To sum up, it seems that the diffusion of anti-ACTA protests cannot be explained by the heritage of communism alone, nor by the price of cultural goods and failing cultural infrastructure in emerging economies, post-materialist ideology in advanced capital economies, levels of digital piracy, the strength of pro-ACTA lobbyists, the levels of investment in research and development, use of social media, or political opportunity structure. What is more, many of the explanations considered so far are mutually contradictory and are hard to generalize for all cases. An easy way out of the conundrum would be to suggest that some explanations work for some cases and other explanations work for others. In fact it is completely possible to have at the same time materialist reasons for defending piracy in Bulgaria and post-materialist ones in Sweden, heritage of

communism in Eastern Europe and strong tradition of defence of human rights in Western Europe, etc. However, I claim we should not renounce the attempt at an explanation that is not completely context specific. There have been indeed some common factors that could explain the successful diffusion of protest against ACTA in the North, East, and the West (but not in the South) of the EU.

Drawing on the insights of McAdam who urges us to focus our attention on broader “movement families” and cycles of protests, to emphasize the relationships between ideologically and temporally proximate movements, and to distinguish between initiator and spin-off movements (McAdam, 1995), I put emphasis on the way previous mobilizations have affected the mobilization and diffusion of anti-ACTA protests. I advance the hypothesis that the previous politicization of Internet issues is an important factor to explain the spread of anti-ACTA protests. Put briefly, I claim that firstly, one can expect to observe successful diffusion of anti-ACTA protests in countries with high level of politicization of Internet issues. However, this is not a sufficient explanation since unlike countries such as Cyprus or Luxembourg, countries such as Spain and Italy had a strong politicization of Internet issues but still no anti-ACTA protests. Thus, secondly, I claim that, in countries where there had been already a sustained mobilization against austerity, the anti-ACTA protests came too late and were too narrowly-focused to attract salience and public support. What I mean by “sustained mobilization against austerity” is a bottom-up cross-sectional mobilization: I do not consider here protests, organized solely by trade unions, but rather protests that are cross-sectional and include more societal groups. The reason why a single issue protest like ACTA could not gain traction in countries with sustained movements against austerity is that these movements had already made a growth in generality. Following della Porta’s definition, I define growth in generality as “the cognitive expansion of protest claims from more specific to more general concerns, as a way to bridge different constituencies” (della Porta, 2016: 50).

Ultimately, I claim that only by considering the influence of social movements on other social movements, can we explain the pattern of diffusion of anti-ACTA protest that cannot be accounted for by single factors or a focus on the political opportunity structure.

Before proceeding to the main part of my argument, I need to make one last technical clarification. I assume that countries in which there were less than 500 people protesting

against ACTA (Greece, Italy, Spain, and Portugal) are clear cases of failed diffusion. Deciding above what threshold of protesters we have a clear case of successful diffusion is a bit trickier. In my analysis I treat countries with more than 5000 protesters (Austria, Bulgaria, Denmark, Germany, Poland) as clear cases of “successful diffusion”. I do not engage in analysing countries such as France, Slovenia, the Czech Republic, Romania, etc., that had between 500 and 5000 protesters, as they are not the most clear examples. As it becomes obvious, my approach is to treat “successful diffusion” and “failed diffusion” not as binary categories but rather as the two ends of a fuzzy scale, with some cases closer to “successful diffusion” and some cases closer to “failed diffusion”. In the next section of this chapter, I shed light on the countries with the successful anti-ACTA protests and check to what Internet issues had been politicized there before. Then, in the fourth section of the chapter, I present a more in depth analysis of the cases of failed diffusion.

To reiterate the main argument of this chapter: all countries where anti-ACTA protests diffused successfully share one thing in common: they had experienced a strong politicization of Internet issues there before the anti-ACTA protests. On the contrary, in countries where Internet issues were not particularly salient, such as Cyprus, Luxembourg, Lithuania, the anti-ACTA protests did not manage to get massive support. But my argument has also a second step: in some countries Internet issues were highly politicized but the diffusion of anti-ACTA protests still failed. The reason for this is that there were preceding big anti-austerity protests that had grown in generality and thus a single-issue protest like the anti-ACTA one could not gain traction. Thus, only where there were *both* a strong politicization of Internet issues and *no* preceding sustained anti-austerity mobilizations did anti-ACTA protests diffuse.

3.3. “A Digital Spring”? Nerd Politics as a Factor in the Diffusion of Protests against ACTA

In this section, I explore to what extent were Internet issues politicized in the countries where anti-ACTA protests diffused successfully. To begin with, I interpret as “politicisation of Internet issues” forms of organized mobilization in defence of Internet freedoms, or what John Postill has termed “nerd politics” (2017). As outlined in Chapter One (p. 22), Postill identifies four core issues around which nerd politics has consolidated: freedom of expression, intellectual property, net neutrality, and digital privacy. All of them can be

considered vital parts of the struggle for Internet Freedom. “Nerd Politics” not only deals with a series of interconnected issues, but also operates in different fields or arenas: *digital rights activism, data activism, social protest, and electoral politics* (Postill, 2017). Thus, in exploring whether there has been a politicization of Internet issues in the cases I look at, I take into account all four fields of nerd politics. I offer a simple dichotomy of low Internet politicisation (where there has been no salient activity in any of the four fields) and high Internet politicisation (where there has been highly salient activity in at least one of the four fields). For both, I will be looking at the period before 2012.

To begin with, there is certainly an important difference between actual rates of digital piracy and the *politicization* of intellectual property, the occurrence of data privacy breaches and the *politicization* of data privacy. For example, even though the Snowden revelations showed that there had been widespread surveillance on a global scale, performed by the American NSA and the British GCHQ, among others, mass protests triggered by these events did not take place in any extent comparable to the mass street protests against ACTA. What is more, there is a strong difference between countries with regard to the particular fields in which nerd politics unfolds. In some countries, such as Poland, Internet freedoms were taken as an issue mainly by NGOs, with the protests against ACTA being a spontaneous but rather isolated example of social protest, while in countries such as Bulgaria there had been several protests in defence of file sharing even before ACTA, but very low-scale political and NGO activity, and in Austria and Germany nerd politics has unfolded in all four fields: digital rights movement, data activism, social protest, and party politics. Germany and Austria in fact were two of the countries with the strongest Pirate Parties at the time of the anti-ACTA mobilizations, apart from Sweden of course, where the Pirate Party traditionally had a strong presence. In the next paragraphs I will present in more details the nerd politics that prepared the ground for the diffusion of anti-ACTA protests in each of these countries.

The first Pirate Party was established on January 1, 2006 in Sweden by the influential blogger Rick Falvinge and originally addressed three major issues: protection of privacy online, freedom of culture, and opposition to patents, and private monopolies (Almqvist 2016a: 101). After in May 2006 the Swedish Police raided a place that hosted *The Pirate Bay* (a torrent tracker site) and the *Piratebyrå* (an independent Swedish organization established to support the free sharing of information and culture) servers among others,

the Pirate Party had a surge in popularity and in early June 2006 organized a protest pirate demonstration that drew wide attention (Libbenga, 2006). The years leading to 2012 were strong for the Swedish Pirate Party, which in 2009 came fifth in the European Parliament Elections with 7.13% of the vote and got the chance to send 1 MEP, and after the ratification of the Lisbon Treaty, even 2 MEPs: Christian Engström and Amelia Andersdotter. However, after 2012 the Swedish Pirate Party slowly lost influence and got only 2.3 per cent of the popular vote at the 2014 EU elections and even less than one per cent of the vote in the subsequent Swedish national elections (Nordenfur, 2014).

The German Pirate Party followed a similar path of sudden breakthrough and slow decline after 2012. Also founded in 2006, in 2011 it managed to get 8.9 per cent of the vote in the Berlin State Elections and win 15 seats in th

e Berlin state parliament (Dowling, 2011). In 2012 after the anti-ACTA protests, the German Pirate Party managed to get 7.4 per cent of the vote in the landtag of Saarland and 8.2 per cent in Schleswig-Holstein. In the following years due to internal scandals the Pirates lost much of their support (Meiritz and Reinbold, 2013). Many of the internal contradictions of the Pirates could be traced back to their original suspicion and rejection of authority and representation in the traditional sense. As Martin Almqvist emphasizes, “with its origins in the anarchist-oriented hacker organization the Chaos Computer Club, the Berlin Pirate Party has close ties to the anarchist movement, which are sometimes hard to combine with party politics” (Almqvist, 2016a: 106). Almqvist goes on to quote an article from Die Zeit that describes the self-destructing party dynamics of the German Pirate Party: “The Pirates had so internalized the distrust in politics that they rejected all representative politicians – including their own” (ibid).

The Austrian Pirate Party was founded in the same year as the German and Swedish ones - 2006 - and ran for municipal elections for the first time in 2010. Its first breakthrough came only in November 2012, months after the anti-ACTA protests, when it won 2.68 per cent of the vote and one seat in the city council of Graz. The leader of the Pirates in Graz Philip Pacanda claimed that “The Pirates have come with the aim of bringing more citizen participation and transparency to the Graz municipal council. Everyone can participate through us – our program is created with grass roots democracy”. What is more, the Pirates

in Graz adopted the decision making tool “Liquid Feedback” developed earlier by the German pirates in order to secure more grass-roots democratic decision-making (Reitemeyer, 2012). The Pirate Party also had a seat in Innsbruck but their deputy was expelled from the party (Die Presse, 2012). In general, in Austria, as in Sweden and Germany, the Pirate Party fared well until approximately the end of 2012, while in the following years its support substantially declined (Heller, 2016). The early hopes for a radical change in politics brought by pirate parties and expectations that the Pirates might be the new Greens (Burkart, 2014) and might even offer an alternative to AfD (Baldini and Bolgherini, 2013) gave way to a general sense of disappointment and fatigue both among supporters and general observers.

Nevertheless, 2012 was a still strong year for the Pirates and I claim that this was due to a great extent also to their involvement in the anti-ACTA campaign. The Pirate Party used its pre-existing structures to mobilize protesters in Sweden, Germany, and Austria, and in turn, the mobilization against ACTA raised the Pirates profile and made them more publicly salient. The Pirate Party in these countries could also count on the important support of the Greens and (far) left parties.

In Germany, the Green Party leader Claudia Roth and board member Malte Spitz saw in the mass protests a "fulminant signal against ACTA and for living democracy in the digital age". What is more, the German anti-ACTA demonstrations were not only openly supported by the Left and the Pirate Party but also organized by them (BZ, 2012). In Austria, the protests were organized by a broad and heterogeneous coalition of actors featuring the Pirates, Anonymous, and the Greens (ACTA proteste, 2012) and had as a point of contact the website www.stoppt-acta.at. Interestingly, the far right splinter BZÖ was also present at the demonstration and declared that ACTA should be rejected (Wiener Zeitung, 2012; Der Standard, 2012). All in all, in both Germany and Austria, the bottom-up mobilization against ACTA was facilitated by established players in the political field who recognized the cause as their own and helped organize and popularize the protests, while keeping a relatively low profile in line with the explicitly non-party nature of the mobilization.

In Denmark, where more than 15 000 people³⁶ took to the streets to protest against ACTA, the Pirate Party was not as strong as the Swedish, Austrian, or German ones. The February 25th protests against ACTA were co-organized by the Occupy Movement that had remained until this moment a rather marginal player in Danish political life, the Pirates, and the Danish IT Workers Union PROSA. Addressing the Copenhagen protesters, Henrik Chulu from the Internet policy think-tank Bitbureauet argued that copyright lobbyists have failed to take advantage of the digital sphere. He claimed that protesters wanted digital rights, a “digital spring” (CPH Post, 2012). This discourse resonated well with the Occupy group that found inspiration above all in the Arab Spring, Occupy, the saucepan revolution in Iceland, and Los Indignados, etc. (Occupy CPH 2012). An interesting situational fact in the Danish context that might explain the high saliency of Internet issues and the high turnout at the anti-ACTA protests on the 25th of February was the 21st of February decision by the Danish courts to label the website *Grooveshark* illegal and to require ISPs to block it (Softpedia, 2012). Thus, while Denmark remained relatively calm on the biggest day of protests against ACTA – the 11th of February, protesters flooded the streets on the 25th after the court sentence against *Grooveshark*.

To sum up, in Germany, Austria, Sweden, and Denmark the anti-ACTA protests were to a large extent organized by the Pirate Party in different coalitions with predominantly Green left actors and fringe far right presence. In Poland and Bulgaria – the Central and Eastern European countries with the biggest protests against ACTA – there were no established and successful Pirate Parties at the moment of protests and Green and left actors engaged less actively with the cause. Nevertheless, in Central and Eastern Europe, Internet issues had been highly politicized in the years before ACTA, albeit in a different non-politically institutionalized fashion. In Poland, it was actors from the civil society that carried the weight of protest organization and popularization: NGOs and students with experience from previous protests took up the initiative and contributed to the biggest protests in years taking place. In Bulgaria, the protagonists of the mobilization against ACTA were even less institutionalized: bloggers, students and even administrators of torrent trackers were the ones spreading information about the cause and mobilizing their networks.

³⁶ <<http://lindasj.weebly.com/blog/copenhagen-stands-together-against-acta>>

As already mentioned in the previous section, in Poland, it was a strong and well established network of NGOs that first raised awareness of ACTA and channelled the spontaneous protests of disaffected youth perceiving ACTA as a threat to the Internet itself. Some of the most important NGOs and activists opposing ACTA in Poland were *Panoptykon*, *Internet Society Poland*, *Helsinki Foundation Poland*, *Centrum Cyfrowe*, *Rysiek*, *Vagla*, *Modern Poland Foundation*, *Foundation for Free and Open Source Software*, and the *Polish Wikimedia Foundation* among others. These organizations and individual activists were very well coordinated which allowed them to make timely decisions when it came to channelling, organizing, and framing resistance to ACTA. As I will mention later on, when discussing the forms of protest action employed, one of the most interesting aspects of the anti-ACTA mobilization in Poland has been the tension between NGOs who called for mobilization first, the hacktivists Anonymous who engaged in defacing government websites and in data activism, and the bottom-up spontaneous protests often organized by students. NGOs took the role of promoting coherent and legally informed frames against ACTA and even organized a national event with all local protest organizers to discuss ACTA and bring more clarity on the issue. At the same time, NGOs were often disturbed by the rather disruptive tactics employed by Anonymous and tried to appease them in order to have more room for negotiation with the government. When it comes to established or rising political players, the new liberal political movement Palikot in Poland tried to capitalize on the protests. It was precisely deputies from Palikot who famously held the Anonymous masks during a session of the National Assembly. Nevertheless, protesters insisted on the non-party nature of the protests in Poland as well, and did not allow any single political force to “own” the issue.

In Bulgaria, unlike Poland, there wasn't (and still isn't) a strong and well developed NGO sector when it comes to digital rights and Internet issues in general. Thus, the mobilization against ACTA was led by a group of students previously engaged in demonstrations for more accessible high education (interviews 1, 2, 4), who met the fervent support of, on the one hand, bloggers, and on the other hand, the file sharing community that had already protested several times against the closing of torrent trackers in previous years. In 2006, there was a major campaign of the Bulgarian Ministry of Culture called “Piracy Steals” [„Пиратството ограбва“] that was met with a serious backlash (Spassov, 2011). In 2006 and

2007 the Bulgarian Police targeted the major torrent trackers in the country – first *Arena* and then *Zamunda* - confiscated their servers, and charged their owners with copyright infringement and spreading pornographic content. In 2010 the police raided for the second time the premises of the torrent trackers provoking massive public discontent. Already in 2007, the administrators of the illegal torrent tracker *Zamunda* organized a protest attended by several hundred youngsters in defence of the torrent tracker and the “right” to download (Dnevnik, 2007). In 2008 two campaigns took place in defence of Internet freedom. The first one was called “Stop the Monitoring of the Internet”. The second campaign - a protest march of between 100 and 200 people – was called “Freedom and Not Fear” (Spasov, 2011: 313). The “Freedom and not Fear” march was organized by the Electronic Frontier Foundation in Bulgaria and was attended by a colourful mixture of nationalists, anarchists, and Greens. Years later, in 2012, *Zamunda* was again active in encouraging protest against ACTA, publishing long comments on the agreement and even urging users to contact Bulgarian members of the European Parliament. The emails and phones of MEPs were posted on the title page of the illegal torrent tracker in order to make contacting them and lobbying against ACTA easier. File sharing became a cause that united students, bloggers and illegal websites in a political battle in which nationalist and progressive frames were merged in defence of piracy (Rone, 2013) but also Internet freedom in a more general sense. The protests against ACTA happened very soon after smaller but consequential national protests against fracking at the beginning of January 2012 that were organized by the Green party and led to a moratorium on fracking in the country. Even though the anti-fracking and the anti-ACTA campaigns could be connected to each other discursively in the sense that they were both protests against expropriating the commons, such a connection was rarely made and there was no frame bridging taking place. On the contrary, both the eco protest and anti-ACTA remained chiefly single issue protests. A scale shift occurred only in 2013 when there were three waves of mass protests that shook the country. Nevertheless, the wider societal critique formulated in 2013, almost a year after the anti-ACTA protests, was centred around anti-corruption and ignored the anti-austerity narrative (Rone, 2017).

The lack of anti-austerity mobilization prior to 2012 is not peculiar to Bulgaria, but also characterizes the other countries with successful anti-ACTA mobilizations. I claim that this is

not a coincidence but in fact one of the important reasons why anti-ACTA protests became so big there. In a sense, the mobilization against ACTA became a focal point of youth discontent in times of turmoil. The politics of the Internet replaced and engulfed politics dealing with more redistributive issues in the classical sense of the term. In fact countries where Internet issues were politicized but there were mass mobilizations against austerity (countries such as Greece, Spain, Portugal, and Italy), did not participate in the single issue protest against ACTA. Internet freedom there was seen as crucial not in itself but as one issue within a general coherent critique of the neoliberal logic behind the crisis and the ensuing austerity measures.

In the final section of this chapter I will elaborate more on this notorious absence of anti-austerity protests in countries where ACTA diffused successfully. I will claim that this is not simply a coincidence but that in fact, the absence of anti-austerity protests is an important precondition for the diffusion of anti-ACTA mobilization. This emerges clearly from the analysis of cases in which there was a high level of politicization of Internet issues and yet no anti-ACTA protests. These cases of failed diffusion of protest reveal that the absence of sustained anti-austerity movements is in fact a second important precondition for the successful diffusion of anti-ACTA protest. I explore in detail why this is the case and what mechanisms are at stake in the next section.

3.4. This Protest is Not Available in Your Country: Where Protest Diffusion failed?

According to the hypothesis advanced in the previous section, the first important condition for anti-ACTA protests to diffuse is the politicization of Internet issues. Considering this, countries such as Cyprus and Luxembourg that had low levels of Internet politicization to begin with, could not have anti-ACTA protests and are rather clear cases of failed diffusion. The cases of failed diffusion that I consider more challenging and in need of explanation are those where Internet issues had been politicized and yet, no anti-ACTA protests occurred. Among them, one could certainly identify Greece, Portugal, Spain and Italy – all countries with high levels of Internet politicization in different spheres of nerd politics that however did not witness anti-ACTA protests. In this section I will focus on two of these cases, Spain and Italy, mainly due to the practical reason that I am familiar with their respective languages, so I could conduct in-depth analysis of primary and secondary literature on the

cases. However, I claim that the general logic of my analysis of these cases can apply also to Greece and Portugal: two countries that also witnessed sustained anti-austerity mobilization in 2011 but did not witness any mass anti-ACTA protests in 2012.

For both Spain and Italy, I reveal that a crucial factor for the failure of diffusion of protests has been the *timing* of the anti-ACTA protests, which took place after anti-austerity mobilizations were *institutionalized* (Zamponi, 2012) and moved to a *different level of generality*. I show clearly that by the time the anti-ACTA campaign gained salience all across EU in late January 2012, the Spanish protests against Ley Sinde had already evolved into the massive protest movement known as “Los Indignados”, bridging Internet freedom with a wide variety of issues, including mortgages, unemployment, healthcare, etc. Thus, ACTA came too late and was too much of a single issue to attract popular attention. Nevertheless, the faith in the Internet as a tool and a cause had already permeated deeply the frames and practices of Los Indignados.

In Italy, the situation was rather different, as there the rhetoric of Internet Freedom was “owned” by the Five Star Movement, which according to some, concentrated popular discontent in the country in a way in which anti-austerity protests could not do it, not least because of their still strong connections to traditional trade unions and the institutionalized Left (Andretta, 2017). But while the Five Star Movement focused consistently on the importance of the Internet for political renewal and democratization (Mosca et al., 2015), the movement was not well connected with digital rights activists and did not recognize ACTA as a cause to mobilize for.

Thus, I explain the failed diffusion of anti-ACTA protests in Spain and Italy *not* with some intrinsic characteristics of the political culture or political opportunity structure in these countries, but rather by paying close attention to the influence of social movements on other social movements. For both Spain and Italy, I claim that there were existing protest networks that could pursue the anti-ACTA issue as their own, had not the anti-ACTA issue come too late. The anti-ACTA protests came at a point in which local protests were already at the stage of bureaucratization (formalization) and were tackling more general systemic issues. My analysis of the importance of protests moving to a different level of generality as an impeding factor for subsequent single issues protests is a key contribution not only of this section but also of the chapter as a whole.

3.4.1. *“Do as I do, do not go into politics”: The case of Spain*

“Haga como yo, no se meta en política” [“Do as I do, do not go into politics”] was one of the most famous principles of Franco. The dictator tried to avoid petty fractional battles and collusions in order to impose his unilateral will. Paradoxically, the 15M movement, even though horizontal and profoundly democratizing, adopted a similarly a-political ideal of politics. The Indignados believed that the shortcomings of a fake political polarization between the PP and the PSOE could be avoided if citizens were able to participate in governance directly (without representation) and voice their opinions with the help of digital technologies. The top-down-imposed will of the dictator found its inverted mirror image in the bottom-up technologically-mediated will of the people.

In what follows I explore the origins and development of the Indignados movement in Spain and the role of Internet groups and ideologies in the protests. I attempt to understand better why, given the strong politicization of Internet issues, the anti-ACTA protests failed to diffuse there. My main hypothesis is that the mobilization against ACTA came at a point in which the cycle of contention in Spain had already moved to the stage of bureaucratization (formalization) and there was a focus on tackling more general systemic problems and not single issues such as the Anti-Counterfeiting Trade Agreement.

One of the most important events in the run up to the 15-M was the “No les Votes” campaign, started by several influential tech-activists, lawyers and bloggers in Spain as a protest against Ley Sinde – a controversial law that aimed at curbing illegal downloading on the Internet. Ley Sinde was strongly criticized in Spain for reasons similar to the ones pointed out against ACTA an year later in many European countries: lack of public debate, prioritization of private interests, danger to fundamental rights. Ley Sinde was not a stand-alone law but a provision of the Sustainable Economy Bill proposed by Zapatero’s government in order to modernize the Spanish economy in several different spheres, stimulating competitiveness, environmental sustainability, innovation and professional specialization and stimulating emerging sectors (El País, 2011a). The Sustainable Economy Bill was explicitly prepared as a response to the financial crisis and as a proactive move for boosting the Spanish Economy (Expansión, 2009). The bill was embraced by both PP and PSOE, while its most controversial provision Ley Sinde (named like this after the minister of

culture at the time Ángeles González-Sinde) provoked public outrage and an outburst of criticism online.

There are several reasons why citizens felt particularly unhappy with Ley Sinde. According to Eduardo Arcos (2011), first of all, Ley Sinde envisaged the creation of a Commission of Intellectual Property that could receive complaints about intellectual property infringements (the complaint could come from performers, music bands, film directors, but also from music or film companies or their representatives). The Commission then had the power to decide whether there had been an infringement, and if yes, it would send the infringer or those who host the content a note to remove the content within 48 hours. The original version of Ley Sinde presented in 2009 completely bypassed judges and judicial intervention and put the whole process in the hands of the administrative body. Even in the revised version, the complaint and the whole process of decision happened without the intervention of a judge (Arcos, 2011).

The second big problem with Ley Sinde was its origin (Arcos, 2011). In December 2010 a series of cables from Wikileaks revealed that there had been sustained pressure on key Spanish political figures from the U.S. embassy in Spain. The strategy of the U.S. included meetings with Internet providers such as Telefónica, collaborations with interested parties such as SGAE (Spanish Society of Authors and Publishers), FAP (Federation for Protection of Intellectual Property), Promusicae (Association of Music Producers) and special visits of important figures from the administration and U.S. industry such as Christopher Wilson, the “number 2” in external trade and Dan Glickman, the president of the almighty Motion Pictures Association (Elola, 2010). The U.S. pressed and actively threatened both the government of Zapatero and the opposition leaded by Mariano Rajoy to pass laws protecting intellectual property that were important for the interests of the U.S. content industry (Sutton, 2012).

The third big problem of Ley Sinde was its vagueness and lack of clarity, for example the fact that what had to be proved were not damages but the *possibility* to cause damages. The final big problem with Ley Sinde was the existence of a black list for infringers that were not located in Spain and whose IPs could be blocked. The potential of using this mechanism for censorship (especially considering the limited role of judges that the law envisaged) was serious (Arcos, 2011).

After criticism was voiced, the Ley Sinde provision was taken out of the Sustainable Economy Act and subjected to revisions. On January 25 the Senate passed the revised version of the law. The Congress passed the law on February 15 with the support of PP, PSOE and CiU (El País, 2011b). However the final enforcement of the bill took place only on December 30th under the newly elected government of Mariano Rajoy. Between February 15th and December 30th 2011 many events unfolded that changed the recent political history of Spain in a dramatic way.

Initiated as a reaction to the approval of Ley Sinde, the *No les Votes* [“Don’t vote for Them”] campaign urged citizens not to vote for PP, PSOE and CiU at the municipal elections of 22nd of May. Contrary to many of the accusations against the campaign, it did not urge people *not to vote at all* but simply not to vote for any of the parties that approved Ley Sinde. The first manifesto of *No les Votes* pays exclusive attention to Ley Sinde and the problems associated with it and accuses PSOE, PP and CiU of negotiating together to pass the law and of failing their main obligations towards citizens³⁷.

The intertwining of resistance towards Ley Sinde and towards the traditional parties in Spain, the move from protest on an Internet issue to protest against the political system as such can be clearly seen in several comments of users to the blog post in which Enrique Dans (2011), a popular blogger and one of the initiators of the campaign *No Les Votes*, explained what it is all about. The user *KikeMb*, for example, states:

#005 KikeMb - 16 febrero 2011 - 20:40 So it is that Ley Sinde is the drop that spilled the cup, the cup of patience, my patience. Thank you for this initiative in which I trust completely as a warning and punishment for the political class that does not do anything for its citizens³⁸.

The metaphor of Ley Sinde as the drop that spilled the cup seems to resonate as another user shares a similar experience:

#013 [Gorki](#) - 16 febrero 2011 - 22:20 Ley Sinde was for me the drop that spilled the cup, nothing more, my anger is the accumulation of thousands of details, some horrible as the 4 000 000 unemployed, others, that maybe are not important taken separately but worry me, such as the corruption that floods this country. First, I thought that replacing Zapatero with

³⁷ < https://15mpedia.org/wiki/Manifiesto_%C2%ABNo_les_votes%C2%BB>

³⁸ <<https://www.enriquedans.com/2011/02/nolesvotes-como-movimiento-ciudadano.html>> [10.06.2016].
The translation from Spanish of all of the comments is mine.

another worthy socialist (and there are such socialists) would be sufficient. Then I thought: well in the next elections the PP will come on top and things will sort themselves out. Nowadays, I think that neither the ones nor the others will fix things, because the only thing they want is power, not to do something for society as a whole, but to enjoy it and to enrich themselves personally, distributing the remains of what is left from the state to the big companies, which later would put them in their administrative councils, and if in order to remain in power and continue plotting, they have to sell their mothers, they would do it without blinking an eye. Only the profound renovation of political parties in Spain can sort this out...³⁹

There could be hardly a better confirmation of the statement that any action is a reaction to a situation rather than the effect of a cause than the two comments quoted that make it clear that the Internet issue is part of a much wider and more intricate set of problems. Of course, connecting Ley Sinde with the impending electoral campaign was not completely obvious and non-problematic. As the user *Montadito* (#040) noted, the people who run for the municipal elections often don't have anything to do with those who voted for Ley Sinde and connecting Ley sinde to the municipal elections is "a bit absurd"⁴⁰. Such precautionary notes though did not have resonance in an environment marked by disenchantment and anger with the status quo. The user *enjuto_mojamuto* is particularly inventive when it comes to metaphors describing the political status quo. In his comment #067 he insists that the political world should go through a process of evolution towards diversification, proliferation and optimization of "genetic political codes that would bring more and better and more efficient solutions". The same commentator earlier on uses the metaphor of "political market" in order to describe the "monopoly" of the old political players:

#064 enjuto_mojamuto - 17 febrero 2011 - 20:58 Options that defend our interests in the topics regarding the Internet, the Wen and the technological world in general: Pirate Party, Internet Party, the Pirates of Catalonia, WikiParty, The Greens – the European Green Group....The 3 big parties, PSOE, PP and CiU form a monopoly that is affecting badly the political consumers, i.e. THE CITIZENS. We have to break the monopoly, promoting high competence and the entrepreneurs in the political market.⁴¹

³⁹ <<https://www.enriquedans.com/2011/02/nolesvotes-como-movimiento-ciudadano.html>> [10.06.2016].

⁴⁰ <<https://www.enriquedans.com/2011/02/nolesvotes-como-movimiento-ciudadano.html>> [10.06.2016].

⁴¹ <<https://www.enriquedans.com/2011/02/nolesvotes-como-movimiento-ciudadano.html>> [10.06.2016].

The reason why I have quoted *enjuto-mojamuto* twice is not only because this user offers highly interesting and problematic naturalizing political metaphors but also because in the comments mentioned we see an elaboration on the importance of alternative actors, regardless of whether they would be interpreted as a diversification of the political genetic material or as brave entrepreneurs. In fact, soon after the start of the *No les Votes* campaign, two other organizations appeared which would later prove crucial for the organization of the protest of 15th of May: *Juventud sin Futuro* [“Youth without a Future”] and the Platform *Democracia Real Ya!* [“Real Democracy Now”].

Juventud sin Futuro was created in February 2011 as an attempt to unite different university collectives from Madrid that had experience from organizing against the Bologna Process for changes in the higher education system. *Juventud sin Futuro* drew attention to the precariousness faced by Spanish youth and to the lack of adequate government measures to tackle it. On the 7th of April, 2011 *Juventud sin Futuro* organized a manifestation attended by 8000 to 10 000 people, thus exceeding the expectations of the organizers⁴². Also in February 2011 the platform *Democracia Real YA* was created that defined itself as a-party, a-syndicate, non-violent, opposed to taking part in any ideology but not apolitical. The movement started on the Internet and organized itself on the basis of three main social groups which were particularly punished by the crisis: the unemployed, the ones who were evicted because they couldn’t pay their mortgages, and the precarious youth⁴³.

The platform *Democracia Real YA* was a classic example for different actors with different demands building a chain of equivalence (Laclau and Mouffe, 2014) against a common enemy, in this instance envisaged as the political class, or *la casta*. But in order to build this chain of equivalence, the platform needed to overcome divisions and define its identity as broadly as possible. The first two paragraphs of the manifesto of *Democracia Real Ya* state:

We are ordinary people. We are like you: people, who get up every morning to study, work or find a job, people who have family and friends. People, who work hard every day to provide a better future for those around us.

⁴² <https://15mpedia.org/wiki/Juventud_Sin_Futuro#Historia> [31.05.2016].

⁴³ <https://15mpedia.org/wiki/Plataforma_Democracia_Real_Ya#Manifiesto> [31.05.2016].

Some of us consider ourselves progressive, others conservative. Some of us are believers, some not. Some of us have clearly defined ideologies, others are apolitical, but we are all concerned and angry about the political, economic, and social outlook which we see around us: corruption among politicians, businessmen, bankers, leaving us helpless, without a voice. This situation has become normal, a daily suffering, without hope. But if we join forces, we can change it. It's time to change things, time to build a better society together⁴⁴.

The beginning of the manifesto reminds strongly of the way the hacktivist group *Anonymous* define themselves:

How do I recognize other Anonymous? We come from all places of society: We are students, workers, clerks, unemployed; We are young or old, we wear smart clothes or rags, we are hedonists, ascetics, joy riders or activists. We come from all races, countries and ethnicities. We are many.

The similarities between the ways in which *Democracia Real YA* and the hacktivist collective *Anonymous* present their identity are not coincidental. The Free Culture Movement (including collectives that fight against copyright and for more data privacy, hacktivists and tech geeks) contributed substantially to the genealogy of the 15M with *composition, agenda, frames, and organizational logic* (Fuster Morell, 2012: 389). First of all, *Anonymous*, *No les Votes*, and other groups fighting for Internet freedom took active part in 15M. They also put on the agenda of 15M the demand for Internet freedom and knowledge policy. But among their most important contributions were the provision of *frames* and a *particular horizontal organizational logic*. The all-inclusive political identity that the 15-M activists defended in the first days of the mobilization is an identity strongly influenced by Internet activism and by the theories of the multitude proposed by authors such as Hardt and Negri (Hardt and Negri, 2005). Such an inclusive vision of politics envisages unmediated citizen engagement, often with the help of new technologies. This type of participation can do without politicians, parties, and all other types of mediators. Movements that propose such motivational frames insist that they are not a-political or non-democratic. On the contrary, they fight for more democracy, more horizontality, more participation, collective deliberation, and thus more politics.

⁴⁴ <<http://www.democraciarealya.es/manifiesto-comun/manifiesto-english/>> [31.05.2016].

And yet, a common criticism against such approaches is that they have failed to grasp the very nature of the political which is based on the friend-enemy relation (Mouffe, 2005). While it is hard to build a positive political project on the basis of Laclau and Mouffe's theory of hegemony and Mouffe's vision of the political, they have an important sobering quality for both neoliberal utopias of the Third-Way and overly enthusiastic freedom technologists that believe that with the right technology people will find a solution for living together a better life. Politics is the tough work of strengthening alliances over time, of maintaining friends and containing enemies. This is something that *Los Indignados* learned with experience, as their protest unfolded.

On May 15, Democracia Real Ya announced a protest against the measures which Spain took in reaction to the financial crisis, including the bank bailouts and welfare state cuts. Thousands of people showed up to protest in different cities in Spain, with the Madrid protests reaching Puerta del Sol early in the evening (El Mundo, 2011). Some of the slogans of the protest were "No Les Votes" [Don't Vote for them"] and "No somos mercancías en manos de políticos y banqueros" ["We are not goods in the hands of politicians and bankers"]. In the night between 150 and 250 people occupied the *Puerta del Sol* square in Madrid but their example was not followed by other cities. The media also did not cover the movement in detail (Fernández, 2011). The big occupations however started after the 17th of May when the police removed the 150 people who camped out. This time *Democracia Real Ya* was not the one responsible for organizing. People self-organized online using *Twitter* hashtags and went to the streets in thousands not only in Madrid but also in near 30 other Spanish cities (Fernández, 2011). As the Election Day May 22 approached, more and more people took part in the sustained mobilization, many of them camping in the night on the squares, organizing assemblies and formulating proposals for political change. It turned out that the biggest losers of the elections were PSOE: PP had a comfortable lead of near 10 per cent (Resultados, 2011) and thus it seemed that the Indignados protests mainly took away voters from the left. Interestingly enough, the protests continued after the municipal elections as well. On the 12th of June many of the protestors on Puerta del Sol decided to leave and spread to the neighbourhoods, organizing assemblies at neighbourhood squares (Pérez Martín, 2011). On June 20 and the following days protestors started marches from all corners of the country that converged in Madrid on July 23" (Inieta, 2011; Público (2011).

If one follows the development of the 15-M movement, one cannot help noticing that contrary to most previous empirical examples, these protests did not fade away but persisted for long: until late 2013. In his highly interesting research on the cycle of protests in Spain from 2007-2015 Martín Portos García notes that the reason why the protests persisted for so long is complex: radicalization was contained, institutionalization postponed, and divisions among protestors - overcome. The high standards of mobilization persisted for so long because the anti-austerity fight specialized in different issues – “mareas” (tides) – and because new civil organizations forged alliances also with the unions (Portos García, 2016).

Both Martín Portos García and Christina Flesher Fominaya emphasize in their analyses the work on the ground and the alliance building that preceded the outburst of the Indignados protests. While Portos García pays attention to the different types of organizations that united in the protest mobilization – people affected by mortgages, free Internet movements, ecologists, etc., Flesher Fominaya emphasizes the continuity between the autonomous movements and movements that took part in the wave of alter-globalization protests and the Indignados. The Indignados have a strong social basis and a history of struggle and resistance and in that sense, the narrative about protestors connecting completely spontaneously to each other over the Internet is nothing but a useful myth: “our search for the ‘new’, important as it is, should not come at the expense of erasing the history and agency of the social movements and activists that have come before and paved the way for the current contentious response to the global crisis, its architects and beneficiaries” (Fominaya, 2015: 160).

The idea of autonomous organization and the antagonism towards representation come to a large extent from the autonomous movement roots of Los Indignados. Nevertheless, los Indignados is not a movement that has just passively adopted heritage from the past, no matter how influential this heritage is. On the contrary, movement participants vehemently debated and discussed their identity, strategy, and future development in a continuous process of self-invention and self-definition. Apart from instances of successful alliance building among protestors that allowed for the sustained mobilization, there were also multiple instances of dissent, contradiction, and diverging opinions on future paths.

One of the clearest examples of the processes of dissent I refer to is the formation of the *Association Democracia Real Ya* as a splinter from the *Platform Democracia Real Ya*. Both the foundation of the association and its structure were extensively criticized. The split occurred at an assembly in Madrid on May 21 and May 22, 2012, during which it was proposed to convert the platform into a legal association, i.e. to give it a legal form. After not reaching consensus, a part of the Platform split from it and initiated the Association. 25 of 28 nodes of the platform supported the Platform, 3 nodes supported the new Association. The split wouldn't have been so hurtful if there wasn't also the issue of stealing social media identity. The *Facebook* page of *Democracia Real Ya*, with its approximately 480 000 fans remained in the hands of the members of the new splinter organization which provoked a wave of denunciations and criticism from the old members. The new association was also accused of the mortal sins of being vertical and not believing in assemblies, transparency and horizontality, and of contacting fascist groups⁴⁵.

The celebratory discourse on new media connecting people fails to account for real life witch-hunts among protest organizers that include copy-pasting *Facebook* messages, revealing false profiles, unmasking bots, and exposing conspiracies against horizontality. The website *La Asociación ADRI: Una Conspiración para manipular el 15M*⁴⁶ is a good confirmation of Marx's dictum that history repeats itself first as a tragedy, second as farce. The series of accusations against the traitors who do not believe enough in horizontality evokes memories of the spirit of paranoia and denunciation following the French revolution. Luckily there is no guillotine and no Robespierre of the Indignados but only an elaborate series of allegations using *Facebook* screenshots to reveal the conspiracy. That there was a serious power conflict and unfair play on the part of the Association can hardly be doubted. But what is even more worrying is the spiraling storm of digital suspicion (Kuntsman and Stein, 2014) and mistrust that plagues even the "honest ones".

There can hardly be a better example of digital suspicion than the discussion on "Plaza Podemos" on Reddit provoked by a post called "Traitors who pretend to be democrats: the

⁴⁵ <https://15mpedia.org/wiki/Asociaci%C3%B3n_Democracia_Real_Ya#Creaci.C3.B3n_de_la_asociaci.C3.B3n> [31.05.2016].

⁴⁶ <<https://conspiracionadry.wordpress.com/capitulo-1/>> [31.05.2016].

story of Victor García and Pablo Gallego”⁴⁷ referring to two of the founding members of the Association. The user who has published the comment paradoxically is called *Robesspiere2014* and is worried that many of the votes on Plaza Podemos - a place where Podemos discussed drafts on the organizational form of the future party - were manipulated by groups and organizations that had created hundreds of fake user accounts especially for this purpose. *Robespierre* accuses Victor García of having used bots to support his draft for the structure of Podemos. In a long and straightforward message García admits his mistakes and gives a detailed account of his work as an activist in different off-springs of the 15-M movement. The discussion between *Robespierre* and García also allows us to trace the evolving understanding of new technologies, the way the unconditional praise for tools that allow people to connect was complemented by a fear of bots that unfairly influence discussions and a fear of those who pretend online and wage a “war from the inside”. The only guarantee that can stop suspicion is the biography of the activists, known with their real names, pledging and risking their own reputation in every project they take part of. The offline persona guarantees for the online one.

The discussion on *Reddit* is interesting also because it takes place after the big splits, the quarrels, suspicions and allegations that tore 15-M apart. Several users emphasize the importance of forgiveness and moving forward in the name of a common cause. What we observe is a discussion on making wrong political decisions out of good intentions and on forgiveness: the desire to move beyond the errors and build something that lasts. In this sense, the discussion on *Reddit* reveals an aspect left undeveloped in Mouffe’s theory of the political. Of course, the political is based on a friend-enemy distinction, on conflict and creating alliances, but the whole antagonistic process takes place over time and thus the importance of forgiving, ignoring, turning a blind eye and working together, even if for purely instrumental reasons, should not be underestimated.

Considering previous research on *Anonymous* (Rone, 2014a) and the illuminating analyses of Paolo Gerbaudo (2012) and Emiliano Treré (2016) of the ways in which social movements use new media, I was alert about the difference between the rhetoric and practice of media use by activists. Exploring the Spanish case both confirmed my doubts and made me

⁴⁷https://www.reddit.com/r/podemos/comments/2i3zki/traidores_que_van_de_dem%C3%B3cratas_la_historia_de/ [31.05.2016].

overcome them. It confirmed my doubts in the sense that I encountered a lot of information on dissent, coup d'états, splits and divergence over time in the Indignados movement. Instead of providing direct participation, the Internet and digital tools were hijacked, used to usurp power, and to propagate suspicion. But they were also used as originally intended to connect, to discuss, to deliberate and search for solutions together. Activists did not get stuck in criticism and internal dissent but instead, continued problematizing the political process in a search for positive change. The sheer extent of political discussion online in the aftermath of Los Indignados is overwhelming.

What becomes clear is that a movement that started out as a protest against an Internet law aligned with several other powerful movements and evolved into one of the most daring experiments with democracy in the aftermath of the financial crisis. The cycle of contention continued for long but things calmed down and ultimately, a new party PODEMOS emerged. In fact, despite so much protest against the system and party politics, the years of contention in Spain saw a big surge of establishing political parties. Between 2009 and 2010, 295 new political parties were registered in Spain and this number doubled in the period of mobilization that occurred between 2011 and 2012, with 492 new parties created (Tormey and Feenstra, 2015: 590). This might be interpreted as more of the same, but I claim that this would be an incorrect interpretation that does not pay attention to the immense politicization of large segments of the population that discussed the fundamentals of democracy.

After all, PODEMOS claim they do not want to be a party like all the others. Whether they will succeed in their translation of the ideals of 15-M into an innovative party remains to be seen. And we have to remember they are not the only ones trying. Partido X, created by Internet-activists, was created before PODEMOS (on December 17, 2012) and promoted open citizen lists, raising funds through crowd-funding, collaborative editing of the party program online, an organization in a network with different nodes, etc. And while Partido X has not had an electoral success in any way similar to this of PODEMOS they have launched a series of important collaborations providing technical expertise and advice, including collaborations with Podemos and the platform Guanyem Barcelona, whose most noted representative is Ada Colau.

Considering the extent of politicization of Internet issues and the prominence of the belief in the emancipatory power of the Internet in campaigns preceding Los Indignados, the lack of diffusion of protest against ACTA is all the more striking. Nevertheless, if we take into account the literature on protest cycles with its emphasis on different stages of contention (emergence, coalescence, formalization and decline), the history of Los Indignados movement shows clearly that by January 2012, the protest cycle in Spain had moved beyond emergence and coalescence and had entered a stage of formalization. Thus, even though Internet freedom was highly politicized, ACTA as a single issue protest diffusing across Europe in January 2012, could not gain salience in Spain.

Particularly indicative in this respect is the process of transformation of *No les Votes*, a campaign initiated in February, 2011 to oppose Ley Sinde, from a campaign on Internet issues to a campaign for systemic political change. A clear evidence for this transformation is the publication of a second updated version of the *No Les Votes'* manifesto that pays less attention to Ley Sinde and more attention to corruption, the electoral law, and the importance of searching for alternatives⁴⁸.

Nevertheless, my main observation after exploring the Spanish case, is that it would be too simplifying to state that the Internet freedom issue was a single issue abandoned once there was a switch to more general systemic problems. On the contrary, a techno-fetishist ideology of direct participation facilitated by new technologies permeated the whole discourse of the 15-M movement, including its more general claims about "changing the system". As the cycle of contention evolved, and as Los Indignados diverged, split, reconciled and gave origins to new collectives and parties, this techno-ideology was problematized, revised, refined, and made practically more operable.

Thus, to sum up the protests against ACTA did not happen in Spain because the Spaniards had already fought against their Ley Sinde and because the cause of Internet freedom had already provided crucial frames and organizational models for the mass scale anti-austerity movement that by the beginning of 2012 had moved to a more advanced stage in the cycle of contention and to a higher level of generality. Refining my initial hypothesis, I must note, that the issue of Internet freedom and online communications was not set aside as a single issue in Spain, but was connected to other issues such as education, healthcare, housing,

⁴⁸ < <https://wiki.nolesvotes.org/wiki/Plantilla:Manifiesto/en> /> [11.05.2017].

etc. and raised to a higher level of generality to provide a network model of politics and the tools necessary to create it. The anti-ACTA mobilization came too late and had little potential to ignite society as a single issue. People had already campaigned for Internet freedom and participated in ongoing protests, proclaiming the Internet and new technologies as means of freedom and deepening of democracy.

3.4.2. The Rising Star(s) of Beppe Grillo. The Case of Italy

While the Indignados movement spread from Spain to Greece, it had only a weak following in Italy (Zamponi, 2012). On October 15, the Global Day of anti-austerity protest inspired by the American Occupy movement and by the Spanish Indignados, around 200 000 people gathered in Rome to protest against the government of Berlusconi and the way it was handling the financial crisis. There can hardly be a better summary of the protest than the slogans “People of Europe: Rise Up!” and “Noi la crisi non la paghiamo” [We won’t pay for the crisis] referring to the way governments bailed out banks with public money while simultaneously cutting welfare state provisions. However, the 15-O protest was a one-time event that did not develop into anything similar to the sustained mobilization in Spain with a peak in the cycle of contention that lasted for almost 3 years. The structure of civil society and the position of potential political allies within the political system seemed to be crucial variables in explaining the peaks of protest in Italy. The civil society in Italy is strong but ultimately connected to left parties, which made protest organization more difficult, especially after Partito Democratico started supporting or participating in governments that were pursuing neoliberal measures (Andretta, 2017: 232). The lower levels of protest in Italy (compared to Greece and Spain) might be attributed to the less disruptive effects of the crisis in Italy (compared to Greece and Spain), but the protest repertoires were equally influenced “by different political contingencies working upon different types of civil society and traditions” (ibid, 233). Thus, the most intense anti-austerity protests in Italy in fact took place under the Berlusconi government, when the main centre-left Party (Partito Democratico) was in opposition and supported the protests together with its usual partner – the trade unions (ibid).

The anti-austerity protests in Italy, despite never reaching the sheer scale and comprehensiveness of Los Indignados in Spain, nevertheless were particularly intense in 2011 (Mosca, 2013). These anti-austerity protests in Italy, focusing mainly on issues of

education, labour, housing and planning conflicts, were to a large extent anticipated and prepared discursively by the preceding student protests related to education and known informally as part of the anti-Gelmini protest cycle – Gelmini being the Minister of Education in Berlusconi's government (Zamponi and González, 2017: 68). Zamponi and González show how student movements in Italy and Spain were weaving an anti-austerity discourse around notions such as *precarity*, *youth*, *austerity*, and *Europe*, in a way that prepared the ground for and proved extremely useful for broader anti-austerity coalitions that followed (ibid, 75). Another crucial mobilization of 2011 was the referendum campaign against the privatization of water, organized and won by a broad coalition of social movement actors. The role of the Internet for the water referendum campaign has been crucial, with many of the more traditional actors deciding to count mainly on Facebook for both coordination and popularization (Cernison, 2014a, 2014b).

Nevertheless, popular protests started fading away once Silvio Berlusconi stepped down and the expert government of Mario Monti came into power. Monti's cabinet came into power at a point in which Italy's cost of borrowing on the international markets had reached unprecedented heights and the country was on the verge of bankruptcy with consequences for the country and the EU that no one dared foresee. In such a situation Monti's appointment by the president Napolitano was met with widespread public support (Bosco and McDonnell, 2012; Zamponi, 2012), which dwindled quickly as there was no social coalition to support the government beyond the critical period of the crisis. Thus, strong anti-austerity protests picked up again only a year into Monti's government term, in November 2012. The technocratic government of Monti has been analysed as an attempt for unmediated democracy whose authority flowed from the top and had no roots in society (Culpepper, 2014). Monti and his expert cabinet were most successful – as for example with the *Save Italy* budget – when the state of the bond markets left all actors with the impression that there was no other choice. Monti was far less successful with his liberalizing reforms that managed to attract enemies both from the left and from the right and had no social group to support them (Culpepper, 2014). At the 2013 parliamentary elections Monti ran with a coalition that managed to get only 10.6 percent of the vote. At the same

elections the “Movimento 5 Stelle” [Five Stars Movement], led by the famous comedian Beppe Grillo, gained 25.5 percent of the total vote ending up the most voted party in Italy⁴⁹.

The Movimento Cinque Stelle (which I will abbreviate from now on as M5S) was a type of broad based, cross-sectional movement that could channel a lot of protest energy towards the voting ballots, but what is more, similar to Los Indignados, it managed to “own” the issue of Internet as a tool and a cause, by presenting itself as a bottom-up mobilization of citizens organizing over the net. In the Italian case, in the absence of a coherent broad social movement similar to Los Indignados, the M5S was the main actor that adopted the myth of the digital sublime, adopted the Internet both as a tool and as a cause, and bridged it with a wider social protest. Nevertheless, as I will show in the following paragraphs, *unlike* Los Indignados, the M5S used the ideology of Internet mainly as a rhetorical strategy and was not a truly bottom-up mobilization. Because of the lack of any deep engagement with issues of Internet freedom, the M5S did not recognize the widespread mobilization against ACTA as one of its issues and did not pay any attention to the agreement. Thus, not only did the M5S “own” the issue of Internet freedom, they also did not pay any attention to ACTA nor did they support campaigners against it, which made a difference in the Italian context. What is even more striking is that while the mobilization against ACTA was ongoing throughout Europe, the Italian Chamber of Deputies rejected a national law that would have made it possible to require from ISPs to delete content that has infringed copyright. The so called *Legge Fava* provoked a lot of resistance online but was hardly mentioned by Beppe Grillo, the leader of the national movement that had taken up “the Internet” as a main cause. It was also not an issue adopted on a big scale by any of the dispersed anti-austerity groups in Italy.

To sum up the argument so far: the transnational mobilization against ACTA did not have any repercussions in Italy. Italians, shocked by the fall from power of Silvio Berlusconi and widely supporting the technocratic government of Mario Monti, were concerned more with preventing their country from bankruptcy than with issues of Internet freedom. Unlike in Spain, the dissatisfaction with the political system did not burst in cross-sectional anti-

⁴⁹ However, due to the proportional electoral system with majority premium in Italy Movimento 5 Stelle remained with only 108 seats in parliament, second to Partito Democratico which got 292 seats as part of the governing coalition.

systemic protests, but was channeled in protests by Trade Unions and the Left while in opposition and in electoral support for the M5S. While the Indignados in Spain had their roots in the movement for free culture and free software, the M5S used the rhetoric of “Internet freedom” mostly instrumentally and did not mobilize its supporters against laws threatening Internet freedom, including ACTA. In the following lines I will briefly present the history of the M5S in order to trace how internet ideologies were used in the movement and to what extent they corresponded to actual practices. Such an analysis will help understand better not only why there was no mobilization against ACTA in Italy, but also how a certain techno-fetishistic belief in the Internet as a tool and a cause permeated the electoral project of the M5S, reflecting a general trend that marked the whole protest cycle after the financial crisis.

The M5S history goes back to the moment when the non-conformist comedian Beppe Grillo met the manager and advisor on network strategies Gianroberto Casaleggio. In 2005 Beppe Grillo started his own blog managed by Casaleggio in which he criticized severely the corruption of the political system and built a loyal base of followers. One of the first events that showed the potential of the movement was the V-Day with more than 2,000 000 participants, during which Grillo managed to collect over 300 000 signatures for his campaign “Clean Parliament” with three main proposals: forbidding convicted people (with time to serve exceeding 10 months and 20 days) to run for parliamentary office, putting an upper limit of two terms in office for deputies, and modifying the electoral law to introduce preferential voting⁵⁰.

Since the early days of the blog Grillo also promoted the adoption of the platform Meetup so that the “friends of Beppe Grillo” could meet up and organize at the local level. In 2008 Grillo proposed the symbol of the Five Star Civic Lists and in 2009 the first national meeting of the civic lists took place in Florence and elaborated “The Charter of Florence” with a 12-point joint program for all civic lists associated with the movement⁵¹. Candidates from the civic lists performed well and in November 2009 the Five Star Movement was founded. The five stars forming part of the name of the movement correspond to its main issues of

⁵⁰ Parlamento Pulito In Cassazione: <http://www.beppegrillo.it/2007/07/parlamento_puli_3.html> [12.05.2017].

⁵¹ Carta di Firenze <http://www.beppegrillo.it/documenti/carta_di_firenze.pdf> [12.05.2017].

concern: water, transport, development, connectivity, and the environment⁵². After a considerable success in the regional and local elections throughout 2010-2012, in 2013 the movement achieved remarkable national electoral success in a period that can be described as nothing less than the breakdown of the Second Republic and its party system.

In a poignant analysis of Italian politics of the last 20 years the historian Perry Anderson (2009) traces carefully how an entire order converted in what it was intended to end: the Mani Puliti operation, instead of ending corruption in political life once and for all and creating a moderate model with a center-right and center-left party, ended up bringing Berlusconi to power. The rise of the M5S cannot be understood separately from the bankruptcy of the Italian political system and the steady downgrade of Italian parties (Bosco and McDonnell, 2012; Lanzone and Woods, 2015). As Conti and Memoli note, the M5S managed to fill a vacuum left by all traditional major parties and addressed issues that were not sufficiently addressed in other party manifestos (Conti and Memoli, 2015: 521). The M5S paid great emphasis in its manifesto on issues of environmental protection, welfare expansion, market regulation, and political corruption, all issues important for voters but ignored by other parties (ibid, 523). The good fit between the diverse party programmatic supply and citizens' most pressing concerns can be pointed out as one of the main reasons for success of the M5S in the aftermath of the Financial Crisis, when most big political parties preferred to emphasize *responsibility* and underplayed their *responsiveness* to citizens (Mair, 2011).

Still, analysing only manifestos could be risky, especially with a party like M5S that is to a large extent defined by the personality and personal authority of Beppe Grillo. Conti (2014) shows that while the party manifesto, the founding document which was created with the bottom-up participation of citizens, tends towards the radical left, the public speeches of Grillo are more ideologically ambivalent and refer to more right wing positions. The clash between the more leftist leaning parliamentary representatives of M5S and the leader of the movement Beppe Grillo on issues of illegal immigration or Italian citizenship for children born in Italy to foreign citizens reveals the strange nature of the party which combines bottom up participation with a personalistic leadership (Conti, 2014: 210-211).

⁵² Il significato delle 5 stelle sul logo del M5S di Beppe Grillo e la vittoria alle elezioni.
<<http://polisemantica.blogspot.it/2013/02/il-movimento-5-stelle-detto-m5s-beppe.html>> [12.05.2017].

The relation between bottom up participation and top-down, almost authoritarian, decision-making is crucial for understanding M5S. Apart from politicizing new issues and bringing them to the center of the political space in Italy, M5S owes a great deal of its success to its innovative organizational methods and the use of new technologies. While in Spain the ideology of participation and direct democracy facilitated by new technologies was first taken up by the Free Culture Movement and later proved foundational for the Indignados protests, in Italy it was Beppe Grillo on his blog and later on his followers with their meet ups, online groups and mailing lists that “owned” the issue of Internet freedom as an important prerequisite for democracy. As Mosca, Vaccari and Valeriani emphasize, “far from being merely the M5S ‘s preferred organizational tool, the Internet is an intrinsic part of the movement’s identity, with supporters describing themselves as a ‘web multitude’, and identifying a close link between a vision of a ‘streamed’, ‘open’ and ‘direct’ democracy and the relational milieu enabled by the Web” (Mosca et al., 2015: 128). However, they quickly note that there are severe inconsistencies “between what may be described as the ‘mystique’ of the Web as a panacea for contemporary ‘corrupted’ democracy – a narrative mainly developed by Beppe Grillo and Gianroberto Casaleggio – and the praxis of the M5S in regard to internal democracy and dissent management” (ibid, 129). Before moving on to outline these inconsistencies, these glitches in the operationalization of ideology, it is worth examining some of its main elements.

To begin with, “one is worth one”, one of the principal slogans of M5S, expresses the idea that everyone has equal weight within the movement and the very idea that there could be leaders of the movement is outrageous. Every citizen makes his or her own decisions as a part of collective intelligence. There can hardly be a better synthesis of the rhetorical “mystique” behind M5S than the 2008 video produced by Casaleggio Associati called “Gaia – the Future of Politics”. The video states that before the Net, “communication, knowledge and organization belong to the power. With the Net they belong to all the people”. Tracing the genealogy of the Internet to the Roman road system, the coordination between Genghis Khan’s horsemen and the open letters in the Republic of Florence, the video moves on to more modern examples such as the use of Meetup by Howard Dean or Obama’s Internet campaign. After summoning the authority of Al Gore in order to claim that global problems such as global warming can be solved only by the collective intelligence of people on the

Internet, the video goes on to paint a bleak picture of the future. It seems that in 2018 the world will be divided in two – the West where there is free access to the Internet and direct democracy, and China, Russia and the Middle East with “Orwellian Dictatorship”. In 2020 the Third World War begins during which the symbols of the West are destroyed, climate change accelerates, starvation persists. In 2040 the West wins and net democracy triumphs, grassroots movements emerge to deal with questions of water, food, environments, etc, and the world is split into local communities connected on the Net. In 2051 first referendum is called in the world to abolish death penalty. 2054 witnesses the first world elections on the net. A government called Gaia is elected, secret organizations are banned and every person can become a president and control the government through the Internet. In Gaia parties, politics, ideologies, religions disappear. Man is the only owner of his destiny. Collective knowledge is the new politics⁵³.

The Brave New World envisaged in the Casaleggio Associati video is highly indicative of the identity and ideas that drive the M5S. A simplified version of the world that divides the West and the Rest, fierce individualism combined with utopian references to communities connected through the Net, glorifying the Internet and attributing to it almost magical powers to democratize – the M5S’ vision of the Internet is incredibly appealing to present day audience and thus, instrumentally useful. In a world in which parties, politics, ideologies and religions have become dirty words, Beppe Grillo claims to offer the Internet as a non-ideology and invites people to join him in a non-political non-hierarchical movement through his non-statute. The only problem is that what he does is precisely to offer an ideology and to invite people in a political party led exclusively by him with its own statute. A bit like the main character in Gianni Rodari’s “Gelsomino in the Country of Liars”, we have to understand exactly the opposite of what Grillo says in order to make sense of the situation. The question is for how long can he play his clever game of doing exactly what he says he is not doing?

The first three points of the non-statute establish that the “headquarters” of the Five Stars Movement is in fact the website www.beppegrillo.it and, what is more, the name

⁵³ Casaleggio Associati (2008): *Gaia – the Future of Politics*.

<<https://www.youtube.com/watch?v=sV8MwBXmewU#t=38>> [01.05.2016].

“MoVimento 5 Stelle” has been trademarked by Beppe Grillo who is the only one who has the rights to use it (non statuto, 2009). Using intellectual property to establish the ownership over a movement and treating the movement itself as a product of marketing might bring a different vision of politics but it is not necessarily a democratizing one. In fact, “the adoption of a copyrighted logo and the employment of privately-owned platforms conflict with the conception of the Internet as the realm of a new knowledge economy based on file sharing and open source collaboration” (Mosca et al., 2015: 129). In a fascinating study of the use of web ideologies by the 5 Star Movement Emiliano Treré and Veronica Barassi conclude that the “digital rhetoric of horizontality, lack of leadership and spontaneity of the party is used to mask, facilitate and eventually legitimize centralized and authoritarian practices. The loudly celebratory, emancipatory and utopian technological discourse/rhetoric of the 5SM operates as an obfuscating mechanism that hides professional marketing strategies and hierarchical political processes” (Treré and Barassi, 2015: 23). The authors analyse the dubious practices of content selection on Beppe Grillo’s blog, the mysterious disappearance and censorship of any dissidence within the online platform: “On 24 March 2013, Grillo stated in a blog post that the many expressions of divergence and contrast within his blog were nothing more than orchestrated hordes of trolls and fake profiles that regularly infested the platform: he called those comments ‘squirts of digital shit’ ” (ibid, 22). The practices of comments’ moderation fall within the same pattern (Mosca et al., 2015). The majority of comments that have been deleted from the blog in fact contained some form of criticism toward Beppe Grillo or the M5S. Thus, “the principles of transparency and disintermediation are thus clearly contradicted. By deleting comments, the blog’s administrators (Casaleggio Associati staff) deliberately mediate and influence the discussion. Secondly, apart from Grillo’s post describing the alleged ‘aggression of the trolls’, the process of removal is devoid of transparency, for there is no code defining legitimate versus banned behaviour” (Mosca et al., 2015: 133).

What is more, Grillo used extensively his power to exclude and expel any members of the movement who criticized him or the movement or contradicted his own will (for example not to participate in TV shows), such as Valentino Tavolazzi, Giovanni Favia, Federica Salsi and others. The issue of movement expulsions is brought into attention also in the perceptive and highly critical analysis by the Wu Ming collective who note that “traitors are

lynched online and their reputation destroyed and if the ‘traitor’ happens to be a woman as was the case with Federica Salsi sexist insults would rain on her: whore, bitch, etc.” (Wu Ming, 2013). In addition, Wu Ming draw attention to the dubious stance the movement takes with regard to the fascist past. The mantra of “we are beyond left and right” often hides highly problematic views. Wu Ming quote the following interview of Grillo:

Simone Di Stefano: Are you an antifascist?

Beppe Grillo: This question doesn’t concern me. 5SM is an ecumenical movement.

(Conversation between Grillo and one of the top leaders of neofascist party

CasaPound, 11 January 2013)

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While Italy had a wide range of intense anti-austerity protests (on issues such as education, housing, water privatization, etc.), none of them could reach the scale and level of generality of the Spanish Indignados. Authors have pointed to a wide range of explanations on why this might be the case, including the ascendance of the Five Star Movement, which according to some, concentrated popular discontent in the country in a way in which anti-austerity protests could not do it, because of their strong ties to traditional trade unions and the institutionalized Left (Andretta, 2017). Thus, in a sense, a counterpart of Los Indignados in Spain was the M5S in Italy.

Both the M5S and the Spanish Indignados emerged as protest reactions to the *cul de sac* in the politics of their respective countries. The two of them exemplify well two alternative paths for political protest mobilization: “Mobilization can either be organized by members of the political elite (top-down) or by grass-roots organizations (bottom-up) or both. Top-down mobilization of large-scale protests by elites corresponds to what I shall call ‘populist strategy’ ” (Kriesi, 2015: 5). Hanspeter Kriesi interprets populism as both an ideology and a political strategy. As a political ideology it “adopts a Manichean view of society dividing it in two antagonistic camps – the virtuous people and some corrupt elites”. As a political strategy, it “refers to the top-down political mobilization of mass constituencies by a personalistic and paternalistic leader who challenges established elites” (Kriesi, 2015: 5). Kriesi conceptualizes mobilization from below as “movement politics” in opposition to populism, and claims that it is characteristically segmented (composed of many groups) and polycentric (composed of many different leaders)” (ibid, 6).

While it is difficult to assign particular cases to ideal types, it seems clear from the analysis so far that Beppe Grillo's movement tends more towards the populist top-down type of organization (despite its claims to the contrary), while the Indignados movement in Spain was much more bottom up and participative. What is common for both of them is the strong influence of "web ideologies" (Treré and Barassi, 2015) – the belief that the Internet and innovative digital tools could enhance democracy and citizen participation. In fact, thanks to the activity of Los Indignados and the M5S, Internet issues were politicized, albeit in different ways, in both Spain and in Italy. In Spain Los Indignados had its origins in the Free Culture movement (among other movement traditions) and the Campaign No Les Votes was crucial in opposing Ley Sinde. In Italy, there was a serious public opposition against the Legge Fava, voted against in the Chamber of Deputies in exactly the same period in which the anti-ACTA protests were taking place in Europe. Nevertheless, the major actor who could have supported the opposition to ACTA – the Fiver Star Movement – did not show strong interest also in Legge Fava. The M5S politicized the Internet mainly as a tool for democratization and emancipation, but did not engage with Internet causes such as free software, net neutrality, data privacy, etc.

To sum up, the analysis of failed diffusion of anti-ACTA protests in Spain and Italy allows us to make several important conclusions. First, despite the politicization of Internet issues in both Spain and Italy, the protests against ACTA did not diffuse to these countries due to the presence of strong and sustained mobilizations that had risen in generality and formulated demands for system change beyond single issue protests. Second, claiming that Internet freedom as a single issue was simply replaced by these more general systemic demands would be too simplistic for both cases. In the case of Spain, Internet freedom as an issue was not replaced but rather smoothly incorporated into the more general anti-austerity and more democracy demands, it permeated and modified them. In Italy, the M5S kept its focus on the Internet and its web rhetoric throughout but simply did not recognize ACTA as an issue to fight for. Third, I interpret Los Indignados in Spain and the M5S in Italy as the two faces of the same coin. In both cases the diagnostic frames referring to bad handling of the financial crisis and harsh austerity policies were combined with prognostic frames about the potential of the Internet to connect and empower people and facilitate direct democracy. Internet freedom was considered essential for self-organization and prefigurative action

that could counter corruption and austerity policies. In this sense, it cannot be claimed that people who protest against austerity did not care about Internet issues. On the opposite, in Spain and Italy people saw the Internet as *a tool* to help them realize their cause: a more inclusive and responsive type of government, and as *a model* of such networked government of the people for the people. But for them protesting against ACTA alone was not an issue worth pursuing.

Protests against ACTA failed to diffuse in countries where Internet issues were politicized but where there were strong bottom-up or top-down mobilizations against austerity. Thus, the analysis of failed cases of diffusion reveals that the apart from the politicization of Internet issues, the absence of anti-austerity protests seems a crucial factor for the diffusion of anti-ACTA protests. I explore this in more detail in the next, final section of this chapter.

3.5. How Failed Diffusion can help us Understand better Successful Diffusion

If indeed the absence of anti-austerity mobilizations is an important factor for the diffusion of anti-ACTA protests, we would expect to find such absence in the cases of successful diffusion. The protest event analysis of the countries with the biggest anti-ACTA protests - Austria, Bulgaria, Denmark, Germany, and Poland - for the period January 2007 until June 2012 revealed that, indeed, apart from sporadic trade union mobilizations in these countries or single issue protests, there was no event comparable to the Spanish Indignados and no actor comparable to the M5S. In countries like Germany and Denmark there had been attempts to join the Global Occupy movement.

For example, around 10 000 people protested in Berlin, Hamburg and Frankfurt each and an Occupy camp was established in Frankfurt in front of the European Central Bank⁵⁴. Even though according to some interpretations, Occupy diffused successfully to Germany (Mangold, 2012), these were not big-scale, long-lasting protests comparable in any way to Los Indignados or the mobilizations in Greece, for example. A reason for the absence of mass anti-austerity mobilizations in these countries could be simply that they were hit less hard by the crisis. With the exception of Denmark, all countries with big protests against

⁵⁴ <<https://www.thoughtco.com/german-occupy-movement-4036319>> [06.05.2017].

ACTA – Austria, Bulgaria, Denmark, Germany, and Poland - were among the countries whose real GDP at constant prices grew in the period 2007 – 2013.

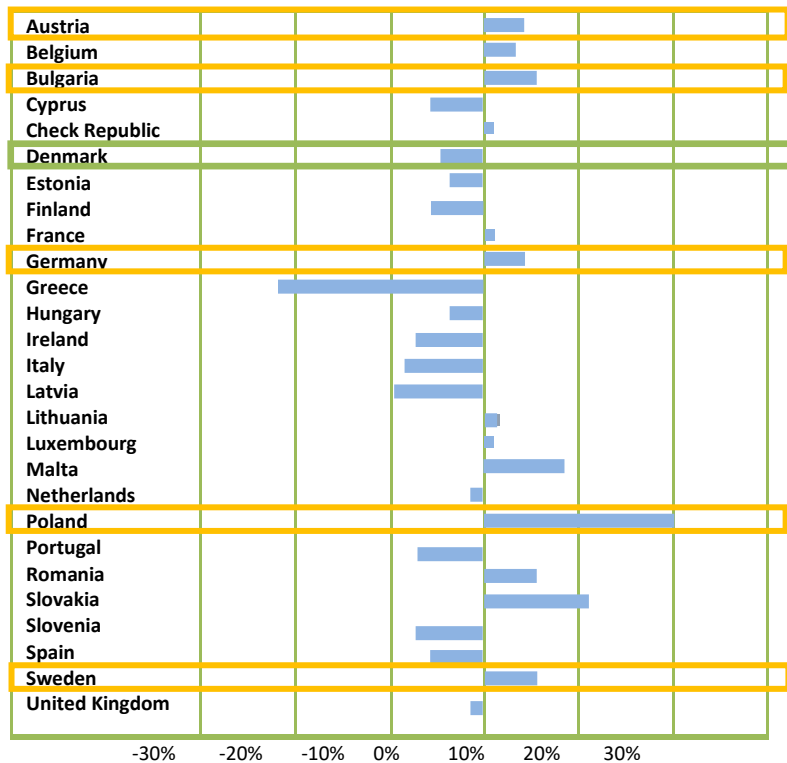


Fig. 13. Change in real GDP at constant prices of EU-27. Source: (Zoltán Végh and Kazár, 2014)

Still, we should not assume that economic crisis leads automatically to anti-austerity protests and, correspondingly, that good economic performance would preclude protests from happening. By now it has been convincingly shown that economic crisis in itself rarely causes protest. First, rather than objective economic variables, personal interpretations of the role of economic wellbeing have a more salient role in triggering protest (Vassallo, 2016). Second, social mobilization often is triggered not by the crisis *per se*, but by governments' adoption of austerity measures, i.e. protest often emerged as a reaction to particular types of policies, not as a reaction to economic grievances (Kriesi, 2012). Third, the emergence of protests can be attributed to the disruption of subsistence routines and everyday expectations as a result of one losing one's job, housing or access to healthcare. Consistent with such a hypothesis, the biggest anti-austerity protests erupted in countries where the quotidian rhythms had been disrupted the most by sudden rise in unemployment, mortgage crisis, and reduction of public spending (della Porta et al., 2017). Forth, the political aspect of the crisis – the loss of legitimacy and loss of trust in institutions (both at the national and the EU level) - has also been pointed out as a crucial factor for

mobilization: “protesters often claimed that what was at stake was citizenship rights and, with them, democracy. Everywhere, increasing constraints by international organizations of dubious accountability have reduced (and been perceived as reducing) the quality of democracy. Post-democracies appeared as increasingly corrupt” (della Porta et al., 2017: 280). Thus, it was not the economic crisis per se, but the political crisis that really triggered people to go to the streets.

Last but not least, in many cases (Ireland, Latvia, Lithuania, Estonia, Bulgaria, Romania) the adoption of anti-austerity measures did not lead to *strong anti-austerity* protests, comparable to Los Indignados, despite the subjectively perceived drop in life quality and welfare, the adoption of austerity measures, the strong disruption of everyday rhythms, and the presence of political crisis. Apart from personal subjective interpretations, government policies, the level of disruption of everyday life, and the presence of a political crisis, the existence of traditions and interpretative frameworks that open opportunities for opposing austerity, has a crucial importance for protest mobilization.

In Europe, anti-austerity protests were organized mainly by two sets of actors: institutional Left and autonomous actors, with the autonomous actors linking anti-austerity claims to an interpretive system of meanings framed around the crisis of legitimacy of representative democracy and targeting primarily national political and economic oligarchies (Fominaya, 2016). In contexts in which such actors were absent or weak (such as Ireland, Latvia, Lithuania, Estonia, Bulgaria, Romania), it was difficult to formulate a strong critique of austerity and to mobilize people against it. What is more, Bulgaria is an interesting example for a country that was not as hard hit by the crisis as countries from the Southern Peripheries or Ireland, but still implemented austerity policies due to the over-diligence of its own government. These austerity policies, however, were not met with resistance due to the lack of strong Institutional left or autonomous actors.

In a nutshell, countries that did not protest against austerity were those that (1) performed economically well and thus did not need to introduce harsh austerity measures. Examples here are Germany, Austria, Denmark and Poland. The second type of countries that did not protest against austerity were those that (2) regardless of whether they performed well or badly, imposed harsh austerity measures (leading to a drop in citizens’ perception of wellbeing, a disruption of quotidian rhythms and political crises), but had NO strong

Institutional left or autonomous actors to oppose them. Examples for this second type of countries are Ireland, Bulgaria, Romania, Latvia, Lithuania, among others.

Thus, to repeat my main contention the countries that had protests against ACTA are at the cross section of both having witnessed politicization of Internet issues and having had no anti-austerity protests prior to ACTA.

These countries were Austria, Bulgaria, Denmark, Germany, and Poland. To begin with, research has labelled Germany an “economic superstar” as it experienced almost no increase in unemployment during the Great Recession and what is more, its exports hit an all-time high (Dustmann et al., 2014). Austria emerged relatively unscratched by the crisis, even though in the years after 2011 there had been a relative slowdown in growth due to both stagnant domestic demand and worsening export performance (Weyerstrass, 2015). Nevertheless, by 2012 Austria was faring better than most other EU countries in the shadow of the Great Recession (Yeh-Yun Lin et al., 2013: 11). Similarly to Austria, from a comparative global and EU perspective, Denmark has been one of the countries least affected by the financial crisis. Nevertheless, Denmark did not avoid the crisis altogether, chiefly due to mismanagement and lax credit policies before the crisis, complemented by an overheating of the economy due to a housing boom. Even though Denmark entered the crisis with large budget surpluses and a positive net asset position of about 5% of its GDP in 2008 (Yeh-Yun Lin et al., 2014: 11), the country still opted for cutting spending by \$4 billion over three years, starting from 2009 (Pietras, 2009) and engaged in structural labour reforms and institutional reforms of the budgetary framework (Jensen and Davidsen, 2015). The set of measures taken were effective and allowed Denmark to recover rather quickly and thus there can be no comparison with the unfolding of the crisis in the GIPS countries.

Moving to Eastern and Central Europe, Poland is probably the most remarkable example of resilience to the crisis, since it grew steadily in the midst of recession due to a combination of factors: the low share of mortgages in bank assets, relatively small decline in real estate prices, modest levels of private and public debt, and proactive policies by foreign banks that buffered Poland’s financial sector, while the real economy was aided by a large domestic market, strong dependence on consumption, as opposed to exports, a favourable labour market structure, and timely financial assistance from the EU (Leven, 2010). What is more, the growing productivity levels of Poland before the crisis and having a currency with

floating rates also contributed to the country avoiding the Recession (Drozdowicz-Bieć, 2011). Poland let its exchange rate depreciate immediately when its currency came under pressure in the late summer of 2008 and initially even pursued expansionary fiscal and monetary policies, rather than austerity policies. Poland additionally sought access to a precautionary IMF program, which gave the country the option – ultimately not used – to draw on IMF funds quickly if strong speculative pressure would emerge (Walter, 2015: 16). The only austerity policies envisaged in Poland included a one per cent VAT increase, tightening pension requirements (but not raising the retirement age) and proposed military cuts (Pietras, 2009).

The situation of Bulgaria was rather different compared to Poland. Bulgaria (similarly to Estonia, Latvia and Lithuania) was particularly vulnerable to exchange rate devaluation as first, private borrowing abroad and in foreign currency had been very high, and second, any external adjustment would have meant giving up the fixed exchange rate and thus putting the goal of adopting the euro in jeopardy. At the same time, the rather flexible labour markets and the sound fiscal situation seemed to make internal devaluation a more preferable option (Walter, 2015). In 2009, the Bulgarian government budget deficit as a percentage of the GDP was 4.8 per cent (compared to 13.6 per cent for Greece, 5.3 per cent for Italy, 11.1 per cent for Spain and 3 per cent for Germany) and the national debt as percentage of the GDP was only 14.8 per cent (compared to 115.1 per cent for Greece, 115.8 per cent for Italy, 53.2 per cent for Spain and 73.2 per cent for Germany). Considering that Bulgaria wasn't particularly strongly hit by the crisis, the extent of the austerity measures seemed to be highly disproportionate and plunged the country into a deep recession: "Not only was the austerity program unnecessary painful, but it also missed its target. The package trapped the economy in a largely self-inflicted vicious circle of economic downswing and a swelling fiscal imbalance" (Bohle and Greskovits, 2012: 252). Nevertheless, austerity measures did not provoke the resistance of the population in the absence of a leftist tradition that could frame opposition to austerity (Rone, 2017). Only in 2013, did mass national protest erupt, framed however either in nationalist key or as protests of the young and beautiful Sofia bourgeoisie (Nikolova, Tsoneva and Medarov, 2014; Tsoneva and Medarov, 2013; Rone, 2017).

To sum up, for different reasons (that can be reduced to good economic performance and/or lack of strong left and autonomous actors), there were many countries that did not witness anti-austerity protests. While news on the Arab Spring, Indignados and Occupy reached people every day through the multiple channels of the hybrid media system, countries that had high levels of politicization of Internet issues, but had no anti-austerity protests, joined the global wave of contention with protests on ACTA. The protests against ACTA had all the necessary elements of a narrative of a fight of good against evil: the young people of the Internet generation stood up against the old generation who didn't "get the Internet", the pirates stood against the system, the human rights defenders and rebels stood against private corporations and governments wanting to impose censorship. ACTA was the perfect opportunity for countries that had not yet joined the global wave of protest to join.

Thus, my claim is not only that the absence of anti-austerity protests allowed the single issue protest against ACTA to diffuse and gain traction, but that in a sense the Internet cause served as a safe vent for deeper dissatisfaction with the political situation in these countries that did not witness anti-austerity mobilizations.

While countries such as Spain, Greece, Portugal and Italy were marked by mass protests against austerity, countries from West, North and East Europe, opposed ACTA as the perfect technological political cause. The defence of Internet freedom could unite actors across the political spectrum, without delving too deep into questions of public cuts, bank bailouts, and redistribution. In the next section, I focus in more detail on the "failed" cases of anti-ACTA diffusion and show to what extent exploring them can enrich the account on anti-ACTA mobilization and diffusion.

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Having analysed both cases of successful and failed diffusion of anti-ACTA protests, I would conclude that the wave of protests following the financial crisis had two major key features: 1) they were progressive movements insisting for more democracy and economic redistribution both in dictatorships (the Arab Spring) and in already democratic regimes (Occupy, Los Indignados) and 2) they were strongly informed by beliefs in the Internet as a tool of freedom and "web ideologies" focusing on horizontality, non-representation, direct

participation. In a sense, using the Internet (2) was seen as the way to achieve more democracy (1).

A series of interviews conducted by Martin Almqvist for his research on piracy and the politics of social media makes this connection between Internet freedom and fight for democracy particularly clear. For example, in an interview with Almqvist (2016b), Zachary Adams Green from the New York Pirate Party claims: “I would venture to say that Richard Stallman, who founded the free software movement, is probably as responsible for the Arab Spring as any of the other major players because their organizational structure came almost directly from what the Open Source movement has been doing since the 1980s” (Almqvist, 2016b: 6). Travis McCrea who has been active in both the U.S. and the Canadian Pirate Parties goes further and interprets the pirate movement as essentially the origin of the Arab Spring: “I see the Occupy movement as a thing that came from the Pirate Party. I think that we created the Occupy Movement. And maybe that’s bold of me to say but, again, Tunisia was where everything started. And the Occupy movement came from the protests in Egypt [...] which came from the protest that started in Libya’s [meaning Tunisia’s] protest was started from a Pirate Party member, all the while being encouraged by the Pirate Parties International [] and when Egyptians did their thing, we were instrumental” (ibid). Such quotes reveal clearly the entanglement of discourses on democracy and on Internet as freedom technology in the opinions of activists. Of course, the extent to which the Open Source movement has led to the Arab Spring remains more than debatable. What is important is the fact that the FLOSS movement and the cycle of protests following the financial crisis have been discursively connected.

But if the Arab Spring, Occupy, Los Indignados, and, on the electoral scene, the M5S combined demands for more democracy with web ideologies, protesters in countries that did not have major mobilizations against austerity or successful variations of them by 2012, focused mainly on the second issue – the Internet – and perceived it not only as a tool but also as a cause in itself. In fact, the anti-ACTA protests to a large extent separated the Internet issue from its larger economic context and thus focused on only one feature of the protest cycle that followed the Arab Spring. Thus, it became possible for anti-ACTA activists to express solidarity with Occupy, Indignados and the Arab Spring, while protecting their data privacy and/or defending their right to share files online. Of course, there was a huge

difference between the anti-systemic nature of Indignados that incorporated the Internet issue but went beyond it, and the narrower Internet-focused thrust of the anti-ACTA protests. Not recognizing this difference, means falling in the same fallacy that anti-ACTA participants fell in, i.e. believing that participating in the anti-ACTA protest is a truly anti-systemic act.

To sum up the argument in this chapter, the anti-ACTA protests spread in countries where both 1) Internet issues were highly politicized and 2) there had been no sustained anti-austerity mobilization before ACTA. In countries such as Spain or Italy where massive anti-systemic anti-austerity bottom-up (Spain) or more top-down (Italy) mobilizations had taken place before 2012, the anti-ACTA protests did not diffuse as they came too late and were considered too much of a single issue. And on the contrary, in contexts without anti-austerity protests, mobilizing in defence of the Internet gave an expression to popular discontent and at least temporarily replaced more anti-systemic actions. To put it differently, previous protests cultures and networks mattered but in complicated ways. The presence of nerd politics and networks around Internet issues *facilitated* the diffusion of anti-ACTA protests by providing important networks, discursive opportunities and experience, while the presence of previous anti-austerity mobilizations that had reached a higher level of generality *impeded* the diffusion of anti-ACTA protests, considered a single-issue mobilizations.

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In the following two chapters I analyse what frames and forms of contention diffused in countries with big anti-ACTA mobilizations focusing in particular on Germany, Poland, and Bulgaria. I want to analyse empirically the different arguments against ACTA that were offered by transnational and national NGOs and protesters at the national level and categorize them. In addition I am interested in what direction arguments diffused and how expert communities interacted with protestors at the national level. Finally, I am interested in the complex interactions between NGOs, protesters and hackers with regard to the most appropriate forms of contention. Only by understanding these complex dynamics can we grasp the chronology and particular unfolding of the anti-ACTA campaign.

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The Diffusion of Frames and Forms of Contentious Action in the Mobilization against ACTA - CHAPTER FOUR-

In the previous chapter I analysed in which countries the protests against ACTA diffused or failed to diffuse, and tried to outline the key factors for the successful diffusion of protest. In this chapter I focus exclusively on the successful cases and analyse in more detail what types of frames and forms of contentious action diffused transnationally. In this way, I address my second research question, namely: *why particular anti-ACTA frames and forms of contention diffused between different countries, while others failed to diffuse?*

In the first section of the chapter I use a combination of content analysis, social network analysis, and discourse-network analysis to check what types of frames diffused and what was the direction of information diffusion. I explore whether the diffusion happened from transnational NGOs to national actors, or the other way round. Did actors in different countries use the same or different frames? Was there a common EU dialogue? My analysis reveals that there was indeed a coherent transnational dialogue with a core set of frames, used by actors both at the national and the transnational level. However, these frames rarely originated from protesters or NGOs at the national level. On the contrary, there was a clearly observable directionality of the flow of information from U.S. and transnational NGOs (often based in Brussels) towards national actors. What is more, NGOs acting as brokers (Tarrow, 2010; Herring, 2010) depoliticized the protests against ACTA by promoting frames that clearly focused on the procedural side of the agreement and the ways it affects human rights and Internet freedom, and by neglecting more nationally-specific frames that explicitly tried to connect the anti-ACTA issue to wider political issues. The frames that became most popular and frequent in the dataset I analyse in this chapter were the frames chosen and championed by the major transnational digital rights organizations: networks of organizations simply quoted each other and reproduced each other's expertise. Frames that were produced by actors outside these networks were not adopted by them and remained rather peripheral. In fact, a limitation of my own snowballing technique for interviewing, tracing who quotes whom and gathering frames was that it did not allow me to map the connections and positions of actors that were important in the anti-ACTA campaign but were not widely quoted by NGOs and protesters for whatever reason. One example for such

an underrepresented actor is the Pirate Party that took active part in protest organization in Germany, for instance, but was rarely mentioned or quoted by NGOs, as they perceived it as not professional enough and endangering the anti-ACTA cause. To sum up, in the first section I argue that there was a clear top-down/centre-periphery directionality of frame diffusion, contrary to theories of the 'networked public sphere' (Benkler et al., 2013) according to which the use of digital technologies contributes to a more pluralist and inclusive public sphere. In this respect my analysis confirms the conclusions of the in-depth analysis of Internet's role for opening access and the trans-nationalisation of the public sphere, performed by Koopmans and Zimmerman (2003, 2005). What is more, this section of the chapter emphasizes frame diffusion as a highly political process in which those who diffuse particular frames use the process to pursue their own agenda, often at the expense of other points of view.

In the second section of the chapter I analyse how non-expert protesters at the national level framed ACTA by performing content analysis of the comments to ACTA-related YouTube videos in Bulgaria, Germany, and Poland. The analysis of protesters' comments shows that ACTA was often perceived as a cause related to national pride, it was opposed using frames that urged not to repeat the communist/nazi past and to rebel against attempts to curb (Internet) freedom understood in a rich variety of ways. Thus, even though there was no direct diffusion of frames, some common themes (adapted to each national context) emerged in the comments. The analysis of non-expert framing in fact confirmed that the anti-ACTA protests were often perceived by supporters as part of a wider struggle that included also the Arab Spring and Occupy. Thus, in countries such as Bulgaria, Poland, and Germany the anti-ACTA protests filled the space of large anti-austerity protests that took place in countries such as Spain and Italy. This wider anti-systemic element of ACTA was nevertheless ignored by NGOs that focused on much more technical legal frames and did not engage in political interpretations and ideological battles.

However, the fight against ACTA was not held only on the discursive level. In the third, final section of this chapter I explore the forms of contention that diffused between NGOs and between protesters and hacktivists in different countries.

4.1 How NGOs framed their opposition to ACTA?

4.1.1. A few additional reflections on methodology: using Social Network and Discourse-Network Analysis for Studying Frame Diffusion

In order to answer my questions on what types of frames diffused and the direction of frame diffusion, I combine content analysis, social network analysis (Haunss and Kohlmorgen, 2010; Robins, 2015; Wasserman and Faust, 1994) with discourse-network analysis (Leifeld, 2013). Instead of comparing self-contained, separate cases with the help of statistics, I am interested in tracing the articulation of networks and the diffusion of frames between different interdependent actors. In this sense social network analysis is a natural methodological choice based on its five main characteristics: first, it focuses on relations between actors, as “actors and their relations are seen as interdependent rather than independent units; second, the relations between them are the most meaningful focus of analysis; third, the structural and/or relational features of these actors constitute the analytically relevant characteristics of them; fourth, relational ties between these actors are the channels for the flow of both material and non-material resources; finally, the complete web of actors, their positions and their linkages-network structure—provides opportunities for (and constraints upon) action” (Caiani, 2014: 368). Social network analysis is particularly adequate in the context of social movement studies considering the fact that contemporary movements are characterized by multiple overlapping identities and are made by flexible networks of communication (ibid, 391).

An additional inspiration for using social network analysis has come from the thought-provoking article by Haunss and Kohlmorgen on the role and function of collective action networks in conflicts about intellectual property claims. Contrary to what resource mobilization theories might predict, the authors observe that weak actors (actors with less economic resources or political power) can also influence policy making if they manage to build situational coalitions that fulfill the conditions of a collective actor with a recognizable collective identity: not the power of actors per se but the way they relate to each other is what matters: “the structure and shape of networks must be included in any model that seeks to explain the influence of interest groups on policy decisions” (Haunss and Kohlmorgen, 2010: 20).

I am particularly interested in the interplay between network and discourse analysis, as developed in recent research on the mechanisms of policy change in the German pension reform (Leifeld, 2013). In fact, the mobilization against ACTA has already been analysed once with the method of discourse-network analysis in an article by Sarah Herweg (2013) in which she explores the configuration of discourse on ACTA and the formation of competing discourse coalitions in the German public sphere. Herweg analyses the policy discourse on ACTA on the basis of newspaper articles from the *Süddeutsche Zeitung* (SZ) and the *Frankfurter Allgemeine Zeitung* (FAZ) in the period from 11 March 2010 to 6 July 2012, covering the agreement since the early stages of negotiation until its final rejection. After excluding articles just mentioning ACTA but not dealing substantially with it, Herweg analyses the remaining 63 articles with the help of the Discourse-Network analysis software. The analysis consists in identifying statements (strategic actions in the public sphere) and associating them to actors or frames (frames are interpreted as clusters of concepts, established after analysing 30 percent of the data). After checking whether actors refer to the frames in positive or negative way, Herweg establishes affiliation networks, which can further be converted into actor congruence networks (actors are related on the basis of shared frames) and frame congruence networks (frames are related on the basis of being used by the same actors). The author analyses 171 separate statements in order to analytically extract 15 different individual frames that repeat themselves.

Herweg's analysis reveals that the conflict between the two discourse coalitions was highly politicized and they were connected only by a few actors with a kind of bridging function. The remarkable thing was that the anti-ACTA coalition not only managed to mobilize more followers, was stable over time, and offered congruent arguments, but also defined the content of the discussion. The pro-ACTA coalition was mainly reactive, responding to frames proposed by the anti-ACTA coalition and unable to set the rules or terms of the discussion in ways that could promote ACTA. Herweg shows clearly that the discursive battle was crucial for determining the success of the anti-ACTA movement.

My approach complements and expands the analysis of Herweg in several ways. To begin with, since I am interested in the sources and direction of diffusion of information, I do not base my analysis on statements found in newspapers. I explore the web pages (or *Facebook* pages, wherever web pages are not available, as it is often the case with protest organizers)

of different actors and trace who quotes whom and who makes references to whom. Considering that I am interested in the interaction between local protestors and transnational experts, I decided to begin with one national protest and follow the links from it. I chose the Bulgarian *No to ACTA* protest, as this was one of the biggest protests in Europe and the Bulgarian context was particularly familiar to me, allowing me to quickly grasp nuanced differences between frames and identify actors as bloggers, lawyers, student activists, etc. On the basis of pilot interviews I had done with actors in the Bulgarian campaign, I chose the *Facebook* page of *No to ACTA* as my initial point. From there on I proceeded with snowball sampling of quoted actors and for each actor I noted down the *diagnostic* frames they offered (frames describing the problematic aspects of ACTA).

Tracing the actors quoted on the *No to ACTA* page, I got a set of local actors and transnational actors. In a second iteration I traced their references/quotations as well and reached actors in Bulgaria, Germany, Poland, France, the Netherlands, and other European countries, and different international media actors, EU politicians, EU institutions and experts, and multiple U.S. actors. I decided to keep in the dataset national actors from Bulgaria, Germany and Poland, as I needed to focus on more specific country cases, due to the sheer quantity of information. These are also some of the countries with the biggest protests that were pointed out in my interviews in Brussels as crucial cases. (In the next chapter, I trace also the debates under *YouTube* ACTA videos for the same countries in order to provide a consistent picture). Then, in a third iteration, tracing the outlinks of Bulgarian, Polish, German and international actors, I got more actors from all previous groups mentioned and an exponential number of actors in the U.S. I stopped data collection at this point as currently I am more interested in the European debate and not so much in the U.S. actors engaged in the anti-ACTA campaign. In the data analysis and visualization stages I removed over 30 new civil society organizations in the U.S. that appeared in the third iteration, as checking diffusion of information within the U.S. does not fall within my research question.

A link might be interpreted in multiple ways (Thelwall, 2006): we could link to another organization to quote it, praise it or severely criticize it. There is no way to automatically extract the meaning of a link. This is the principal reason why I decided to perform manual collection of the data and go through every single link I collected in the data set to make

sure that it refers to ACTA. I chose to collect links that were instances of quotation (a quoted statement with the source pointed out) and links that were instances of reference (links following statements such as ‘for more information on this topic’, see...). As I was also interested in the directionality of links (who is quoting whom) I collected that information as well. For example if actor A quoted actor B I wrote this down in my source-target matrix and then noted down separately if actor B quoted actor A in order to register whether references were bi-directional or went only in one direction.

In contrast to this, if I had used software for data collection such as *NaviCrawler*⁵⁵ for example, I would have ended up with so many links completely irrelevant to ACTA that any analysis would have been imprecise and inevitably biased. What is more, the manual collection of data allowed me to overcome several technical limitations of data collection software. For example, I could have collected relational data about likes between *Facebook* pages in the anti-ACTA campaign with the help of software such as *NetVizz*⁵⁶. However the national protests rarely often took the form of *Facebook* events or even more often *Facebook* groups, thus precluding me from taking them into account in the analysis. What is more, some transnational NGOs purposefully refrain from using *Facebook* as a platform because they consider it too privacy-unfriendly. In the end, using software such as *NetVizz* for my case would have meant omitting important relational data. This is why, I opted for the more time consuming but also more comprehensive approach of manual data collection. In fact, it took me three full weeks of 8 hours work per day to collect the data that I analyse in the following pages.

Apart from collecting directional data for the links between actors, I also collected the frames used by each actor in their opposition to ACTA wherever such frames were available, counted each of them to establish their prominence and categorized them in order to make the analysis easier. Often one page of an organization had links to other subpages of the same organization with analysis on ACTA. I always followed these links. However I restricted the texts I was reading and including in my analysis focusing on those produced in the period January-February 2012, the peak of the campaign against ACTA. In cases where the written language was not English or a language that I knew, I used online machine

⁵⁵ <<http://webatlas.fr/wp/navicrawler/>> [11.06.2015].

⁵⁶ Rieder, Bernhard (2013): *Studying Facebook via Data Extraction: The Netvizz Application*. <http://rieder.polsys.net/files/rieder_websci.pdf> [11.06.2015].

translation and in case of ambiguities about meaning or lack of clarity, I asked native speakers to cross-check my data.

As I was interested in capturing the whole diversity of arguments in the debate, I adopted a more inductive approach allowing the frames to emerge from the text themselves and not imposing pre-conceived concepts and ideas (Mattoni, 2014). And here comes the second main difference of my approach compared to the analysis of Herweg. While she distributed her 171 statements from newspaper articles in 15 “frames” conceived as clusters of concepts, I adopted a more fine-grained approach to “frames”: I interpreted as “frames” not the clusters of concepts but the statements themselves. The exact scope of a frame has anyway not been established with certainty in the literature, the borders between statements, frames, master frames, and ideology being permeable and re-drawn in many different ways (Oliver and Johnston, 2005; Snow and Benford, 2005). Thus, for the purposes of my data analyses, in the following pages, I interpreted frames *not* as ways of presentation that change people’s perception without changing the basic information, but as units of basic information that are shared and diffuse among actors. Or to put it otherwise, I treat *frames* and *statements* as synonyms. The reason for doing this is that when I trace the diffusion of information I need to have smaller units in order to check what arguments are being diffused more successfully. For example, I could potentially combine “ISPs become copyright police”, “police state” and “Poland still remembers communism, police state, and censorship” as examples of the same frame. But in this way I would miss the important difference between these statements and between the actors who use them. While “ISPs become copyright police” was a frame widely used by transnational NGOs, it was the Bulgarian protestors from the city of Varna who connected images of private companies monitoring communication and the police state, and finally it was a Polish hacker who noted “Poland still remembers communism, police state, and censorship”, tying together notions of policing communications with the police state and the communist experience in Poland. These might be insignificant nuances for an external observer but for me they are crucial as they show the slippage of statements and arguments as they travel from one context to another. Similarly, I do not consider “ISPs become copyright police” and “third party liability” to be the same frame even though as a consequence of their liability ISPs might be made to monitor private communications. But a third party might also be a “torrent tracker”

or any file sharing site. Thus, for me “third party liability” is both a broader frame in terms of its scope (not only ISPs can be third parties) and an explanation why ISPs might be pushed to perform monitoring. These frames can easily be bundled together and yet I do not want to lose the particular nuances that each of them conveys. This is a decision that depends on the scale the researcher has chosen. And I have chosen to capture as much detail as possible, focusing on the small transformations of statements and the way they change when they are repeated in the same or different contexts. Such an approach will allow me also to pay attention to rarer frames, statements that were used only once or twice. Thus, I will have an overview not only of the frames that dominated the debate but also of the outliers, the strange frames that did not gain traction.

Nevertheless, for the purposes of clarity of presentation, I have categorized and organized all the fine-grained frames I encountered in several different groups depending on the central theme they address, placing in each category arguments both for and against ACTA (for example “ACTA threatens trade/innovation/growth” (-) and “ACTA promotes trade/innovation/growth” (+)). Some of my organizing themes overlap with the broader frames offered by Herweg, but as the data I have analysed is different, there are inevitable differences. I have preferred staying closer to the data than counting on the predefined categories of Herweg. The themes I use to organize my fine-grained frames are:

Procedural problems	
Substantive problems:	<ul style="list-style-type: none"> ➤ threats to human rights/fundamental rights; (+/-) ➤ prioritization of private interests (+/-) ➤ vague wording of the agreement (+/-) ➤ public health and access to medicines (+/-) ➤ development arguments (+/-) ➤ consumer protection (+/-) ➤ intellectual property problems (copyright/patents) (+/-) ➤ threats to Internet freedom and culture (+/-) ➤ problematic aspects of criminal provisions/civil and criminal injunctions (+/-) ➤ does ACTA change existing laws? (+/-) ➤ threats to trade/innovation/growth (+/-) ➤ nation-specific arguments (+/-)
Campaign Self-Referential Frames	

Fig. 14. Categories of frames used in the debates around ACTA.

Such an approach allows me to combine clarity with detail, attention to the general themes of the campaign with the way particular statements have been changed in the process of repetition, enriched or narrowed to fit the goals of the particular actors that have used them.

In order to perform content analysis of over 220 web documents (*Facebook* pages, websites, news sites, blog posts) produced by 162 actors. I extracted from those texts and analysed in Excel over 1325 statements made by the actors. Different actors often used the same frame so there were many repetitions. The total number of unique frames, adopting my fine-grained approach, is 288. Detailed tables with the information from the analysis can be found in the Appendix. A core set of frames have been used multiple times by different actors while more than half of the frames that have been used only once. The long tail of frames used only once can be clearly seen in the chart below:

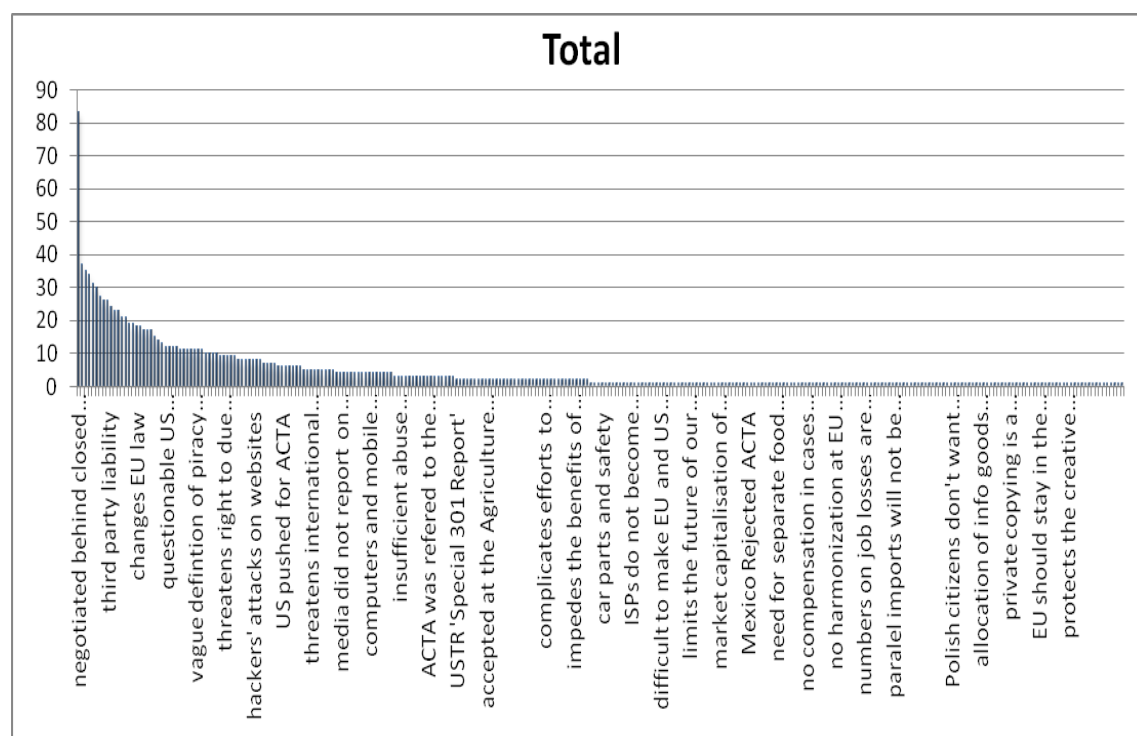


Fig.15. Anti-ACTA frames, according to their frequency.

In the next sub-section (4.1.2) I present the most prominent frames in the campaign against ACTA as they emerged from my analysis, i.e. *what types of frames diffused*. For each category of frames, I offer a table showing what statements/frames have been used, how

many times they have been used, and I elaborate on what was meant by them. Subsequently, in the final sub-section 4.1.3, I analyse the directionality of frame diffusion and how actors clustered together before moving to more general conclusions on what frames diffused between NGOs at the transnational and national level.

4.1.2. Beware of the Leopard: Categorizing Prominent Frames in the Mobilization Against ACTA

"But the plans were on display . . ."

"On display? I eventually had to go down to the cellar to find them."

"That's the display department."

"With a torch."

"Ah, well the lights had probably gone."

"So had the stairs."

"But look, you found the notice, didn't you?"

"Yes," said Arthur, "yes I did. It was on display in the bottom of a locked filing cabinet stuck in a disused lavatory with a sign on the door saying Beware of the Leopard."

(Komentarze fizyka, 2012)

Some of the most frequently used frames are related first and foremost to the procedural problems with ACTA, such as “negotiated behind closed doors”, “undemocratic”, “influenced by lobbies”. Popular were also the economic frames pointing out the relation between ACTA and economic growth, innovation and trade. Another important group of arguments refers to the negative impact of ACTA on developing countries and the dangers it poses to access to medicines. It is interesting that the first frame in defence of ACTA (“consultation process was adequate”) appears only on the 14th place among all frames in terms of frequency, with 17 mentions. Such a low score in my dataset however might be an effect of the fact that I started tracing actors and the respective frames they use with my first nodes being opponents of ACTA so it is only logical that arguments in support of the agreement would be less prominent. Among the most prominent anti-ACTA frames are also issues concerning its relation to previous legislation and the fear that it introduces TRIPS-plus measures thus changing both national and EU laws while leaving no flexibility to countries. The use of extra-judicial measures and the establishment of a special ACTA committee with broad prerogatives also appeared high on the list of troubling statements on ACTA.

Among the frames that can be encountered only once are frames that are highly technical in content (ACTA widens options for rights holders to provide securities; market capitalisation of multinationals based on intangible rights) or on the contrary, more political, nationally-specific frames (“Poland still remembers communism”, “police state and censorship”; “threatens Polish science”; “the Chitanka case”). Finally, frames that did not gain traction were frames that were simply incorrect (“parts of sentences can be copyrighted”; “ACTA could criminalize newspapers revealing a document or whistle-blowers”, etc.). My claim is that the arguments that became most popular were the arguments chosen and championed by the major transnational NGOs, since they were involved in networks of organizations quoting each other and reproducing each other’s expertise. Frames that were produced by actors outside these networks and not taken up by them remained rather peripheral to the debate.

In what follows I will present charts with the most popular frames in descending order, organized according to the themes I have outlined earlier. Such visualization will help us achieve a better grasp of the debate around ACTA, giving a sense of both its general themes and of the frequency of each particular frame used. Inevitably, some of the frames have been lost in the process of visualization and cannot be seen in the charts. That is why I offer in the Appendix detailed tables with all frames within a particular theme and the frequency with which each one of them appears.

Procedural problems with ACTA (secrecy/lack of democracy)

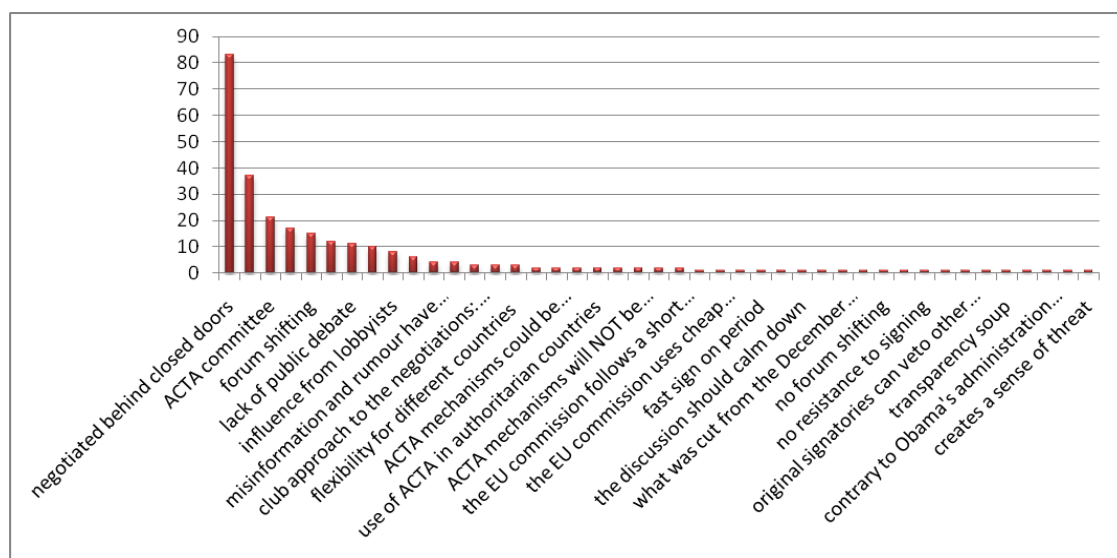


Fig.16. Frames on procedural problems with ACTA, according to frame frequency.

The procedural problems with ACTA are well summarized by the Polish lawyer and blogger Paweł F. Góra (Komentarze fizyka, 2012) who compared searching information on ACTA to a scene from Douglas Adams' "The Hitchhiker's Guide to Galaxy" in which the main character tries to find some plans which are "completely open to the public" and yet in order to get them he has to go through a broken dark staircase down to the cellar, where he finds them at the bottom of an old filing cabinet in an abandoned room with a sign "Beware of the Leopard" on the door. This story is a good metaphor of the big complaints about the EU Commission hiding information on ACTA and claiming to have a public discussion, while in fact preventing it in any possible way. It is not a coincidence that the first two most popular frames with regard to ACTA are "negotiated behind closed doors" and "undemocratic". The best summary of the situation is the frame "transparency soup" that appears in a USTR (United States Trade Representative) memo giving advice how to mislead the public by offering them pseudo-transparency, or namely a "transparency soup". There are fears that there was a "deliberate misrepresentation of ACTA" by negotiating parties and "no evidence-based assessment" of the economic costs and benefits of the treaty but instead a serious "influence from lobbyists". All these statements convey a general sense of nation states citizens' loss of power over decision making and impotence in the face of an agreement pushed for by the U.S. and by lobbyists and decided in secret, outside of any possibility for control. Within the U.S., there have been concerns that the negotiating process of ACTA goes against Obama's administration promises of openness and transparency. Actors from countries negotiating with the U.S., on the other hand, worry about the loss of democratic sovereignty of their countries: "U.S. pushed for ACTA", "ACTA mechanisms could be exported through bilateral trade agreements in the future". One of the most frequent frames against ACTA is that it is the result of "forum shifting": negotiating parties such as the U.S. and the EU avoided the World Intellectual Property Organizations and the deadlock that resulted from the Doha Development Round Discussions and created ACTA as a way to push for their own interests ignoring the organized resistance of developing countries. Last but not least, the creating of non-supervised and not-democratically accountable ACTA Committee to administer the agreement is met with strong suspicion and rejection from civil society actors. The attempt of ACTA supporters to insist that "misinformation and rumour have dominated the debate on social media" does

not explain why the agreement had to be kept in secret and discussed post-factum, and what was the purpose of the “lack of public debate”.

Substantive problems

One of the principal substantial problems with ACTA outlined is the way it threatens fundamental rights, such as the right to privacy, free speech, freedom of expression and culture, data protection, etc. The major fear is that ISPs might be liable for copyright infringements and thus forced to monitor the communications of their users (“ISPs become copyright police”) for infringing content. However such monitoring could effectively lead to blanket surveillance, thus threatening privacy and causing a chilling effect as people would become much more careful about what they share online. The situation is summarized well in two frames which have only one mention each and yet metaphorically convey the essence of ACTA: “blank cheque for abuse” and “Pandora box of human rights violations”:

- **Threats to human rights/fundamental rights; (+/-)**

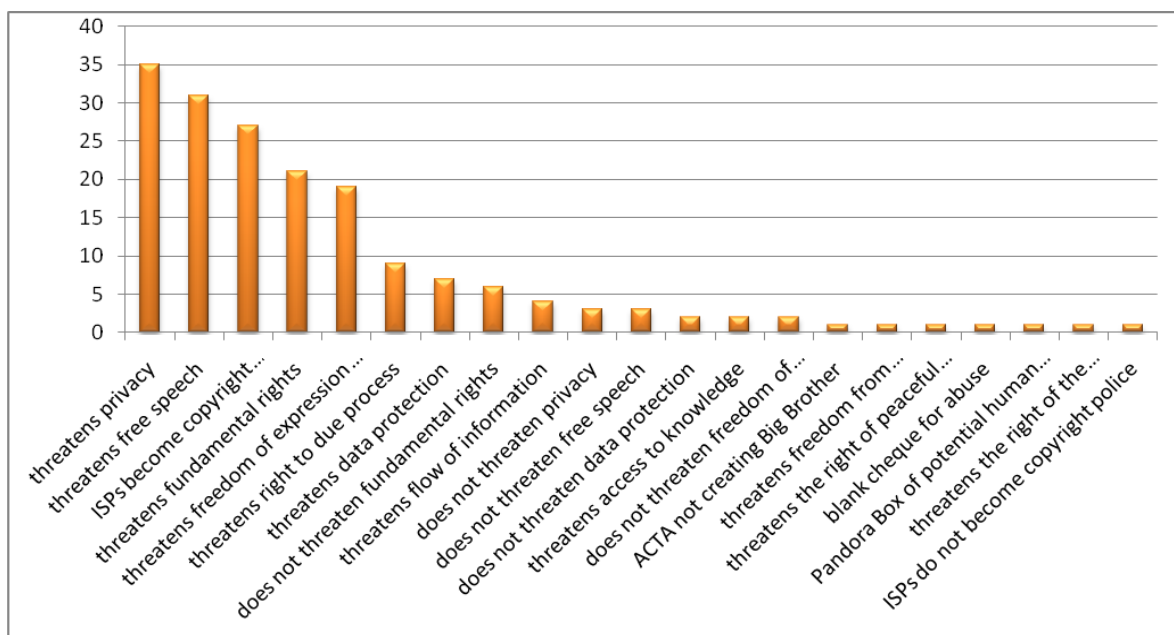


Fig. 17. Frames on how ACTA threatens fundamental rights, according to frame frequency.

Another problematic aspect of ACTA is the fact that it doesn't manage to strike a balance between the interests of rights holders and the interests of citizens to have access to knowledge or not to have their fundamental rights violated. In addition, ACTA would require governments to invest public resources in enforcing the rights of Intellectual property

owners (for example through border control measures that have high operational costs), and in addition to invest public resources in promoting the agenda of copyright owners denouncing copyright infringement.

- **Prioritization of Private Interests (+/-)**

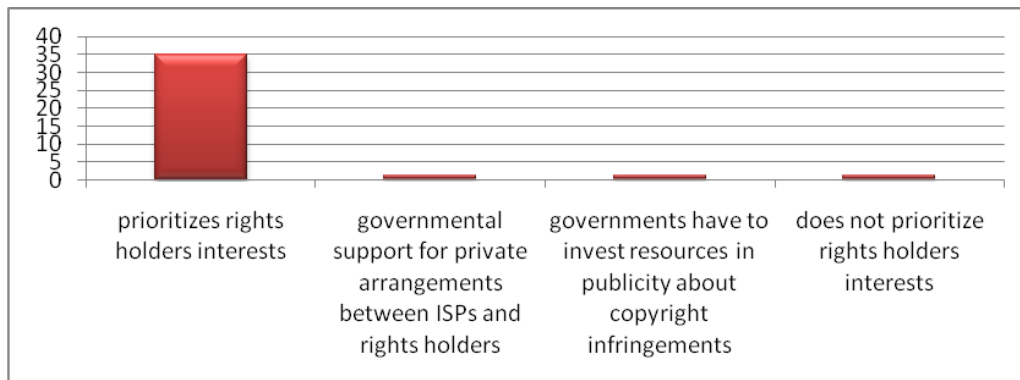


Fig. 18. Frames focusing on the way ACTA prioritizes private interests, according to frame frequency.

Copyright infringement however is not always easy to pinpoint, since ACTA uses a very vague language when it comes to defining for example commercial scale and indirect advantage. The agreement also notoriously mixes different types of intellectual property without clarifying whether its provisions relate to copyright, patents, trademarks, or other types of IP. That is especially problematic when it comes to access to medicines because it means that particular medicines could be seized at the border because of infringing trademarks (that are valid only under national jurisdictions) and not because of infringing patents, thus producing chilling effects for generic medicines manufacturers.

- **Vague Wording of the Agreement (+/-)**

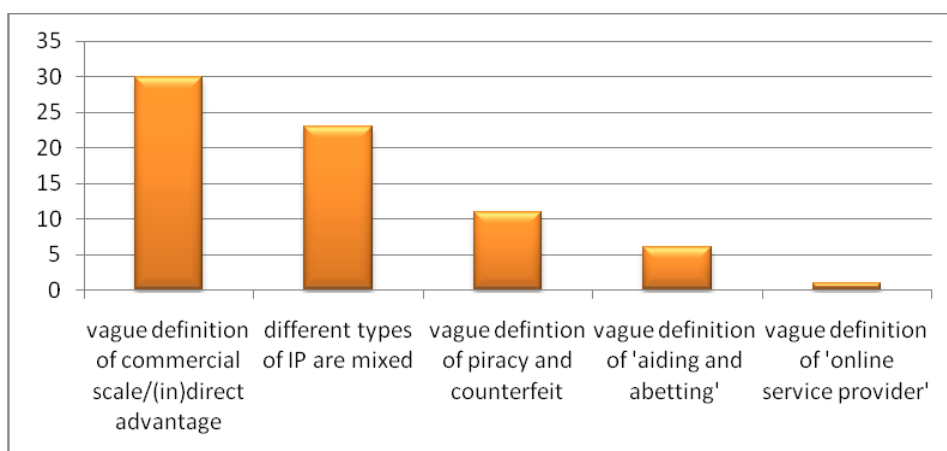


Fig. 19. Frames addressing the vague wording of ACTA, according to frame frequency.

- **Public Health and Access to Medicines (+/-)**

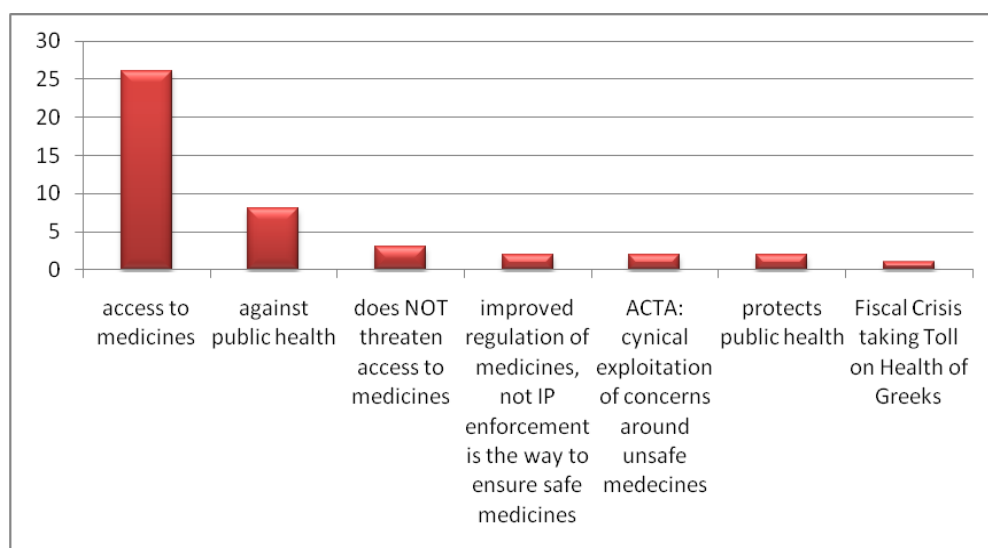


Fig. 20. Frames on the effect of ACTA on public health, according to frame frequency.

The provisions of ACTA can thus have serious impact on developing countries struggling for example with AIDS epidemics as some provisions in the agreement might lead to limited “access to medicines” and thus could be “against public health”. Such provisions can have also impact on developed countries such as Greece where the fiscal consequences of austerity already take toll on the health of Greek people and make the availability of cheap medicines highly important. Despite the occasional frames of pro-ACTA supporters who insist that it does not threaten access to medicines and in fact protects public health, there is a suspicion that ACTA is a “cynical exploitation of concerns around unsafe medicines” that in fact protects rights holders and “threatens consumer rights” while it “will do little to address truly harmful counterfeiting”.

- **Consumer Protection (+/-)**

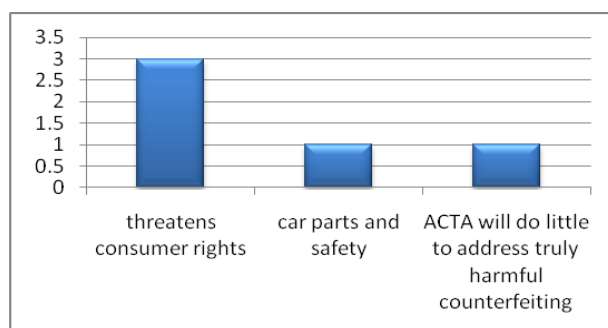


Fig. 21. Frames on the relation between ACTA and consumer protection, according to frame frequency.

At the same time, by placing too much weight on the protection of industrial patents, ACTA might affect countries struggling to develop their economy and catch up with the developed countries.

- **Development Arguments (+/-)**

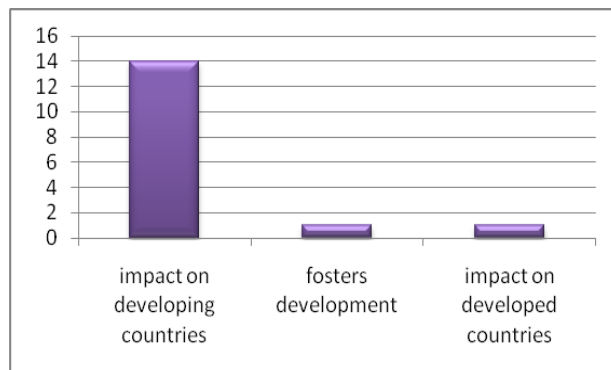


Fig. 22. Frames on the effect of ACTA on developing countries, according to frame frequency.

- *Intellectual Property Problems (Copyright/Patents) (+/-)*

The impact of patents is considered not only with regard to limiting access to medicines and opportunities for industrial development. The opponents of ACTA often discuss how patents on traditional knowledge, seeds and animals could be interpreted as a form of “biopiracy”:

Patents

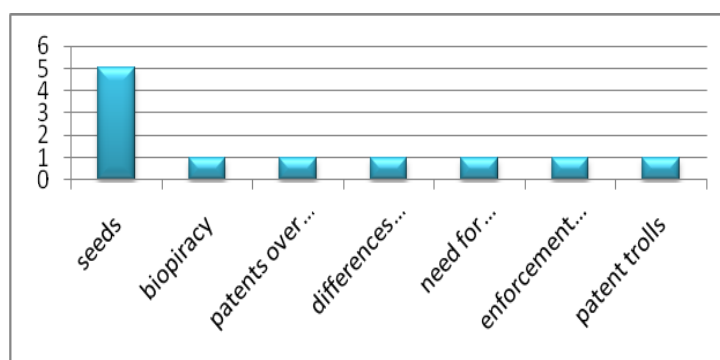


Fig. 23. Frames on the relevance of ACTA for patents, according to frame frequency.

However, all in all, patents receive less attention than copyright. Frames related to copyright are much more salient as they are closely related to the culture of sharing and remix online. One of the main arguments of the opponents of ACTA is that it “criminalizes sharing” and defends copyright provisions that are not fit for the digital age. The need for an adequate copyright reform is acknowledged by both defendants and opponents of ACTA. Opponents emphasize that ACTA is a “ratchet towards stronger copyright protection” globally and that

it “prevents copyright reform” from happening while betting on copyright repression. But “copyright repression is costly and ineffective”. Technology has changed and new solutions should be sought instead of simply and forcefully imposing the interests of rights holders and curbing a culture of sharing and creativity. Of course, among the legitimate arguments against ACTA some dubious claims appear as well, such as the fact that “parts of sentences can be copyrighted” and that “bloggers mentioning a trademark in a critical article might be liable”. It is indicative however that false arguments rarely make it to the core of the discussion and remain with frequency of 1, 2, maximum 3 mentions, thus staying in a marginal position with respect to the main debates.

Copyright

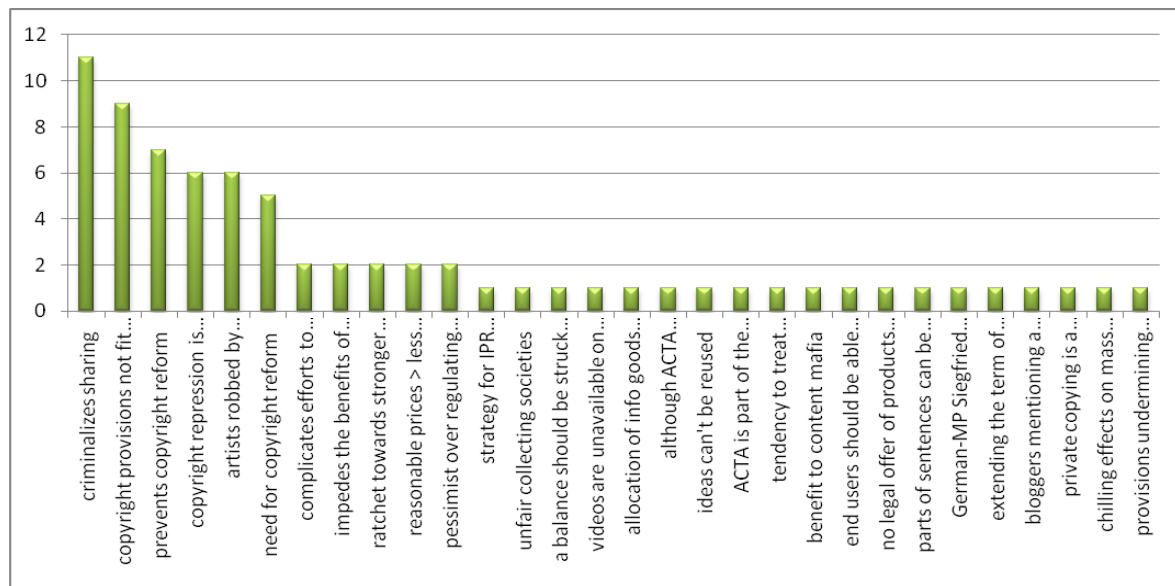


Fig. 24. Frames on the relevance of ACTA for copyrihgt, according to frame frequency.

The value of Internet freedom, of sharing and tapping into a common pool of knowledge is strongly emphasized by the opponents of ACTA. The most common frame used against ACTA in fact is that it “threatens Internet freedom”. At the same time the Internet is perceived as a space for “freedom and creativity”. Opponents of ACTA often claim that is “blocks Internet access” and that “politicians don’t understand the Internet” and that ACTA “breaks the Internet itself”. One of the most important frames against ACTA that draw on the original values of the Internet is the frame that emphasizes that ACTA “threatens net neutrality”. Some of the less prominent frames against the agreement, with only one mention, draw attention to the fact that “Internet is the main source of culture for young

Poles”, “the protest is not just about downloading”, but rather it is a matter of “conflict over culture”. What is more, “the protest is generational”.

- **Threats to Internet Freedom and Culture (+/-)**

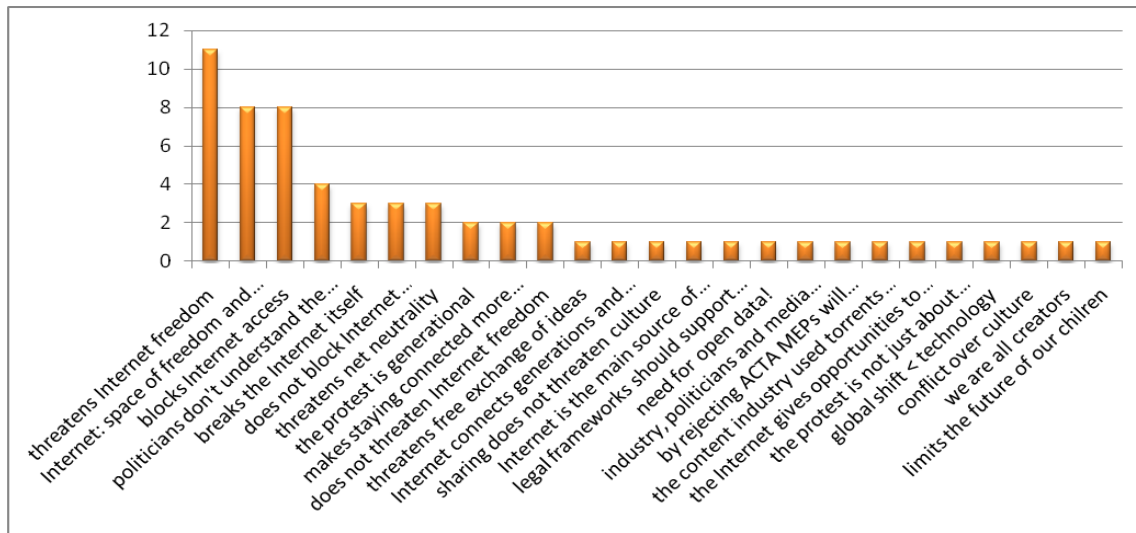


Fig. 25. Frames on how ACTA threatens Internet freedom and culture, according to frame frequency.

Even though contesting intellectual property and protecting Internet freedom have been particularly important in opposing ACTA, a crucial set of frames against the agreement has focused on the fact that ACTA introduces criminal measures and criminalizes a vast range of activities without clarity about the scope and extent of enforcement. Apart from the already mentioned “third party liability” problem that means that IPSs, online service providers and social networking platforms could be held responsible if one of their users/subscribers infringes IP rights, ACTA is associated with different “problematic border measures”. A prominent frame addresses the possibility of personal baggage (computers and mobile phones) being searched for infringing material. However, in the final version of ACTA there is no provision that could lead to such measures. This possibility is vehemently rejected by ACTA supporters as a myth. Yet, frames pointing to the fact that ACTA “uses extrajudicial measures”, “lacks adequate safeguards”, and makes “no exceptions and limitations to IP rights” point to really existing problems. Similarly, ACTA will not automatically lead to three strikes regimes as it was claimed by NGOs in the initial periods of negotiations but it “*could* lead to graduated response mechanisms”. Lack of proportionality of legal penalties, processes and remedies and the low threshold for criminal and civil injunctions are also emphasized by the opponents of the agreement. The presumption of guilt and the possibility to criminalize innocent people are also underlined as problems of ACTA.

- **Problematic Aspects of Criminal Provisions/Civil and Criminal Injunctions (+/-)**

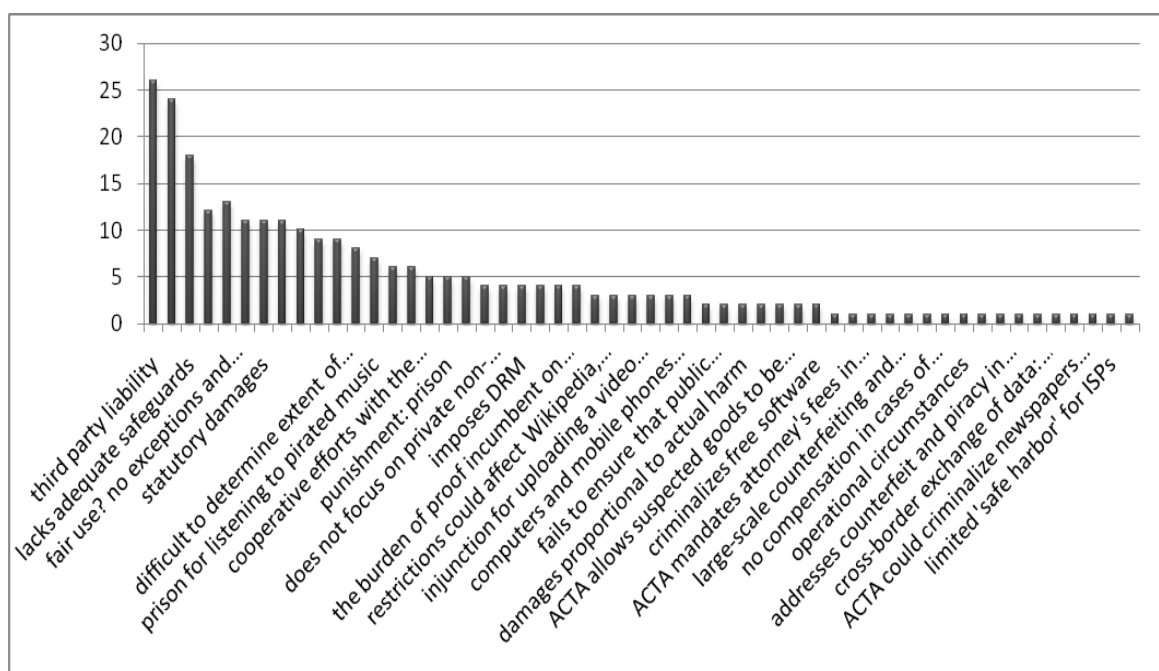


Fig. 26. Frames on the problematic aspects of criminal provisions of ACTA, according to frame frequency.

Among the most discussed aspects of ACTA is the question whether it will change existing laws:

- Does ACTA change existing Laws? (+/-)

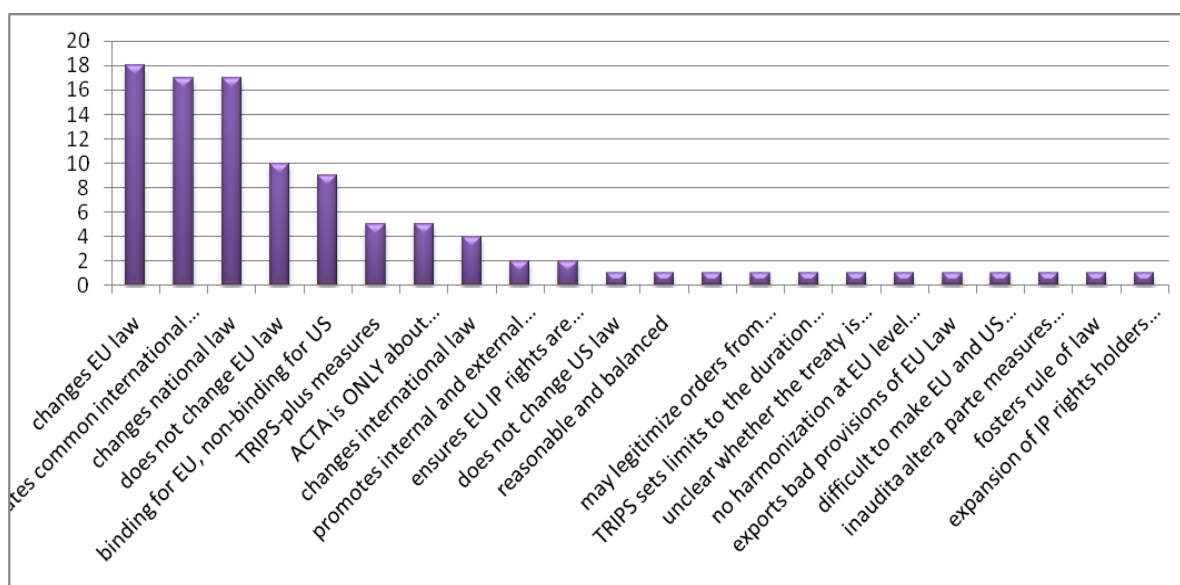


Fig. 27. Frames on the relation between ACTA and existitng laws, according to frame frequency.

Proponents of the agreement insist that ACTA is ONLY about enforcement and that above all it “creates common international standards of IP enforcement”, yet opponents insist that it “changes EU law”, “changes national law”, and changes “international law”. The fact that the agreement is binding for the EU but not binding for the U.S. is also mentioned multiple times, emphasizing the different status of the agreement in different national contexts. A frame that appears several times focuses on the fact that ACTA introduces “TRIPS-plus measures”, i.e. it expands the extent of copyright protection and enforcement.

Finally, after discussing the procedural, human rights, consumer rights, public health, developmental, intellectual property-related, Internet freedom, and criminal aspects of ACTA, we have to pay attention to the frames addressing economic aspects of ACTA. Ultimately, economic reasons are among the main reasons pointed out by proponents of ACTA in defense of the agreement. Supporters of ACTA claim that it “drives innovation”, “creates and protects jobs”, “drives economic recovery and growth”. We should not forget that the agreement was negotiated in the aftermath of the financial crisis when countries were searching frantically how to get out of the recession. In such a context, claims that “IP is EU’s raw material”, “proliferation of counterfeit and pirated goods causes significant financial losses”, and that “knowledge industries help the economy” are particularly easy to promote. However opponents of ACTA claim exactly the opposite: that ACTA “threatens innovation”, has “chilling effects for trade and production of legitimate goods”, has “anti-competitive effects” and gives comparative advantage to the U.S. and to China. The frames of both sides are supported mainly by speculative arguments. On both sides, there is a dearth of empirical evidence but what has to be acknowledged is the attempt of NGOs and civil society organizations to shift the general sense of the frames and beat the proponents of ACTA in their own game, insisting that ACTA threatens exactly what its proponents claim it protects.

- Threats to Trade/Innovation/Growth/Technology Development (+/-)

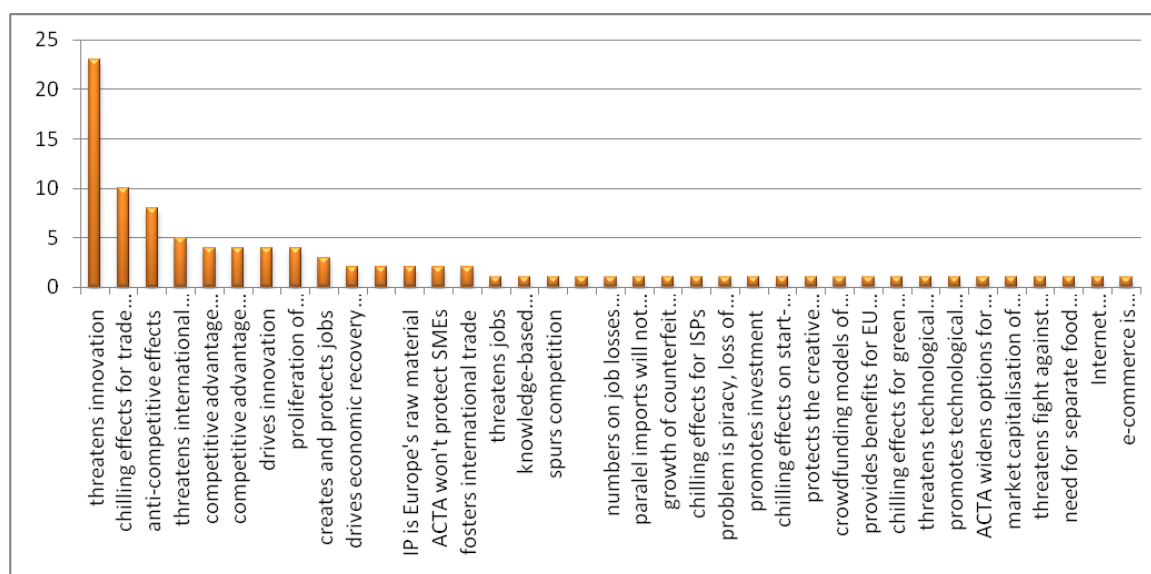


Fig. 28. Frames on how ACTA relates to trade/innovation/growth, according to frame frequency.

Finally, while reading the texts on ACTA I encountered different nation-specific frames that invoke particular historical experiences, arguments about national interest or arguments that are relevant to one country only. The most prominent questions relate to ACTA's constitutionality within the U.S. and the expansion of the U.S. presidents' power over sole executive agreements. There are also arguments that ACTA might threaten Polish science or contradict particular provisions in the U.S. healthcare reform. In Bulgarian discussions the case of the online library *Chitanka* that was closed for infringements against copyright and the public controversy around it (Rone, 2014b) was also brought up. Interestingly enough, in the set of documents I analysed, there were only a few arguments that were nationally specific. I explore in more detail the reasons for this in the next section of this chapter but in a preliminary way, I could say that my data collection to a large extent covered the discourse-networks of transnational and national NGOs that was to a large extent standardized and dominated by frames proposed by transnational actors. However, in the next chapter I focus more specifically and qualitatively on precisely the fringe national-specific frames that did not make it into the official documents produced by NGOs but were highly prominent in YouTube comments, blog posts, and interestingly, the slogans of the protest.

- **Nation-Specific Arguments (+/-)**

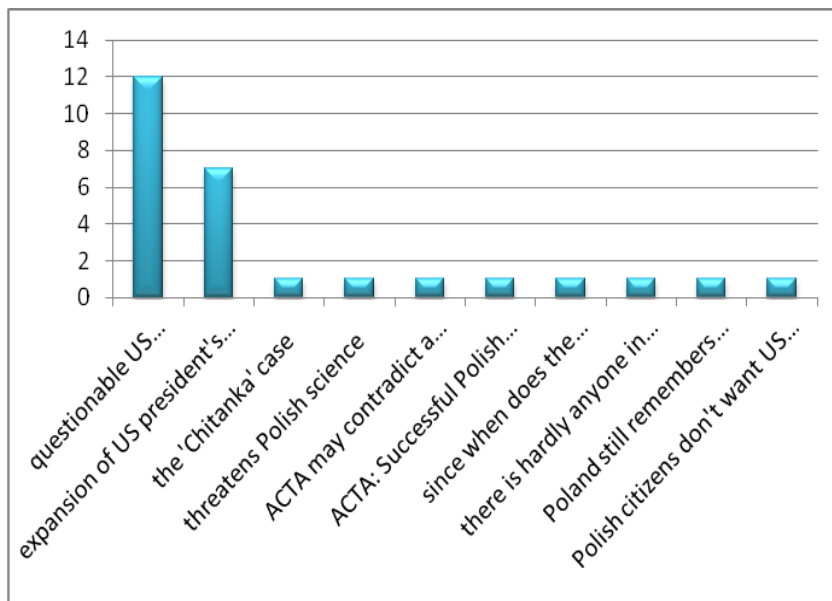


Fig. 29. Nation-specific frames on ACTA, according to frame frequency.

Finally, a type of frames that emerged again and again in my analysis were frames referring to the connection between ACTA, SOPA and PIPA, and frames describing the success of anti-ACTA protests to this point. Certainly, the proximity in time and topics played a serious role for treating the different campaigns as strongly connected. The campaign against SOPA and PIPA took place only several days before the one against ACTA. The connection between the two was seen and emphasized 19 times in my dataset. The anti-ACTA protests themselves were also mentioned as an argument against the agreement pointing to its total lack of legitimacy and popular support. Reference was made also to the hacktivist attacks of Anonymous against government sites. Laws similar to ACTA such as the French “Three strikes” (Hadopi) law and the Spanish Ley Sinde were brought up in the argument and also previous mobilizations such as the one against the software patents directive. The fact that some countries did not sign ACTA or suspended ratification (Germany, Poland, Bulgaria, Mexico) was also invoked in order to give momentum to the campaign. Finally, the closing of the Megaupload torrent tracker was also mentioned, yet it appeared only once, as the NGOs tried to position the campaign against ACTA more as a campaign for fundamental rights and less as a campaign for protecting illegal torrent trackers.

➤ Campaign Self-Referential Frames

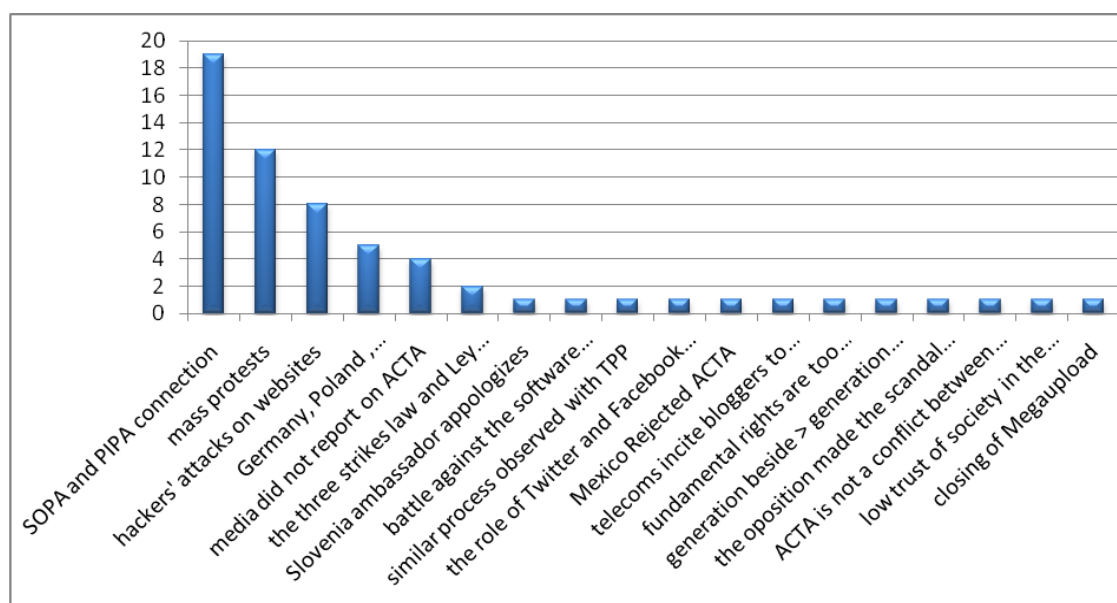


Fig. 30. Frames on the campaign against ACTA, according to frame frequency.

To sum up, the main categories of frames used in the campaign against ACTA addressed procedural problems (secrecy/lack of democracy) and more substantive problems such as threats to human rights, prioritization of private interests, vague wording of the agreement, the way the agreement affects public health and access to medicines, its impact on developing countries, consumer protection, the many problems it poses in terms of intellectual property, the threats it poses to Internet freedom, the problematic aspects of its criminal provisions, and how it changes existing laws or threatens trade and innovation. There have also been sporadic nationally-specific frames whose importance in my dataset however remained marginal. And finally, a lot of frames drew parallels between ACTA, SOPA, and PIPA and emphasized the lack of popular support for the agreement.

Nevertheless, establishing what frames were used, how frequently they were invoked and what general themes they pointed to is only a part of my analysis. It is also important to know who used those frames and what discourse-coalition networks were formed. What is more, in which direction did frames diffuse? Did they spread from transnational expert communities to protesters at the national level or the other way round? To what extent was there a common European dialogue? In the next section of this chapter, I explore these questions in detail and provide visualizations of the directionality of information diffusion and the clustering of actors depending on the frames they share.

4.1.3. Discourse Coalitions and Patterns of Frame Diffusion in the Mobilization against ACTA

In the following paragraphs I explore how actors clustered on the basis of using the same frames against ACTA and in *what directions did frames diffuse* - *from expert communities to protesters at the national level, or the other way round, or in fact, in both directions?* My analysis is situated on three levels: the *macro level*: exploring the density of the networks as a whole, the *meso level* exploring modularity and cohesive subgroups, and the *micro level* focusing on the degree and betweenness centrality of nodes. I am particularly interested as well in comparing the results I get from the one-mode directional data with the results from the projections of the 2-mode data.

The analysis of the one-mode directional data reveals a network with a pretty low level of density: 0.013(undirected) and 0.007 (directed). Density of networks is interpreted as the “proportion of all possible ties that are actually present” (Hanneman and Riddle, 2005) with 0 as the lowest possible result and 1 as the highest (all possible ties are present). A result of 0.007 (or even 0.013 if we don’t take directionality into account) points to a network with a very low level of cohesiveness. Moving to the meso level of analysis, the network has a modularity coefficient of 0.589 with the number of distinct communities being 8. The average weighted degree of my network is 1.993. The degree of a node is the number of relations (edges) it has, independently of whether they are *in* or *out* relations. As the data I have collected is directional, I can also calculate the indegree and the outdegree of each node. In the following graphs are the summary reports for degree that Gephi has produced:

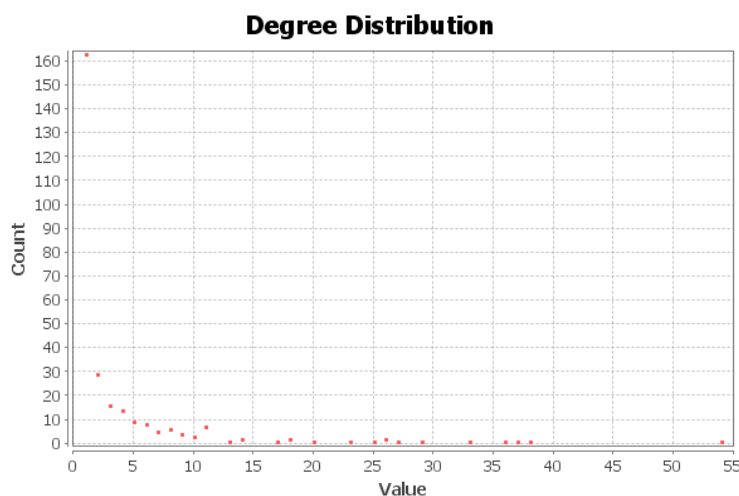


Fig. 31. Degree distributions of nodes in the directional network of actors.

This report shows clearly that out of the 290 actors in the directional data around 165 have one only edge, around 30 have 2 edges, 17 - 3 edges, 15 – 4 edges, 10 – 5 edges, and there is a long tale of nodes that have from 5 to 55 edges, with the 55 edge node being a solitary outlier. To put it simply: most of the nodes have few edges, few nodes have a lot of edges. This means in practice that in the campaign there were few actors who were very well connected, and many actors who less connected.

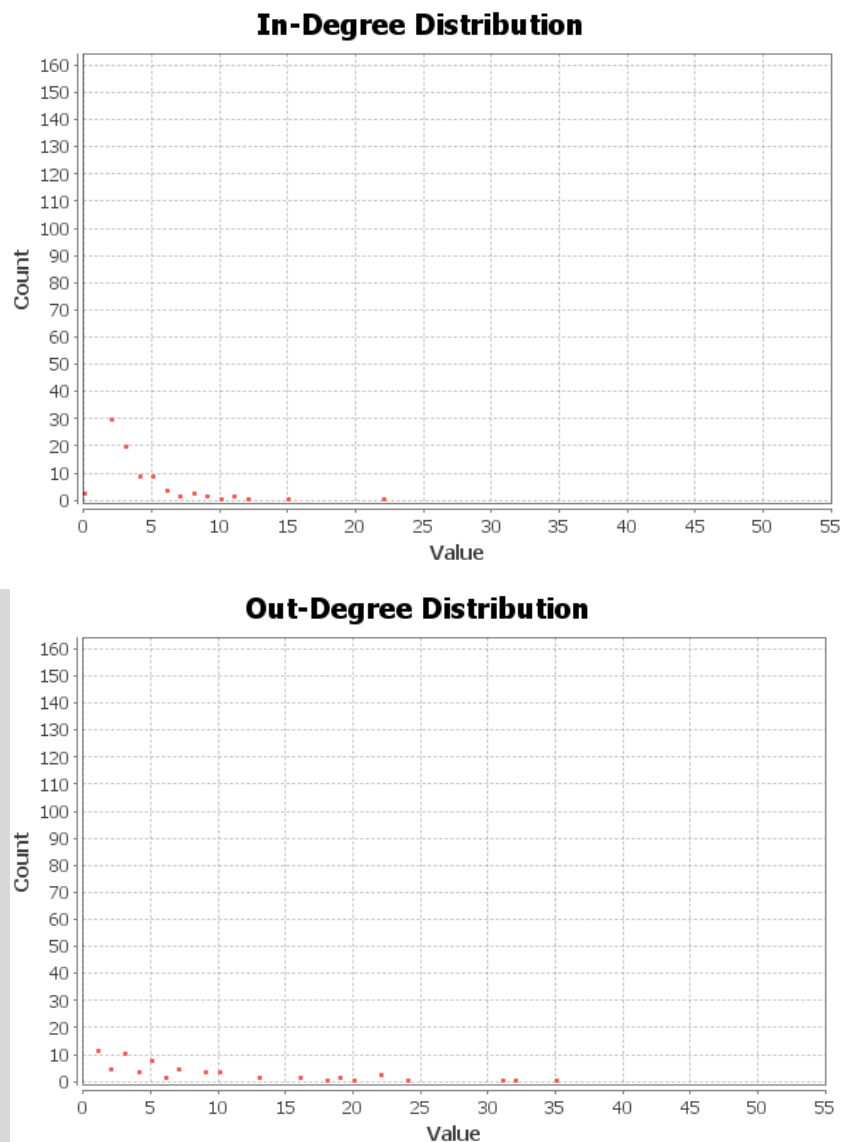


Fig. 32, 33. In-degree and Out-degree distributions of nodes.⁵⁷

⁵⁷ The distributions have been plotted depending on how many in-links and how many out-links each node has. The more in-links mean that the node has been linked to more times, which in this case means that the actors has been quoted and referred to more. The more out-links mean that the node has linked to more other nodes, which in this case means that the actor has referred to/ quoted the expertise of more actors.

In terms of indegree, less than 10 nodes have more than 10 edges, which means that the sources of information that are quoted by everyone are few and central to the network, while the larger number of nodes with outgoing edges shows that there are multiple actors quoted/referred to in a discussion that involves multiple actors. However most of these quoted actors do not quote/refer to back. That might also explain the low network density mentioned above. In the figure below I present a visualisation of my network of actors. I have circled 4 of the groups of actors I would like to comment on. The clusters I will not comment on include actors such as media or legal experts who have quoted a vast variety of sources without being quoted back. Commenting on these clusters would in effect amount to a textual analysis of the reports and not so much network analysis. On the graph below the position of the nodes and their colours point to their modularity class, while the size of the nodes corresponds to the indegree of the actors, i.e. who are the most often referred to/quoted ones. The bigger the size the more incoming edges there are. Due to the sheer quantity of data I use close-ups to present parts of the total networks. In the appendix one can find each network in a format that allows zoom-in and zoom-out and a more interactive engagement with the data.

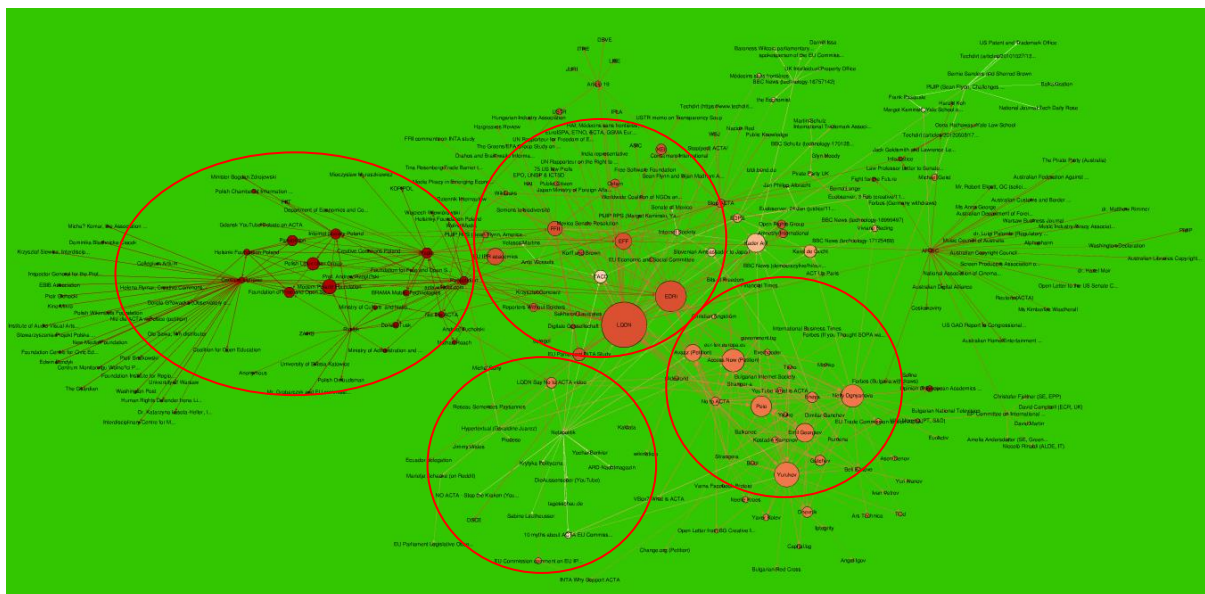


Fig. 34. Directional map of actors in the campaign against ACTA.

On the graph we can differentiate the different clusters of actors by their position and the colour of their nodes. To begin with, in dark pink in the centre of the graph we can see the most quoted actors whose expertise was referred to the most and thus have the most incoming edges (visualized with the biggest nodes). These actors are the transnational

Brussels-based NGO *EDRI* (European Digital Rights Initiative), the French NGO *LQDN* (La Quadrature Du Net), the UK NGO *Open Rights Group*, the International NGOs: *Amnesty International*, *Oxfam*, *Article 19*, *Reporters Without Borders*, the U.S. NGOs *Electronic Frontier Foundation (EFF)*, *Knowledge Economy International (KEI)*. Within the same group of actors quoting each other and being quoted by similar actors one can find the German NGOs *Digitale Gesellschaft* and the *Foundation for Free Information Infrastructure (FFII)*. Non-circled actors in the upper right corner are mainly news sources and experts quoted by news sources. What inevitably draws attention is the high presence of sources of expertise from the U.S. and Australia (e.g. the Australian Parliamentary Committee Report on ACTA):

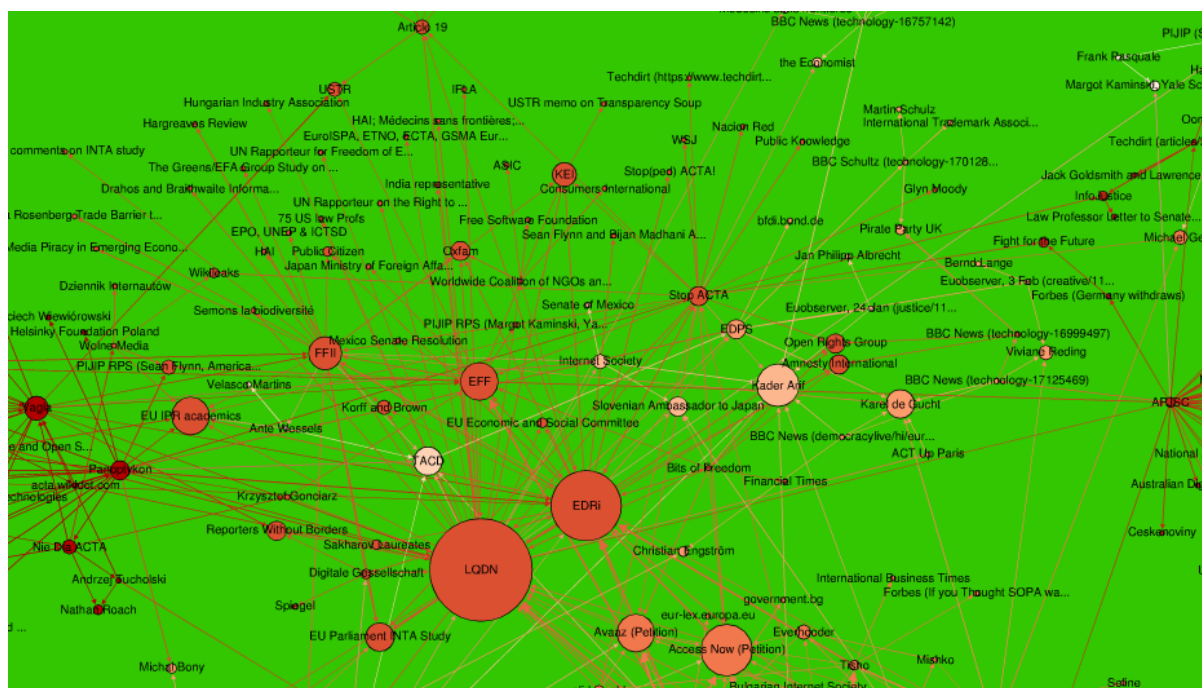


Fig. 35. Close up of the directional map of actors in the campaign against ACTA (I).

To the right of the core group of international NGOs and experts one can observe in dark red the group of actors from Poland. Here there is a core group of actors that have a roughly similar indegree and that in addition quote each other. These actors are *Foundation Panoptikon*, *Internet Society Poland*, the blogger *VaGla*, *Modern Poland Foundation*, *Foundation of Free and Open Source Software*, the *Polish Linux User Group*, *Helsinki Foundation Poland*, *Centrum Cyfrowe*. With less incoming edges but still prominent is also one of the Polish Facebook pages against ACTA: *Nie Dla ACTA*. As one can clearly see on the graph Polish NGOs form a cohesive community that is distinguished by a high degree of inner links and quotations and that forms a cohesive discourse coalition:

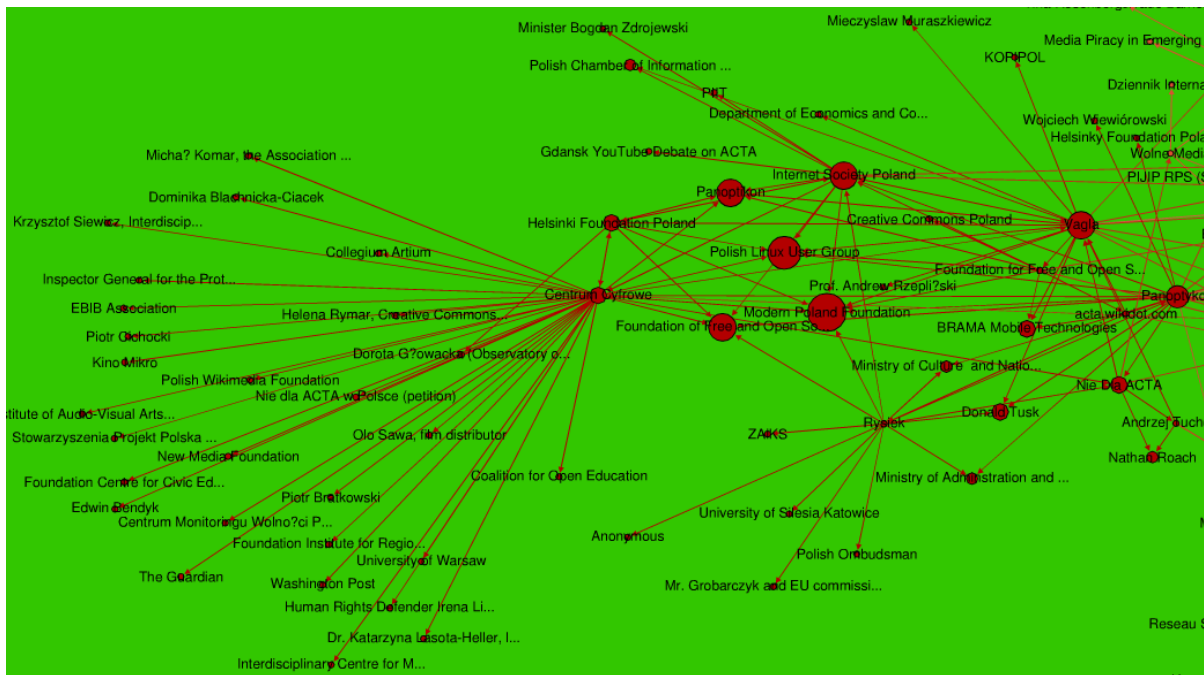


Fig. 36. Close up of the directional map of actors in the campaign against ACTA (II).

Down from the core central group to the left there is a group of actors formed around the German digital news site *Netzpolitik*. They are mainly actors quoted by *Netzpolitik* but with few back quotes:

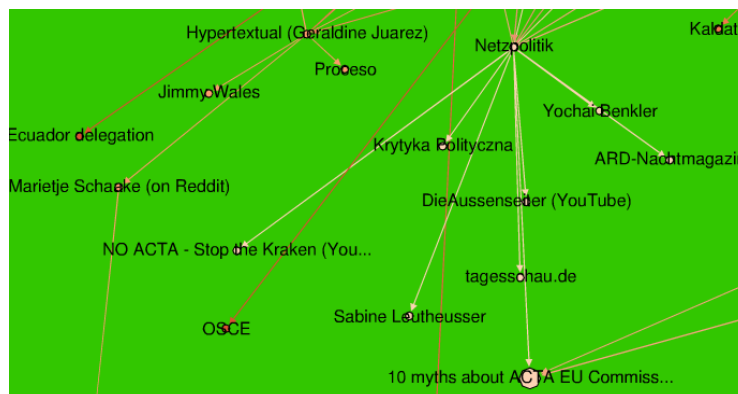


Fig. 37. Close up of the directional map of actors in the campaign against ACTA (III).

Down from the core central group to the right one can see the cluster of Bulgarian actors. Unlike the transnational NGO group and the Polish group, in this case the main actors are not NGOs but bloggers. The most quoted actors were the media expert Nelly Ognyanova, the lawyer and blogger Emil Georgiev, the Brussels-based blogger Yurukov and the Sofia-based bloggers Peio, Yovko and Eneya. A significant number of references were also made to the *Facebook* protest page *No to ACTA*. The two online petitions *Avaaz* and *Access Now* were also widely referred to by Bulgarian actors:

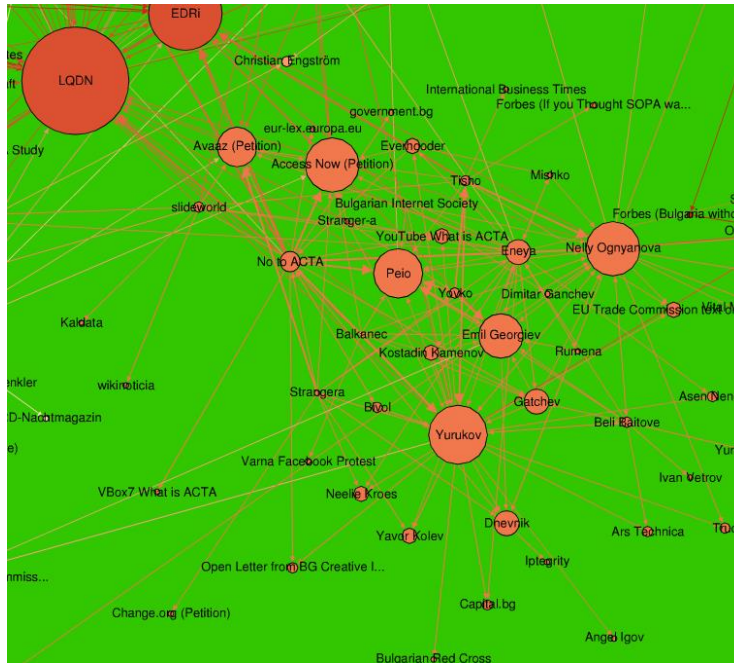


Fig. 38. Close up of the directional map of actors in the campaign against ACTA (IV).

One of the reasons for the prominence of bloggers among the most quoted actors might be the case that simply in Bulgaria, at the time of mobilization against ACTA, there were no powerful and well-known to the public NGOs in digital rights, while the blogger scene at the period was particularly influential.

A closer look at the arrows on the directional graph reveals that the Bulgarian actors mainly quote each other or quote transnational critical communities but are never quoted in return by the transnational critical communities. Transnational critical communities, on the other hand, quote each other and quote American actors and sources of expertise. They are also quoted in return, most notably *EDRI*, yet less often. Moving to the case of Polish actors, the pattern is very similar to the one among Bulgarian actors. Polish actors quote each other systematically and they quote transnational sources but they are rarely quoted back. In addition, there are no quotations between Polish and Bulgarian actors, which means that all the communication and familiarization with arguments passes through the transnational Brussels core and there are few direct inter-linkages between actors from different countries.

These findings of my research confirm and expand previous research on hyperlink networks, according to which “organizations which are important in the offline mobilization process usually also show up as central and strongly connected nodes in the link networks” (Haunss, 2015: 24). What is more, the analysis of links between actors in the campaign against ACTA revealed results quite similar to the analysis of hyperlinks between websites of the World Social Forum network: “overall, links among social forum websites tended to connect nodes belonging to similar backgrounds and sharing cultural elements while transnational linkages held a rather symbolic value, bringing in credibility and authority for the node itself” (Vicari, 2014). The low level of horizontal transnationalisation of communication resonates with the findings of Koopmans and Zimmerman (2003, 2005) from their analysis of online navigation through both search engines and hyperlinks with respect to different issues of interest in European politics: “On the one hand, both the search engine analysis and (more outspoken) the hyperlink analysis, showed a higher level of visibility for supranational actors than what we find in the content of newspapers. However, the Internet is much less transnational than offline newspapers when it comes to directing the citizen’s attention to the views of actors in other countries than one’s own. This finding was particularly pronounced in the hyperlink analysis, which revealed that there are very few cross-national linkages among websites, even among actors of the same type. Interestingly, the only actors who did show a modest propensity to establish such links were media websites – those same actors who are supposedly holding us imprisoned in national parochialism” (2005: 34). While the hyperlink analyses I point to have focused on links in general, my analysis reveals that similar results are observed also when it comes to links as a way to track quotations. Thus, also with regard to diffusion of frames and expertise, the Internet does not increase transnational exchanges of information and does not allow for more different voices to be heard. Supranational actors have an increased presence as sources of expertise at the expense of cross-national diffusion of information.

With regard to the types of actors that achieve prominence, my research differs from Koopmans and Zimmerman’ observation that: regardless of whether we analyse the content of newspapers, inspect the websites that are prominently listed by the most often-used search engines, or follow the hyperlinks offered on the websites of a variety of actors, “the types of actors whose views we are by far most likely to encounter are those of state and

party actors from the own country. To be sure, there are some comparatively minor differences that point in the direction that the Internet is somewhat less biased in favour of resourceful, institutional actors. In the search engine results, civil society actors were slightly better represented than in newspapers, and we could observe the same in the hyperlink analysis” (ibid, 33-34).

In contrast to this observation and due to my methodology of following links starting from protest pages (and probably also to the high politicization of the issue at stake), my dataset over-represents civil society organizations, with less state and party actors (even Pirate Party actors). Another thing to be emphasized is that, as mentioned above, the most prominent actors in the Bulgarian case were bloggers, while at the transnational level, in Poland, and the U.S. they were mainly NGOs and legal experts. What is significant also is the rather negligible presence of German actors in my network despite the fact that the most attended and prominent protests took place precisely in Germany. A possible explanation could be the fact that the organizers of the protests in Germany (the most active of which was the then new pirate party member Sebastian Radke) were connected to the Pirate Party (Lee, 2013) and in the absence of links to them in my data set they remained a group I could not tap into and trace.

This absence of Pirate Party members from my map shows clearly that the method I am using (like all methods) has its own limitations and has to be combined with interviews and careful textual and documental analysis. As already noted in Chapter Three, in Austria, where thousands of people went to the streets to protest against ACTA, the campaign organization was led by the Pirate Party together with the Greens and the hacktivists Anonymous⁵⁸. Both in Germany and in Austria the issue of Internet freedom was channelled into party politics and was “owned” by parties (Pirate or Green ones). And yet, there were almost no mentions of Pirate Party or Green Party actors in my dataset. Even when Pirate Party actors, such as Amelia Andersdotter did appear in my data, they were significantly less quoted than the established NGOs. Why is this the case?

There are two main reasons for this feature of my data. To begin with, my data collection started with the node of the Bulgarian *No to ACTA Facebook* protest page and snowballed links from there. At the time of the anti-ACTA mobilization for example, Bulgaria did not

⁵⁸ <http://derstandard.at/1328507520849/Europaweite-Protteste-gegen-Anti-Piraterie-Abkommen-ACTA>

have an officially established Pirate Party so the process of protest organization was taken up by university students who had participated previously in the organization of protests against the rise in student taxes (Interview 2). These students who created the *No to ACTA Facebook* page in Bulgaria drew their knowledge on ACTA firstly from international NGOs such as *LQDN* and *EDRI*, and then from local bloggers who also read the same sources. So the first reason why Pirate Party actors were not prominent in Bulgaria was that simply there wasn't any powerful Pirate Party at the time.

But why did transnational actors not quote Pirate Party actors? As already discussed, in 2012 the Pirate Party was gaining momentum in Germany and Austria and was attracting new supporters. My answer is that the lack of quotations was not a coincidence but a conscious strategy of NGOs to avoid being connected to the Pirate Party. As mentioned in an interview (interview 7), Pirate Parties at this point lacked the political experience and knowledge of how EU institutions function in order to have a truly constructive and meaningful role in the debate. NGOs with a reputation established in numerous interactions with the EP were careful not to associate themselves quickly with the Pirates, whom they perceived as political opportunists with utopian visions of politics and little practical experience. Thus, the second reason why Pirate Party actors were not often quoted in the debate by NGOs (even in the cases where there were established and active Pirate Parties) was simply that NGOs did not want to quote such actors. NGOs wanted to present themselves as expert communities, as the voice of reason and legal expertise. Thus, the association with the Pirate Party did not seem a good idea in their strategy (Interviews 7, 11). The curious absence of Pirate Party actors in my analysis confirms what Tomasso Venturini once noted on the limitations of research based on information from the Web: "1. search engines are not the web; 2. the web is not the Internet; 3. the Internet is not the digital; 4. the digital is not the world" (Venturini 2012: 804).

What is more, there is an additional limitation of the directional data I have collected. While it provides important information on clusters of actors and on who quotes whom, a quotation or a reference, as I have already mentioned, might be a sign of agreement or disagreement. In order to check the proximity of actors to each other not on the basis of the existing links between them but on the basis of agreeing with each other and being discursively close, I collected two-mode data on the actors and the frames they use and

projected it into a network of actors clustered with regard to the frames they use and a network of frames clustered with regard to the actors who use them.

Bellow I have presented the actor-to-actor network projected on the basis of shared frames. The colours of the nodes correspond to the modularity class; the size of the nodes corresponds to the degree. On the actor-to-actor network one can clearly see two main clusters of actors. The bigger cluster to the right of the graph are the opponents of ACTA: the already mentioned *EDRi*, *LQDN*, the *EU IPR academics*, *Panoptykon*, *Internet Society Poland*, *FFII*, *Michael Geist*, *Centrum Cyfrowe*, *Digitale Gesselshaft*, *Netzpolitik*, *Eneya*, *No to ACTA*, etc. To the left one can clearly see the smaller and less interconnected group of pro-ACTA actors: *Velasco Martins*, *UK Intellectual Property Office*, the report of INTA on why to support ACTA, the *International Trademark Association*, the EU Commission (represented by the “10 Myths about ACTA” document), Karel de Gucht, the Australian Digital Alliance, the United States Trade Representative (USTR), etc.

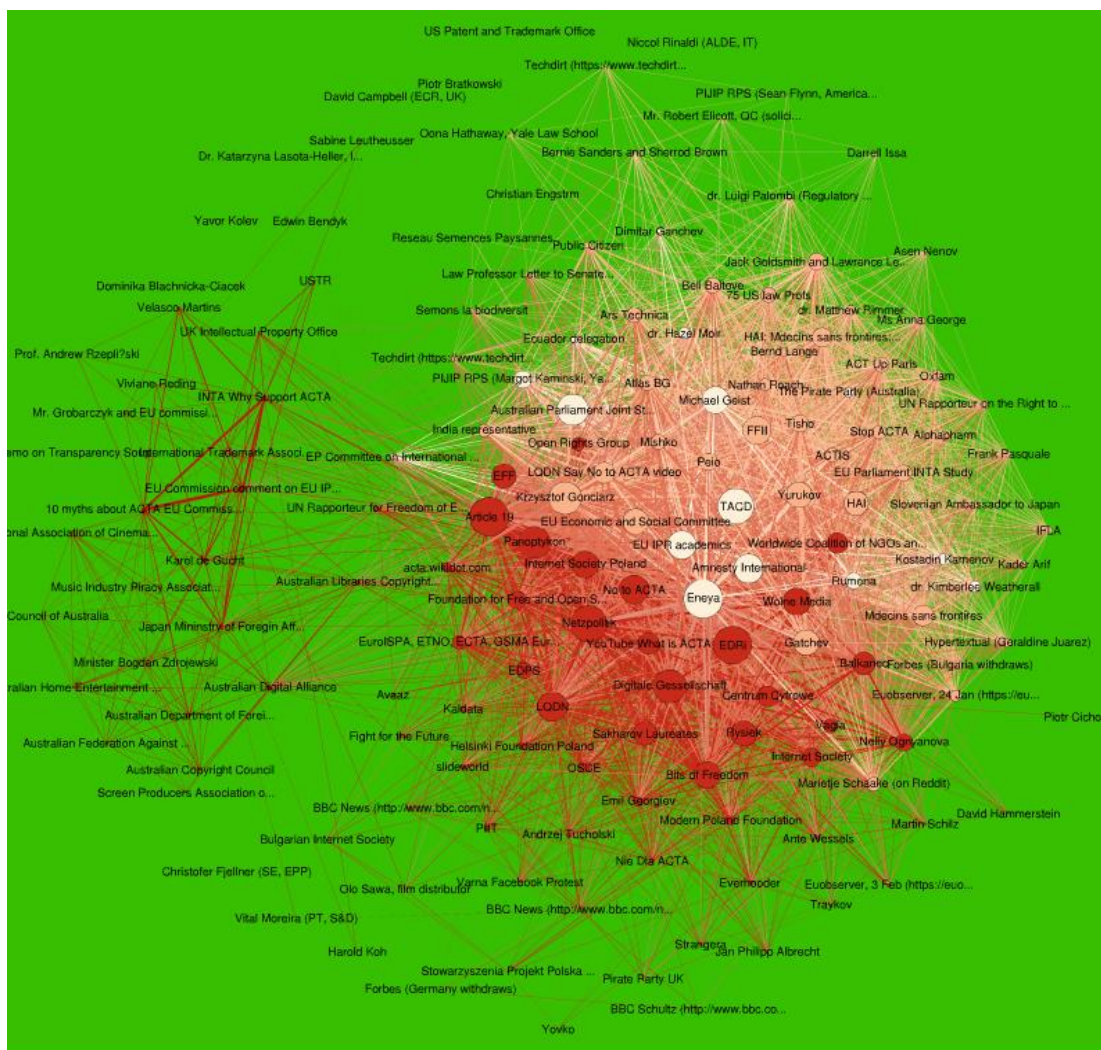


Fig. 39. An actor-to-actor network projected on the basis of shared frames.

While the directional networks of actors allowed us to trace who quoted/referred to whom, entering in dialogue with actors both for and against ACTA, the actor-to-actor network showing which actors share frames allows us to clearly see who is in favour and who is against the agreement.

After tracing how actors relate to each other with regard to the frames they use, I proceeded to visualize how frames cluster with regard to the actors who use them. On the graph below, the colors of the nodes correspond to the modularity class; the size of the nodes corresponds to the degree. One can distinguish a clear clustering of frames against ACTA in the left (in light pink) and frames in support of ACTA to the right of the graph (in dark red).

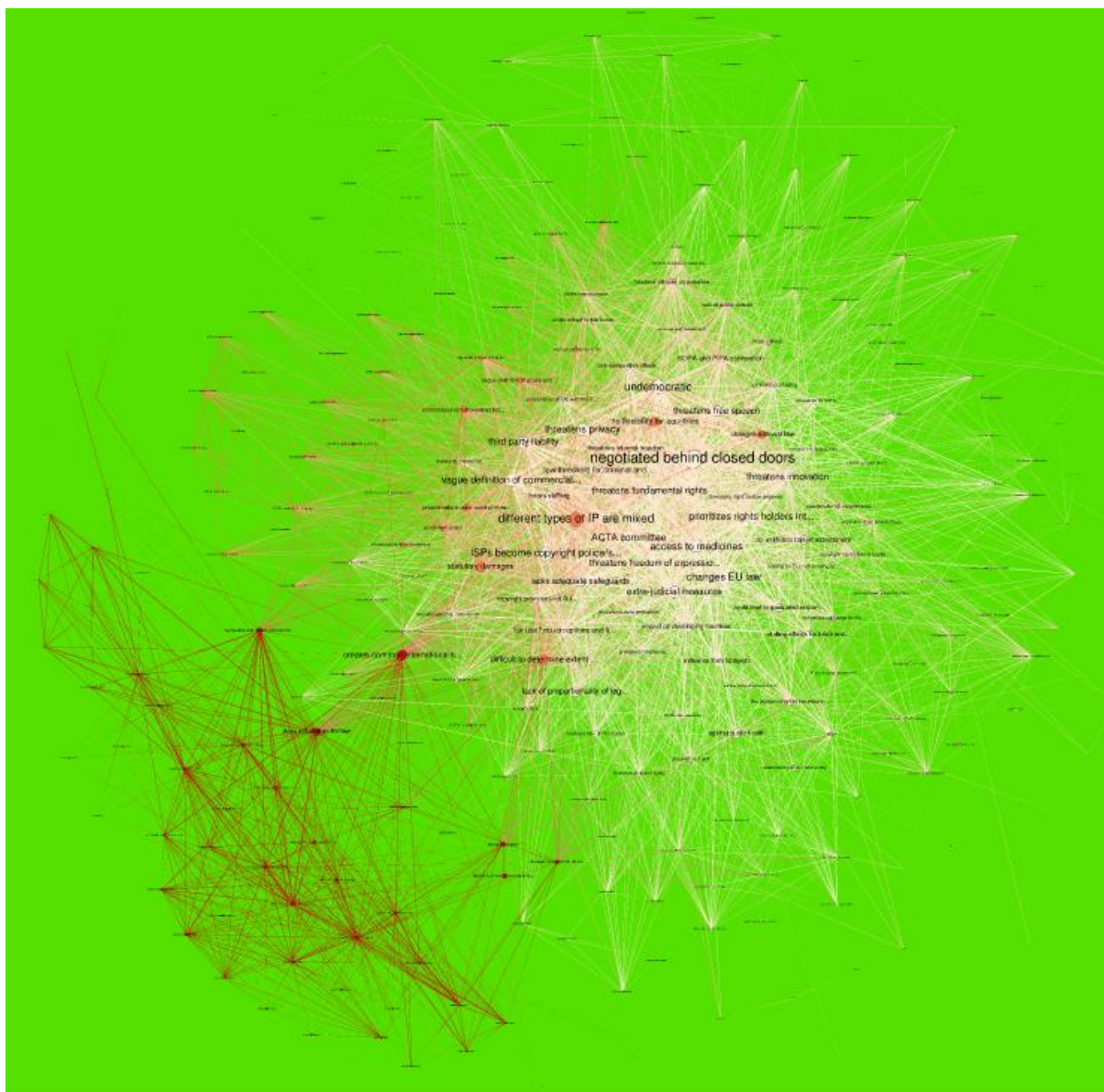


Fig. 40. A frame-to frame network projected on the basis of being used by connected actors.

Among the most popular frames in support of ACTA are: “creates common international standards for IP enforcement”, “does not change EU law”, “consultation process was adequate”, “ACTA is ONLY about enforcement”, “does not threaten free speech”, “does not threaten privacy”:

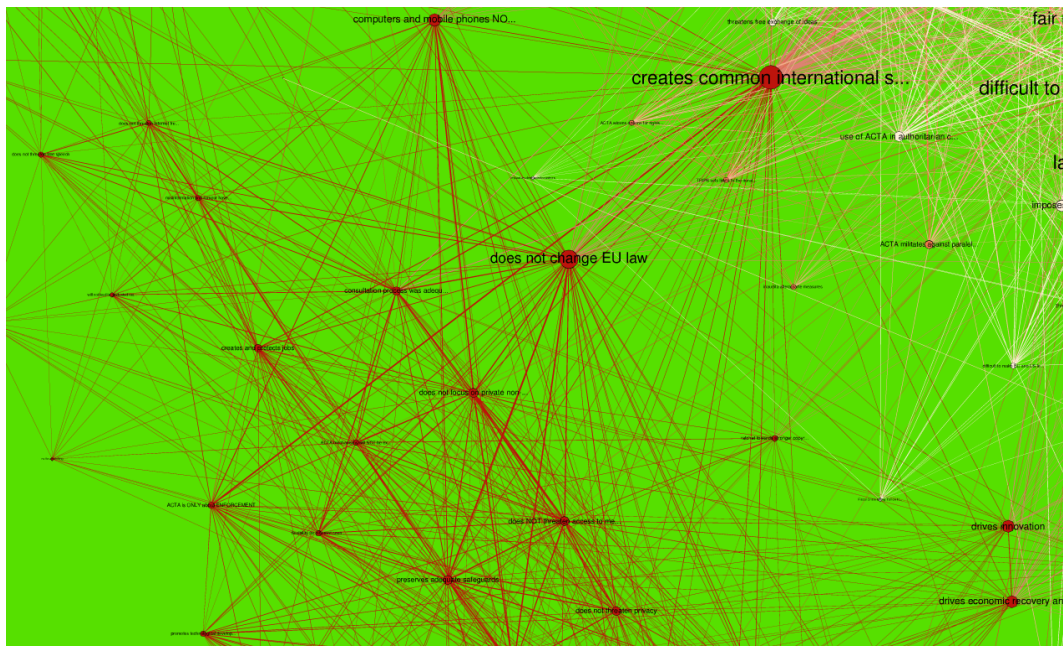


Fig. 41. Close-up of frame-to-frame network (I).

The core frames against ACTA are the already familiar to us frames: “negotiated behind closed doors”, “undemocratic”, “different types of IP are mixed”, “access to medicines”, “ISPs become copyright police”, etc.

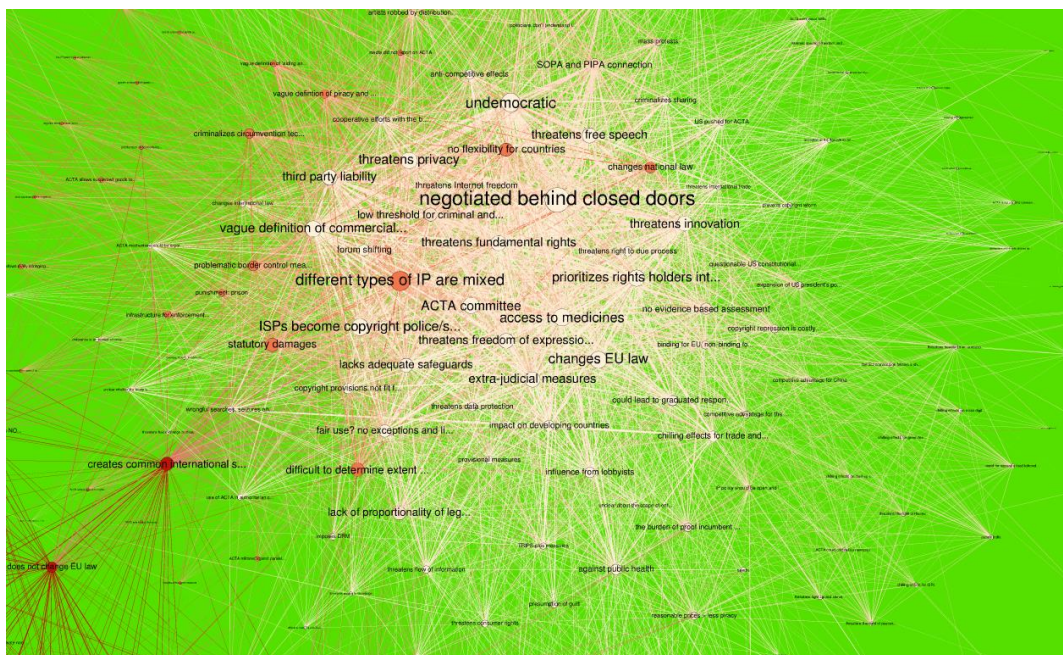


Fig. 42. Close-up of frame-to-frame network (II).

The creation of frame-to-frame networks is fascinating because it not only visualizes quantitative patterns that are pretty clear already from the raw data (such as frequency), but has the additional benefit of revealing how different frames are distributed with regard to the actors who use them and gives a clear sense of the extent of polarization of discourse. The combination of qualitative and quantitative characteristics of discourse-network analysis allows us to capture the meaning of frames, but also their relative relevance in terms of how often they are used, and the connections between those who use them.

**

Summing up the observations from this section, the main categories of frames used in the campaign against ACTA addressed procedural problems (secrecy/lack of democracy) and more substantive problems such as threats to human rights, prioritization of private interests, vague wording of the agreement, the way the agreement affects public health and access to medicines, its impact on developing countries, consumer protection, the many problems it poses in terms of intellectual property, the threats it poses to Internet freedom, the problematic aspects of its criminal provisions, and how it changes existing laws or threatens trade and innovation. There have also been sporadic nationally-specific frames whose importance in my dataset however remained marginal as NGOs tended to quote mainly other NGOs, all of them focusing on arguments that work best at the Brussels, i.e. at the transnational level. I will pay more attention to more nationally-specific frames in the next section which presents the results of a content analysis of *YouTube* comments in order to capture the frames used by protesters themselves. Finally, a lot of frames drew parallels between ACTA, SOPA, and PIPA and emphasized the lack of popular support for the agreement.

With regard to the direction of frame diffusion and the ways actors connected and formed discourse coalitions in the campaign against ACTA, the analysis of the one-mode directional data and the projections of the two-mode data have provided the following important insights: First, different organizations in the anti-ACTA campaign did indeed connect transnationally and engage in dialogue. Second, there was a clearly observable directionality of the flow of information from U.S. and transnational actors to actors at the local level. Bulgarian actors quoted each other and quoted transnational actors' analysis of ACTA, but they did not quote Polish actors for example. They were also not quoted by Polish actors or

transnational/U.S. actors. Thus, there was a clear transnational NGOs > national actors, centre>periphery flow of legal expertise and information with little significant feedback. The absence of actors such as Pirate Parties in my data was the result of their marginal importance for the anti-ACTA campaign in particular contexts (Bulgaria, Poland) and the conscious decision of expert NGOs not to quote and be associated with the Pirates, even considering their high relevance in other contexts (Germany, Austria, Sweden, for example).

Despite the modularity of the network of actors and the clear distinction between communities at the national level, at the transnational level and in the U.S., a set of common and agreed on frames clearly emerged in the campaign against ACTA. Especially encouraging with respect to the quality of the dialogue was the fact that claims about ACTA that were factually wrong (e.g. “bloggers might be liable for publishing a trademark in an article”) were pushed to the margins and were not widely shared and transnationally diffused. But falsity explains only in few of the cases why particular arguments remained marginal. As can be seen clearly on the graphs above, marginal frames were most often the frames of marginal actors, not integrated in networks of actors mutually quoting each other. And the other way round, the prominence of most frames that diffused transnationally can be explained with the way they were promoted by networks of actors linking to each other and quoting each other’s expertise in order to form a coherent and consistent discourse coalition against pro-ACTA actors.

The problem with this is that NGOs often depoliticized the discourse against ACTA, pushing forward frames that emphasized procedural problems and threats to human rights, at the expense of frames that addressed nationally specific political problems. People who went to the streets often had their own vision of what was wrong in ACTA that they shared in slogans, protest posters, *YouTube* videos, and comments on multiple online platforms. The frames of protesters were often very different from those of NGOs revealing that they sometimes they had a very different agenda while fighting for the same cause. Protesters often translated frames offered by NGOs in ways that were highly nationally-specific, thus for example interpreting “Internet Freedom” as freedom from communism or foreign oppression.

In the next section I pay close attention to the multiple layers of meaning that terms like “Internet freedom” acquired in the course of the campaign. Only by comparing the discourses of NGOs and protesters on the ground that remained more weakly connected to their fellow protesters in other countries, can we acquire a fuller and more thorough picture of the anti-ACTA mobilization and the reasons why people went to the streets to protest, despite the minus temperatures and often to the surprise of NGOs, who preferred to lobby in Brussels.

4.2. “Internet Freedom or Death”: How opposition to ACTA was framed by non-experts in Online Comments

During the 2012 protests against the Anti-Counterfeiting Trade Agreement (ACTA) in Bulgaria a protester waved a big flag with the mask of the hacktivist group Anonymous on its front side and the slogan “Freedom or Death” on its reverse side. “Freedom or Death” is a key historical phrase from the 19th century’s struggles for national liberation, which has been recently rediscovered by the far-right in Bulgaria. Seeing this flag prompted me to explore how protesters themselves framed their opposition to ACTA and to what extent the frames they used coincided with frames offered by NGOs. In particular, I am interested in: (1) how different historical layers of the concept of freedom (Koselleck, 2002) have been brought up in the discussions around ACTA, and (2) how the multi-layered history of the concept has allowed protesters on the ground to understand Internet freedom much more broadly than NGOs did.

In the previous section I traced the most common frames in the debates around ACTA, starting from the page of the national protest in Bulgaria and snowballing from there to official documents produced by transnational NGOs and NGOs, bloggers, politicians, and Internet activists in Bulgaria, Poland and Germany. This approach to data collection allowed me to categorize the frames used in the campaign and what is more, I was able to establish the directionality of frame diffusion, the different clusters of actors that formed with regard to the frames they used, and the different clusters of frames with regard to the actors they were used by. I triangulated my observations with information gathered from interviews in Brussels, Bulgaria, Germany, and Poland. However due to the strong network connections between NGOs that reposted each other’s content and created a coherent discourse

coalition, I was not able to trace frames used by non-experts, as they simply did not appear in my dataset. And this is precisely what I want to do in the current chapter. While NGOs offered a clear and coherent vision of what was wrong with ACTA, the popular protests came as a surprise to them. What is more, people in different national contexts often participated in bottom-up protests for unexpected and nationally-specific reasons. In the following paragraphs I will focus more on how protesters themselves framed the problematic aspects of ACTA and explore the often idiosyncratic reasons people gave for taking to the streets to oppose the agreement.

Such a task is difficult to achieve and poses multiple challenges in methodological terms. A Romanian case study based on questionnaires and administered to students soon after the protests against ACTA revealed that from a total of 183 respondents, 59% stated that they knew what ACTA was about, while 41% said that they did not know what ACTA represents. From those who affirmed they knew what ACTA was – 108 people, only seven gave a complete and correct explanation, while most of the people interviewed had only a partially correct image of what ACTA represented and in most of the cases addressed only the provisions of the agreement that were against piracy in the online environment. Only few participants mentioned aspects of ACTA related to counterfeit medicines and other crucial provisions that went beyond the digital environment (Maiorescu, Dina, Dobrea, 2014). The results from analysing one questionnaire in one particular country cannot be generalized, yet they give at least some substance to a claim that was often made by EU officials throughout the ACTA protests – that most of the protesters did not know what they were protesting about and that there was an uncontrolled diffusion of myths and false information about ACTA online (EU Commission, 2012).

The frames offered by NGOs, many of which had specialized in providing legal expertise on Internet issues (such as data privacy and copyright), were evidence-based and bulletproof to accusations of lack of expertise. Yet, often in TV interviews in mainstream media or comments online, protesters, non-affiliated to parties or NGOs, would put forward arguments such as protecting the right to download, protesting the New World Order, and preventing Nazism from coming back. It is precisely these non-expert frames against ACTA that I would like to explore in the current chapter. I want to explore *what arguments did protesters, non-affiliated to NGOs, give against ACTA in different national contexts*. I am

particularly interested in comparing the frames, offered by protesters in Bulgaria, Germany, and Poland in opposition to ACTA. The question naturally arises: on the basis of what data could I identify and compare these frames? As demonstrated in the previous chapter, transnational NGOs rarely quote national NGOs, not to mention protesters. So how could I possibly find instances of protesters' frames?

One of the options I considered was to compare comments to online articles on ACTA. However, the issue of comparability quickly became a problem. How could I be sure that the comments to an article in a left-wing German newspaper are comparable to the comments to an article in a right-wing Polish newspaper? Could it be that the frames I interpreted as being used by protesters in general were in fact just frames used by a small segment of the population? I solved this problem by deciding to analyse the comments on a platform that is common to all the countries I observe and attracts diverse audiences both from the left and from the right: *YouTube*. Needless to say, I cannot prove that every person who has commented under a YouTube video on ACTA has attended the anti-ACTA protests (apart from cases in which users explicitly wrote "I was at the protest" in their comments). Yet, an analysis of the comments to *YouTube* videos on ACTA gives a good general idea of the frames that have been most popular among non-experts interested in ACTA. The interest in ACTA can be taken as given, considering the fact that the users have loaded a video, watched the whole video or at least parts of it and have taken time to comment.

In order to get an approximation of the opinion of non-experts interested in ACTA, I decided to analyse the comments to the most viewed videos related to the anti-ACTA campaign on *YouTube*. For each of the countries: Bulgaria, Poland and Germany, I performed a *YouTube* search with the terms "ACTA" and "protest" and singled out the top five videos in terms of views (the list of videos with links to them can be found in the Appendix). Then I read through the comments on these videos, which, as already mentioned, were more than 3000 and coded them allowing the categories to emerge from the material. I chose the 5 most-viewed videos for each of the countries I focus on (Bulgaria, Germany, and Poland) and analysed more than 3000 *YouTube* comments under those videos. Even though 3000 comments is a large number, most of them were short phrases such as "greetings from Austria", "well done!", and a lot of curses. Excluding these comments, I categorized the comments related to ACTA in nine broad categories some of which coincided with the

categories of frames I extracted when reading NGOs' materials, while others were highly idiosyncratic and did not coincide. The nine key categories of frames that emerged from the *YouTube* comments are:

- dissatisfaction with the broader political situation
- solidarity with ACTA protests from abroad
- encouragement of citizen activity
- traditional media (don't) report adequately
- national pride
- communist/nazi past
- intellectual property problems
- new world order conspiracies
- Internet freedom

The two categories of frames that were used both by NGOs and users commenting on ACTA videos online are "intellectual property problems" and "Internet freedom". In my analysis of NGO frames I classified as part of the "nationally-specific frames" both frames related to "national pride" and "communist/nazi past". However, while frames related to single nations were rather rare in texts produced by NGOs, in *YouTube* comments such frames were so common that I decided to categorize them in two separate categories "national pride" and "communist and nazi past", in order not to lose detail.

In the following paragraphs, I will discuss the result of my content analysis and explore the different ways in which users online have formulated their criticisms of ACTA.

**

"They Might Take Our Lives but they will never take our Freedom": As one might imagine, I was genuinely surprised to see this quote from "Braveheart" in the *YouTube* comments to a video with images from the protests against ACTA in Sofia. This type of exaggerated statements interpreting "Internet freedom" in a highly nationalist sense however appeared again and again in videos on ACTA, not only in Bulgaria but also in Poland and Germany⁵⁹:

Ceapa Degerata 4 years ago

⁵⁹ I have kept the original English of comments that were written in English. I have also translated into English all comments that were originally in Bulgarian. I thank Manès Weisskircher for his translation of comments that were originally in German and Agnieszka Smolenska for her help with translating comments from Polish.

*Dear Bulgarian people, you are a brave nation! They were trying to bullshit you brothers, but you said "NO, We Won't Swallow Any More Lies". They were trying to steal your pride and identity brothers, but they don't know you already paid for your freedom in blood! You've been through HELL and came back riding on your FREEDOM, and now you can't live without it anymore. The entire EUROPE kneels before you brothers!*⁶⁰

The comments above reveal a certain conflation between the freedom of a nation from foreign oppressors and Internet freedom. The rhetoric of war and rebellion are particularly remarkable, considering that what is opposed in the case is a highly technical trade agreement. A user from Poland elaborates more on why ACTA could be a threat to freedom and points to the risk of censorship:

duzeq4 years ago

*polish ppl know what censorship is, that's why we rise! We want to show the world what democracy is. We want to say "ENOUGH" to bastards who want to bring another Orwell's world vision to our world. It's not about nationality anymore. We'll fight for the europe, usa, for all of you! But the next steps are yours! We started a war, and we need you to continue and spread it through all countries! Let's make it real, let's show elites who is really running this place!*⁶¹

This last comment urges us to move beyond the logic of nationality and frames the fight against ACTA as a fight for more democracy against the elites. Nevertheless, the rhetoric of war is present again: "We started a war, and we need you to continue". The fight against ACTA is presented in many cases not only as a fight against foreign oppression or elites, but also as an opposition to governments and organized power in defence of liberty:

Alekz4 years ago

⁶⁰ Comment to the video: <<https://www.youtube.com/watch?v=6Y59XxJoStA>> [15.04.2017].

⁶¹ Comment to the video: <<https://www.youtube.com/watch?v=jrdNKcUpJPg>> [15.04.2017].

The internet is the last free thing we have people!! The government controls or regulates everything else, we cannot let them have the internet or we will have nothing, and that is when liberty dies!!!⁶²

Needless to say, not all users' comments reach such a level of dramatic intensity. For many users who comment, "free" means above all "gratis", and thus a free Internet is an Internet that allows the free downloading and sharing of files online: a line of argumentation rarely present in the frames offered by NGOs:

Благой 4.2 years ago

YOU MAY TAKE MY FREEDOM, BUT YOU WILL NEVER TAKE MUH TORRENTZ!⁶³

Andy Grigoraş4 years ago

A.C.T.A is trying to close the internet forever....No piracy, no downloading, no uploading....ABSOLUTLEY NOTHING (you'll need to buy all the PC programs you use...all the games you play...EVERYTHING) LeAve ThE InTeRnEt AlOnE!!!!!!⁶⁴

Obviously, this type of interpretation of freedom has very different connotations from freedom in the sense of "national sovereignty". In this case, freedom is understood as freedom of access to software and cultural products. The very notion of *access* points to an economic dimension of the anti-ACTA protests that was ignored by NGOs but was often present in users' comments:

Im a wizard4 years ago

heey, it was a big protest. Well done, we Bulgarians like our free pleasures. When they give us European salaries and people have money, when 20 leva won't be a big thing, let them then ratify this law⁶⁵

Brigitte Plattner4 years ago

I thank this young man and the one, who uploaded the video. Thanks a lot. I think, all young people should still have balls, as you describe Courage here, because the old have almost all ducked down to become mentally impotent. Our basic rights are sold out. Finally ban GEMA! GEMA is deprivation of liberty! How can a private

⁶² Comment to the video: <<https://www.youtube.com/watch?v=jrdNKcUpJPg>> [15.04.2017].

⁶³ Comment to the video: <<https://www.youtube.com/watch?v=6Y59XxJoStA>> [15.04.2017].

⁶⁴ Comment to the video: <<https://www.youtube.com/watch?v=6Y59XxJoStA>> [15.04.2017].

⁶⁵ Comment to the video: <<https://www.youtube.com/watch?v=6Y59XxJoStA>> [15.04.2017].

*organization have the right to exclude the whole world of artists from Germany YouTube. Only in Germany does this Gema-curse exist!*⁶⁶

The last comment points also to the factually wrong belief among many in Germany that ACTA was somehow associated with the blocking of *YouTube* videos online. This was an unsubstantiated assumption, as the German performance-rights organization GEMA was already geo-blocking *YouTube* videos without relation to ACTA, as part of a long going dispute, in which GEMA insisted for remuneration by *YouTube* for uploaded videos of their performers (interview 10). Regardless of the lack of factual foundation, the resistance to GEMA's geo-blocking practices was an important reason to protest against ACTA in Germany.

In addition, as seen already in the first comment I have quoted, many users underlined that ACTA could lead to strong censorship and curtail freedom of speech, a point on which they were very much in line with NGO's analysis.

Electrob0lt4 years ago

*Is it even mentioned once in these comments that ACTA would also signify censorship, total surveillance of internet connections and a massive restriction of freedom of speech in the net?! That protected material could not anymore be circulated just like that, fair enough, but that is only the tip of the iceberg!*⁶⁷

Unlike NGOs, users commenting online addressed the procedural aspect of negotiating ACTA rarely (twice to be precise) in the 3000 comments that I explored:

buellfreak4 years ago

*The thing that bothers me the most is that the ACTA treaty was conducted behind closed doors by corporations and few elected officials involved. It needs more transparency. Unless the corporations have something to hide?*⁶⁸

The argument for protection of intellectual rights is dismissed by many users who see protection of intellectual property as nothing but an excuse for introducing censorship, as it is familiar from the times of communism or the nazi regime, depending on the national

⁶⁶ Comment to the video:

<<https://www.youtube.com/watch?v=nqklv0Wa7hg&index=6&list=PL23E295AB88A40E82>> [15.04.2017].

⁶⁷ Comment to the video: <https://www.youtube.com/watch?v=iej4o_tkeJc> [15.04.2017].

⁶⁸ Comment to the video: <<https://www.youtube.com/watch?v=jrdNKcUpJPg>> [15.04.2017].

context. Thus, freedom in this context is often understood as freedom of speech and expression, freedom to share one's opinion and thoughts, without threat of physical punishment. On the other hand, multiple users draw parallels between experiences from the communist/Nazi past and the provisions of ACTA:

orasis4 years ago

They weren't protesting intellectual property rights! They were protesting the intelligence gathering within the act, the Polish people were under secret police not very long ago, they actually remember what totalitarian surveillance is. Read ACTA, it's not just about copyrights it's about expanding state surveillance on all Internet services. ⁶⁹

asiaczeeek4 years ago

*I'm proud of being Polish. We overthrew communism and we don't want to come back to this sick political system which limits our freedom. I hope that Polish strikes will set a good example for other countries and whole Europe will be against ACTA!*⁷⁰

luwdmke4 years ago

*Censorship and tyranny is no stranger to Poland. History repeats itself, remember the 63 day war? My guess is that it will probably get repackaged into a different name and secretly passed into law anyway. Say no to SOPA / PIPA / ACTA.*⁷¹

Azaradel4 years ago

*Old boy, acta must not prevail that is yuk: a new STASI.*⁷²

It becomes evident from the comments quoted above that the concept of "Internet freedom" has different historical layers, being interpreted as freedom in the romantic nationalist sense, but also in the sense of avoiding communist censorship. In addition, it has been interpreted as freedom of expression, but also and equally importantly, as freedom of access. Internet freedom in the *YouTube* comments analysed is rather far away from the human-rights, procedure-centred arguments promoted by NGOs and is instead inextricably intertwined with questions of national sovereignty and historical past.

⁶⁹ Comment to the video: <<https://www.youtube.com/watch?v=jrdNKcUpJPg>> [15.04.2017].

⁷⁰ Comment to the video: <<https://www.youtube.com/watch?v=UGd8TJj3xek>> [15.04.2017].

⁷¹ Comments to the video: <<https://www.youtube.com/watch?v=jrdNKcUpJPg>> [15.04.2017].

⁷² Comment to the video: <https://www.youtube.com/watch?v=iej4o_tkeJc> [15.04.2017].

The protest against ACTA is interpreted often through the prism of national politics. The shameful loss of national sovereignty in the face of U.S. demands can be understood as just one moment in a chain of broader historical events:

niokkota4 years ago

The servant is a servant! Once he has been a servant of Todor Zhivkov [the Bulgarian communist dictator, comment mine] he would become a servant also of the U.S. and the EU.⁷³

Alexander Kurtev4 years ago

Oh, I have never doubted that we would sign ACTA. We are so asleep that even if they bring back the Janissary blood tax [a recruitment system in the Ottoman Empire involving the kidnapping of young Christian boys, comment mine], we would still do nothing. We are the most do-nothing state in whole of Europe.⁷⁴

StreetDriftRacer4 years ago

ACTA is like the Ottoman Empire of the Internet. Death for ACTA! Well-done to all Bulgarians and other states that fight.⁷⁵

The comments quoted refer to the lack of resistance to the Bulgarian communist regime, to the contemporary subservience of Bulgarian foreign policy to the U.S. and the EU, and even to the Ottoman Yoke that lasted for five centuries in Bulgaria. The common element between all these historical events and the signing of ACTA is the loss of national sovereignty. Nevertheless, comments such as “ACTA is like the Ottoman Empire of the Internet” do exaggerate the potential influence of ACTA and serve as useful hyperbolas to mobilize resistance. In fact, reference to turning events in political history abound also in Polish users’ comments on ACTA:

HussarDLAI4 years ago

Poland First To Fight! We have fighting in our genes! "From Poland will come the spark which will ignite the whole world..." Let the revolution begin...

Majsta4 years ago

⁷³ Comment to the video: <<https://www.youtube.com/watch?v=IGkGpbTGnIE>> [15.04.2017].

⁷⁴ Comment to the video: <<https://www.youtube.com/watch?v=IGkGpbTGnIE>> [15.04.2017].

⁷⁵ Comment to the video: <<https://www.youtube.com/watch?v=6Y59XxJoStA>> [15.04.2017].

World History: 1939-Poland first stood to fight 1989-Poland first destroyed Steel Curtain 2012- I World Global Protest- USA first defended against SOPA, PIPA, Poland first stand to fight with bigger enemy ACTA⁷⁶

Interestingly enough, the nationalist twist in the anti-ACTA protests is mostly absent from the German comments on *YouTube*. There, messages for international solidarity abound. Among the most viewed ACTA videos I analysed there was a video message of gratitude from protesters in Mainz to Polish people who were the first to protest. The message is followed by thankful comments by Poles but also by intense historical discussions on the past of Germany and Poland, and whether it could be overcome:

@xAntildiot

Another lefty, dumbed down by TV idiot. It's thanks to the fucking Germans that our position in Europe is what it is. You can't ignore history because what would be our country otherwise? Anyway if you think that the Germans have changed since WWII you're an uninformed idiot.

mapakota4 years ago

PEOPLE TOGETHER + INTERNET + FREE MARKET = PEACE AND LOVE What we can see here is a simple equation. Politics=war. People together+internet+free market=peace and love. BTW. Love your language, cars, Bamberg and beer!

Adamuss694 years ago

Thank You German friends! Young generation do respect and like very much our western neighbours. Mistakes of the history is a past of our grandparents, and we are NOW for a friendly, better future for all of us - real people in united Europe ! Stop Acta! Stop TV propaganda! Free Internet ! Crash the barriers between people made by politics not nations!⁷⁷

ACTA became an occasion for discussing Polish-German relations and a constant tension could be noted between more nationalist comments and comments that insisted on the necessity to overcome national differences and painful historical legacies, and unite in the fight against ACTA. The agreement was opposed both by nationalists and by their

⁷⁶ Comments to the video: <<https://www.youtube.com/watch?v=jrdNKcUpJPg>> [15.04.2017].

⁷⁷ Comments to the video: <<https://www.youtube.com/watch?v=OJ6qvCgaDGE>> [15.04.2017].

opponents. In fact, opposition to ACTA was articulated and bridged with a variety of political issues. Users often connected the struggle against ACTA to the general dissatisfaction with the current political situation and drew parallels with the Arab Spring and the Occupy movement, for example:

Veronica Petrova4 years ago

*after I saw so many photos and videos from "Occupy movement", after I saw Gasland- the documentary movie by J. Fox (and doc.-movies like this...), I start to think, I believe that us-police, us-corporations , with help and "green light" by Us-politics Are Aggressors Against U.S.-Citizens. .. but we are 99%! IT'S A PLANET NOT AN EMPIRE * :) we shall win*

omiblingbling4 years ago

yes people!!! unite! lets show them they made the big mistake ever! WERE ALL ONE! fuck the 1%ers...we are 99%....we will own the govt...no more games!

Slu4ainika4 years ago

Well done for the protest, I also joined, but it would be nice to organize protests for other causes as well. There were many more important things in the last 10-15 years that couldn't make us leave our houses. After Katunitsa [the name of a town where a young boy was murdered by a close associate of a local Roma boss, comment mine], where were the protests to show that people are awake. Admirations and we should gather like that more often, enough with being oppressed!?That's enough! No more oppression!⁷⁸

The ACTA issue was discussed in relation to the Occupy movement targeting global inequality, but also to nationalist mobilizations in Bulgaria against crimes by the Roma minority in general, after a murder committed by an associate of a Roma boss. Again, there is no clear profile of anti-ACTA protesters, as the issue is bridged with a wide variety of causes both on the left and the right of the political spectrum. A comment by “a citizen of the Internet Polish republic” emphasizes that what is at stake with ACTA above all is government responsiveness, or rather the lack of it - the feeling that the government takes into account people’s real concerns and is not following its own agenda. Thus, the user

⁷⁸ Comments to the video: <<https://www.youtube.com/watch?v=6Y59XxJoStA>> [15.04.2017].

urges the government to leave the Internet alone and focus on protecting the interests of citizens, as opposed to the interests of business and big companies:

You have taken almost everything we have, introduced every possible taxation, giving in return pauper wages, now you try to take the last bastion of our freedom: The Internet. We won't give it up. Your responsibility is to take care of the interests of the citizens, not media companies. Your responsibility is to defend Polish men and women not a few show business figures. Your responsibility is to act for the benefit of independent artists, not RIAA. You have signed ACTA without listening to the society, you have ignored all the protests. Thousands of people in the streets, thousands of web pages protesting and you never speak about it Is your next step the 'temporary detention' of inconvenient artists? Will you put Poland in a state of Emergency like a Communist Dictatorship? We have given you the right to rule! You are subject to us! No the other way round. Leave the Internet alone and do your job! Have you finished the highways yet?

A citizen of the Internet Polish republic.⁷⁹

My claim is that without paying attention to the complex, multi-layered, and highly-nationally specific concept of Internet freedom, we cannot really explain why the opposition to ACTA become a cause both for the nationalist far right and for the anarchist left, for both transnational NGOs and for anti-European local mobilizations, both for liberals and for enemies of liberalism. The promises of new technologies are often articulated with the help of old concepts. This is the reason both for their appeal and for the inherent contradictions they come with.

Comparing my observations from this chapter with the analysis of NGOs' frames in the previous chapter, I conclude that the transnational NGOs have chosen to focus mainly on the procedural aspects of Internet freedom and the ways it affects fundamental rights. Clearly, the existence of a set of common core frames produced by experts and diffused in different national contexts contributed to a remarkable homogeneity and consistency of the arguments against ACTA presented to the European Parliament. But it also did not allow

⁷⁹ Comments to the video: <https://www.youtube.com/watch?v=YPiV_SB-scM > [15.04.2017].

other more subversive messages, which often appeared in popular protests, to break through and “spoil” the single-issue debate.

The strategy of the NGOs was extremely productive in terms of defeating the concrete trade agreement ACTA and getting the European Parliament to reject it without entering in painful and unnecessary political deviations. But it meant also a missed opportunity to build important chains of equivalence and to connect different struggles. What the analysis of both the frames used by NGOs and the frames used by protesters reveals is that the reasons for the protests could not be summed up with ACTA, no matter how controversial the agreement was. There was an excess of anger and grievances that went beyond opposing ACTA and as, observed in Chapters Three and Four, the countries that protested against ACTA the most were precisely the countries that to this moment had not had any major sustained anti-austerity mobilization. Thus, the protests against ACTA in a way expressed dissatisfaction with the current political situation in these countries, without reaching a level of generality that would question the political system. This level of generality was reached the earliest in countries such as Spain, Greece, Portugal and Italy which did not have anti-ACTA protests but witnessed comprehensive critiques of their political systems, mass mobilizations (bottom-up or top-down) and experimentation with different democratic forms.

In a similar line of thought, Mattias Bjarnemalm, the Internet policy advisor of the Greens in the EP, suggested in an interview (interview 9) that the protests against ACTA in Eastern Europe were to a large extent protests against national governments and ACTA became a symbol that concentrated popular rage against bad quality of life and corruption. Such an observation fits well with the fact that, for example, in Bulgaria, the organizers of the protests against ACTA later on became organizers of the anti-government university occupation in 2013. The whole 2013 in Bulgaria was marked by protests against governments both from the centre-right and the centre-left. In Poland, Germany and Austria there was a resurgence of the far right, visible both in protest politics, the rise of PEGIDA, for example (Berntzen and Weisskircher, 2016), and in electoral politics: the rise of AFD in Germany (Arzheimer, 2015; Baldini, Gianfranco and Bolgherini, 2013), the Freedom Party in Austria (Akkerman et al., 2016) and Law and Justice in Poland (Fomina and Kucharczyk, 2016).

To sum up, the analysis of protesters' frames shows clearly that ACTA was often perceived as a cause related to national pride, it was opposed using frames that urged not to repeat the communist/nazi past and to rebel against attempts to curb freedom understood as freedom in a variety of ways. The analysis of protesters' comments on videos related to ACTA in fact confirmed that the anti-ACTA protests were often perceived by supporters as part of a wider struggle that included also the Arab Spring and Occupy. Thus, in countries such as Bulgaria, Poland, and Germany the anti-ACTA protests filled the space of large anti-austerity protests that took place in countries such as Spain and Italy. This wider anti-systemic element of ACTA was completely ignored by NGOs that focused on much more technical legal frames and did not engage in political interpretations and ideological battles.

**

To sum up the findings from the last two sections exploring the diffusion of expert and non-expert frames on ACTA, I show that transnational NGOs managed to achieve a mixture between channelling protesters' frames and ignoring them in order to offer to members of the European Parliament evidence-based and supposedly "neutral" legal arguments. At the same time, protesters at the national level used NGO-provided frames but often interpreted them in nationally-specific ways, and introduced new types of frames that were more relevant for the national political context. What happened ultimately, was that NGOs frames managed to diffuse transnationally and formed the basis of a common and coherent transnational dialogue, while the frames put forward by non-expert protesters at the national level remained at the national level, i.e. there was no cross-country diffusion of protesters' frames. Ultimately, NGOs were extremely efficient and effective in doing their job, managed to convince members of the EP, and achieved a crucial legislative victory. Undoubtedly, their expert pressure would have been much less pronounced if it weren't for the popular protests, whose messages they approached selectively. Nevertheless, the consequence of the way NGOs pushed for their own frames was not only their remarkable success but also the politicization of ACTA as a single-issue, disconnected from larger political battles.

Thus, addressing my second research question, the reason why particular frames managed to diffuse transnationally and others did not is that the frames that diffused were promoted by transnational networks of connected actors with core nodes in Brussels, while those that

failed to diffuse failed because they were *NOT* promoted by the same networks. Diffusion itself is a highly political process and in order to diffuse their preferred set of frames transnational NGOs counted on their national partners (thanks to pre-established connections) and the national partners, in their turn, counted on the expertise of transnational NGOs to legitimize their use of particular frames. Actors who were not well transnationally connected, had neither the authority nor the leverage to push forward their frames and propagate them across different countries.

Ultimately, however, the battle against ACTA did not happen only on a discursive level. The fate of the agreement was not decided in a polite exchange of remarks and publishing statements. On the contrary, protesters chanted their slogans and filled squares in thousands; NGOs used actively their frames as a weapon to convince in the corridors of the European Parliament, via thousands of emails that blocked MEPs accounts, on phone lines, in leaflets distributed on the streets, and in videos created by animators. All these actions were accompanied by petitions signed by millions and what is more, they were accompanied by Anonymous hacking key websites all over Europe.

In the following last section of this chapter, I trace the diffusion of different forms of contentious action in the campaign against ACTA and explore in more detail how these different forms of contentious action interacted and often clashed, while aiming at the same goal – stopping ACTA.

4.3. "A mega-uber-awesome war": The Diffusion of Forms of Contentious Action in the Mobilization against ACTA

At the time of writing the ncpw.gov site's frontpage still had Anonymous's message up. The statement clarified that the attack was a warning to the governments of the world, promising that should ACTA be signed by all negotiating nations, further attacks would occur.

*"If ACTA is signed by all participating negotiating countries, you can rest assured that Antisec will bring a f*****g mega-uber-awesome war that rain torrential hellfire down on all enemies of free speech, privacy and internet freedom. We will systematically knock all evil corporations and governments off of our internet," read Anonymous's statement.⁸⁰*

When discussing the campaign against ACTA in the previous sections of this chapter, I analysed predominantly textual materials – documents produced by a variety of actors, including NGOs, protesters, and politicians, among others, or comments by online users. However, one of the unique things about the mobilization against ACTA was the richness and variety of forms of contentious actions employed, among which many new forms of digital activism including blackouts of websites, DDoS (distributed denial of service attacks) led by the hacktivist collective *Anonymous*, online petitions, production and distribution of videos related to ACTA, spontaneous creation of numerous *Facebook* protest events, organized sending of emails and calling members of the EP and many more. Some of these forms of contentious action were contested by members of the campaign: for example, NGOs were often quick to distance themselves from the mischievous *Anonymous* and were not always convinced of the impact of online petitions, while *Anonymous* did not see any point in negotiating and preferred to act quickly. In other cases, the difference between various forms of contentious action became an asset and was used strategically to gain legitimacy, reach larger audiences and pressure decision-makers. For example NGOs lobbied MEPs in Brussels but also created animated videos and provided printed materials explaining ACTA to protesters, in order to be sure that protesters were protesting for the

⁸⁰ Anonymous Hackers 'Protest' ACTA Defacing government Trade Sites.
<http://www.ibtimes.co.uk/anonymous-hackers-hack-acta-protest-300303> [20.01.2017].

right reasons, while the protests themselves provided legitimacy to the NGO's lobbying efforts and provided them with much needed momentum.

In the current last section of this chapter, I explore what types of contentious action diffused and how different forms of contentious action clashed and/or were integrated into a common campaign. I provide an overview of the main forms of contentious action in the anti-ACTA campaign and show that while some of them, such as DDoS attacks, managed to spread in different national contexts, others such as street protests spread only in some countries, while innovative lobbying tactics remained exclusively at the Brussels level. Nevertheless, the productive tension between the different time horizons, levels of engagement, and extent of confrontation, characteristic for each form of contentious action, in fact allowed actors to reach broader audiences in a variety of national and institutional contexts. Not all forms of contentious action diffused in all contexts, but the combination of different forms of contentious actions had a powerful overall effect.

To begin with, already on January 20, 2012 *Anonymous* started a massive DDoS attack on governments and entertainment websites in retaliation for the closure of the torrent tracker *Megaupload* on the 19th of January (CyLaw, 2012). The list of websites defaced by *Anonymous* expanded throughout the next week not only in terms of numbers of websites that were taken down but also in terms of country coverage. While on the 20th of January the websites attacked were mainly in the U.S., France, and New Zealand, on the 21st *Anonymous* targeted also websites in Brazil, Portugal, Spain, the Netherlands, and Poland, including the websites of the Polish Parliament, Prime Minister, President, Ministry of Culture and National Heritage, and later on the websites of the Polish Police, the Internal Security Agency and the Ministry of Foreign Affairs among others. In fact, *Anonymous* took full responsibility for the attacks on Polish government websites and even referred to their actions as “the Polish Revolution”. The groups stated that their actions were a revenge for the upcoming signing of ACTA by the Polish government (Radio Poland, 2012).

On January 23 *Anonymous* defaced also Austria's Ministry of Justice website, and on the 24th the group took down the website of the European Commission and the Italian Ministry of Justice (CyLaw, 2012). On the 27th there was a series of coordinated attacks against the Mexican government, pointing to the long history of opposition to the agreement in the

Mexico.⁸¹ In a sense, the hacktivist collective *Anonymous* initiated a truly global, transnational campaign against ACTA: defacing as a form of contentious action spread like a wild fire, from the U.S. to Poland to Mexico, and back. On February 3 *Anonymous* took down the website of the Association for Management of Collective Music Rights *Profon* in Bulgaria⁸², and in Slovenia *Anonymous* defaced the website of the Nova Ljubljanska Banka [New Ljubljana Bank], accusing it of corruption⁸³.

Hacktivism spread also in countries in which there were no street protests against ACTA, such as Italy or Greece. On January 28th *Anonymous* defaced the website of the Greek Ministry of Justice and posted a video with the following message:

Greetings Greece! We are Anonymous.

What is going on in your country is unacceptable. You were chosen by your people to act on behalf of them and express their wishes, but you have derogatorily failed. You have killed the most sacred element your country had and that is democracy.

Democracy was given birth in your country but you have now killed it. What an irony! Your own people hate you and you stare at them doing nothing to prevent that. You have joined the IMF against your people's acquiescence. You have so introduced a new dictatorship upon your people's shoulders and allowed the bankers and the monarchs of the EU to enslave them both economically and politically. They pay their government's mistakes heavily and you made foreign people hate them for something they are not responsible for. What a shame! Police is taking advantage of its powers and attacks people who demonstrate in order for justice to be done. They demonstrate against you but you do not want their voices to be heard. You deprive them from their right of freedom of expression and of their right to live. Your arbitrary actions must be punished. By signing the ACTA bill you are going to deprive

⁸¹ In fact, Mexican activists campaigned against ACTA already in 2010-2011 and convinced the Mexican Senate to unanimously reject ACTA. Which however didn't stop the Mexican president to sign the agreement two years later in July, 2012, exactly the month when ACTA was rejected by the European Parliament (Haggart, 2014). As my work focuses on the resistance to ACTA in EU countries, I have not explored cases such as Mexico in detail, and yet they appear prominently when I focus on hacktivism rather than on NGO's alliances and protesters on the ground.

⁸² <http://www.slusham.com/haknaha-profon-zaradi-akta> [29.05.2016].

⁸³ <http://www.24ur.com/novice/slovenija/na-nasprotnih-bregovih-acte.html> [29.05.2016].

*your people from further freedom and you are pushing them one step towards oppression. You ignored our warnings and now WE ARE IN CHARGE!*⁸⁴

The message of *Anonymous* to Greece combines seamlessly the topic of the signature of ACTA with the acceptance by the Greek government of the rescue plan imposed by the IMF. The common feature of these otherwise non-related events is the lack of democratic decision-making and responsiveness to people's opinion and concerns. The *Anonymous* attack of the Greek Ministry of Justice was not followed by substantial anti-ACTA street protests. Similarly to Portugal, Spain and Italy, Greece did not participate in a significant way in the mobilizations against ACTA (there were no more than 300 people protesting against ACTA in Thessaloniki). Meanwhile, on the 10th of February 2012 the Greek Government approved the draft bill of a new austerity plan that included a 22 per cent cut in minimum wage, 150 000 jobs cut from the public sector, pension cuts, labour market liberalizations, and privatisations worth €15 billion by 2015. In these circumstances ACTA could hardly be a major concern for the Greeks. In fact, on 11th of February, the day in which the biggest protests against ACTA took place across the EU, the Greek Prime Minister Lucas Papademos warned that if the country failed to approve the latest round of austerity measures, social explosion and chaos would follow. The measures were approved on the 13th of February 2016. About 80 000 protesters took to the streets in Greece in order to oppose the vote on austerity measures⁸⁵.

The occurrence of ACTA-related hacktivism in the absence of ACTA-related street protests shows clearly that *Anonymous'* actions are not necessarily linked to wider social mobilization, and while in some cases, as in Poland, they intensified media coverage and helped the cause of NGOs and protesters, in others, such as Italy and Greece, for example, they remained separate manifestations of an internationally-coordinated digital offensive that could not expand to the city squares. Hacktivist actions were among the most widely-diffused ones, as they required only a dedicated group of hackers remaining anonymous, but no-offline presence or a massive organizational and coordination effort. If we compare the spread of hacking tactics to another form of digital contention – Internet blackouts, it becomes clear that hacking was much more successful in spreading. In fact, during the anti-

⁸⁴ <<https://www.youtube.com/watch?v=oUu64-j0gxY>> [29.05.2016].

⁸⁵ <<http://uk.reuters.com/article/uk-greece-steps-idUKTRE81C0XN20120213>> ;

<<http://www.abc.net.au/news/2012-02-13/greece-votes-in-favour-of-austerity-plan/3826308>> [29.05.2016].

ACTA mobilization the biggest and only substantial Internet blackout took place in Poland on the 23rd of January (Frankowski, 2015; Horten, 2013), with the same tactic failing to spread in other countries, not least because it required a coordination between protest organizers, media website owners and the tech industry at the national level, which was difficult to achieve in countries like Bulgaria, where students were the main protest organizers, or in countries such as Austria or Germany, where the Pirate Party and Green and Left parties stood behind the protest. These types of actors simply could not count on the same amount of support from media and tech industries, as liberal activists in the US and in Poland could. Thus, hacking was by far the more diffused form of digital contention. At the same time, we should not forget it was perceived as deeply controversial, in some cases provoking the rage of NGOs and more established actors who preferred less disruptive techniques.

And while countries such as Greece and Italy had more serious problems at the time of anti-ACTA mobilisation, for countries such as Bulgaria, Germany, and Poland ACTA turned out to be a key political issue. The question in these cases was whether the actions of hacktivists such as *Anonymous* help achieve the best results in the campaign against ACTA or rather hinder the cause. In Bulgaria, where the protests were organized mainly by student activists, *Anonymous* supported the protests but did not have a principal role in them (interviews 1,2). The organizers of the protest in Sofia were students in Sofia University who got their information from international NGOs and local bloggers and tried to keep the protest as non-political as possible. The biggest challenge for them was to keep away all political party actors who wanted to use the momentum of the movement in order to gain popularity. The organizers did not have any conflicts with the *Anonymous* collective and readily borrowed their identity markers in order to popularize the protest. For instance, one night, the organizers put *Anonymous* masks on the faces of a sculpture composition on the monument of the Soviet Army in Sofia (interview 1). Thus, in the Bulgarian context hacktivist actions could diffuse freely and if the offensive towards government web sites and collecting societies was present but not particularly disruptive, this was due mainly to lack of initiative by the local *Anonymous*, and not to other actors curbing their actions.



Fig. 43. Soldiers from the monument of the Soviet Army with Guy Fawkes Masks.⁸⁶

In Poland, however, the anti-ACTA campaign had much more complicated internal dynamics. To begin with, there was a serious tension between *Anonymous* and the NGOs. The latter thought that the hacktivist attacks of *Anonymous* subverted the anti-ACTA campaign from within, making it look like a protest in defense of downloading free porn, while in fact there were serious human rights issues at stake (Lee, 2013: 127-128). Referring to the *Anonymous* attacks of his government websites, Donald Tusk even insisted that he would not back up from signing ACTA and give in to “blackmail” (Masnick, 2012). In his account of the events around ACTA, Edward Lee narrates how Marcin “Sirmacik” Karpezo, a free culture activist and member of Poland’s Free and Open Source software foundation along with Tehora, a grad student specializing in econometrics and computer science, reached out to a foreign contact with connections to *Anonymous* in order to negotiate and try to convince them to stop with their attacks as they were actually counterproductive to the movement (Lee, 2013: 128). *Anonymous* published a temporary cease-fire agreement threatening however that if the “peaceful” means do not succeed, they will return with much harsher attacks (ibid). Thus, while the diffusion of hacktivist actions in Poland was initially successful, such types of actions were curbed by other actors who diminished their importance.

⁸⁶ Source: <goo.gl/z0shZ7> [14.11.2016].

The situation was very different in Germany, where *Anonymous* had an active role and cooperated in protest organization. In Germany, *Anonymous* urged for protests against ACTA already on the 5th of November 2011. On the blog of *Anonymous Hamburg* one can find the speech of individual activists of the Chaos Computer Club, the Pirate Party, and *Anonymous* itself (Internet-Tsunamis, 2016). The collective urged people to the streets also in Sweden and Austria. One of the interesting challenges to *Anonymous* was how to participate in the protests as a collective while at the same time *not* revealing their identity, i.e. remaining anonymous. At an anti-ACTA demonstration in Graz, for example, an audio file was played with a message by *Anonymous*⁸⁷ while protesters waved flags of the collective. There was a sense of mystery and all pervasive presence. *Anonymous* were nowhere to be spotted yet they were everywhere.

Indeed, despite the incredible diversity and creativity of anti-ACTA posters and images, one symbol in particular diffused across countries as an undisputed visual symbol of the protests: the mask of Guy Fawkes. Regardless of the country in which anti-ACTA protests erupted, regardless of whether the protests were co-organized by *Anonymous* or not, regardless of their size, there were always people wearing Guy Fawkes masks – self-made or bought, more elaborate or less elaborate – these masks united protesters and created a sense of common identity – the identity of *Anonymous*. And in this respect, the anti-ACTA protests fit perfectly the whole cycle of protests after the financial crisis whose main visual symbols were the *Anonymous* mask and national flags (Gerbaudo, 2017).

A crucial difference between the anti-ACTA protests and other mobilizations from the protest cycle, however, is the lack of square occupations during the anti-ACTA protests. In fact, the most prominent form of contentious action against ACTA that spread across countries was the protest march. The example was set in Poland, and followed in all other countries – Austria, Bulgaria, Germany, Denmark, etc. on a different scale. As it becomes clear in an interview with a protest organizer in Bulgaria (interview 1), for students in Bulgaria the protest march was a form of contention they had already experimented with during previous student protests against violence in the student campus and for more accessible education (interview 1). This tactic was also the one they observed in the Polish protests, which set the stage for the campaign against ACTA. Thus, there was no doubt that

⁸⁷ https://www.youtube.com/watch?v=Shd_GOmrBrg [20.01.2017].

this would be the form of contention chosen. In the absence of strong NGOs in the Bulgarian context, the students organized and coordinated the event and its media coverage.

The situation was rather different in contexts where NGOs were more powerful, especially in Poland and at the EU level. The unexpected popularity of the protests against ACTA was a blessing both for their organizers and for digital rights NGOs who could quote the high number of protesters when arguing against the ratification of ACTA. But there were also some corresponding risks coming with the high number of participants. Often when asked by media what was wrong with ACTA, protesters answered in ways that were far from elaborate. Sometimes they even made wrong statements about the agreement. This was happening in all countries with big protests against ACTA and most of the time it was accepted as an inevitable feature of the anti-ACTA mobilization. In Poland, however, the NGOs decided to fix this by organizing a massive meeting with all local protest organizers in order to discuss ACTA and articulate a common strategy for opposing the agreement. Thus, on the February 4 and 5 2012 an improvised Congress of the Free Internet took place in Warsaw (interview 16). The first emotional knee-jerk response of the people who took to the streets was followed by a post-factum awareness-raising campaign of NGOs.

In the German context, the NGO Digitale Gesellschaft organized a successful campaign for producing post-cards, stickers and info-flyers with anti-ACTA messages that were chosen from multiple suggestions made by opponents of the agreement as a response to a call for catchy slogans. Digitale Gesellschaft also organized a crowd-sourcing campaign in order to raise the money needed to print all the materials and managed to collect 15 000 euro for the goal. Some of the key messages on stickers were: “Leave our Internet alone or we will take your fax machines”, “If they put us in jail because we download music, then I insist that they separate us by genre”, “Whoever gives up freedom to gain security, will ultimately lose both”, “Reform instead of Cement”, “Culture means Remix”, “Copy freedom without losses” (Digitale Gesellschaft, 2012). Similar attempts to provide the “right arguments” and catchy slogans to protesters took place also in France and Belgium.

Jeremie Zimmermann from *La Quadrature du Net* explained that once it became clear that people were organizing for a protest, the French *LQDN* took it as their primary task to produce leaflets, videos and all types of visual materials for protesters to use so that they could know and explain what exactly they were protesting about (interview 7).

Zimmermann was particularly enthusiastic about the video “What is ACTA” (whose German translation managed to get more than 3.6 million views in 2012). “What is ACTA” was made by a professional animator who contacted the group and offered his help for the cause. After days of editing work, tens of versions (some versions differed from each other with no more than a second of silence) and a long debate on the textual contents and the graphic design, the video was uploaded online: it was re-embedded and re-posted multiple times, translated in multiple languages and seen millions of times. The use of video format turned out to be a successful, easily understandable, and compelling way for providing information (interview 7).

A lot can be learned about the dynamics of protest by simply analysing the viewing patterns of these videos: “A video of Anonymous with the title ‘Anonymous - An Official Message (ACTA)’⁸⁸, explicitly on the threat to freedom and accessibility to information ACTA had already been uploaded to YouTube on 26 November 2009. On the website ‘Junge Piraten e.V.’, another *YouTube* video⁸⁹ was embedded, whose upload date is June 19, 2010 and which is also critical of ACTA” (Internet-Tsunamis, 2016). The statistics for both videos reveal strong peaks of views in the first two months of 2012, followed by sharp decline in interest and views. While the first video, uploaded in 2009, managed to attract public interest only in 2012, the second video, uploaded in 2010, had a peak of views soon after it was uploaded, followed by a long period of no views until in 2012 it picked up again, most probably due to the increased salience of the issue in public debate:

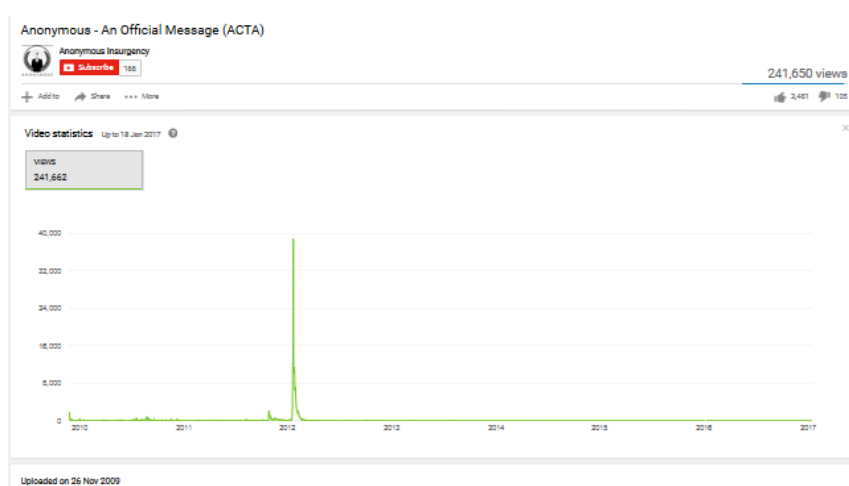


Fig. 44. YouTube Statistics for the video “Anonymous – An Official Message (ACTA)”.⁹⁰

⁸⁸ https://www.youtube.com/watch?v=roMf2RmRzFc&feature=player_embedded

⁸⁹ https://www.youtube.com/watch?v=roMf2RmRzFc&feature=player_embedded

⁹⁰ <<https://www.youtube.com/watch?v=roMf2RmRzFc>> [31.01.2017].

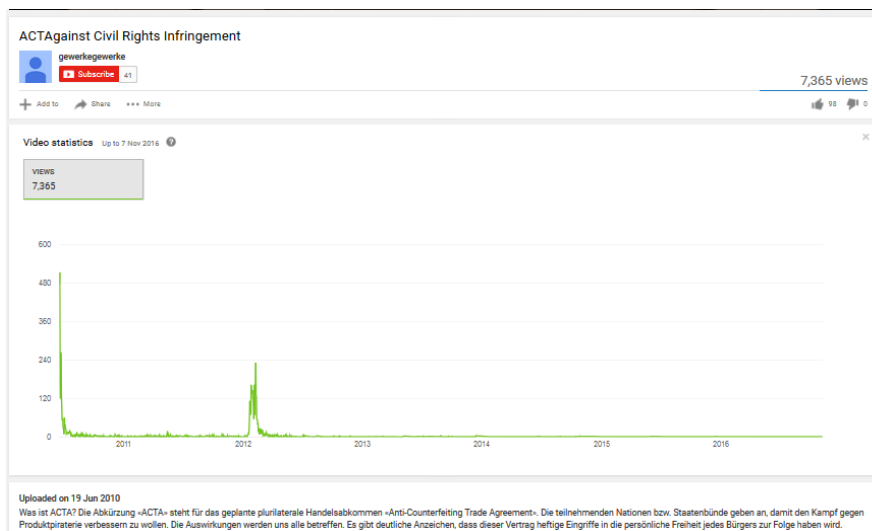


Fig. 45. YouTube Statistics for the video "ACTAgainst Civil Rights Infringement".⁹¹

Yet, the most popular video against ACTA in Germany was the one uploaded on January 28th by a profile with the name *Anonymous Germany*. In fact it was an original video produced by *La Quadrature du Net*, borrowed by *Anonymous* and translated into German, reaching an audience of more than 3.6 million people in a short period of time. The video statistics show clearly that again, there was a peak of views in the beginning of 2012 and a very quick fading of interest afterwards:

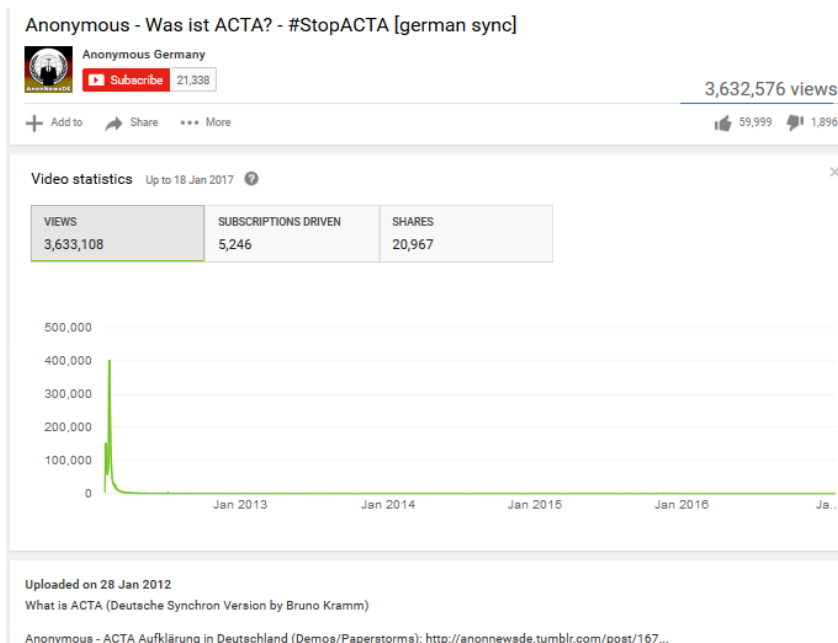


Fig. 46. YouTube Statistics for the video "Anonymous Was ist ACTA - #StopACTA".⁹²

⁹¹ <<https://www.youtube.com/watch?v=yXiXaKRYsX0>> [31.01.2017].

⁹² <<https://www.youtube.com/watch?v=9LEhf7pP3Pw>> [31.01.2017].

The sudden peak of interest towards videos on ACTA, followed by a quick fading of attention, can be observed also with regard to videos from Poland and Bulgaria, and reveals an important characteristic of the mobilization against the agreement, namely the volatility and brevity of the general public's engagement, in contrast to the more long-term engagement of NGOs at the transnational level, for example. The translation and appropriation of videos produced by NGOs also shows that there were processes of cross-national diffusion of information, in which organizations that could afford creating a professional animation, set the standards and promoted the frames in the debate.

While the European Commission was actively insisting that myths and misinformation dominate the campaign against ACTA (EU Commission, 2012), NGOs tried to make sure in every possible way that expertise was widely available and people protested with the right arguments (interviews 7, 11). Joe McNamee, the executive director of the European Digital Rights Initiative, recalled a particular meeting with proponents of ACTA in the European Parliament who insisted that protesters on the streets were ignorant, fed with misinformation or had no idea what they were protesting about. At this point McNamee invited the politician who said this to go to the website of *EDRI* and check whether there was a single fact there that was not true (interview 11). This was an especially clever move: it is obvious that the demands of the protesters were not as elaborate and legally accurate as those of *EDRI*. However by associating themselves with the protests, *EDRI* provided them with the legitimacy of expertise while at the same time gaining from the legitimacy of this unprecedented awakening of citizen energy in Europe. The protests created a momentum that had to be used. As McNamee remarked: "politics lives from momentum, as sport" (interview 11).

NGOs did not organize popular protests. What is more they didn't expect them. While NGOs coordinated transnationally and managed a controlled process of diffusion, the national protests diffused spontaneously and unexpectedly. My interview with a member of the Polish NGO *Panoptikon*, who was still an intern at the time of the anti-ACTA campaign, revealed that *Panoptikon* was overwhelmed by media attention and questions (interview 18). The group had to respond quickly to the expectations both on part of *EDRI*, its umbrella organization, and the general public in Poland which counted on *Panoptikon* to provide expertise on the topic. The sudden catapulting to such a key intermediary position could be

explained with the long term efforts of the energetic, expert, and proactive team of the foundation but it was also a product of chance and of the convergence of different expectations at the same time. This intense experience of communicating with the public on TV, media and numerous online outlets also increased the reputation of the organization and led to its establishment as an authority in the field.

But while it is true that NGOs did not expect the protests, it is also true that they managed to use their momentum and the public attention in the best possible ways. The uncontrolled diffusion of protest was in a sense matched by a carefully controlled and crafted by NGOs information and lobbying campaign. Not only did NGOs use their contacts in the European Parliament in order to gain allies and sway the opinion of deputies against ACTA. In all their published materials *LQDN* and *EDRi* urged citizens in general to get involved and to contact their MEPs, to write to them and call them with questions on ACTA. In a way, NGOs channeled and transformed citizen anger in ways that were effective when working with EU institutions.

LQDN was particularly active in this respect, devising tools such as the *Pi Phone* that allowed citizens to contact MEPs for free and provided them a script with straight-to-the point questions to ask in polite way. What is more, *LQDN*, organized as well the inventive “Brussels Safari” (interview 7), in which civil activists from all over Europe gathered in the EU Parliament and tried to “hunt down” particular deputies and have conversations with them. And while such “exotic” innovations did not spread beyond Brussels, simpler practices, such as writing emails to MEPs, that were encouraged by both *EDRi* and *LQDN*, diffused successfully and gained wide popularity. In Bulgaria, in the absence of a Pirate Party or strong NGO coalitions, the appeal to people to write to MEPs was published by several bloggers and on the front page of the illegal torrent tracker *Zamunda.net*. Regardless of how and where citizens found out about the initiative, the results were overwhelming. Everyone working at the European parliament at the time, commented on the sheer impression made by hundreds of emails and phone-calls a day (interviews 8, 12, 14). Paradoxically, despite the presence of tens of thousands people on the streets, it was the email campaign that affected MEPs in the most immediate way and made them consider ACTA.

Another form of contentious action in the campaign against ACTA was petition signing: the global petition of *Avaaz* collected more than 2 500 000 signatures since its launch on

January 25 2012, but there were also multiple parallel petitions such as the *Access Now* anti-ACTA petitions, or the UK's *Say No to ACTA* Petition⁹³, the Estonian petition *Ei ACTA-le*⁹⁴, and even a petition in Cyprus, which otherwise did not take part in the anti-ACTA campaign in any other substantial way⁹⁵. Nevertheless, the act of signing a petition was described by Jeremie Zimmermann as an easy form of activism which rarely has a decisive effect. Zimmermann insisted instead on the importance of sustained campaigning and constant interactions with MEPs, who were the ones ultimately taking a decision on ACTA. According to him, signing a petition in itself is insufficient to bring a lasting policy change (interview 7).

Thus, in the campaign against ACTA different actors used different forms of contention: hacktivist attacks, street protests, production of videos and leaflets as part of an information campaign, lobbying, pressuring MEPs via email and over the phone, and signing petitions. Some of these forms of contention diffused more successfully, for example, hacktivist attacks, street protests and email writing, some forms of contention failed to diffuse beyond one country, for example, Internet blackouts, and finally, some forms of contention remained concentrated on the Brussels level, for example: lobbying, "Safaris" for MPs, etc. In the case of leaflet and video production, while the practice itself remained in the hands of few NGOs who could afford providing the expertise and putting it in a visually attractive form, the products themselves were widely diffused and translated, thus contributing to the use of a shared core of frames across nations.

Looking back at the anti-ACTA campaign, a crucial aspect of the organization was certainly the combination of protest at the local level and the sustained lobbying activity at the transnational level. They provided the perfect and rather rare combination of democratic legitimacy and expertise. Different forms of contentious action had different time frames. While the protests erupted and diffused mainly in the course of one month: from the 24th of January to the 25th of February 2012 with only small mobilizations afterwards, the NGOs' production of expertise and lobbying had long preceded them, dating back to 2008, and continued until the July 2012 session of the European Parliament, long after the big protests had faded. Similarly the hacktivist attacks of *Anonymous* concentrated their actions in the period after the closing of Megaupload, mainly in the end of January- beginning of February.

⁹³ < <https://petition.parliament.uk/archived/petitions/20685> > [29.05.2016].

⁹⁴ <<http://petitsioon.ee/ei-acta-le>> [29.05.2016].

⁹⁵ < <https://www.gopetition.com/petitions/stop-acta-in-cyprus/signatures.html> > [29.05.2016].

As the statistics of views of ACTA-related videos on *YouTube* showed clearly, the general interest in ACTA peaked in the period around the protests and quickly faded away afterwards. Thus, NGOs were crucially important to sustain the momentum and bring about the final rejection of the agreement at the European Parliament.

Finally, a crucial element in the mobilization against ACTA was the way it was framed by NGOs as an *a-political* cause that could not be explained in terms of ideologies inherited from the past. It was emphasized multiple times in my interviews with NGO representatives that the mobilization against ACTA went beyond left and right and what is more, ACTA had to remain an issue not “owned” by any single political fraction or party. These views were widely shared by hacktivists and protesters as well, who while decrying the political situation in their countries, all vehemently rejected the involvement of traditional political parties (interviews 1, 2, 4, 7, 12, 16, 17, 20).

Indeed, there were multiple attempts to hijack the cause. For example, on the 9th of February 2012 the Party of the European Socialists issued a strong declaration against ACTA. The leader of PES claimed that he would do the utmost to communicate the clear position of PES on ACTA to the EU citizens. Sources from the Socialist circles commented for the news site EurActiv that “the European center-left had ‘learned lessons’ from the past and didn't want to let an important political cause to be monopolized by another political force. In the 1970s, the Green parties came up with ideas which the Socialists could have brought on board as their own”⁹⁶. In Poland it was the famous anti-clerical liberal Palikot movement that tried to capitalize on ACTA. Protesters, however, managed to keep distance from established political actors and engaged in a strong anti-party, anti-system rhetoric, reflecting a general dissatisfaction that went beyond ACTA and comprised politics done as usual. At the same time, in Austria, Germany, and Sweden the protest was supported by the Pirates, the Internet’s own party but it was also supported by the Greens and Leftist parties which were accepted to a certain extent as natural allies. In these countries far right fringe groups that also opposed ACTA were not accepted as core co-organizers of anti-ACTA actions.

The belief that the movement against ACTA was a universal movement in defence of democracy and human rights led both to an outward rejection of political parties and to the

⁹⁶ <<http://www.euractiv.com/section/digital/news/socialists-say-stop-acta/>> [30.05.2016].

rather instrumental use of their “old rhetoric”. Jeremie Zimmermann, for example, noted that the battle against ACTA was not an issue that naturally belonged to any single party. He claimed that this was a major advantage in organizing the opposition as it allowed NGOs and experts to strategically make parties outcompete each other with arguments such as “the liberals adopted this issue, you can’t allow them to become associated with it, you should do something about it as well” (interview 7). In this sense, the battle against ACTA became also a battle between different parties for owning an issue, skilfully fuelled by NGOs that simply wanted to stop an agreement they considered highly dangerous and by popular protests who wanted to stop the same agreement albeit often for different reasons. It should not be forgotten that ACTA and the protests against it took place in the aftermath of the financial crisis. Lobbyists skilfully used the moment to emphasize how important intellectual property was for the growth of the economy. On the other hand, parties realized quickly that there was a huge public backlash against ACTA and opposing the agreement could give them a quick boost of popularity, at almost no cost. On the contrary, trying to defend the agreement would have cost them the already fragile public support.

In this sense, ACTA proved to be indeed the perfect a-political political cause both for protesters and political parties. It spurred a conversation on democracy and non-responsive decision making, which conveyed the anger triggered by the financial crisis and by its undemocratic handling, without, however, raising more controversial issues such as bailing out of banks and internal devaluation, and without building chains of equivalence.

As we saw, only the Greek Anonymous drew a parallel between the Greek signature of the highly problematic IMF bailout package and the signature of ACTA. But their video fell into oblivion amidst the popular protests against austerity. Italy, Spain and Portugal, as commented in the previous chapter, did not take part in the anti-ACTA protests at all. And where the anti-ACTA protests happened, the organizers and participants insisted on focusing on the Internet issues and just effectively preventing a bad agreement from taking place. In this sense, ACTA was the fulfilled dream of citizen participation: concerned citizens read materials prepared by expert NGOs and directly intervened to stop an agreement that could go against their interests. The existence of a set of common core frames produced by experts and diffused in different national contexts contributed to the incredible

homogeneity and consistency of the discourse against ACTA. But it also did not allow other more subversive messages to break through and point the debate in other directions.

There was constant tension between NGOs, hacktivists and protesters in terms of the forms of contentious action they engaged in, their intensity and their degree of disruptiveness. To be fair, the efforts of NGOs to contain *Anonymous* and provide expertise to protestors were based on good knowledge of how EU institutions operate and a desire to stop ACTA without making it an ideological issue. What is more, NGOs certainly cannot be blamed for the general mistrust in political parties and in the slogans of the both the left and the right. Yet, their focus on technical issues and the explicit desire to avoid politics seemed to correspond strongly to the neoliberal suspicion of politics and the political as such, well described in Colin Hay's compelling book "Why do we hate Politics" (2007). Hay contrasts a rather optimistic conception of politics – as a field of potential public deliberation – to the profoundly pessimistic assumptions of public choice theory about politics as interfering, prone to capture by powerful interests, prone to exponential growth and encroachment, and prone to inefficiency. Hay shows first, the strong intellectual affinity of public choice theory with neoliberalism and second, its two-stage role in demonizing the political and serving to rationalize neoliberalism in its impulse to depoliticise crucial spheres of decision-making (Hay, 2007: 121).

My point is that NGOs and protesters that opposed ACTA and proudly tried to keep their cause independent from political parties ultimately remained self-enclosed and failed to build bridges with other groups in society. The movement against ACTA remained different from the movements of the squares also in terms of the types of contentious action involved: while adopting the symbols of the protest wave (the *Anonymous* mask and the flag), anti-ACTA mobilization did not involve occupying squares and organizing assemblies. Instead, it involved a combination of above all protest marches, hacking, and lobbying. In a sense, the mobilization against ACTA replaced more anti-systemic mobilizations and became a vent for public indignation.

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In the present section I traced the diffusion of various forms of contentious action and the tensions and synergies between them in the anti-ACTA campaign. Ultimately, I tried to show that the diffusion and adoption of forms of contentious action depended a lot on the local

context and the relative strength of different actors – NGOs, hacktivists, and protesters. In some cases, NGOs tried to curb the diffusion of hacktivist actions, in others NGOs were weaker and protesters collaborated directly with Anonymous. In general, transnational NGOs were unprepared for the wide diffusion of protests across Europe and tried to keep their influence by providing information materials to the protesters and translating their demands at the EU level.

Different forms of contention also had different time spans and scales. Transnational NGOs provided expertise and lobbied the European Parliament for an extended period of time, starting in 2008 until the final rejection of the agreement in 2012. *Anonymous* launched their series of cyber-attacks against ACTA soon after the closing of Megaupload in January 2012, thus increasing the media coverage and the visibility of the issue. Hacktivism, unlike Internet blackouts, spread quickly across countries and took place even in countries without protest marches against ACTA, such as Greece. But hacktivist attacks decreased in intensity within a month. Similarly, the game-changing popular protests that erupted in Poland and then spread through various EU member-countries (most notoriously Austria, Bulgaria, Germany, and Denmark), decreased substantially in intensity and scale by the end of February 2012. On the contrary, the unprecedented flood of phone calls and emails to members of the European Parliament provided a more lasting and daily-felt pressure. While different forms of contentious action had different time trajectories, the combination between short-lived wide mobilization and long-term focused lobbying and expertise provision proved to be a viable strategy for defeating the agreement. Democratic participation was legitimized by expertise and expertise was legitimized by democratic participation in a symbiosis that happened unexpectedly and led to the rejection of ACTA – the first time a trade agreement had been rejected by the European Parliament.

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All in all, in this chapter of the thesis, I aim to fill in a gap in the literature and focus on the “what” in the diffusion process (della Porta and Mattoni, 2014), i.e., what diffuses and why. I trace what types of frames and forms of contentious action diffused within the mobilization against ACTA. I try to answer *why particular anti-ACTA frames and forms of contention diffused between different countries, while others failed to diffuse?* My claim is that the frames and forms of contentious action that managed to diffuse were taken up by

pre-existing networks of organizations (NGOs or parties) or networks of informal actors (for example, networks of student protest organizers) and promoted by them. The process of diffusion emerged as a political process in which competing actors had competing visions of what frames and forms of contentious action should diffuse. In the case of frames, the frames that diffused transnationally were those promoted by transnational NGOs that were well connected and widely quoted at the national level. There was a clear centre-periphery directionality of frame diffusion, with little horizontal diffusion of frames between countries. At the same time, local actors adopted creatively the frames offered by NGOs and often interpreted them in nationally-specific ways. When it comes to forms of contentious action, both protest marches and hacktivism spread as they were adopted by local actors with previous expertise in these respective types of actions. Again, there were often discrepancies between different actors about what the most adequate type of contention would be. NGOs in Poland opposed the actions of Anonymous and counted more on lobbying and protest, while in other countries where NGOs were weaker, protesters were happy to join efforts with Anonymous, while levels of lobbying remained low. Throughout the whole period transnational NGOs lobbied members of the European parliament. Thus, the diffusion of forms of contention depended a lot on what types of actors were strong in each context and on what precarious types of coordination or opposition between them would take place. Ultimately, the explanation I put forward, focuses on agency and the role pre-existing networks of actors, and lays less emphasis on the particular channels of communication used, be they social media, the Internet or face-to-face encounters.

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After exploring the diffusion of frames and forms of contentious action within the anti-ACTA campaign, in the following chapter I trace how frames and forms of contentious action have diffused from the mobilization against ACTA to the mobilizations against TTIP and CETA, agreements that are much broader in scope and pose new challenges to activists. By exploring processes of diffusion between different mobilizations I hope to show that even though every protest campaign is unique, gaining institutional experience, establishing connections and gaining cognitive and emotional resources are all crucial for the success of subsequent movements and could allow them to avoid past mistakes and to achieve quicker and better results. In this sense, past movements influence profoundly future movements.

“The Brave New ACTA”? The Diffusion of Frames and Forms of Contentious Action between the mobilizations against ACTA and TTIP

- CHAPTER FIVE -

In the previous chapters, I explored, first, why ACTA was perceived as an assault to the Internet and what types of discourses influenced resistance against it; second, where anti-ACTA protests diffused successfully and where they failed to diffuse and why; third, what particular types of frames and forms of contentious action spread within the movement, why and in what directions they diffused. In this last chapter of my thesis, I address my third research question: *why particular anti-ACTA frames and forms of contention diffused across time (specifically to the anti-TTIP mobilization), while others failed to diffuse?*

I explore in particular what frames and forms of contentious action diffused from the anti-ACTA mobilization to the mobilization against TTIP. The reason why I have chosen to explore the diffusion of frames and repertoires from the campaign against ACTA to the campaign against TTIP (and later against CETA) is that both were cases of transnationally-organized resistance to trade agreements, with a combination between lobbying at Brussels level and mass-street protests at the national level. Thus, if any big transnational mobilization in the recent years is likely to have been influenced by the anti-ACTA campaign, this must be the campaign against TTIP.

Following the work of Whittier (2007), I expect the anti-ACTA protests to have produced *generative* effects with respect to the protest against TTIP, i.e. I expect that they have changed the overall level of protest with regard to trade and maybe even provoked counter-movements in support of free trade agreements. Secondly, I expect that there have been *spillover effects* in terms of frames and forms of contentious action diffusing from the mobilization against ACTA to the mobilization against TTIP.

The structure of this chapter in a way mirrors the structure of the whole thesis. I start by discussing what is TTIP, what were the main motives given for starting the negotiations, and what were the political and economic interests behind them. In the second section of the chapter, I outline the main groups that fought against the agreement and I explore the patterns of diffusion of anti-TTIP protests: where it succeeded to diffuse and where it failed. Most importantly, I analyse how the presence of anti-ACTA mobilizations affected

subsequent diffusion of protests against TTIP. In the third section of the chapter, I explore the diffusion of frames in the campaign against TTIP and explore which of them had already been used in the anti-ACTA mobilization. I pay particular attention to the way opposition to TTIP as an issue has been increasingly appropriated by the populist radical right with a focus on sovereignty and self-determination. Finally, I explore the diffusion of forms of contentious action and to what extent the anti-ACTA campaign has been influential in putting forward innovative forms of contention and lobbying.

In order to address the questions I pose in this chapter I count on a combination of analysis of primary and secondary literature on TTIP, qualitative and quantitative content analysis of organizations' documents and social network analysis, triangulated with data from seven semi-structured interviews, taken with activists against TTIP in the period 2016-2017 and lasting between 30 minutes (the shortest) and 2 hours (the longest).

I find that even though there were some similarities between ACTA and TTIP, TTIP was much broader as an agreement, covering many more areas of international trade, and thus attracting a more diverse set of opponents from various sectors of civil society. The success of the mobilization against ACTA however did increase the salience and general levels of protest against free trade, without however provoking a popular counter-mobilization in defence of free trade. The main promoters of free trade remained business and industries, which preferred the more traditional approach of "quiet politics" (Culpepper, 2011). Contrary to my initial hypothesis, the presence of anti-ACTA protests turned out not to be a good predictor for successful diffusion of protests against TTIP. While anti-ACTA protests were particularly strong in Eastern Europe, anti-TTIP protests were very weak in the same region due to the geopolitical implications of the agreement. The networks that did matter for diffusion of anti-TTIP protests dated back to the Global Justice movement and the fight for alternative globalization that peaked in the late 1990s and the beginning of the 2000s before the war in Iraq.

In terms of spillover effects of the anti-ACTA mobilization, the frames that diffused from the anti-ACTA campaign to the anti-TTIP one were mainly procedural frames addressing the secret negotiations of the agreement and the threats to sovereign decision making. Most of the other frames in the campaign against TTIP were specific for the agreement and dealt with the dangers of ISDS and the threats to regulatory standards posed by regulatory

cooperation. The mobilization against ACTA was much more influential when it comes to forms of contentious action, particularly forms of citizen involvement used by NGOs. The transnational Stop TTIP coalition standardized and streamlined many forms of contention and lobbying tried out in the campaign against ACTA. Finally, in the campaign against TTIP there was a diffusion of protest from the left to the right of the political spectrum. This was a trend already present to a certain extent in the campaign against ACTA, which however became fully manifest and salient in the campaign against TTIP. All in all, I claim that the campaign against TTIP was more influenced, both in terms of pattern of diffusion and in terms of frames and forms of contentious action, by the Global Justice movement that resurfaced after years of hibernation. Thus, my main claim on the theoretical level is that sometimes there is a stronger diffusion of protest, protest frames and forms of contentious action between different cycles of contention than within the same cycle. This interesting phenomenon can be explained with the type of pre-existing networks engaging in protest diffusion and the content of what is diffused. In the case of mobilization against TTIP, Left and Green anti-globalization actors were much more active than the rather apolitical student networks, digital rights NGOs, and the losing popularity Pirate Parties that had mobilized against ACTA.

TTIP: “a symbolic and practical assertion of Western renewal”?

ACTA was a multilateral trade agreement that had the clear objective of raising standards of intellectual property protection, thus catering for the interests of developed countries (U.S., Japan, and the European Union), which have increasingly focused on research and development and the production of “immaterial” goods and thus need to impose strong intellectual property laws to protect their products and competitive advantage. The TTIP – Transatlantic Trade and Investment Partnership – is very different from ACTA in the sense that it is a much broader bilateral free trade agreement between the U.S. and the EU that covers multiple spheres of cooperation and might interfere dramatically with the regulatory powers of nation states under the pretext of removing non-tariff barriers to trade.

The political economy of intellectual property may help us explain to a large extent the motivations of particular business lobbies (mostly pharmaceuticals and content industries) and particular governments (mostly governments of the most developed countries) to push for ACTA: a highly technical agreement that was signed in many cases (for example, in the

case of countries like Slovenia or Bulgaria that did not have any direct interest in the agreement) by national ambassadors with little understanding of what it was or what it could do. TTIP, on the contrary, due to its very ambition and broad scope, clearly affects many areas of national and international politics, which on the one hand makes it more salient, but on the other, makes it more difficult to understand what its consequences could be. To begin with, with such a complex and comprehensive agreement, it is much more difficult to assess what exactly the interests of each side of the negotiations are. What is more, there are multiple conflicting interests within the U.S. and the EU, with conflicts taking place not only between exporter-oriented and import-competing industries, but also between business and civil society and between big business and small and medium sized enterprises. In such a situation of complexity-driven uncertainty, ideas and narratives of what the “common interest” is and what would be the best way forward, become especially important.

The very decision of the EU Commission to pursue further opening of markets and liberalization could be described as ideas-driven and somewhat counter-intuitive. As Gabriel Siles-Brugge (2013) points out, the EU’s 2006 Global Europe communication established an offensive Free Trade Agreement Agenda serving the interests of the EU’s upstream market exporters and neglecting the EU’s remaining “pockets of protection”. One could expect this approach to change with the advent of the Great Recession when trade became an increasingly politicised issue at the EU Parliament and a wave of protectionism started rising across Europe, yet the Commission remained firm in pursuing its free trade vision. Siles-Brugge explains this apparent paradox with the sway of neoliberal ideas among policy makers at DG Trade who could conceptualize the way forward and out of the crisis only through more of the same policies, i.e., through further liberalisation (Siles Brugge, 2013).

Trying to push forward its own framing of TTIP, the Commission gave two main reasons for pursuing the agreement: an economic and a geopolitical one, which are actually closely intertwined. Undoubtedly, one of the main motives for the start of the TTIP negotiations was the desire to stimulate economic growth, in the best way DG Trade considered it possible. As Gabriel Felbermayr notes, “the world financial crisis and the following period of sluggish growth have incentivized policy makers to look for new sources of growth. With little room to loosen fiscal and monetary policies further, it was believed that trade

liberalization promises substantial benefits at relatively low costs” (2016: 221). Nevertheless, such comments do not focus on why there was “little room to loosen fiscal and monetary policies further”, as this is accepted as an incontestable and inevitable given.

But there was indeed also a second, more geopolitical side to the negotiations of TTIP. Currently, the EU and the U.S. are each other’s main trading partners in goods and services, and together they have the largest bilateral trade relationship in the world. Either the EU or the United States is the largest trade and investment partner for almost all other countries in the global economy. The two economies also provide each other with their most important sources of foreign direct investment (Gambini et al., 2015). With the rise of BRICS, however, the share of global trade accounted for by the EU and the U.S. is falling and China might soon overtake both and become the single most important trading power in the world. It is indicative that, during the first Obama Administration there was a perceived “pivot” in U.S. policy towards Asia – both in the security realm, where U.S. defence strategy increasingly focused on the South China Sea, and in trade and investment via the Trans-Pacific Partnership (TPP). Still, as the first European Council President Herman Von Rompuy claimed: “Americans realize that the pivot is not an alternative to Europe and NATO. On the contrary, a strong transatlantic relationship is a precondition for America’s focus on Asia” (Egan and Nugent, 2015, 30). It was during the Second Obama Administration that the TTIP talks with the EU started and it is clear that the EU is the side that had more to gain from TTIP, as the U.S. (until the election of Donald Trump) has played a game on two fronts, negotiating both TPP and TTIP.

As proponents of TTIP noted, the EU and the U.S. initiated the negotiations on TTIP, in a context of daunting economic challenges, each of them trying to position itself and both trying to position themselves together in order to succeed in a world of intensified competition and diffuse economic power. What is more, as Hamilton and Pelkmans emphasize, by joining their forces the EU and the U.S. might avoid the prospects of becoming rule-takers and become rule-makers, instead. “Given the size and scope of the transatlantic economy, standards negotiated by the U.S. and the EU can quickly become a benchmark for global models, reducing the likelihood that others will impose more stringent, protectionist requirements for either products and services, or that lower standards could erode key forms of protection for workers, consumers or the environment”

(Hamilton and Pelkmans, 2015: 3). Similarly Felbermayr notes that “if the traditional ‘West’ wants to retain some influence in the world trade order, transatlantic cooperation is a necessity” (Felbermayr, 2016: 221).

So to put simply the arguments offered in support of the negotiations TTIP, this agreement would not only bring much needed economic growth but it would also further the economic strength of the EU and the U.S. in the face of the rising BRICS’ economies, and it would allow the EU and the U.S. to become rule makers, which means that they will guarantee further opening of markets and higher food, environmental, and consumer standards. As the argument goes, we cannot be sure there would be similarly high standards if the Asian countries led by China were to set the rules: “TTIP can potentially serve as a symbolic and practical assertion of Western Renewal, vigour and commitment not only to each other but to high-rules based principles of international order. It is an initiative that can be assertive without being aggressive. It challenges fashionable notions about a ‘weakened west’” (Hamilton and Pelkmans, 2015: 9).

The prominence of such arguments can be seen in the way they have been repeated by key political actors. As late as December 2016, when it was almost certain the TTIP has died, the Federation of German Industries clearly expressed support both for TTIP and its sister agreement with Canada The Comprehensive Economic and Trade Agreement (CETA): “‘In the wake of the British referendum, it is more important than ever that we strengthen the EU and provide positive stimuli for growth,’ said BDI President Ulrich Grillo on Sunday in Berlin... ‘We Europeans will have a better chance of shaping the process of globalisation to include high standards if we tackle these issues shoulder to shoulder with the United States’” (BDI, 2016).

The arguments in favour of starting the TTIP negotiations are undoubtedly strong and convincing. Yet, there are major problems with both of them. First of all, the economic benefits of TTIP are far from certain. While the Commission indeed *believes* that TTIP will induce growth there is no solid empirical evidence for such a claim. In addition, the way benefits would be distributed is also not clear, while there are major reasons to believe that the agreement might lead to substantial reallocation and displacement effects (Felbermayr, 2016: 232). Gabriel Siles-Brugge and Ferdi De Ville demonstrate in their 2014 article on the role of computable general equilibrium modelling that most of the models that the EU

Commission had commissioned and drew on in public discussions made overly optimistic predictions about the ability of the EU and the U.S. to eliminate regulatory barriers for trade, thus starting their computations from wrong premises. These models also downplayed the potential deregulatory impact of the agreement. The authors argue that far from being a reliable exact-science guide to future outcomes, the models served the pro-liberalisation agenda of the European Commission. It must be conceded though that the models commissioned by opponents of TTIP that predict disastrous consequences of the agreement are equally uncertain and are similarly an attempt to manage “fictional expectations” (Siles-Brugge and De Ville, 2014).

One of the crucial points in the arguments of De Ville and Siles-Brugge is that often economic studies glossed over the differences in impact that different forms of liberalisation might have in the case of TTIP – for example, a mutual recognition of standards is more likely to lead to a potential “downgrading” of standards across the Atlantic – than regulatory harmonization. Grasping the difference between trade mechanisms such as mutual recognition, harmonization, and equivalence is important with regard to the second argument offered in favour of TTIP, namely that the EU and the U.S. together could set higher standards. Since the formation of the World Trade Organization (WTO) in 1995, U.S. and EU have developed and applied harmonization, equivalence, and mutual recognition (MR) with the goal to reduce, each in its own way, what industries consider to be technical barriers to trade posed by national regulatory requirements. To begin with, harmonization starts with differing standards and procedures and converts them into one. Equivalence treats different standards and procedures as if they were the same in case they produce same or similar results. On the other hand, mutual recognition agreements, presuppose that countries recognize and accept the results of conformity assessments, i.e. the importing countries tests and technical, safety, purity, etc. standards (Public Citizen MRAs, 2016). Mutual Recognition Regimes assure regulatory officials and citizens of host countries that the application of foreign rules within their borders is “compatible” with their own: “They thus are always “managed” and differ from a pure “free trade” model by involving a (often highly) political process of assessment of mutual compatibility between national systems of governance” (Nicolaidis and Shaffer, 2005).

The difference between harmonization and mutual recognition might seem technical but it is crucial for assessing the grandiose claims about the EU and the U.S. setting the rules for all other countries. This might be the case if there is a harmonization of rules and standards between the EU and the U.S. This scenario however has been rejected by now as too complicated and politically unviable. In the case of mutual recognition of standards, however, it would most probably be valid only bilaterally (De Ville and Siles-Brugge, 2016). To put it differently, the EU would be able to export to the U.S. goods produced with EU standards, but it is not certain that third countries that export their goods to EU and follow EU standards would be able to export to the U.S. as well. As the European Parliament Report on TTIP's potential impact on developing countries acknowledges, "there is a potential positive impact for developing countries as a result of the simplification and harmonisation of standards. For this to benefit developing countries in practice, however, there needs to be an explicit clause extending the mutual recognition/equivalence of standards to third countries. For the setting of future standards, developing countries should be allowed to be involved in the relevant discussions" (Manrique Gil et al., 2015). Until very later stages of the negotiations, there were still no explicit clauses extending the mutual equivalence of standards to third countries. Thus, the whole argument of the EU and the U.S. setting higher standards for the rest of the world remains more of an empty rhetorical exercise than a really viable scenario.

The previous paragraphs showed that the two main reasons given by the EU Commission for starting the TTIP negotiations have been in certain respects deficient and too optimistic about the future. We cannot be certain what the economic benefits of TTIP are (if any) and how they are distributed among the population. What is more, considering that most probably TTIP would presuppose a mutual recognition regime, it is far from certain that it will set global rules and standards. The only argument that remains thus is the one that focuses on the importance of transatlantic partnership in the face of diffusing economic power in a multipolar world. Nevertheless, the question what price is to be paid for such partnership has reverberated strongly since the beginning of the negotiations.

There has been an overwhelming secrecy surrounding the TTIP negotiations, fuelling the worst fears of civil society. The negotiations started in July 2013 and were supposed to be concluded by the end of 2014. The process however took longer and by January 2017, when

I am writing these paragraphs there have been fifteen rounds of negotiations, and after the inauguration of Donald Trump, it seems that the finalization of these negotiations might be postponed indefinitely. An interesting detail from the negotiations is that the agreement is negotiated as a whole, so no topic's text is finalised until full consensus is reached (State of Play, 2014). The content of the drafts of the agreement as well as the reports from the negotiation rounds had been classified from the public, but after the EU Ombudsman Emily O'Reilly began a probe into the secrecy of negotiations in July 2014, the Commission published a number of texts restating its claim that the TTIP discussions have been the most open trade talks in history (Crisp, 2015). However, the Commission published only its own documents from the negotiations. It did not publish any U.S. negotiating documents and it stated it would not publish any common EU-U.S. negotiating documents without the explicit agreement of the U.S. (Crisp, 2015).

Following pressure from the public and from Members of the European Parliament, in December 2015, the Members of the European Parliament were given access to confidential and sensitive documents surrounding TTIP, which they could access in a secure reading room in the European Parliament. They could not take electronic devices to the room but had to write down their notes on paper (INTA Press Release, 2015). In a further push towards more transparency, in February, 2016, Members of Parliament of Member States of the EU also gained access to the confidential documents, again in special security rooms, where no electronic devices were permitted and members were allowed to take only pencils and papers (Inman, 2016).

There are different possible interpretations of the secrecy surrounding TTIP negotiations. On the one hand, the EU Factsheet on transparency in Trade Negotiations makes a compelling case for why the process of negotiations itself cannot be completely transparent. First of all, a certain level of confidentiality is necessary to protect EU interests as negotiations are a game in which no-one starts by revealing their entire strategy to the other players from the very beginning. Second, there should be a climate of confidence between negotiators that would achieve a deal that satisfies both sides. Finally, the texts are not final, until the whole agreement is agreed upon (EC Factsheet, 2013). Sometimes countries push their demands more than what they realistically believe they could get, or make provisional concessions that might not remain in the final versions of the deal. Thus, too much scrutiny and public

outcry with regards to specific parts of ongoing negotiations might in fact diminish the ability of negotiators to manoeuvre and achieve the best possible results. Such types of arguments, however, presuppose that the public should have full trust in the negotiators that they act on the public's behalf. This has been less and less the case, as the mobilization against TTIP in the EU has shown.

Europeans have demonstrated that they are not ready to give a *carte blanche* to the Commission to negotiate on their behalf, especially after leaked versions of the negotiations threw light on the planned introduction of the so-called Investor-State Dispute Settlement that would allow individual companies to sue states over alleged discriminatory practices that might have led to missed profits. One of the biggest dangers of Investor-State Dispute Settlements in general is that they might allow foreign investors to completely bypass national court systems and sue the hosting country for damages in private tribunals of arbitration. The EU already has multiple trade agreements with ISDS clauses, but so far the argument has always been that these agreements were signed with countries where the rule of law is weak and problematic and thus, ISDS would protect the interests of foreign (EU) investors against arbitrary interventions by the state (ISDS Fact Sheet, 2013: 4). The question is: why does an EU-U.S. agreement require ISDS, considering that both negotiating sides perceive themselves as strongholds of the rule of law, and that there is already a high level of investment flows between these jurisdictions. What would be the great danger to investors that could justify such a privatization of law that operates in favour of private corporations?

The EU Commission has failed to give a satisfying answer to these questions and faced with strong and broad criticism, the EC abandoned the ISDS in September 2015. The Commission's proposal followed a public consultation on ISDS. 97% of the 150,000 respondents rejected the mechanism and more than 3 million people signed an independent European Citizen Initiative rejecting TTIP and ISDS (Friends of the Earth, 2016). In order to replace the unpopular ISDS, the Commission proposed an ICS – an Investor Court System. Nevertheless, multiple analysers have pointed out that the changes introduced in the new Investor Court System were insufficient and both ISDS and ICS could force governments to use billions in taxpayers' funds to compensate corporations for public health, environmental, labour and other public interest policies, government actions and

even court rulings. Neither mechanism was subject to democratic principles and scrutiny and could ensure that private interests cannot undermine public policy objectives (European Corporate Observatory, 2016). In February 2016 the German Association of Magistrates, a Berlin-based judicial umbrella organization, claimed that there was “neither a legal basis nor a need” for ISC because domestic courts were good enough to settle disputes (Nielsen, 2016). This Position was strongly contested, as it could be expected, by the European Commission.

But the disputes around ISDS and ICS, even though highly visible in the media, accounted for only part of the opposition to TTIP. As TTIP is such a broad agreement that covers many aspects of Transatlantic trade, there are many points for which it might be criticised. TTIP has three main pillars: it covers *market access* (customs duties, services trade, public procurement, rules of origin), *regulatory cooperation* (regulatory coherence, technical barriers to trade, food and safety and animal and plant health standards, and standards in the fields of chemicals, engineering, medicines, vehicles, clothes, etc.), and finally, *rules facilitating import/export and investment* (among which the already discussed ISDS, but also Government to Government Dispute Settlements, Intellectual Property Protection clauses, geographical indicators, etc.) (Hamilton and Pelkmans, 2015). There is hardly an area of the above mentioned that has not been vehemently disputed by civil society or by the negotiators, or sometimes by both.

	WHAT IS TTIP?		chapeau/objectives/principles
Market Access	Regulatory Cooperation		Rules (facilitating im/ex, FDI)
goods trade/custom duties	regulatory coherence		sustainable development
services trade	technical barriers to trade		energy and raw materials
public procurement	SPS – food safety; animal and plant health		customs/trade facilitation
rules of origin	Specific sectors:		SMEs (no real rules)
	Chemicals	ICT	invest. Protection + ISDS
	Engineering	Medicines	competition rules
	medical devices	textile and clothing	IPRs & G.I.
	Vehicles		overall (Gov-to-Gov) dispute settlement

Fig. 47. What is TTIP? Main areas of TTIP negotiations.⁹⁷

⁹⁷ Source (Hamilton and Pelkmans, 2015, 10).

In terms of Market Access the EU has been pushing for access to the public procurement market in the U.S., while in countries like the UK, there has been a lot of public discussion whether the NHS could be privatised under TTIP. Customs duties have been already substantially decreased in trade between the EU and the U.S., but there are still substantial tariffs on intermediate inputs and tariffs often differ substantially between goods. Still, even with these caveats, the main obstacles to trade in goods between the EU and the U.S. have not been tariffs but non-tariff measures. Non-tariff measures can reflect the course of history and to show that legitimate goals can be reached in different ways, for example the regulations on side mirrors across the Atlantic. But non-tariff measures can also reflect fundamentally different approaches to regulation, with the EU applying a precautionary principle in the field of food safety and agriculture, for example, and the U.S. imposing strict liability laws. Under the precautionary principle, public authorities can adopt restrictive measures to counter potential risks, particularly to the environment or human health. This principle has been used to justify bans on hormone-treated beef and the cultivation of genetically modified organisms (GMOs) in the many countries of Europe, even in the absence of irrefutable scientific evidence of the dangers posed by these products. On the contrary, the U.S. would require definitive scientific evidence that a particular product is harmful, in order to forbid it (Barbiere, 2016). Thus, the TTIP negotiations opened the potentially dangerous issue of GMOs and meat imports in the EU. Finally, the TTIP negotiations covered a long list of rules, among which rules of intellectual property protection and geographical indications: strong protection of geographical indications was a priority of EU countries such as Italy and France.

In general, as I have tried to show in the first section of this chapter, even though TTIP was sometimes branded as the “new ACTA” and a lot of commonalities between the agreements were pointed out (Andersson, 2015), TTIP is much broader in scope and it covers many more aspects of trade. Therefore, there are also more points it can be criticised for. Having learnt its lesson from ACTA, the EU Commission tried to frame the debate around TTIP in its own terms, providing early on two crucial arguments in favour of the agreement: an economic and a geopolitical one. Both arguments offered by the Commission however do not withstand scrutiny, while controversies such as the one surrounding ISDS further fuel

the suspicions of the public and make it difficult to accept the secrecy of the negotiations and trust the Commission to represent it.

It is somewhat paradoxical that, while being constantly accused of secrecy and non-transparency, the TTIP negotiations have been the ones with the biggest involvement of the European Parliament so far, in line with a general trend towards democratization of trade policy making in the EU (Meissner, 2016). There has also been a strong involvement of the parliaments of Member States in assessing TTIP, thus increasing the influence of the legislative branch over the executive one (Jancic, 2017). At the same time, the more access MEPs and MPs gained to classified documents, the more the secrecy of the agreement was deplored. The more politicised it got, the more NGOs insisted that it is not politicised enough and there should be more discussions and more involvement of the civil society sector. The problem was that the Commission could not at the same time provide transparency and participation and push for its own agenda. The Commission tried to use the *rhetoric* of “transparency”, while going about business in the usual way. However, civil society organizations and citizens demanded an actual and radical change of approach and either a complete rejection of TTIP, or substantial changes in both how the agreement was negotiated and in its substance. The position of the Commission on the issue was revealed succinctly in the answer of EU Trade Commissioner Cecilia Malstrom who, when asked about the mass opposition to TTIP, answered: “I do not take my mandate from the European people” (Hillary, 2015). The more the Commission tried to appear transparent, the more civil society mobilized and demanded real transparency and real participation. In the next sections of this chapter I explore in more detail the diffusion of opposition to TTIP, the diffusion of frames and forms of contentious action in the campaign against TTIP and the extent to which they had been informed by the previous campaign against ACTA.

“Protectionists and Scaremongers are winning in Germany” The Spread of anti-TTIP protests

In March 2014, social movement groups opposing TTIP met in Brussels at what was the biggest transatlantic meeting of TTIP opponents to that day: “The three day event included a series of presentations on specific topics – environment, health, labour, investment, food and digital rights – as well as strategy discussions, a stakeholder presentation to the

European Commission and a small street protest outside the offices of DG Trade. The format reflected the broader strategy where lobbying of negotiators and other social groups was prioritized over any public protest. This reflected the calculation of these groups as to where they were most likely to influence the negotiations, accepting there is too little time to catch public interest” (Strange, 2015: 90).

The account of Michael Strange on early social movement mobilization against TTIP is all the more useful as a contrast to the mass protests that followed. In 2015, 15 000 protesters marched on the streets of Vienna⁹⁸ and more than 200 000⁹⁹ took to the streets of Berlin to oppose TTIP. In 2016, 25 000 people protested in Vienna¹⁰⁰ and between 160 000 and 320 000 throughout Germany.¹⁰¹ There were also smaller protests in Spain¹⁰² and Belgium, with Brussels protests with respectively 2000 and 15 000 participants in 2015 and 2016¹⁰³. In 2016 more than 40 000 people protested all over France¹⁰⁴ and around 8000¹⁰⁵ went to the streets of Amsterdam to oppose TTIP.

What happened between March 2014, when social movement groups believed they could not catch public interest, and 2015, 2016 when hundreds of thousands people took to the streets protesting TTIP? The answer is simple: the stop-TTIP campaign, coordinated at the local, national, and international level, managed to involve thousands of citizens through petitions, street action or innovative digital instruments such as the *CETA check*.

The analysis (Bauer, 2016) of a comprehensive dataset of public events to discuss and inform about TTIP from February 2015 to February 2016 in Germany (1508 events), Austria (112), France (18), Belgium (101), the Netherlands (6) and the UK (32) reveals that the

⁹⁸ <http://www.euronews.com/2015/04/19/stop-ttip-protests-in-europe-and-beyond-against-us-eu-trade-pact> [10.01.1017].

⁹⁹ <http://www.reuters.com/article/us-trade-germany-ttip-protests-idUSKCN0S40L720151010>; <http://www.politico.eu/article/germany-mobilizes-against-eu-u-s-trade-deal-merkel-ttip-ceta/> [10.01.1017].

¹⁰⁰ <https://www.rt.com/news/359659-ttip-ceta-protest-germany/> [10.01.1017].

¹⁰¹ <https://www.yahoo.com/news/protesters-rally-across-germany-against-mega-trade-deal-004030468.html> [10.01.1017].

¹⁰² <http://www.lavanguardia.com/local/barcelona/20161015/411029454560/manifestacion-ttip-cepta-barcelona.html> [10.01.1017].

¹⁰³ <http://www.euractiv.com/section/trade-society/news/thousands-across-europe-protest-against-ttip/>; <https://www.rt.com/news/360067-ttip-ceta-brussels-protest/> [10.01.1017].

¹⁰⁴ <http://www.lefigaro.fr/conjoncture/2016/10/15/20002-20161015ARTFIG00008-les-anti-ceta-et-tafta-se-retrouvent-pour-une-manifestation-nationale.php> [10.01.1017].

<https://www.rt.com/news/362907-poland-france-protest-ceta/> [10.01.1017].

¹⁰⁵ <https://www.rt.com/in-motion/363819-netherlands-ttip-ceta-protest/> [10.01.1017].

majority of TTIP event organisers (58 per cent of all registered events) have been organizations and political parties that initially had been members in formal anti-TTIP campaign networks in Germany, such as TTIPunfairhadelbar and StopTTIP. These networks include also established political parties in Germany, among which Alliance90/The Greens, DIE LINKE, The Pirate Party, and the Ecological Democratic Party (Bauer, 2016: 31). On the other hand, businesses and business associations, as well as parties that support TTIP have not participated actively in the public debate and have organized considerably less events to push for their vision (ibid).

Contrary to Bauer's interpretation according to which business was out-manoeuvred by a strong and well-coordinated campaign against TTIP, it seems that business was active in promoting TTIP but just in other venues. In accordance with Culpepper's notion of "quiet politics", business has preferred in fact not to politicize TTIP in the public sphere but to lobby for its interests in front of the EU Commission itself and national governments – the loci of power and decision-making. And indeed, research on transcripts from four stakeholder meetings organized by the Commission has shown that, business associations and companies were the main contributors to the stakeholder events: "they dominated with 87 per cent among the European, 67 per cent among the U.S. and 76 per cent among the transatlantic stakeholders" (Dur and Lechner 2015: 74). Thus, business did not remain idle while civil society organizations were mobilizing their forces. What is more, big business and small and medium sized companies often had diverging views on TTIP (SMEs in fact opposed the agreement), which points to the problems about talking about "business" in general.

Nevertheless, Bauer's detailed information on the top 30 organizers of events against TTIP, classified by number of hosted events (Bauer, 2016: 35), is particularly useful for assessing to what extent there was an organizational and movement community overlap between organizations mobilizing against ACTA and TTIP. The main actors organizing events against TTIP in Germany have been Left or Green NGOs and Parties, with some intervention by labour unions. Interestingly enough, the far right AfD appears on the list with six events, followed by the Pirate Party with 5 events (Bauer, 2016: 35). Actors familiar from the mobilization against ACTA such as *Netzpolitik* or *Digitale Gesellschaft* do not appear in Bauer's list of the 30 most active organizations organizing events against TTIP. My analysis of their websites however has shown that both organizations were active against TTIP,

albeit in a different way, and published materials against the agreement, focusing especially on its potential impacts on Internet Freedom.

Looking at the European level, anti-ACTA actors such as *EDRi* and *La Quadrature du Net* indeed participated in the mobilization against TTIP and produced and published multiple analyses, yet the most active and intense opposition came from Left and Green NGOs and Parties and, in particular, organizations that have been active in the alternative globalization movement. This is particularly clear in the case of organizations such as the *Seattle-to-Brussels Network* that had been founded in the aftermath of the World Trade Organisation's (WTO) Seattle Ministerial to challenge the corporate-driven trade agenda of the European Union and European governments (S2B, 2016), the already mentioned in the German context *Attac* (which was initially created as a single-issue movement demanding the introduction of the so-called Tobin tax on currency speculation but by now focuses more broadly on critique of neoliberal globalization) and organizations such as *Forum Fair Handel*, focusing more narrowly on fair trade.

Analysing the groups that have supported the Stop TTIP initiative at the European Level, Dan Keith outlines several major categories, among which: anti-racism groups, anti-austerity groups, anti-liberalism campaign groups, global justice movement, consumer groups, cultural groups, development organizations, digital rights groups, direct democracy groups, environmental campaign organizations, fair trade campaign groups, farmers, green entrepreneurs, Green parties, Marxist groups, party groups in the EP, pirate parties, public sector Unions, radical left parties, social reform/human rights groups, spiritual and religious groups, transnational parties, groups for wider reform of EU institutions (Keith, 2016).

As expected, due to the broader scope of TTIP, it is being opposed by much more diverse types of organizations and political parties than ACTA, for example. There is a clear continuity between Green and Left NGOs, Pirate Parties and digital rights activists that took part in the Anti-ACTA campaign and then also participated in the Stop TTIP initiative. Nevertheless, the dominant groups in the Stop TTIP initiative have been by far *ATTAC*, the *Seattle to Brussels Network*, and *Campact*, none of which had been particularly active against ACTA. Finally, one should not underestimate the role of public sector trade unions (Gortanuti, 2016) in the mobilization against TTIP, which contributed a lot for the mobilization of hundreds of thousands of people on the streets, a mobilization that civil

society campaign groups such as *Attac* and *Campact*, regardless of their impact, could not have achieved. Trade unions, particularly the confederate body DGB and more sector specific ones such as IG Metal, have focused predominantly on workers-rights related issues in TTIP: “TTIP as it stands is seen as an instrument threatening working conditions by encouraging a race to the bottom. Emphasis has been given to the lack of transparency in negotiations and the potential decrease in consumer protection, but there has not been a generalisation of this critique to TTIP as whole” (Gortanuti, 2016).

Not only different types of organizations, but also different countries differed substantially in the intensity of their opposition to TTIP. To begin with, a quick look at the list of organizations taking part in the European Stop TTIP initiative reveals that there is a huge difference between different countries in terms of representation. There are more than 120 German organizations, followed by 40 Spanish, 38 European level organizations, 35 in the UK, 35 in Hungary, 25 in Romania, 23 in France, 18 in Austria, 16 in Poland, 15 in Italy, and 10 or less than 10 organization in the Netherlands, Greece, Bulgaria, Denmark, Croatia, Slovakia, the Czech Republic, Sweden, Latvia, Finland, Malta, Estonia, Cyprus.

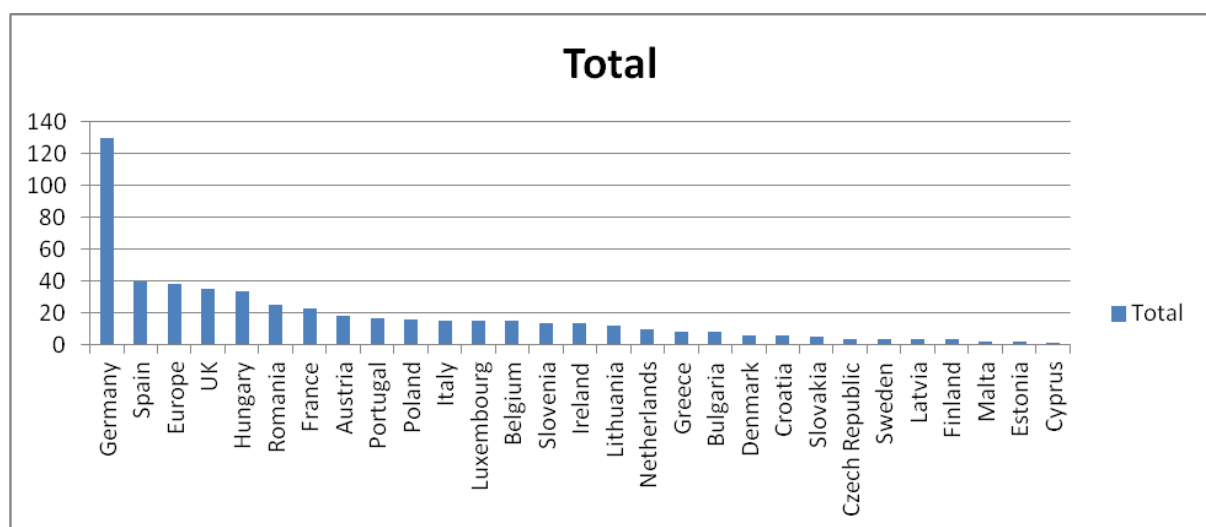


Fig. 48. Organizations participating in the international Stop TTIP initiative by country.

It must be noted that the pan-European Stop TTIP initiative is not completely representative of the level of mobilization in each country. For example, in the case of Italy, only 15 organizations take part in the transnational Stop TTIP initiative, yet the local version Stop TTIP Italy has more than 60 organizations participating. What is more, the participation of a lot of organizations from a country is not directly related with popular protest. Thus UK, Hungary and Romania are well represented in the Stop TTIP initiative but have not

witnessed considerable street protests. Finally, there were different modes of participating in the campaign. While many organizations simply stated support for the transnational initiative, some actors provided expertise and built further connections.

Social network analysis has allowed me to reveal and visualize the directionality of frame diffusion in the anti-TTIP campaign and also who were the most quoted actors in the campaign¹⁰⁶. The following graph presents the direction of quotations in the campaign against TTIP, with the colours of the nodes corresponding to the modularity class and the size of the node corresponding to the indegree. The bigger the size the more incoming edges there are.

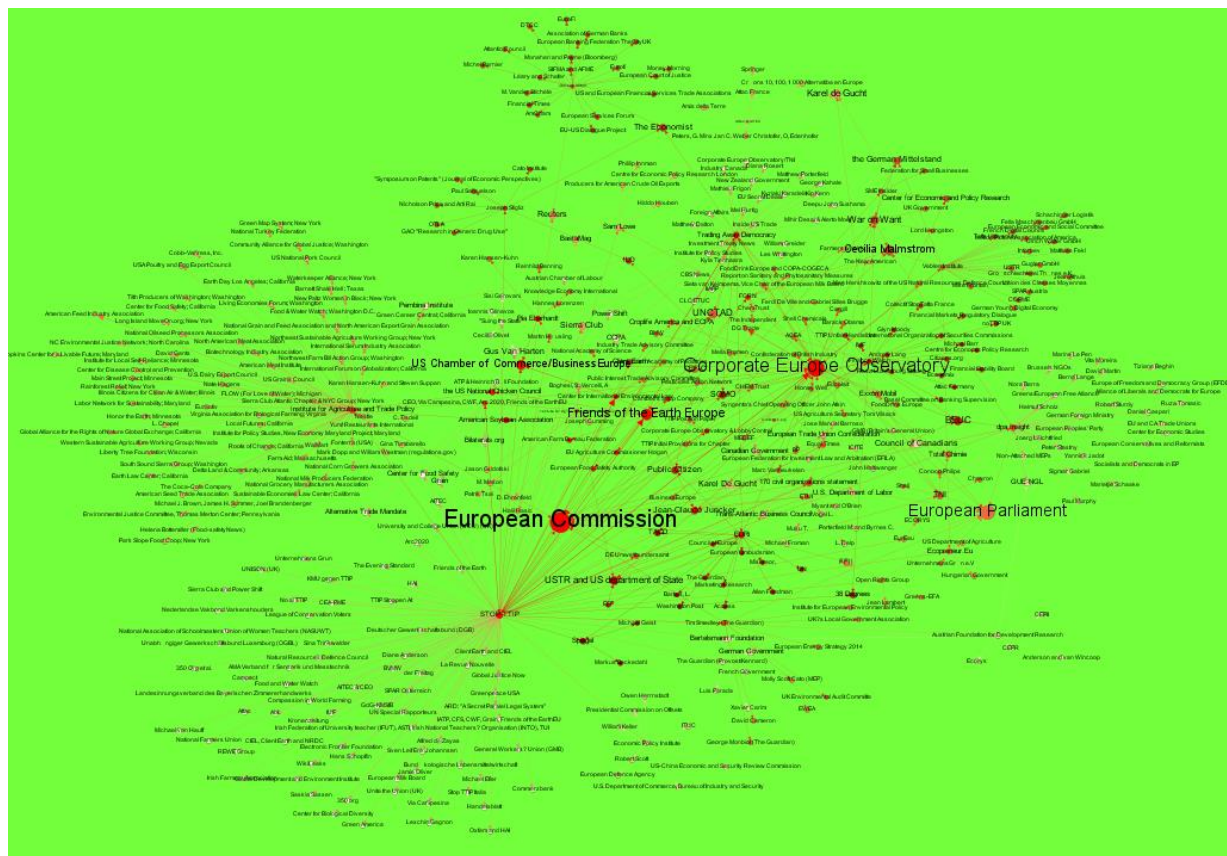


Fig. 49. Directional map of actors in the mobilization against TTIP.

The close up of the most referred to actors in the mobilization against TTIP reveals clearly that a lot of actors referred to statements and documents by the European Commission, the European Parliament, the Trade Commissioner Cecelia Malstrom, the US Chamber of Commerce and Business Europe. Among the key sources of expertise used in opposing the

¹⁰⁶ Background Reading on the European Initiative against TTIP and CETA <<https://stop-ttip.org/material-list-for-information-on-ttip-ceta-tisa/>> [10.05.2017].

the Stop TTIP initiative went to the Baltics with a giant inflatable “Stop TTIP” pencil, very few people knew what TTIP was. In July, 2015, the Stop TTIP supporters organized in Vilnius the first public event on TTIP to take place there, with around 40 participants from trade unions, NGOs, political parties, students. etc. It is indicative that the event was called “Will a Transatlantic Treaty Save us from Russia” and during the event German activists such as Jürgen Maier from Germany’s “Forum for Environment” and Lora Verheecke from “Corporate Europe Observatory” tried to explain why being against TTIP is not being pro-Russia and how the agreement threatened workers’ protection and the environment (Gintalaite, 2015). The geopolitical factor was underlined as well in my interviews with Borislav Sandov from the Bulgarian Green Party and Ivaylo Popov from “Za Zemyata”, the Bulgarian representative of “Friends of the Earth”, who both noted that people in Bulgaria tend to be cautious when it comes to mobilizing against an agreement with the U.S. (interviews 22, 23).

Two cases that seem to differ from the general Eastern European pattern, have been Romania and Hungary. NGOs in Romania have indeed been more active against TTIP in comparison to those in Bulgaria, due to the fact that the early phases of the negotiations of TTIP coincided with the mass Romanian environmental protests against the Rosia Montana mining project (Margarit, 2016a; 2016b) that would have involved the extraction of gold by the Canadian company Gabriel Resources. Faced with unprecedented and sustained protests the government stopped the Rosia Montana project and on July 21 2015 Gabriel Resources filed a complaint against Romania at the ICSID (the World Bank’s International Centre for Settlement of Investment Disputes), thus giving a clear example of the dangers of ISDS clauses in trade agreements (Hartmann, 2015). Nevertheless, even if Romanian NGOs were strongly mobilized, Romanian citizens did not come out to the streets to protests against TTIP.

Finally, Hungarian civil society organizations, which were strongly represented in the STOP TTIP initiative, found an unexpected ally in the face of the government of Orban, known for his illiberal and often highly protectionist rhetoric (Cooper and Davies, 2016). It was the official position of Hungary that ISDS should not form part of the agreement. What is more, Hungary wrote a GMO ban into their constitution and declared they would veto TTIP if that principle was threatened (Boda, 2015). But again, Hungarian citizens did not mobilize

massively against TTIP. Neither did Latvians, Estonians, or Lithuanians, Bulgarians, Poles, Slovenians, Slovaks or Czech citizens. In short, Eastern Europe remained unengaged in opposition to the agreement.

It seems clear by now that the presence of strong Anti-ACTA protests in 2012 cannot predict the presence of strong anti-TTIP protests in the period 2014-2016. But how can we explain the diffusion of anti-TTIP protests? Which were the pre-existing networks that mattered? It seems that the best predictor for diffusion of anti-TTIP protests is the presence of a strong scene of alter-globalization and anti-neoliberalism NGOs and political parties. Ultimately, the protests against TTIP addressed a much broader set of issues, managing to attract Green Left and radical left parties and NGOs (and increasingly radical right actors) in Germany and Austria, but also in Spain, Italy, Belgium, France, among others.

Bertelsmann Foundation data on support for TTIP, comparing answers from 2014 and 2015, shows clearly the high public support for the agreement in the countries of Eastern Europe, among which the most supportive is Lithuania with 79 per cent of the population in favour of TTIP, followed by Romania (78%), Poland (71%), Bulgaria (67%), Check Republic (62%). What is more, while the general trend has been decreasing support for TTIP (support fell 5 per cent on average and opposition increased with 7 per cent on average (Rehn, 2016)), countries like Romania and Bulgaria even increased their support. Other countries with similarly high levels of support have been Ireland (77%) and Malta (79%). The country with the highest percentage of the population opposing ACTA has been Austria (67%) with 14 per cent increase in percentage of opposition from 2014 to 2015. 51 per cent of all Germans oppose TTIP, and this number has increased in 2015 with 10 percentage points in comparison to 2014 (Bertelsmann Foundation 2016: 27). The high percentage of disapproval for both Germany and Austria is a testimony for the success of the anti-ACTA campaign in both countries. Measuring the change in public opinion in fact is a good way to measure how through their agency actors change public opinion, pressure potential allies and influence the political opportunity structure.

Comparing Austria, France, Germany, Italy, Spain and the UK, Caiani and Graziano find that Austria has an open political opportunity structure when it comes to TTIP (both at the institutional level, with support from left parties and trade unions, and at the social level, with a large percentage of the population opposing the agreement), France has a slightly

open POS, Germany – very open, Italy – closed, Spain – closed and the UK – slightly open. Confirming the authors' initial hypothesis, the countries with open and very open POS (Austria and Germany) are the ones with the most substantial protests.

One of the authors' most interesting findings is that in countries with closed POS with regard to TTIP (Spain and Italy being the most notable cases), in over 70% of the cases protest events target EU targets, while in Austria and Germany EU targets represent only 3.9% and 15.7% of overall targets (Graziano and Caiani, 2016). Graziano and Caiani show that both Spain and Italy are characterized by externalization as a mode of Europeanization of social movements, while Austria, Germany and the UK show primarily forms of domestication. The analysis of protest event data reveals that both supra-nationalization and transnational pressure account for only a small percentage of all protest events (14.9% and 2.6% respectively) (Graziano and Caiani, 2016).

Graziano and Caiani convincingly show that open and closed political opportunity structures can drive activists to choose (or not) Europeanization as a strategy. However, I claim that what explains the occurrence of protest, to begin with, regardless of the POS and the type of targets chosen, are the pre-existing strong networks of NGOs with experience in the alter-globalization movement and the ongoing efforts of these NGOs and bottom-up protest groups certainly contributed to the existence of a more open political opportunity structure, and thus to the ultimate success of the anti-TTIP campaign. Thus, consistent with the main theoretical argument of my thesis, I claim that the successful diffusion of anti-TTIP protests was facilitated by pre-existing alter-globalization networks and their ongoing campaigning.

Summing up this section of the chapter, the campaign against TTIP was initiated in Germany by a series of NGOs, supported by the Greens and the Left. The Pirate Party and digital rights organizations were involved in the campaign but to a much smaller extent in comparison to alter-globalization groups. The German organizations also set up a common European platform Stop TTIP, which attracted civil society organizations from different countries, with German organizations being the most prominent, followed by Spain, the UK, Hungary, Romania, France, and Austria. The countries with the most massive protests against TTIP were Germany, Austria, France, Belgium, Spain, and Italy. The pattern of diffusion of protests was, in fact, very different from the one observed during the anti-ACTA campaign, with Eastern Europe not witnessing any substantial anti-TTIP protests. Thus, we can safely

assume that it was not so much the presence of previous anti-ACTA protests that influenced mobilization against TTIP, neither the POS understood in a more static way, but the presence of a global justice protest tradition and the active organization efforts of anti-TTIP campaigners. In the next section of this chapter I trace what were the most successful frames and forms of contention in the mobilization against TTIP and I check which of them (if any) were borrowed from the anti-ACTA campaign.

In an attempt to explain the prevalence of protest against TTIP in Germany, the major export country of the EU, *The Economist* published an article with the not so neutral title “Protectionists and Scaremongers are Winning in Germany” (The Economist, 2016). In the next sections, I try to understand to what extent it is justified to characterise resistance to TTIP in terms of a rising wave of protectionism. If one thing is clear, it is that the economic and geopolitical arguments put forward by the EU Commission could not convince German, Austrian or Italian citizens, among others, eager to defend a way of life threatened by the comprehensive transatlantic agreement.

“TTIPing over Democracy”: frame diffusion between the mobilizations against ACTA and TTIP. The Challenge from the Right

In the current section I explore the main frames used in opposing TTIP and trace which of them had been already used in the anti-ACTA campaign. In the second part of the section, I explore the diffusion of frames from the left to the right and the processes of frame transformation the radical right engaged in, in order to “own” opposition against TTIP.

Frame diffusion between the mobilizations against ACTA and TTIP

In order to check which frames were most frequent in the transnational campaign against TTIP, I performed qualitative and quantitative analysis of the documents with expertise that were quoted/referred to on the website of the transnational campaign StopTTIP.org and noted down each actor and the frames they used. In addition, similarly to my analysis of frames used in the anti-ACTA mobilization, I used tools for social network analysis and visualization and collected directional data of who quoted/referred to whom in order to explore the direction of information diffusion and how actors clustered.

As the transnational platform Stop-TTIP.org had been set up by German organizations, the frames it offers are to a large extent similar to those that dominated the German domestic debate. In order to capture national differences, I also complement my data with newspaper information on TTIP debates in Italy and the UK: in both countries the issue of TTIP got entangled with pre-existing national debates, resulting in highly specific framings. What is more in both contexts, as in Germany, radical right actors tried to “own” opposition to TTIP and present it as their issue.

Before I comment on the frames themselves, it is important to note that the Stop TTIP initiative combined seamlessly opposition to TTIP with opposition to CETA, the Comprehensive Economic Trade Agreement with Canada. While CETA’s negotiations had started much earlier, already in 2009, and were concluded in August 2014, activists realized that they had less chance of gaining public attention and successfully defeating the agreement with Canada that was already so advanced, and decided to launch a campaign against TTIP first in order to draw public attention and only then to focus full scale on the campaign against CETA as its smaller “sister agreement”. Thus, the fact that the campaign initially focused on TTIP and only later shifted all efforts to combating CETA was not a coincidence but a pre-mediated strategic choice (interview 22).

The most prominent frame related to TTIP was “regulatory cooperation: a race to the bottom”. Other concerns were related to the undue influence of big business on negotiations and the fact that the agreement privileged big business. The fourth most frequent frame on TTIP pointed to the fact that through the ISDS mechanism investors can sue states. The fifth frame draws attention to the fact that TTIP “constrains the right to regulate” of states. The sixth most frequent frame again addresses procedural issues with TTIP: “negotiated behind closed doors”. Subsequent frames referred to the threats TTIP poses on environmental, health, labour, food, financial regulation, animal welfare, and pesticides standards. Particularly prominent were also frames that dealt in more detail with ISDS and its negative effects on sovereignty and national democracy. What becomes clear is that within the 30 most used frames in debates around TTIP there were only a few frames known from the mobilization against ACTA. The only serious continuity between the two campaigns has to do with procedural frames pointing to the secrecy and undemocratic nature of the negotiations and to business influence.

In the graph below I present the 30 most popular frames in the expert documents from the StopTTIP.org website (Stop TTIP, 2016):

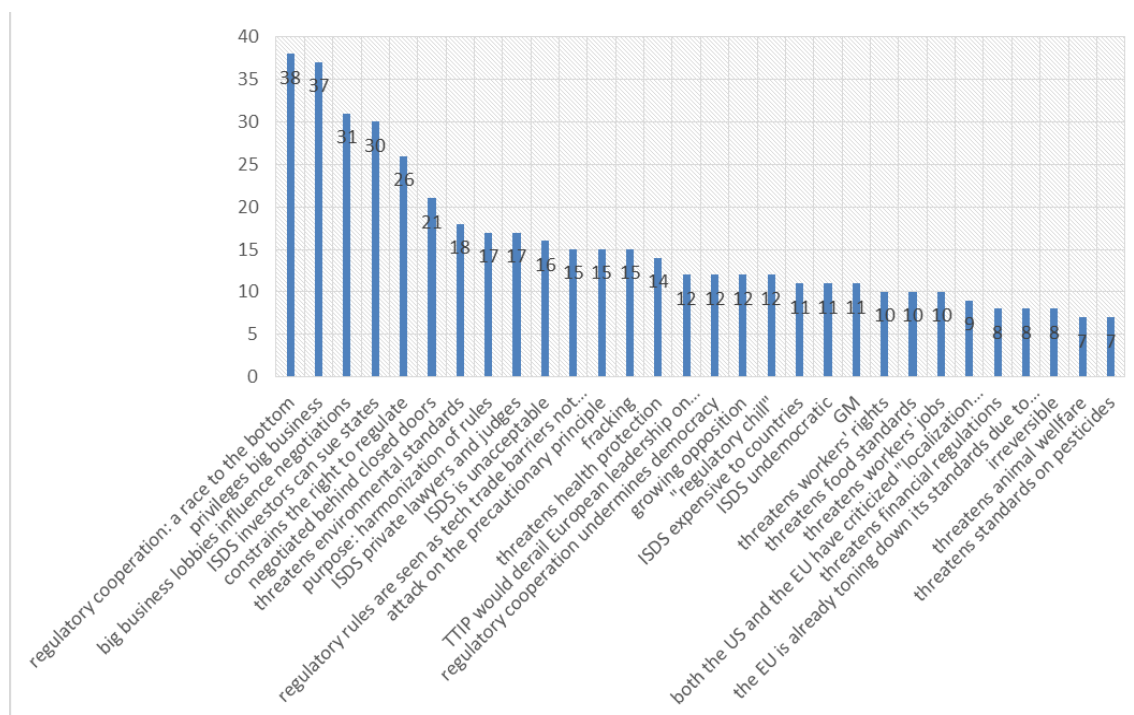


Fig. 51. Figure of the 30 most frequently used frames with regard to TTIP.

The frames promoted by the Stop TTIP campaign have also found their place in several campaign videos such as the animation created by the Stop TTIP campaign “TTIP and CETA – a one way street of liberalization”¹⁰⁷, the animation “Freihandelsabkommen TTIP stoppen!”¹⁰⁸, created by Jonas Krammer for Attac Deutschland and later uploaded and popularized by the UK NGO 38 Degrees, called “What is the Transatlantic Trade and Investment Partnership”¹⁰⁹ or The Guardian newspaper video “What is TTIP? Everything you need to know about the “Super Sexy” Trade Acronym”¹¹⁰. There are two interesting things to note with regard to the available statistics of these videos (not disclosed for the Attac videos but available for the other two): first they have much less views than videos on ACTA which had millions of views; second, while ACTA videos had clear spikes of interest in one very short period of time (end of January-beginning of February 2012), the videos on TTIP have a much more evenly distributed in time patterns of views that show a slow but steady increase through the years. In a sense, this pattern testifies for the sustained efforts of

¹⁰⁷ <https://www.youtube.com/watch?v=wC80EEBn5pw> [28.01.2017].

¹⁰⁸ <https://www.youtube.com/watch?v=Ljxv-yFBPQ8> [28.01.2017].

¹⁰⁹ <https://www.youtube.com/watch?v=Y4OQeekSD6s> [28.01.2017].

¹¹⁰ <https://www.youtube.com/watch?v=jEW3DYDJi2E> [28.01.2017].

NGOs to raise awareness of TTIP and CETA. This pattern of views also points to the benefits of the strategic decision to focus on both agreements, shifting the focus on CETA later. In late summer 2016 it was almost certain that the TTIP negotiations had failed: the German Vice Chancellor and Economy Minister Sigmar Gabriel famously said that the TTIP negotiations were “dead in the water”¹¹¹. At this moment activists focused exclusively on CETA, thus performing a smooth transferral of opposition from TTIP to CETA.

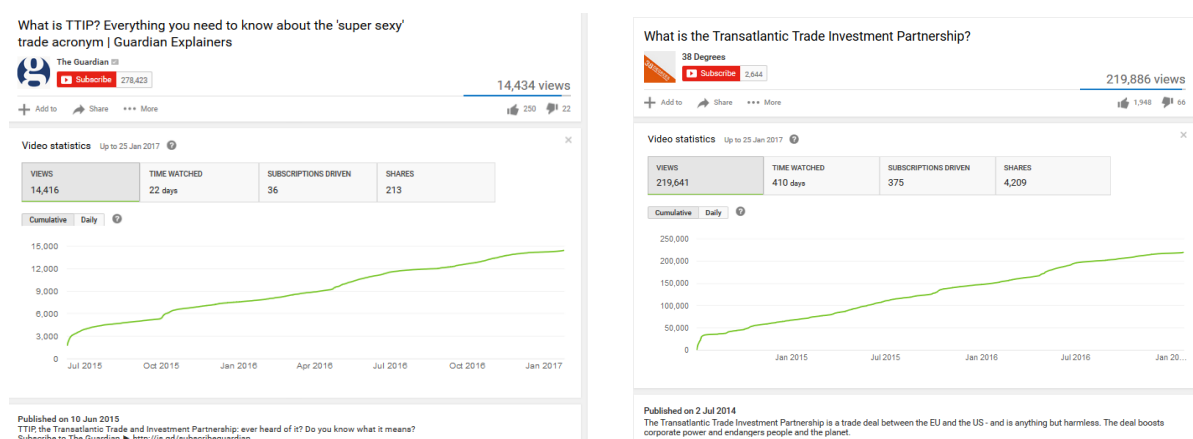


Fig. 52, 53. YouTube statistics for the videos “What is TTIP” and “What is the Transatlantic Trade and Investment Partnership?”¹¹²

The most prominent frames that diffused from the mobilization against ACTA to the mobilization against TTIP (and later on CETA) were above all procedural frames: referring to the influence of business lobbies and the secrecy of negotiations. Indeed, the focus on secrecy was a strategic choice by campaigners who often knew little beyond the sheer fact that a particular agreement was negotiated, due to strong secrecy rules. In such situation, the best strategy for the beginning of a campaign was to focus precisely on the secrecy, to expose it, and to question it (interview 22). There was also a diffusion of frames related to Internet freedom between the campaigns against ACTA and TTIP, yet as TTIP was much broader, the frames related to Internet issues remained rather secondary in public debates and did not form the thrust of the argument against the agreement. Digital rights organizations such as *EDRi* drew attention to the potential dangers to data protection posed by discussions on data flows in the TTIP negotiations, but also to differing attitudes to surveillance in the U.S. and the EU (in connection to the NSA scandal which largely coincided

¹¹¹ <http://www.euractiv.com/section/trade-society/news/germany-says-ttip-dead-in-the-water/> [28.01.2017].

¹¹² <<https://www.youtube.com/watch?v=jEW3DYDji2E&t=29s>>, <<https://www.youtube.com/watch?v=Y40QeekSD6s&t=12s>> [29.01.2017].

in time with the initiation of TTIP negotiations) and to the importance of data encryption, and finally, to the much disputed issue of net neutrality¹¹³. Nevertheless, even *EDRi* focused above all on the secrecy of negotiations of TTIP, the dangers of regulatory cooperation, and ISDS. As in the campaign in opposition to ACTA, in the Stop TTIP initiative transnational NGOs managed to create a strongly coherent set of frames that were promoted by civil society actors across the EU. However, inevitable national differences in framing arose, often in connection to current events but also to traditionally contested topics in each country. What is more, the organized radical left and Green left campaign against TTIP was challenged by the opportunistic intervention of radical right actors who tried to appropriate opposition to TTIP and present it as their own issue. In the following paragraphs I will explore the contested diffusion of resistance to TTIP from the left to the right, in three country contexts: the UK, Germany and Italy and I will pay particular focus on the reaction of Green Left and Radical Left parties to the attempted appropriation of their issues.

The Challenge from the Right

Green left and radical left parties and NGOs were often the first ones to raise awareness of the dangers of TTIP, to do research, and to provide valuable expertise. Radical right parties recognized the issue later and when they did not borrow frames directly, they reframed arguments against TTIP in the language of national sovereignty and anti-free trade. For parties such as UKIP or AfD, which have a strong neoliberal background, however, this reframing turned out to be problematic and could be solved either by frame transformation (Snow et al., 1986: 473) or by parting ways with disagreeing members. The strategic responses of Green left and radical left parties and NGOs have ranged from cooperation to explicit public denunciation or confrontation. While most research, focused exclusively on NGO, Green, and radical left opposition to TTIP (Keith, 2016; Strange, 2015), failed to take into account the role of the radical right in resisting TTIP, narratives that classified all opposition to TTIP indistinctively as “populist” or “anti-trade” (Bremmer, 2016; Joe, 2017; Ziegler, 2016) failed to take into account the important political and ideological tensions in the anti-TTIP camp. Calling all opponents of TTIP “populists” obscured more than it revealed about the reasons for opposition to TTIP.

¹¹³ <https://edri.org/ttip-and-digital-rights-the-booklet/> [28.01.2017].

On the 21st of June, 2016, two days before the Brexit referendum, the London branch of the infamous “alt-right” *Breitbart* media, published the following news: “Revealed: EU to Bypass National Parliaments on Controversial TTIP Deal” (Hale, 2016). A careful reading of the article revealed that it actually referred to CETA, the Comprehensive Economic and Trade Agreement with Canada and not to TTIP, the Transatlantic Trade and Investment Partnership with the US. *Breitbart*’s article published with this particular title in this particular historical moment provoked passionate comments, such as: “Jel: BREXIT...kill the EU beast”; “TrumpJunkie: BREXIT OR DIE - TTIP IS THE DEATH OF JOBS, THE DEATH OF BUSINESS. VOTE DEMOCRACY - VOTE LEAVE !!! VOTE BREXIT 2016 ----- GET OUT !!” (Comments Section, Hale, 2016).

The discussion on TTIP in the UK became strongly intertwined with the debates on Brexit: the populist radical right party UKIP making every effort to convey that a “No” to TTIP necessarily means a “No” to the EU, a position strongly contested by NGOs such as *Greenpeace* or *Global Justice Now*, for example, who claimed that a “No” to TTIP should be combined with a “Yes” to staying in the EU. What is particularly striking about the *Breitbart* piece already mentioned is that it provides links to analyses by Nick Dearden and John Hillary, directors of *Global Justice Now* and *War on Want* respectively, both NGOs clearly leaning towards the left of the political spectrum.

While organizations such as *War on Want* or *Global Justice Now* were collecting and providing expertise to warn about the dangers of TTIP already in 2013¹¹⁴, in early 2014, several months before the EU elections, UKIP still had a rather exploratory stance on the agreement. TTIP was not included as an issue in the 2014 UKIP manifesto for the European Elections, in which the party won the largest share of the UK vote – a remarkable 26.6% that put them in front of Labour, the Conservatives, and the Liberal Democrats..

Several months after the European Elections, UKIP had to clarify its position on TTIP after a series of eventful misunderstandings. On the 20th of October, 2014, at 9am an article was published in the *International Business Times (IBT)* which stated that UKIP MEP and the party's spokesperson for trade, William Dartmouth, had confirmed in an email exchange that should a transparent agreement come to pass, the party “wishes to see public services

¹¹⁴ <http://media.waronwant.org/sites/default/files/TTIP%20and%20Third%20Countries%2C%202016.pdf>;
<http://www.globaljustice.org.uk/blog/2013/dec/16/ttip-tafta-sellout-our-democracy>

such as the NHS and education included in TTIP” (Bermingham, 2014a). By 5pm on the same day UKIP backtracked on its position with a statement that Dartmouth had hurriedly given on the phone the answers to Guy Parfitt, a member of his staff not permitted to speak on UKIP policy, who had subsequently "made an error and confused the words 'include' with 'exclude'" (Bermingham, 2014b). The IBT received the following clarification from the office of Nigel Farage:

"The trade agreement is being negotiated by the unelected EU Trade Commissioner behind closed doors - all our MEPs can do at the moment is sit and wait until the final agreement is forwarded to the EU "parliament" and then say yes or no to it. Astonishingly, MEPs have no power to make amendments to any agreement the EU makes on international trade, nor does our elected UK government.

Ukip is in favour of free trade but we are opposed to the undemocratic Commission negotiating on our behalf. Of course we look at each trade deal on case by case basis, so if this one is not in the UK's interest, we will have no reservation in voting against. However we have yet to receive even the draft agreement (let alone the final agreement). In the meantime, we share your concerns."

This statement crystallized the position of UKIP on TTIP: that is, that UKIP is in favour of free trade but is opposed to the European Commission negotiating on UK's behalf. With time, the position developed with subtle distinctions, such as the claim that TTIP is in fact not *really* free trade.

The big question for UKIP from the very beginning had been how to reconcile its usual support for free trade with the demands of its members to oppose TTIP. The solution found was claiming that TTIP was not free enough since it was negotiated by the European Union. While TTIP has been vehemently opposed by Green left and radical left parties and NGOs in the UK and all across Europe on the grounds that it is above all a neoliberal project of bypassing democracy, deregulation and lowering of working, environmental, and food safety standards among others (Maier, 2016; Dearn, 2016), UKIP opposed TTIP from a pro-neoliberal perspective on the grounds that TTIP is not "free" enough.

In his June 2015 piece on TTIP for *Breitbart*, Farage claimed that TTIP, as negotiated by the European Commission, was in fact corporatist: "Whilst TTIP may masquerade as being about free trade, actually it's not. It's about harmonisation, standardisation and a market place in

which the giant corporates can dominate” (Farage, 2015). On the 10th of June, 2015 UKIP protested in a session of the European Parliament against a decision to cancel the vote on a TTIP resolution and held posters with the words: “*Free Trade – yes. TTIP – no!*” In addition, in response to allegations that UKIP would like to privatise the NHS, Farage insisted that the NHS should be protected. In no other European country apart from the UK has the protection of public health care service been so widely discussed in relation to TTIP. In a sense, this shows clearly how the issue of TTIP was connected to pre-existing salient debates in different EU member states.

One of the reasons why UKIP had to declare itself against TTIP was hinted by Farage himself who admitted that in over 16 years as an MEP, he had “never seen such a vast amount of emails, correspondence, even members of the public phoning my office in Strasbourg as I have recently over the issue of the Trans-Atlantic Trade and Investment Partnership (TTIP)” (Farage, 2016). The source of this pressure was the information campaign waged by Green left and radical left parties and NGOs to raise awareness of the dangers of TTIP. Farage himself acknowledges the expertise of the NGO *38 degrees* as crucial for elaborating his position and expresses gratitude for receiving “a nice letter from Francis O’Grady, the TUC’s General Secretary, regarding TTIP’s dispute mechanism” (Farage, 2015). What is more, there is evidence of collaboration between UKIP and *38 degrees* in grassroots campaigning. In 2014, *38 degrees* approached UKIP at their party conference at Doncaster in order to provide them with information on TTIP and in August 2015, UKIP members joined *38 degrees* members in handing leaflets and explaining the dangers of TTIP (UKIP with *38 degrees*, 2015). *38 degrees’* rationale for approaching UKIP was stated clearly: “No matter what you think of UKIP, they have 24 members of the European Parliament (MEPs) – and they’ll all get to vote on TTIP” (Blair, 2014).

However, *38 degrees* has been the exception as most left wing/Green NGOs have been highly hostile to the way UKIP appropriated their issue. For example, Ruby Stockham from the radical left political blog *Left Foot Forward* claimed that while UKIP focused on where the deal was negotiated, most parties had problems with the actual content of the deal. What is more, “UKIP would welcome the relaxation of environmental restrictions” and they are “in favour of reduced rights for workers – they want to scrap race discrimination laws, think paid maternity leave is ‘lunacy’ and want to scrap holiday and sick pay”. In a sense,

“UKIP are actually in favour of many of the things TTIP stands for; they just don’t like it being negotiated by the EU” (Stockham, 2015). In a similar vein, Morten Thaysen from *Global Justice Now* passionately argued that the left could not let the fight against TTIP to become a platform for UKIP: “Yes, we need every vote we can get against TTIP in the European Parliament, including UKIP’s. But celebrating a party associated with racism and homophobia as a champion of the campaign against TTIP is a mistake. In the fight for social and economic justice we must ally ourselves with the people who are going to be hit the hardest by deals like TTIP, not their oppressors” (Thaysen, 2015). Sam Lowe from the environmental NGO *Friends of the Earth* insisted that opposition to TTIP was not a reason to leave the EU (Lowe, 2015). Lowe underlined the benefits of EU membership and claims that ultimately, “if we want to stop TTIP, we can only do it as part of the EU, as part of a Europe-wide movement” (Lowe, 2015).

To sum up, the fact that UKIP appropriated resistance to TTIP and framed it as opposition to the EU was far from welcome and provoked a series of reactions by Green Left NGOs that tried to distance themselves from UKIP and underline where the real problems with the agreement lay.

In Germany, the decisions that the radical right Alternative für Deutschland (AfD) had to take about TTIP were not unlike those of UKIP. German NGOs, supported by the radical left party Die Linke and the Greens, had been at the forefront of the STOP TTIP citizen initiative, To begin with, and similar to UKIP, AfD have joined the debate on TTIP rather late, as they were originally a party supporting free trade. The radical right party was founded in Germany in 2013 by a group of euro-sceptics who opposed German-backed bailouts for poorer Southern European countries and claimed that Germany should leave the Eurozone. A considerable number of those who endorsed the manifesto of AfD were professors of economics, leading to the derisive description of AfD as “the professors’ party” (Hill, 2015). In March 2014, at their party conference in Erfurt, the party chairman, economics professor Bernd Lucke defended TTIP with the argument that the agreement was a positive, constructive goal and very much in the interests of Germany. He singled out the car industry as a potential winner of the agreement. However he was vehemently opposed by Berlin lawyer and party member Beatrix von Storch, who claimed that TTIP could be a threat to consumer and environmental protection, as well as working standards. Electronic voting on

the issue gave a clear preference to Von Storch's position (Jahn, 2014) and, two months later, Lucke had joined her in criticizing TTIP. In May, 2014, during the European Elections campaign, Lucke held a passionate speech against TTIP in Dresden. He pointed out ISDS as one of the main problems with the agreement and claimed it was neither correct nor appropriate that American companies in Germany would no longer be subject to German jurisdiction in legal disputes under ISDS (Lachmann, 2014). However, the inherent tension in the party with regard to TTIP (and more importantly with regard to immigration) was not resolved.

On the 4th of July 2015 Frauke Petri, who focused overwhelmingly on immigration and the so called "Islamization of Germany", was elected as the new chairman and this symbolic choice marked the victory of the national-conservative faction of the AfD. Several days later Lucke resigned and formed a new party, followed loyally by the economic professors. The conflict of principles, that UKIP managed to resolve with verbal acrobatics and imaginative frame transformation, was fully exposed in the German case and led to a split and bifurcation of pathways. In the new context, after losing its economics specialists, AfD had to formulate quickly an economic policy. The result was described by some as "a grotesque mixture of the questionable (dissolution of European Monetary Union), the reasonable (reforms of renewable energy subsidies) and the naïve (passing the costs of financial crises entirely onto the banks)" (Riedel and Specht, 2016). In fact, AfD took up many of the already existing frames against TTIP – it is enough to read an interview on TTIP with the leaders of Die Linke and AfD to observe the remarkable overlap in their arguments (Streigespräch, 2016). This very fact however made the task of the Left to retain ownership of opposition to TTIP extremely difficult.

Die Linke acknowledged that some of their criticism of TTIP had been appropriated by the radical right and tried to distinguish themselves:

Their criticism is directed against the Americans or the global financial elites, which the German people want to exclude. It thus serves anti-Americanism and anti-Semitism. Here, too, the Left threatens to open the door to the right, if they single out for criticism American corporations. The Left criticism of CETA, TTIP and similar agreements is directed against their anti-democracy. These agreements are neo-liberal and anti-social. Left answers must describe a design for a better future, the

development of our society towards lived solidarity, more democracy and a peaceful world. (fdsHamburg , 2016, translation mine)

It is particularly interesting to note that, in the German context, the link between opposing TTIP and opposing the EU has been far less prevalent than in the UK. While some radical left actors did indeed criticize the EU neoliberal agenda, the prevailing position in the STOP TTIP initiative was that TTIP should be stopped specifically in order to protect higher European standards of work, food and environmental protection (TTIP and CETA in detail, 2016). Recent research on the general attitudes of the German population shows clearly the German citizens trust the EU overwhelmingly when it comes to work, environment and food safety standards (Bertelsmann Foundation, 2016). If there was an external target for the German radical right it was the US and not so much the EU. Both the radical left and the radical right in Germany argued in favour of preserving EU standards and protecting small and medium-sized enterprises versus big businesses.

Regardless of the discursive similarities, the Green left and radical left activists in Germany who had campaigned for years against TTIP, categorically refused to accept any support from the radical right party. In August 2016 the AfD sent a letter to the coordinator of the alliance against TTIP and CETA, asking how to integrate into the demonstration and make the refusal of CETA and TTIP by the AfD clear. Similar attempts of AfD joining the Stop TTIP demonstrations had already been made in Hannover, but in both cases the radical right party was not granted permission to join (Leben, 2016). The coordinator of the Stop TTIP initiative in Germany Christian Weißling said that they want to give a clear rejection to right-wing populists and free trade criticism from the right, demonstrating that there was no space for anti-Americanism and racism (Leben, 2016).

To sum up, Green left and radical left parties and NGOs in Germany had developed an extensive and successful campaign against TTIP, but categorically denied to cooperate with the AfD, once the radical right party split and decided to oppose TTIP as well. While both radical right and Green and radical left actors fought for protection of European standards, the radical right was more prone to succumb to anti-Americanism and nativism as opposed to more constructive criticism of the international trade system.

Finally, the situation has been rather different in Italy, where the radical right was not a latecomer but formulated an explicit opposition to TTIP as early as 2014. The radical right

Lega Nord had changed its positions and ideology multiple times throughout the years, eventually reaching its current position on the far right of the political spectrum, under the leadership of Matteo Salvini. Even though the party did not mention TTIP explicitly in their 2014 European Election Manifesto, they had already run several highly critical articles on it in the party newspaper La Padania (Zygulski, 2014). In the 2014 European elections Lega Nord got 6.15% of the vote and sent 5 deputies to the European Parliament, where they joined the *Movement for a Europe of Nations and Freedom*. At a press conference in May 2016, the leader of Lega Nord Matteo Salvini claimed that “with such bad treaties and a bad currency, with uncontrolled migration and an Islamic invasion, that has been assisted and financed, an attempted genocide of the European people is taking place” (Live: Le Pen and Salvini, 2016). The very same month Lega Nord started establishing committees saying “No” to the constitutional referendum in Italy and “No” to TTIP, which according to Lega Nord would pose risks to consumers’ health and would affect Italian food sovereignty (Il Piacenza, 2016).

The emphasis on food sovereignty but also on protection of small and medium sized businesses has been a main issue for another party in Italy strongly opposing TTIP: the Five Star Movement. While the Five Star Movement did not recognize opposition to ACTA as their issue, they embraced the campaign against TTIP early on and recognized it as a crucial cause to fight for. The secretive negotiations of TTIP and its undemocratic nature, combined with the ISDS mechanism threatening national sovereignty, and the dangers the agreement could pose to food safety, food sovereignty, and the environment made it an ideal target for a movement demanding more democracy and more environmental awareness.

In the 2014 European Elections, the Five Star Movement won 21.16% of the popular vote and sent 17 deputies to the European Parliament, where it entered in an alliance with UKIP. The MEP Ignazio Corrao raised the issue of TTIP in the very first public statement by from the Five Star movement in the European Parliament (Italian M5S Debut, 2014). Since then the movement has been highly active on TTIP with MEP Tiziana Beghin following closely the developments of the negotiations on TTIP. The acceptance of the Five Star Movement as an ally of the left in the campaign against TTIP has been not only a domestic phenomenon. Tiziana Beghin has spoken together with colleagues from the Greens-European Free Alliance

and the Confederal Group of the European United Left and the Nordic Green Left during a recent event on CETA, for example (CETA Citizens Summit, 2016).

Regardless of whether we focus on radical right, radical left or more catch-all actors such as the Five Star Movement in Italy, the common denominator of their frames is the strong focus on local food, agriculture, protecting geographical indicators (such as Parmesan cheese or Chianti Wine), and small and middle sized enterprises associated with the “Made in Italy” merchandise mark. While Lega Nord have also attempted to connect opposition to TTIP with opposition to Renzi’s constitutional reform, frames related to food, agriculture and SMEs have been much more prominent in the discussion (Beghin M5S, 2015; Rizzo, 2016). The high level of frame overlap between TTIP opponents in Italy confirms that there are debates and topics of national importance that cannot be avoided and are inevitably incorporated in discussions of new issues.

To conclude, in this section of the chapter, I have shown first, that frames that diffused from the mobilization against ACTA to the mobilization against TTIP referred mainly to procedural issues and threats to sovereign decision-making. Frames related to intellectual property or Internet freedom did spread but did not manage to gain prominence and wide-spread distribution. Second, a core set of frames, referring to the threats posed by ISDS, regulatory cooperation and lowering of standards and undue business influence, dominated the debate across different EU countries, thanks to the efforts of the organizers of the transnational Stop TTIP campaign, who provided MEPs and the general public videos, leaflets, Power Point presentations, and all types of informational materials with key arguments against TTIP. Third, frames particular to national debates (e.g. the privatization of NHS in the UK, protecting European standards in Germany, food sovereignty and protection of small and medium businesses in Italy) did not replace the core set of transnational frames, promoted by NGOs, but complemented them. Fourth, radical right parties in several country contexts tried to opportunistically “own” the issue of resistance to TTIP in order to respond to their membership base, but this often turned out to be a difficult task, especially for parties such as UKIP and AfD, which have strong neoliberal background. Green left and radical left parties and NGOs adopted different strategies to respond to the attempts of the radical right to “own” their issues: from moderate cooperation with the radical right to public rejection of their positions and explicit refusal to cooperate.

While in this section I have addressed the diffusion of frames between mobilizations and between actors within the same mobilization, in the next section I focus on the diffusion of forms of contentious action.

The Diffusion of Forms of Contentious Action between the mobilizations against ACTA and TTIP

The campaign against TTIP (and subsequently against CETA) used many of the forms of contentious action tried out in the campaign against ACTA but centralized, standardized, and streamlined them.

During the mobilization against ACTA Avaaz launched a highly successful petition with more than 2.3 million signatures¹¹⁵. The mobilization against TTIP and CETA was different in the sense that the STOP TTIP initiative coordinated with Avaaz and offered a platform of its own in order to collect signatures for what was initially intended to be a European Citizens Initiative (ECI).

The ECI is a European Union mechanism introduced with the Lisbon Treaty and aimed at increasing direct democracy. The initiative is an invitation to the European Commission to propose legislation on matters where the EU has competence to legislate (ECI Basic Facts, 2016). A citizens' initiative has to be backed by at least one million EU citizens, coming from at least 7 out of the 28 member states. A minimum number of signatories is required in each of those 7 member states. A citizens' initiative is possible in any field where the Commission has the power to propose legislation, for example environment, agriculture, transport or public health (ECI Basic Facts, 2016).

Members of the Stop TTIP campaign decided to use the instrument provided by the EU itself. However, the Stop TTIP petition was rejected by the European Commission on the grounds that it fell “manifestly outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties” (ECI, 2014). The Commission claimed that the negotiating mandates on TTIP and CETA were not legal acts but internal preparatory acts between EU institutions and therefore not contestable via an ECI. The organizations responded by claiming that the arguments given by the Commission did not hold legal scrutiny and were politically motivated (Stop TTIP,

¹¹⁵ <https://secure.avaaz.org/en/eu_save_the_internet/?pv=412&rc=fb> [29.01.2017].

2014). A recent decision of the European Court of Justice (10th of May 2017) pointed out that the Commission was wrong to refuse registration, as “the principle of democracy, which is one of the fundamental values of the EU and the objective behind the European citizens’ initiatives’, required a broader interpretation” (Eriksson, 2017).

Nevertheless, back when the registration of the ECI was refused, the STOP-TTIP initiative had no other option but to continue collecting signatures as a Self-Organized European Citizen Initiative, using the same platform. In the period from 7 October 2014 to 6 October 2015 the self-organised European Citizens’ Initiative Stop TTIP collected 3,284,289 signatures against TTIP and CETA and reached the country quorum in 23 Member States (About Stop TTIP, 2016). The very fact that there was one platform against TTIP and CETA that could be consulted by different national organizations proved to be highly important. While the mobilization against ACTA was to a large extent non-coordinated in advance and consisted of diverse initiatives launched by different actors towards the same goal, the mobilization against TTIP was much more coordinated and professionally managed, and organization was centralized to a large extent in the hands of the NGOs managing the Stop TTIP initiative.

The campaign against TTIP (and later against CETA) borrowed both the tactic used in the anti-ACTA campaign of massively involving citizens in sending emails and making phone calls to MEPs and petition signing but streamlined these practices through its own platform and with scripts prepared by its experts. To begin with, similarly to the practice in the anti-ACTA mobilization, citizens opposing CETA were encouraged to call their MEPs using a detailed phone script and instructions, after being recommended to go through recommended posts with reasons to oppose CETA (Call an MP, 2017). The Stop TTIP initiative also launched a “Fax Friday” campaign inviting people to its office in order to meet, chat, and send faxes to MEPs. Of course, the reference to faxes was highly playful, underlining the difference between the deputies in the EP who were still from the fax generation and the young generation that uses computers. But the Stop TTIP initiative did not ignore its strength in the digital sphere and urged citizens to use the hashtags #CETATHursday and #CETATuesday to Tweet to MEPs urging them to oppose CETA or thanking them that they’ve already pledged to oppose it. The campaign again provided template tweets and pictures that could be tweeted, thus making it even easier to take part in the initiative (CETA Thursday, 2016).

What is more, citizens could go beyond than simply call their MEPs, write emails or Tweet. They could use the “CETA check” tool that completely automates the process of connecting to elected representatives and asking questions. One of the most fascinating aspects of the form is a small arrow followed by the text: “Click here to see the text of your email to [name of MEP]”. Users do not even have to bother reading the text of their own emails anymore as the professionalized campaign has taken care of it.

Fig. 54. The CETACheck form.¹¹⁶

An innovative decision in the mobilization against TTIP and CETA, compared to the anti-ACTA campaign, was the attempt to focus not only on the general effects of the Transatlantic Trade and Investment Agreement but also on how it could affect decision making at the levels of cities and regions. The giant inflatable Stop TTIP pencil (Stop TTIP Pencil, 2015; Ryø, 2015; Voss, 2015) became a symbol of the efforts of campaigners to reach out to local communities and collect signatures in places whose inhabitants wouldn’t have had the chance to discuss TTIP/CETA otherwise. The decision to move resistance to the local level has been particularly important as it also marked another stage of campaigning and an attempt to deepen the resistance and shift scales from the transnational to the local level. This more bottom-up approach could be traced back to the philosophy and style of work of

¹¹⁶ <https://stop-ttip.org/cetacheck/?noredirect=en_GB> [31.01.2017].

NGOs such as Attac that pursue a bottom-up type of globalization (Pasqualoni and Treichl, 2012: 184)

In April, 2016, representatives of 60 European cities met in Barcelona and signed a declaration claiming it was their duty to defend local communities and democratic institutions as spaces for debate and decision-making (Barcelona Declaration, 2016). The mayors rightly pointed out that the provision of services and the administration of public funds in order to aid people with housing, health, education, food safety, etc. have traditionally been duties of local authorities. Yet, they had no say in the negotiations of TTIP and CETA – both agreements with the potential to affect all of the areas mentioned. In a sense, the Barcelona Declaration attempted to bring back into play the local actors, paying attention to sovereignty as an act of self-governance, of direct participation and of governance of the people for the people.

Cities had declared themselves TTIP-free also before The Barcelona Declaration but the declaration emphasized the truly transnational dimension of these local efforts and gave a name and a map to the campaign. In fact, shortly before the Barcelona Meeting, *Attac France* created a website for the campaign to provide a centralized map on which each city that had adopted a resolution could mark itself as TTIP-free. What is more, the web site provided standardized materials that could be used by activists lobbying city councils and local governments. Among the pieces of advice given to activists was the suggestion to lobby mayors that were already sympathetic to their cause.

Declaring a zone to be TTIP-free has no legal effect and could hardly challenge the provisions of a transnational agreement if it comes into force. At the same time the motions of local mayors to declare their cities TTIP-free have had a strong symbolic dimension. Beyond individual citizen action, organized street protests, lobbying by NGOs, and political parties voting in the national parliaments and the EP, the TTIP-free zones initiative aimed to show that territorially organized communities also opposed TTIP and their voice mattered. Still, the different levels (national, transnational, local) and repertoires of resistance (lobbying, petitions, protests, and declarations) have been strongly intertwined and have reinforced each other. Thus, until August 2016, Austria had 241 cities that had declared themselves TTIP-free, while Italy – 50, Spain and Bulgaria - 6. The level of engagement of local mayors obviously reflects the general strength of the anti-TTIP/CETA campaigns on the

national level. Contrary to what might have been the case, local anti-TTIP/CETA initiatives did not appear to fill in a vacuum, but rather reinforced already strong initiatives at the national level.

In fact, it is not by chance that the meeting of local mayors took place in Barcelona, a city whose mayor is the activist Ada Colau, supported by Podemos in the last elections. Barcelona has a flourishing network of collectives experimenting with new democratic forms and variations of the “solidarity economy”. The Barcelona city council declared itself a TTIP-free zone in October, 2015, several months before the signing of the Barcelona Declaration. Currently, more than 2000 cities in Austria, Belgium, Bulgaria, France, Germany, The Netherlands, Spain and UK have joined the initiative (TTIP-Free Zones, 2016). In the UK, Global Justice Now has worked with Unison, the public sector union, to produce a campaign pack, “consisting of briefings, posters, leaflets, badges, stickers and a sample motion for you to use in getting your local council to come on board with the TTIP Free Zone campaign” (Smith, 2015). In September, 2016, protesters against TTIP in Germany marched with city signs of cities that had declared themselves TTIP-free. In this way a symbolic connection between different protest repertoires and levels of resistance was established.

And while the mobilization against TTIP (and later CETA) was marked by the innovative decision to move resistance to the local level, the anti-TTIP campaign lacked the hacktivist support that had been a crucial element of the anti-ACTA campaign. What is more, while in the case of the anti-ACTA protests, the NGOs were to a large extent surprised by the protests, in the case of TTIP they were much more involved in the organization and consequently much more involved in crafting protest messages, posters and slogans. While the campaign against ACTA was marked above all by the productive tensions and conflicts between hacktivists, NGOs and street protesters (NGOs were surprised by the protests and opposed the actions of Anonymous), the campaign against TTIP was much more controlled and streamlined by NGOs. The real tension in the anti-TTIP campaign lay between radical left and Green Left NGOs and radical rights parties. Despite the existence of a variety of strategic responses, NGOs in most cases opposed attempts of the radical right to join protests and street marches. Opposition to TTIP and CETA was perceived by the organizers of the campaign as a Green Left issue and they refused to be associated with the far right.

In a sense, the TTIP protests were influenced both by the wave of mobilization against austerity and against ACTA in the shadow of the Great Recession and, to an even greater extent, by the earlier mobilizations against GATTs, the alter-globalization movement and the social forums of the 90s and early 2000s (De Ville and Siles-Brugge, 2016; Strange, 2015).

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To sum up, in the last, fifth, chapter of my thesis, I explored the diffusion of protest and protest frames and forms of contentious action between the mobilizations against ACTA and against TTIP. Considering that in both cases mobilization targeted international trade agreements and counted on a combination of lobbying and expertise provision by NGOs and street protests, I expected the mobilization against ACTA to have important generative and spillover effects. Indeed the anti-ACTA campaign managed to raise the salience of trade issues, without provoking a popular counter-mobilization in defence of free trade. Nevertheless, the presence of anti-ACTA protests was not a good predictor for the successful diffusion of anti-TTIP protests. Countries in Eastern Europe that were very active against ACTA did not mobilize against TTIP due to the geopolitical implications of the agreement. Much more important for the successful diffusion of anti-TTIP protests turned out to be the presence of NGOs and protest groups that had participated in the Global Justice movement. These groups were also not particularly strong in Eastern Europe.

In terms of spillover effects, the frames that diffused successfully from the anti-ACTA campaign were predominantly those that dealt with procedural issues and threats to democracy. TTIP was a much broader agreement than ACTA and thus was opposed by a much wider variety of actors addressing a wider variety of frames. Intellectual property and Internet freedom remained rather marginal frames, while frames relating to the dangers of ISDS, the lowering of standards due to regulatory cooperation and undue business influence gained widespread prominence. In the debates around TTIP, TTIP-related frames were often bridged with frames related to topics salient in the national contexts, for example Brexit or the privatization of the NHS in the UK, protection of European standards in Germany, and food sovereignty and protection of small and medium businesses in Italy. What is more, radical right actors in a variety of contexts tried to opportunistically “own” opposition to TTIP as an issue, which often required complicated efforts of frame transformation, as in the case of UKIP, for example, which is a neoliberal pro-free trade party. Radical left and Left

Green actors adopted a variety of strategies to respond to radical right efforts to own their issue: from cooperation to discursive distancing and strong opposition.

Finally, many forms of contentious action diffused between the mobilization against ACTA and against TTIP: from creating a petition and convincing citizens to call or write (or fax!) MEPs to organizing massive street protests. NGOs (and especially German NGOs) were much better placed and connected during the anti-TTIP campaign (in comparison to the anti-ACTA one) and to a large extent centralized and streamlined different forms of contentious action by providing platforms for citizens and taking the lead in protest organization. A crucial innovation in the anti-TTIP campaign was the decision to shift scales back to the local level, to political work in context and face to face. Notwithstanding, NGOs played a much more central role in the campaign against TTIP, centralizing and streamlining citizen participation and protest. One big innovation was the decision of the organizers of the transnational Stop TTIP campaign to move resistance to cities and regions, thus redefining sovereignty at the local level.

All things considered, the real challenge for the progressive Green left opposition to TTIP turned out to be not only neoliberal policies but the rising trend of far right actors appropriating its issues and expertise. Going back to the roots of the Global Justice Movement and experimenting with new alliances and protest repertoires, such as the TTIP-free zones campaign, proved to be crucial for resisting both the neoliberal assault on sovereignty and the far right interpretation of sovereignty in a conservative-nationalistic sense.

“Don’t Worry, We Are From the Internet”

- CONCLUSIONS -

“The aeroplane and the radio have brought us closer together. The very nature of these inventions cries out for the goodness in man - cries for universal brotherhood - for the unity of us all. Even now my voice is reaching millions throughout the world - millions of despairing men, women, and little children - victims of a system that makes men torture and imprison innocent people. To those who can hear me, I say: 'Do not despair.' The misery that is now upon us is but the passing of greed - the bitterness of men who fear the way of human progress. The hate of men will pass, and dictators die, and the power they took from the people will return to the people.”

Charlie Chaplin, “The Great Dictator”

The imposter dictator from Charlie Chaplin’s film “The Great Dictator” passionately states in his final speech that “the aeroplane and the media have brought us close together” and that “the very nature of these inventions cries out for the goodness of man”. And as soon as he finishes his speech on solidarity and the goodness of men, he is cheered by the crowd in exactly the same way they had cheered the real dictator before. I have chosen to start my conclusion with this scene because of the way it reveals the high hopes associated with the radio as the promising new media of the past. The great expectations for the political potential of radio in the 1930s and 1940s remind strongly of the expectations for the Internet and social media as sources of political renewal and democratic reformation at the beginning of the 2000s. The hype that came with the Internet, and later with Web 2.0 and social media, is nothing new (Mosco, 2004; Park, Jankowski, Jones, 2011).

And yet, proclaiming that new media can unite people and enhance democracy is one thing; going to the streets to democratically protest in defence of Internet freedom is another. When the leading world economies, among which the US, Japan, and the EU, got together to negotiate ACTA - an agreement on counterfeiting that also had provisions threatening Internet freedom – they did not expect the extent of public anger and discontent that burst in early 2012. Nor did they expect the extent to which opposition to ACTA would spread across countries and lead to unprecedented citizen participation, including but also going well beyond the street protests.

The anti-ACTA protests presented in a condensed form the way in which the Internet went beyond being a simple tool in the protests after the financial crisis to become a cause in itself. In popular narratives but also in academic research, it was often presumed that Internet use “caused” or triggered protests and this is precisely the logic behind labels such as “Facebook revolutions” and “Twitter revolutions”, often applied to the uprisings in Egypt and Tunisia, for example. Second, and more importantly, the Internet was often perceived as a final cause, a model for horizontal networked organization, which protesters strived for and tried to impose on a larger scale. The grievances that motivated the protests were different: dictatorship, corruption, austerity policies. There were also different ways in which grievances were explained and diagnostically framed. Yet the prognostic frames, the horizon of hope was always some form of more democracy, more direct citizen participation, or what Gerbaudo has called the ideology of “citizenism” - a certain type of populism of the citizens (Gerbaudo, 2017), facilitated by the Internet and using decentralized networks as a social model.

I would argue that the techno-fetishism of protest activists has been nothing but the mirror image of the technocratic focus on experts and expertise as a way to avoid messy politics. These are the bottom-up and top-down mirror versions of the same illusion, the same neoliberal fantasy of avoiding politics. As Colin Hay pointed out in his insightful book “Why We Hate Politics” (2007), the narrative presenting politicians as self-serving utility maximizers who do not care for the public good serves perfectly the neoliberal elites and what we have seen in the recent years is a paradoxical de-politicization of politics performed by politicians themselves, who transfer power to expert commissions, independent authorities and all sorts of non-elected non-representative bodies. Fighting technocracy with techno-solutions for democracy and direct participation, unmediated by traditional structures such as parties, in fact followed the dominant interpretation of politics as “corrupt” and “bad”, as a field whose domain should be restricted as much as possible.

In my thesis I contrast this a-temporal vision of technological utopias with the temporality of politics, in which traditions, pre-established networks, experience, and path dependency matter more than having the “right tool” and often determine the way tools are used. If I have to summarize in two sentences the goals of my research, they are: (1) to situate the

anti-ACTA mobilization within the context of the post-financial crisis cycle of contention, and (2) to bridge critical Internet research with theories of social movement diffusion.

I approach these goals by exploring how previous protests in the post-financial crisis cycle of contention influenced the pattern of diffusion of anti-ACTA protests, frames, and contentious actions, and how the anti-ACTA mobilization in turn influenced the subsequent mobilization against TTIP. I explore why particular frames and forms of contention against ACTA managed to diffuse successfully across space and time, while others failed. I show clearly, that the factors that best explain diffusion are often related to the existence, engagement and efforts of already established formal and informal activist networks. This is why it is important to situate the campaign against ACTA within the wider protest cycle.

I do acknowledge that the campaign against ACTA indeed made substantial use of the Internet (as widely attested in my interviews) in terms of the four categories, outlined by Jennifer Earl and others in their meta-analysis of literature on Internet activism: 1) *producing brochure-ware* (NGOs produced a lot of information websites, YouTube videos, and interactive graphics with information on ACTA), 2) *online facilitation of offline activism* (both transnational and national NGOs, and even torrent tracker sites, facilitated citizens to call, email, and lobby directly their MEPs), 3) *online participating* (many citizens signed online petitions, in Poland there was an Internet blackout and there were multiple hacktivist attacks in numerous countries), and 4) *online organizing* (platforms such as Facebook were used actively for organization of bottom-up protests) (Earl et al., 2010: 428). Yet if we want to explore why protest diffused in particular countries and not in others, and why particular frames gained transnational importance while others remained marginal, we should approach diffusion not as some spontaneous technology-driven contagion, but as a highly contested political process, driven by actors with different experience and networks, and often competing agendas.

Contrary to the highly optimistic ideology of the Internet as empowering previously unheard voices and revolutionizing politics, the mobilization against ACTA displayed clear asymmetries in power between different types of actors (NGOs, hacktivists, Anonymous). Frames diffused from the supranational to the national level, with very little diffusion between countries or from the country level to the supranational one. With regard to the diffusion of protest itself, the protest against ACTA as a single issue in a sense replaced and

compensated for the lack of comprehensive anti-systemic protests in many European countries. Internet freedom in fact emerged as the perfect apolitical political cause. Thus, I contrast the ideology behind the mobilization against ACTA with the empirical practice of protest diffusion.

In the following paragraphs I present in more detail the conclusions from each chapter of the thesis before summarizing my key contributions and outlining future avenues for research.

Before proceeding to the empirical part of my work, in chapter Two, I trace the efforts of the most developed countries to ensure more stringent intellectual property legal regimes, on the one hand, by connecting trade with intellectual property protection and, on the other hand, by forum-shifting, i.e. changing venues to meet as little resistance as possible to their legal proposals. The Anti-Counterfeiting Trade Agreement has been a perfect example for forum shifting. In addition, all types of intellectual property were indiscriminately bundled in ACTA, mixing copyright infringement online with trademark and patent infringement and addressing all these offences under the label “counterfeit”. I further explore the counter-movement defending the “commons” and the original values of the Internet architecture and the Free Software Movement. I show how discourses on the politics of technology have informed political theory and the imaginary of social movements and the risks such cross-fertilization holds. On the one hand, both Internet’s original design and Free Software consciously embodied openness, sharing and collaboration and raised awareness for generations ahead about the political nature of software and technology in general. On the other hand, the excessive focus on the politics of technology precluded many techno-activists from understanding in depth the *techne* of politics, its practices, norms, and institutions. It seemed that if only we had the “right” technology, society could be easily improved. Thus, the Internet emerged as a *cause* that could unite actors across the political spectrum. Yet, as I showed in some cases (Spain, Italy) the politicization of Internet issues was bridged with broader demands for systemic change, while in other cases (Poland), the protests in defence of the Internet remained the defining movement of the post-financial crisis cycle of contention and remained rather self-enclosed: a vent for popular anger, but not a drive for political change.

In Chapter Three, I address my first research question: *(1) why anti-ACTA protests diffused successfully in the North, West and East, but failed to diffuse in the South of the EU?* I explore the role of protest networks and traditions for a mobilization in defence of the Internet as a tool and a cause. I reject explanations of successful diffusion that focus on different possible independent variables (such as level of digital piracy, economic distress, rise of post-materialism) and on political opportunity structures and focus instead on how pre-established protest networks and traditions matter. My original idea has been to explore the protest against ACTA in the context of the larger protest cycle in the shadow of the Great Recession and to check how previous protests from the protest cycle mattered for the diffusion of anti-ACTA protests. To begin with, I find that previous mobilizations matter but not always in straightforward ways. Protests against ACTA diffused, first in places where Internet issues had been politicized before, regardless of whether the politicization had been led by NGO, data activists, protesters, or political parties. There had to be a tradition of “nerd politics” (Postill, 2017) for anti-ACTA protests to diffuse. But secondly, anti-ACTA protests diffused only where there had *not* been any preceding anti-austerity mobilizations. Countries such as Spain and Italy, despite having witnessed wide-scale politicization of Internet issues, did not have any anti-ACTA mobilizations, because ACTA as a single issue could not gain saliency in contexts where movements demanding social change had already reached a higher level of generality. While the importance of level of institutionalization of social movements has already been pointed out (Zamponi, 2012), the shift in generality is a factor for impeding diffusion that has not yet been sufficiently examined. I could grasp the importance of this shift in generality only by exploring cases of failed diffusion. Anti-ACTA protests failed to diffuse in contexts where austerity was opposed, and succeeded to diffuse in contexts where there was no generalized anti-austerity critique. For countries like Austria, Bulgaria, Germany, Denmark, and Poland the protests against ACTA were among the first mass-scale eruptions of popular anger during the protest cycle in the shadow of the Great Recession. Some countries, such as Bulgaria had subsequent big protests, but for countries such as Poland, the anti-ACTA protests remained the defining protests of the cycle. Thus, while the mobilization against ACTA was certainly driven by the high saliency of contestations related to intellectual property (Haunss, 2013a) and Internet freedom (Postill, 2017), the fact that it took place only in countries *without* large-scale anti-austerity mobilizations, shows that in some contexts, the anti-ACTA protests became the vent of the dissatisfaction with the

political system that permeated the whole cycle of protests in the shadow of the Great Recession.

The analysis in Chapter Four addresses my second research question: *(2) why particular anti-ACTA frames and forms of contention diffused between different countries, while others failed to diffuse?* To begin with, I show that the diffusion of frames in the mobilization against ACTA was clearly unidirectional, i.e. hierarchical and not egalitarian. Frames diffused from transnational NGOs to actors at the national level. Such domestic actors (NGOs, bloggers, media) from the three countries I focused on in this chapter - Bulgaria, Germany, and Poland - all quoted transnational experts but were rarely quoted back. What is more, Bulgarian actors rarely quoted Polish and German actors and vice versa. Thus, the diffusion of expert frames started from the offices of transnational NGOs. These NGOs focused on technical or human rights-focused frames referring to procedural problems of the ACTA negotiations, substantive issues (threats to fundamental rights, the prioritization of private interests, vague wording of the agreement, problematic criminal provisions, problematic approach to intellectual property, etc.) and frames related to the success of the campaign itself. On the other hand, non-experts in different national contexts often interpreted creatively the frames offered by NGOs and put forward highly nationally-specific frames. In Poland, for example, the fight against ACTA was compared to the fight against Nazism or communism, while Bulgarian Internet users called ACTA “the Ottoman Empire of the Internet”. The threat of ACTA was often placed within a long historical lineage of events and Internet freedom was understood in a broader sense as freedom from foreign oppression and censorship.

Regardless of the national specificities in the frames offered by protesters, however, NGOs managed to make sure that their expert frames would dominate the media coverage of the protest and contributed to creating a common dialogue on ACTA in very different countries. The more technical language promoted by NGOs allowed them to achieve their goal – to convince deputies from a wide variety of parties to vote against ACTA, thus turning it into the first trade agreement to be rejected by the European Parliament. At the same time, the explicit rejection of politicisation prevented NGOs from linking resistance to ACTA with other more general and pressing problems of society.

When it comes to the diffusion of forms of contentious action, I show that it is to a large extent influenced by the relative strength of different actors (NGOs, hacktivists, protesters) to push for their preferred form of action at the national and transnational level. Actions such as Internet blackouts, requiring broad coalitions between Internet activists and tech and media owners, failed to diffuse broadly, while hacktivist attacks that required small dedicated teams of hacktivists were much more widespread. Nevertheless, in some countries such as Poland, hacktivists were opposed by NGOs and explicitly asked to halt their DDoS attacks on government sites. What is more, the NGOs in Poland organized a post-factum congress with protest organizers from different cities, providing information to local protest organizers. In countries such as Austria, Germany, and to some extent Denmark, the national protests were organized by the Pirate Parties and Anonymous and supported by a young generation, without pronounced clashes between different actors. In Bulgaria, where the main protest organizers were students, not only were Anonymous symbolically embraced, but also torrent trackers supported the protests. In general, transnational NGOs, which were initially surprised by the scale of street protests, quickly took initiative and legitimized with their expertise the popular mobilization, while at the same time using the protests' momentum to convince MEPs on the importance of the issue. Different forms of contention diffused to a different extent and targeted different actors: there was a clear difference between the temporal scales of operation of NGOs, protesters and hacktivists. While NGOs had long lobbied the European Parliament, hacktivists and the general public got engaged with ACTA only for a brief period of time, at the end of January – beginning of February 2012, before leaving the work of lobbying to NGOs once again. While different forms of contentious action had different time trajectories, the combination between short-lived protest mobilization, email campaigns and hacktivism that diffused across countries and long-term lobbying concentrated at the EU level proved to be a viable strategy for defeating the agreement.

Finally, in Chapter Five, I address my third and last research question: *why particular anti-ACTA frames and forms of contention diffused across time (specifically to the anti-TTIP and CETA mobilizations), while others failed to diffuse?* I explore in particular what frames and forms of contentious action diffused from the anti-ACTA mobilization to the mobilization against TTIP. I find that the mobilization against TTIP was much more centralized, organized

and sustained in time, without sudden peaks of interest followed by withdrawal of attention. One of the reasons for this was the systematic and professional approach of the German civil society organizations behind the Stop TTIP campaign, which not only used the best practices from the anti-ACTA campaign, but also counted on strong symbolic and financial support from German and transnational Green and Left parties.

TTIP is much broader in scope in comparison to ACTA and, consequently, was opposed by a much wider variety of organizations. Thus, while both the Pirates and digital rights organizations opposed TTIP, alter-globalization actors such as Attac or the S2B network proved to be much more influential. The stronger influence of the alter-globalization movement might explain why the presence of anti-ACTA protests was, in fact, *not* a good predictor of strong stop-TTIP campaigns. Indeed, the pattern of diffusion of protests was very different between the two campaigns. The countries that protested the most against TTIP were those that had strong anti-neoliberal, alter-globalization tradition: countries such as Germany, Austria, Italy, Spain, France, and the UK. On the contrary, countries from Eastern Europe, which mobilized on a mass scale against ACTA, remained passive regarding TTIP, not least due to the geopolitical aspects of the agreement.

Nevertheless, the mobilization against ACTA had important generative and spillover effects for the campaign against TTIP. To begin with, the campaign against ACTA raised the saliency of trade agreements to a level unseen for years in the EU. In terms of spillover effects, the campaign against TTIP borrowed important frames from the anti-ACTA campaign related above all to the secrecy of negotiations and the prioritization of business in stakeholders' meetings. Digital right organizations put forward also frames related to threats to Internet freedom in TTIP, but these concerns remained less salient in comparison to issues such as the controversial Investor-State Dispute Settlement, regulatory convergence, and threats to food, environmental, and work standards. What is more, similarly to the anti-ACTA campaign, there were important cross-national differences in framing TTIP. In many countries the debates around the agreement were linked to pre-existing national debates, such as the privatization of the NHS in the UK, food sovereignty and the protection of small businesses in Italy, and the protection of EU environmental, food, labour standards in Germany. Furthermore, radical right parties in several national contexts engaged in frame transformation in order to appropriate resistance to TTIP and attempt to own the issue. The

pro-free trade UKIP's message that they oppose TTIP because it is not free enough, summarized in the poster "Yes to free Trade, no to TTIP", is a case in point. In a few cases Green Left and Radical Left NGOs and parties cooperated with the Green Left and radical left actors but in the majority of cases they opposed them and tried to distance themselves rhetorically.

The campaign against TTIP adopted at the NGO level many of the successful forms of contentious action tested in the anti-ACTA campaign, with the difference that anti-TTIP NGOs took a much more active coordinating role. The website of Stop TTIP served as a platform to centralize and streamline a variety of forms of citizen engagement: from signing a petition to calling MEPs or writing emails to them. Contrary to activists' initial expectations of low citizen engagement, the well-organized campaign, led by German NGOs with experience in the Global Justice movement, raised public awareness and managed to trigger tens of thousands of people to go to the streets of Berlin and other European cities to protest against TTIP. The biggest innovation of the Stop TTIP campaign was the decision to shift the scales of contention from the transnational to the local level and to complement digital activism with supporting local mayors in different parts of the EU. This decision had the practical implications of reaching people who otherwise would have remained ignorant of TTIP. The symbolic dimension of moving resistance to cities and regions was also crucial for redefining sovereignty and sovereign decision-making at the local level. This interpretation of sovereignty through local participation and input was an important way to counter the increasing attempts of far right players to appropriate resistance to TTIP as an issue. Contrary to opinions that labelled all opposition to TTIP as populist (Balfour, 2016; Bremmer, 2016; Joe, 2017; Ziegler, 2016), it was clear that there was a serious difference between radical left and Green left NGOs and parties, influenced by the tradition of the Global Justice Movement, and radical right parties, opposing TTIP for either pure opportunistic reasons (as in the case of UKIP) or opposing it from a much more nationalist protectionist point of view (as in the case of Lega Nord or the Front National).

Ultimately, in exploring the TTIP mobilization and its connection to anti-ACTA mobilization, I tried to underline one more time that the diffusion of protest, frames and forms of contention depends to a large extent on the existence of pre-established networks of actors ready to take up the new cause as their own, the content of what is diffused that either fits

or does not fit in the agenda of these adopters, and the creative agency of actors who appropriate causes and scale contention up or down in order to pursue their own agendas.

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Overall, my thesis expands and systematizes the empirical knowledge on the anti-ACTA mobilization, which has remained an under-researched mobilization within the post-financial crisis protest-cycle. I provide extensive information on the diffusion of protest, the frames and forms of contentious action used throughout the mobilization, the direction of their diffusion, and the main actors involved.

On the theoretical level, I address the “what” and “why” questions related to protest diffusion, and make three main contributions: I show that pre-existing protest networks not only facilitate the diffusion of subsequent protests but might also impede them, even in cases where there is a strong ideological continuity and similarity between earlier and later protests. For example, single issue protests might fail to diffuse in the aftermath of mass anti-systemic protests that have risen in generality. Second, I show that the diffusion of frames and forms of contentious action, far from being an automatic technologically-driven episode of “contagion”, is in fact a highly political and contested process. Confirming findings from previous hyperlink analysis of protest movements and the European public sphere, I show that the Internet does not necessarily facilitate transnationalization or the empowerment of marginal actors. When it comes to diffusion of information, frames diffuse clearly from the centre to the periphery and there is little cross-national diffusion. While protesters at the national level might engage in creative interpretation of frames and even produce new frames, the frames that diffuse transnationally are those promoted by well-connected actors with the resources to produce expertise and promote it in wide networks. At the same time, even well connected and powerful actors can do little to prevent spontaneous hacktivist actions or street protests when it comes to forms of contention. Thus, instead of one process of diffusion, it might be more adequate to speak of multiple processes of diffusion within the same mobilization, operating on different speeds and with different temporalities. Third and finally, I show that sometimes diffusion happens more successfully between different cycles of contention than within the same cycle of contention. Thus, the movement against TTIP was influenced more by the anti-globalization

movement than by the protests against ACTA. Pre-existing protest networks matter. This is a general statement. But exactly which pre-existing protest networks would matter for each specific protest depends a lot on the content of what is diffused.

Nevertheless, there remain important problems that I could not explore in the current text but would like to pursue in the future. To begin with, I would like to trace in detail which frames exactly diffused from Los Indignados and Occupy to the protests against ACTA. What is more, I would like to trace which frames diffused from the protests against ACTA to subsequent national protests – for example the protests against the electricity monopolies in Bulgaria. Such an effort would require a substantial textual analysis but would allow me to gain a deeper understanding in processes of diffusion of information. Second, I would be interested in exploring how images and visual symbols diffused within the protest cycle – a highly interesting avenue of future research that is only beginning to be addressed. Third, I would like to focus more on mechanisms of diffusion (the “how” question of diffusion) and explore how actors used strategically mass media, social media and face-to-face interaction to promote their frames and positions. An in-depth analysis of the role of mass media in the protests against ACTA is still missing. Fourth, I would be interested in analysing why particular protests, frames and forms of contentious action managed or failed to diffuse in other cycles of contention. By comparing the findings of these cases with my findings from the analysis of the anti-ACTA mobilization, I might discover other important factors influencing diffusion beyond the ones I have outlined and check whether the explanations I have offered work for other cases as well.

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Finally, in the last paragraphs of the conclusion, it is high time I explained the first line of my thesis title: “Don’t worry, we are from the Internet”. I borrowed this phrase from a poster held by a protester in the anti-ACTA protests. Playing on a previously existing online meme, the poster ironically exposed the ignorance of politicians of “the Internet” as a space of freedom, of its jargon and rules. At the same time, the poster underlined the ambivalence inherent in politicians’, the general public’s and even researchers’ attitudes to the Internet. On the one hand, the playful, funny, carnival-like nature of Internet culture and “nerd politics” indeed often leave the impression that there is nothing to worry about when it comes to protests in the name of Internet freedom. It seems as if there is no violent angry

youth and rebellion on the horizon. On the other hand, protests such as the one against ACTA showed that politicians clearly had something to worry about, as resistance to ACTA provoked unprecedented citizen participation, combined with NGO pressure and hacktivism. So, should politicians worry about people who “come from the Internet”? My answer is that politicians should always take into account protest. But the Internet cannot and should not be considered as some special “independent” realm, where protests and protesters come from. It is just one media among others that is used in the ultimately political processes of protest mobilization, protest organization, or what my thesis explores – protest diffusion.

The poster “Don’t worry, we are from the Internet” was meant to be ironic and yet it did hint to the popular myth of Internet’s potential to overthrow governments and bring more democracy. This was a myth that permeated the discourse of both researchers and participants in the protest cycle following the Great Recession and was replaced only recently by its darker counter-myth – the fear that hacks, leaks and trolls can bring down democracy and promote populism at an unprecedented scale. Instead of engaging in such utopian or dystopian predictions however, I prefer to take the poster’s message literally: we should not worry about mythical creatures such as trolls, hacktivists, or leaderless swarms coming from the Internet and bringing radical change in a positive or negative sense. Radical change comes from organized people, regardless of the exact media (or more probably, combination of media) they use for organizing. Radical change is always political in the sense that it disturbs established power balances and involves competing visions of what is to be changed and how. Politics is political. And technology cannot explain it away, reduce it, or solve its problems. The radio did not unleash the universal goodness of men and bring power back to the people. Nor did television. Nor will the Internet perceived as some mythological magic entity do it. If there is one thing that my analysis of protest diffusion in the transnational mobilization against ACTA has shown it is that diffusion is highly political. Even in the protest dedicated to Internet freedom preexisting networks of actors, tradition, path dependency and established influence mattered more than simply using the Internet as a channel for diffusion. By embracing and acknowledging the new opportunities afforded by technology, we should not ignore the human factor, or to borrow a phrase from the artist Andrew Bird, we should “not let the human factor fail to be a factor at all”.

As Chaplin's *Great Dictator* states in the quote with which I started the Conclusion, power should indeed return to the people and belong to the people. Yet, it is not self-evident who the people are and how they should exercise their power. These questions are answered differently by the left and the right and the political fight over the answers will define future mobilizations. In our current political situation that in many aspects worryingly resembles the 1930s, the left should look back to its own traditions and by any means, use digital technologies creatively, while finally abandoning any illusion that there could be some miraculous reticular technological fix of the current crisis of neoliberalism. The end of politics, it seems, has been exaggerated (Mosco, 2004). As Peter Sunde, one of the founders of the torrent tracker *The Pirate Bay* stated, activists should "stop treating Internet like it's a different thing and start focusing on what you actually want your society to look like. We have to fix society, before we can fix the internet. That's the only thing".¹¹⁷

¹¹⁷ < <http://motherboard.vice.com/read/pirate-bay-founder-peter-sunde-i-have-given-up> > [29.05.2017].

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APPENDIX

- I. List of Interviews**
- II. Interview Questions**
- III. List of YouTube videos analysed**
- IV. Tables with Frequencies of Frames**
- V. Network-visualizations that can be zoomed-in and zoomed out**

I

LIST OF INTERVIEWS *:

1. **Ivaylo Dinev**, student protest organizer
2. **“Charlie Parker”**, student protest organizer
3. **Zlatina Stankova**, concerned citizen protest organizer
4. **Georgi Draganov**, student protest organizer
5. **Emil Georgiev**, lawyer and blogger active in the campaign against ACTA
6. **Nelly Ognyanova**, professor in media law and blogger active in the campaign against ACTA
7. **Jeremie Zimmermann**, co-founder and spokesman of La Quadrature Du Net
8. **Helle Aagard**, EP working group, Médecins Sans Frontières Access Campaign, Brussels
9. **Andre Rebentisch**, general secretary of the Foundation for Free Information Infrastructure
10. **Julia Reda**, vice president of the Greens/EFA group in the European Parliament, rapporteur of the Parliament's review of 2001's Copyright Directive
11. **Joe McNamee**, executive director of European Digital Rights Initiative
12. **Mattias Bjarnemalm**, advisor for Internet policy to the Greens in the EP
13. **Koen de Vuegt**, member of the Pirate Party, Belgium
14. **Bendert Zevenbergen**, PhD at Oxford Internet Institute, previously a policy advisor to Marietje Schaake in the European Parliament, working on Europe's Digital Agenda
15. **Philipp Frisch**, coordinator of the Médecins Sans Frontières Access Campaign, Germany
16. **Michał "rysiek" Woźniak**, hacktivist, president of the Board of the Polish Free and Open Source Software Foundation
17. **Alek Tarkowski**, Centrum Cyfrowe Projekt: Polska
18. **Jedrzej Niklas**, Panoptykon Foundation, Poland
19. **Dorota Głowacka**, Helsinki Foundation for Human Rights, Poland
20. **Andrzej Tucholski**, original administrator of the Nie Dla ACTA Poland *Facebook* page for protest against ACTA
21. **Vanya Grigorova**, organizer of anti-TTIP protests, founder of Solidarna Bulgaria
22. **Borislav Sandov**, leader of the Bulgarian Greens, active member in the anti-TTIP campaign
23. **Ivaylo Popov**, Coordinator of the Food and Agriculture Team at “Za Zemyata”, the representative of “Friends of the Earth” for Bulgaria
24. **Reinhard Uhrig**, Campaigner at Global 2000, Friends of the Earth Austria
25. **Valentin Schwarz**, Campaigner at Attac Austria on CETA/TTIP
26. **Joachim Thaler**, Trade Campaigner at Greenpeace Austria
27. **Monika Wipplinger**, Project Supervisor at YoUnion Austria.

***The interviews were conducted in Sofia, Brussels, Warsaw, Berlin, Oxford, Paris and Vienna in different stages in the period 2013-2017. The affiliations of the people in the list are the affiliations they had at the time of the interviews.**

II

INTERVIEW QUESTIONS*

1. Can you tell me a bit more about your organization/work position and in what types of activities did you engage before the anti-ACTA//anti-TTIP campaign?
2. How did you participate in the organization of the campaign against ACTA//TTIP?
3. When did you first start engaging with ACTA//TTIP?
4. Who were the most active organizers? What types of people, organizations, institutions joined the anti-ACTA//anti-TTIP campaign? What were their reasons and motivations?
5. What were your main objections against ACTA//TTIP?
6. If you have to order the problems with ACTA//TTIP in terms of importance, how would you order them?
7. How would you describe the interaction between NGOs in Brussels and organizers of protests at the national level?
8. How did you use social media, blogs and online tools, in general, in the organization process?
9. Do you think that the anti-ACTA//anti-TTIP campaign achieved its goals?

* 22 interviews were taken in a face-to-face conversation. They had an average length of one hour, with the shortest one – 35 minutes and the longest one – 3 hours. The interviews with Zlatina Stankova and Nelly Ognyanova happened via email. I sent them the questions and they emailed back their answers. The interviews with Andrzej Tucholski, Ivaylo Popov and Monika Wipplinger took place via Skype.

I had 9 questions to structure the interviews but also followed leads from my respondents and did not impose a strict pattern of question-answer during the dialogue, giving the opportunity to my respondents to elaborate their own thoughts, follow their own logic of exposition and tell me what they considered was an important aspect of their participation in the anti-ACTA/anti-TTIP campaigns.

III

LIST OF YOUTUBE VIDEOS WHOSE COMMENTS I HAVE ANALYSE D

1. Anti-ACTA-Demo Berlin, 11.02.2012 <<https://www.youtube.com/watch?v=cEfRztgvWW8>> [17.04.2017].
2. 25.02.2012 | Stopp ACTA Hamburg Demo | Zwei Gestalten Anti Acta Song <<https://www.youtube.com/watch?v=nmXmOagCwUQ>> [17.04.2017].
3. ACTA ist ein Hurensohn <<https://www.youtube.com/watch?v=nqklv0Wa7hg&index=6&list=PL23E295AB88A40E82>> [17.04.2017].
4. ARD-Bericht aus Berlin: ACTA ad Acta? <https://www.youtube.com/watch?v=iej4o_tkeJc> [17.04.2017].
5. ACTA: A message to Poland from Mainz (Germany) <<https://www.youtube.com/watch?v=OJ6qvCgaDGE>> [17.04.2017].
6. Protest against ACTA, Sofia - Протест срещу АКТА, София 11.02.2012 <<https://www.youtube.com/watch?v=pxhPLPdJBCs>> [17.04.2017].
7. Anti ACTA Protests in Plovdiv, Bulgaria <<https://www.youtube.com/watch?v=VHuBHbjvCKM>> [17.04.2017].
8. Опасност: България подписа АКТА <<https://www.youtube.com/watch?v=IGkGpbTGnIE>> [17.04.2017].
9. Protest against ACTA - 11.02.2012, Sofia, Bulgaria <<https://www.youtube.com/watch?v=6Y59XxJoStA>> [17.04.2017].
10. ANTI ACTA Protest, Sofia, Bulgaria <<https://www.youtube.com/watch?v=aCualP99mNs>> [17.04.2017].
11. ACTA Anger: Polish protests grow into anti-govt rage <<https://www.youtube.com/watch?v=jrdNKcUpJPg>> [17.04.2017].
12. Jest nas wielu - NIE dla ACTA - Internetu nie oddamy! <https://www.youtube.com/watch?v=YPIV_SB-scM> [17.04.2017].
13. Poland Against ACTA Cracow 25.01.12 Over 30,000 people (HD) <<https://www.youtube.com/watch?v=UGd8TJj3xek>> [17.04.2017].
14. Nie dla ACTA - Say No To ACTA (PL napisy) <https://www.youtube.com/watch?v=SP8Ttp4-_5U> [17.04.2017].

IV

TABLES WITH FRAMES ON ACTA ORDERED ON THE BASIS OF THEIR THEME AND FREQUENCY

➤ Procedural problems (Secrecy/Lack of Democracy)

negotiated behind closed doors	83
Undemocratic	37
ACTA committee	21
consultation process was adequate	17
forum shifting	15
no flexibility for countries	12
lack of public debate	11
no evidence based assessment	10
influence from lobbyists	8
U.S. pushed for ACTA	6
misinformation and rumour have dominated social media	4
IP policy should be open and inclusive	4
club approach to the negotiations: exclusion of Brazil, India, China and Russia	3
ACTA was referred to the EU Court of Justice, should wait for results	3
flexibility for different countries	3
deliberate misrepresentation of ACTA	2
ACTA mechanisms could be exported through bilateral trade agreements in future	2
accepted at the Agriculture and Fisheries Board	2
use of ACTA in authoritarian countries	2
USTR 'Special 301 Report'	2
ACTA mechanisms will NOT be exported through bilateral trade agreements in future	2
geopolitical union	2
the EU commission follows a short term policy with ACTA	2
the U.S. blocked public release of updated text	1
the EU commission uses cheap deceptive arguments	1
uncertainty during the negotiations in Brussels	1
fast sign on period	1
withdraw the agreement and seek sector specific agreements	1
the discussion should calm down	1
EU should stay in the negotiations to protect geographical indications	1
what was cut from the December draft will come up in the future	1
puts states at the service of multinationals	1
no forum shifting	1

signed out of civic carelessness	1
no resistance to signing	1
no unanimity between EU states	1
original signatories can veto other countries or control the terms of accession	1
people should be able to initiate public hearings	1
transparency soup	1
citizens don't have tools to discipline the state	1
contrary to Obama's administration promises	1
agreement damaging to the state and the citizens	1
creates a sense of threat	1

➤ **Substantive Problems:**

- **Threats to Human Rights/Fundamental Rights; (+/-)**

threatens privacy	35
threatens free speech	31
ISPs become copyright police/surveillance	27
threatens fundamental rights	21
threatens freedom of expression and culture	19
threatens right to due process	9
threatens data protection	7
does not threaten fundamental rights	6
threatens flow of information	4
does not threaten privacy	3
does not threaten free speech	3
does not threaten data protection	2
threatens access to knowledge	2
does not threaten freedom of expression and culture	2
ACTA not creating Big Brother	1
threatens freedom from unreasonable search and arrest	1
threatens the right of peaceful enjoyment of one's possessions	1
blank cheque for abuse	1
Pandora Box of potential human rights violations	1
threatens the right of the inviolability of the home	1
ISPs do not become copyright police	1

- **Prioritization of Private Interests (+/-)**

prioritizes rights holders interests	35
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governmental support for private arrangements between ISPs and rights holders	1
governments have to invest resources in publicity about copyright infringements	1
does not prioritize rights holders interests	1

- **Vague Wording of the Agreement (+/-)**

vague definition of commercial scale/(in)direct advantage	30
different types of IP are mixed	23
vague definition of piracy and counterfeit	11
vague definition of 'aiding and abetting'	6
vague definition of 'online service provider'	1

- **Public health and Access to Medicines (+/-)**

access to medicines	26
against public health	8
does NOT threaten access to medicines	3
improved regulation of medicines, not IP enforcement is the way to ensure safe medicines	2
ACTA: cynical exploitation of concerns around unsafe medicines	2
protects public health	2
Fiscal Crisis taking Toll on Health of Greeks	1

- **Development Arguments (+/-)**

impact on developing countries	14
fosters development	1
impact on developed countries	1

- **Consumer Protection (+/-)**

threatens consumer rights	3
car parts and safety	1
ACTA will do little to address truly harmful counterfeiting	1

- **Intellectual Property Problems (Patents/Copyright) (+/-)**

Patents

seeds	5
biopiracy	1
patents over plants and animals	1

differences between what things are deemed patentable inventions	1
need for unitary European patent system	1
enforcement of patents given by foreign patent offices	1
patent trolls	1

Copyright

criminalizes sharing	11
copyright provisions not fit for the digital age	9
prevents copyright reform	7
copyright repression is costly and ineffective	6
artists robbed by distribution companies	6
need for copyright reform	5
complicates efforts to solve policy dilemmas: orphan works, patent reform, copyright reform	2
impedes the benefits of the cultural heritage of our society	2
ratchet towards stronger copyright protections	2
reasonable prices > less piracy	2
pessimist over regulating through sanctions rather than market means	2
strategy for IPR supplements Single Market Act and European Digital Agenda	1
unfair collecting societies	1
a balance should be struck between intellectual property and other fundamental rights	1
videos are unavailable on YouTube	1
allocation of info goods cannot be left to markets alone	1
although ACTA unconvincing, discussion how to protect IP must continue	1
ideas can't be reused	1
ACTA is part of the Commission's dangerous copyright agenda	1
tendency to treat temporary rights of protection as property rights	1
benefit to content mafia	1
end users should be able to listen to music freely	1
no legal offer of products to buy	1
parts of sentences can be copyrighted	1
German-MP Siegfried Kauder had two infringing photos on his website	1
extending the term of protection of copyright is problematic	1
bloggers mentioning a trademark in a critical article might be liable	1
private copying is a legitimate practice	1
chilling effects on mass digitization projects	1
provisions undermining interoperability and usability of music and films	1

- Threats to Internet Freedom and Culture (+/-)

threatens Internet freedom	11
Internet: space of freedom and sharing	8
blocks Internet access	8
politicians don't understand the Internet	4
breaks the Internet itself	3
does not block Internet access/websites	3
threatens net neutrality	3
the protest is generational	2
makes staying connected more difficult	2
does not threaten Internet freedom	2
threatens free exchange of ideas	1
Internet connects generations and subcultures	1
sharing does not threaten culture	1
Internet is the main source of access to culture for young Poles	1
legal frameworks should support the open and unrestricted development of the Internet	1
need for open data!	1
industry, politicians and media should follow the rules of the net	1
by rejecting ACTA MEPs will protect the infrastructure of modern society	1
the content industry used torrents as an excuse to control the Internet	1
the Internet gives opportunities to reach to people	1
the protest is not just about downloading	1
global shift < technology	1
conflict over culture	1
we are all creators	1
limits the future of our children	1

- **Problematic aspects of Criminal Provisions/Civil and Criminal Injunctions (+/-)**

third party liability	26
extra-judicial measures	24
lacks adequate safeguards	18
problematic border control measures	12
fair use? no exceptions and limitations to IP rights	13
could lead to graduated response mechanisms	11
statutory damages	11
low threshold for criminal and civil injunctions	11
lack of proportionality of legal penalties, processes, and remedies	10
wrongful searches, seizures and legal actions against legitimate suppliers	9
difficult to determine extent of damages	9
criminalizes circumvention technologies	8
prison for listening to pirated music	7

presumption of guilt	6
cooperative efforts with the business community	6
ACTA criminalizes innocent people	5
punishment: prison	5
unclear about the scope of enforcement measures in the digital environment	5
does not focus on private non-commercial activities	4
provisional measures	4
imposes DRM	4
computers and mobile phones NOT searched at the border	4
the burden of proof incumbent on SMEs is often excessive	4
preserves adequate safeguards	4
restrictions could affect Wikipedia, Facebook and SNSs	3
infrastructure for enforcement (government resources to benefit private rights)	3
injunction for uploading a video with pirated music	3
insufficient abuse deterrence	3
computers and mobile phones could be searched at the border	3
totalitarianism	3
fails to ensure that public authorities retain oversight of critical enforcement functions	2
will not lead to graduated response mechanisms	2
damages proportional to actual harm	2
ACTA allows civilly infringing goods to be destroyed (without compensation)	2
ACTA allows suspected goods to be seized (without evidence)	2
negative effects of over-criminalization	2
criminalizes free software	2
does not criminalize legitimate activities	1
ACTA mandates attorney's fees in civil cases	1
deterrence is an inexact science	1
large-scale counterfeiting and piracy - linked to organized crime	1
criminalizes offering circumventing technology	1
no compensation in cases of wrongful seizure	1
camcording criminal provisions are optional	1
operational circumstances	1
exchange of data between public authorities: potentially dangerous	1
addresses counterfeit and piracy in the digital And physical world	1
possibility to use pecuniary compensation	1
cross-border exchange of data: potentially dangerous	1
inaudita altera parte measures	1
ACTA could criminalize newspapers revealing a document or whistle-blowers	1
police state	1
limited 'safe harbor' for ISPs	1

creates a sense of threat	1
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- Does ACTA change existing Laws? (+/-)

changes EU law	18
creates common international standards of IP enforcement	17
changes national law	17
does not change EU law	10
binding for EU, non-binding for U.S.	9
TRIPS-plus measures	5
ACTA is ONLY about ENFORCEMENT	5
changes international law	4
promotes internal and external cooperation between enforcement authorities	2
ensures EU IP rights are effectively protected abroad	2
does not change U.S. law	1
reasonable and balanced	1
approximating national laws - necessary for administrative and customs cooperation	1
may legitimize orders from foreign non-judicial bodies to EU-based ISPs	1
TRIPS sets limits to the duration of detention	1
unclear whether the treaty is legally enforceable	1
no harmonization at EU level concerning criminal sanctions and the enforcement of IP rights	1
exports bad provisions of EU Law	1
difficult to make EU and U.S. legislation compatible	1
inaudita altera parte measures are in line with EU law	1
fosters rule of law	1
expansion of IP rights holders substantive rights	1

- Threats to Trade/Innovation/Growth/Technology Development (+/-)

threatens innovation	23
chilling effects for trade and production of legitimate goods	10
anti-competitive effects	8
threatens international trade	5
competitive advantage for China	4
competitive advantage for the USA	4
drives innovation	4
proliferation of counterfeit/pirated goods causes significant financial losses	4
creates and protects jobs	3
drives economic recovery and growth	2

ACTA militates against paralel importation	2
IP is Europe's raw material	2
ACTA won't protect SMEs	2
fosters international trade	2
threatens jobs	1
knowledge-based industries help the economy	1
spurs competition	1
the IP policy has an effect on other foreign, trade, and security priorities	1
numbers on job losses are bogus	1
paralel imports will not be hindered by ACTA	1
growth of counterfeit goods < growth of trade in general	1
chilling effects for ISPs	1
problem is piracy, loss of jobs, fake medicines	1
promotes investment	1
chilling effects on start-up companies	1
protects the creative economy	1
crowdfunding models of financing	1
provides benefits for EU citizens	1
chilling effects for green technology	1
threatens technological development	1
promotes technological development	1
ACTA widens options for rights holders to provide securities	1
market capitalisation of multinationals based on intangible rights	1
threatens fight against climate change	1
need for separate food tehcnology assessment	1
Internet entrepreneurship is the source of 3 percent of Polish GDP	1
e-commerce is indispensable for the Polish Economy	1

- **Nation-Specific Arguments (+/-)**

questionable U.S. constitutionality	12
expansion of U.S. president's power over sole executive agreements	7
the 'Chitanka' case	1
threatens Polish science	1
ACTA may contradict a provision in the U.S. healthcare reform and laws related to patents	1
ACTA: Successful Polish Presidency?	1
since when does the minister of culture deal with International trade?	1
there is hardly anyone in Bulgaria who has not downloaded torrents	1
Poland still remembers communism, police state and censorship	1
Polish citizens don't want U.S. to dictate their policy	1

➤ **Campaign Self-Referential Frames**

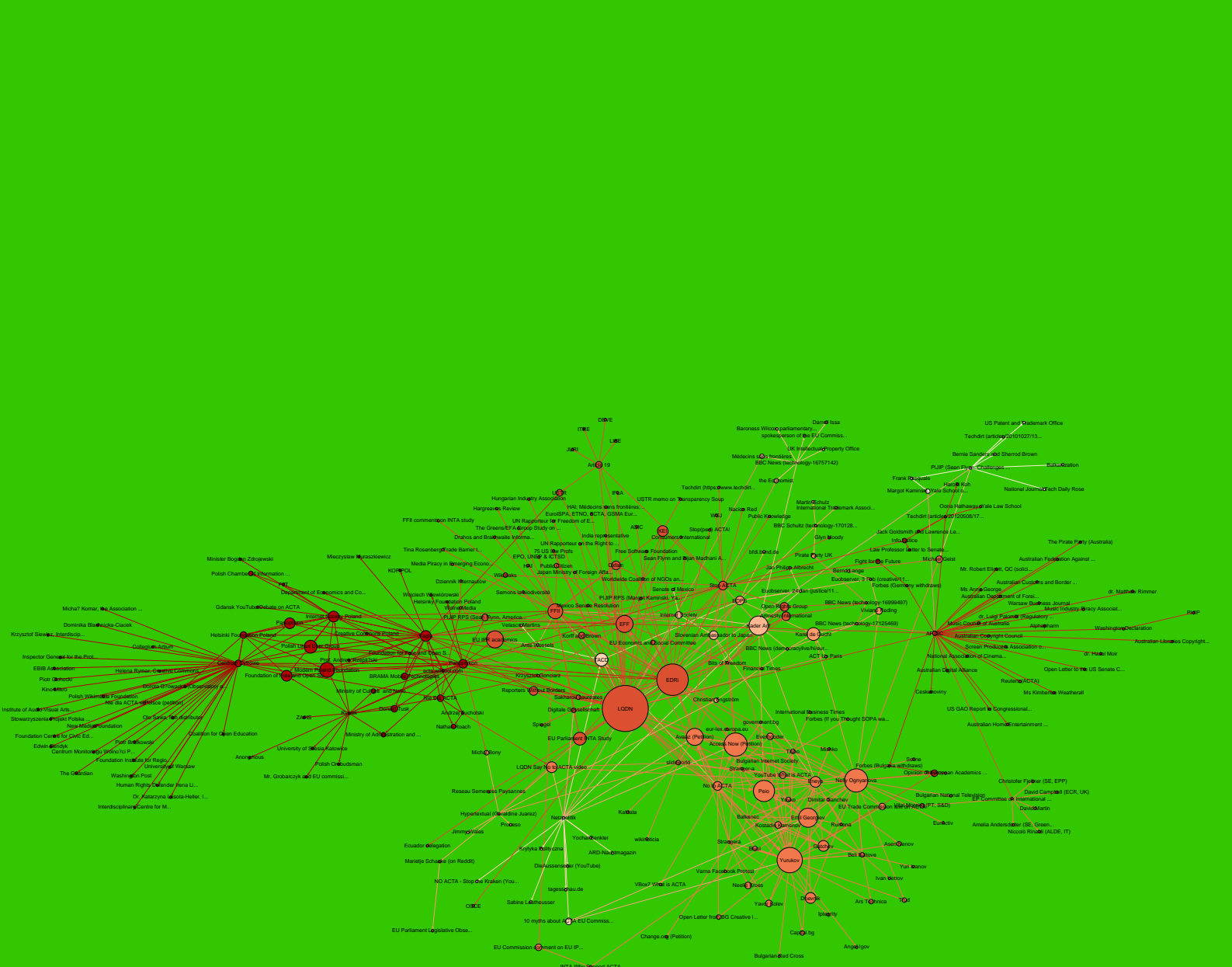
SOPA and PIPA connection	19
mass protests	12
hackers' attacks on websites	8
Germany, Poland , Bulgaria/other suspend ratification	5
media did not report on ACTA	4
the three strikes law and Ley Sinde	2
Slovenia ambassador appologizes	1
battle against the software Patents directive	1
similar process observed with TPP	1
the role of Twitter and Facebook for the Arab Spring	1
Mexico Rejected ACTA	1
telecoms incite bloggers to protest	1
fundamental rights are too important to be left to parties	1
generation beside > generation against	1
the oposition made the scandal a political one	1
ACTA is not a conflict between left and right	1
low trust of society in the government	1
closing of Megaupload	1

* Directional data of actors: the direction of the arrow shows who quotes whom.

The size of the nodes corresponds to the in-degree of the node, i.e. the number of incoming edges.

The colours of the nodes represent the different clusters they belong to.

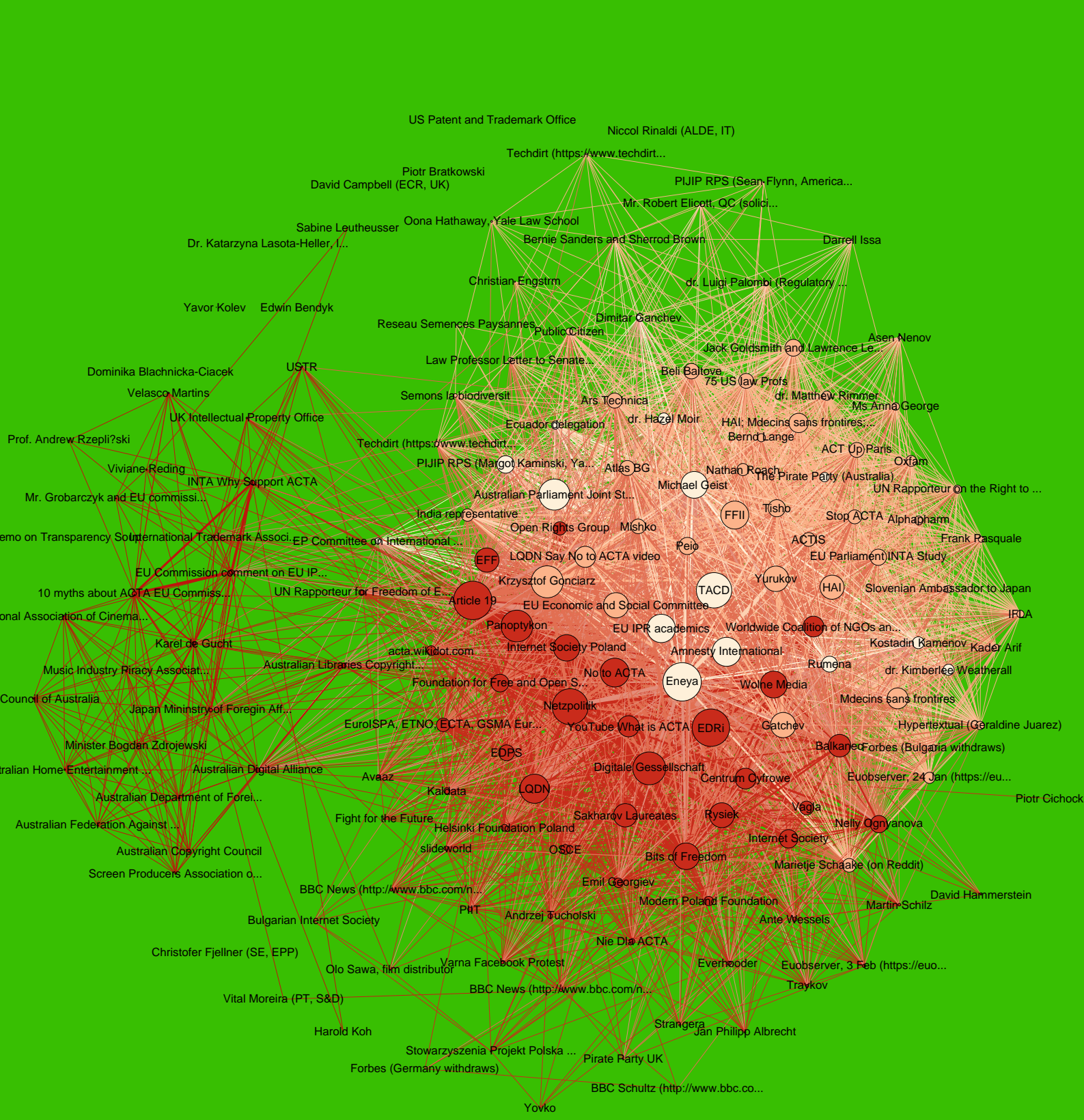
The modularity of the graph is 0.574, the number of communities 8. The average weighted degree is 1.993.



Actor-to-actor network projected by two-mode data on the basis of shared frames.

There are two clearly visible clusters of actors. To the left: pro-ACTA and to the right: anti-ACTA.

The size of the node corresponds to its degree, i.e. the number of incoming and outgoing edges characteristic of this particular node.



There are two clearly visible clusters of frames. To the left: pro-ACTA and to the right: anti-ACTA.

