

Framing in the Right2Water European Citizens' Initiative

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****Work in Progress****

The Right2Water European Citizens' Initiative (ECI) was the first to collect enough signatures in enough member states to trigger a reaction from the EU institutions. Launched by the European Public Services Union, long engaged alongside the water movement in promoting the human right to access to water and sanitation, this ECI saw the public services trade unions across the EU mobilise to collect signatures. With the perceived push to privatisation that accompanied the passage of the Concessions Directive and conditions linked to bailout packages and the austerity agenda, however, wide support also came from movement groups in the member states. A frame analysis of the argumentation that underpinned the ECI shows a clear discursive continuity with the major frames of movements against austerity. This apparently 'conventional' push to bring water access issues on to the agenda at the EU level is thus argued to perpetuate core arguments of recent social movements for public goods, democracy, and rights. The finding is important given the closure of opportunities for social movements at the EU level, and the EU's need of legitimacy from its citizens.

Introduction

This paper discusses the recent Right2Water European Citizens' Initiative in a context of closed political and discursive opportunities for social movement groups at the European Union (EU) level that has translated into the return of protest to the local level. It compares the framing of the ECI campaign with framing in anti-austerity protest groups in Italy in 2011 (found to echo framing in the movement across Europe more broadly, see Kaldor and Selchow 2012), and finds significant overlap between the two. The right2water ECI can be seen as an instance where anti-austerity argumentation was brought direct to the EU level. However, the ECI did not see any real substantive policy impact in the EU arena, signalling that opportunities remain overall closed to such movement groups at this level.

The financial crisis of 2008, which hit certain countries of the European Union (EU) with full force in 2010 led to the implementation of an austerity agenda of cuts across the EU. Protests against the austerity agenda spread, adopting an innovative format in the so-called 'indignados' and Occupy movements that occupied public spaces throughout member states of the EU. These camps, in their highly introspective and localised manifestations (in terms of their rejection of formal systems, living out of direct democracy, physical permanence in the local arena and provision of local services) provided a clear contrast with the preceding important wave of protest led by the global justice movement (GJM). The GJM, in addition to its more global focus expressed through transnational protest and discussion gatherings at social forums, included in its network groups that engaged with the EU in particular on its own terms. Though these campaigns did involve protest and other contentious forms of dissent, they mostly relied on the advocacy work of well-rooted and expert groups based for the most part in the European capital of Brussels (Parks 2008). This general shift from the GJM to camps in the EU can be read in function of a closure of political opportunities at the EU level (della Porta and Parks, forthcoming).¹

In studies of social movements, political opportunity approaches were developed to explain social movements' actions as rational courses followed in the light of perceived options, possibilities, and barriers present in political contexts. Different, generally more stable and

¹ The following arguments about the contraction of political opportunities at the EU level draw on della Porta and Parks (2013) and della Porta and Parks (forthcoming).

institutionalised aspects of a political context are understood to contribute to how ‘open’ or ‘closed’ to movements a space is. Classifying some of these aspects allows scholars to make some sense of social movements’ actions and outcomes. Later studies by US authors such as Charles Tilly, Sidney Tarrow and Doug McAdam refined the approach, focusing on dynamic political variables opportunities linked to less institutionalised aspects of the political landscape such as shifts within ruling elites, wars, or electoral instability to explain collective action (Tarrow, 1998). With the proliferation of variables considered, the approach has been further specified in recent years to distinguishing between ‘fixed’ and ‘dynamic’ opportunities (Koopmans 1999) and define the exact aims of different studies – to explain mobilisation or influence (on this and for a more detailed account of the evolution of the approach see e.g. Meyer 2004).

Despite the volume of literature on political opportunity more generally, work on the European Union is scant, but suggests that movement groups are likely to engage in less contentious forms for engagement in the EU arena as a function of the Commission’s being open to consultation and dialogue with ‘stakeholders’ (see studies in Imig and Tarrow 2001 and Marks and McAdam 1999). In this vein the political opportunity approach has also attracted the attention of scholars of EU interest representation (Mahoney and Baumgartner, 2008; Princen and Kerremans, 2008). In more recent comparative work, Parks attempts to outline the possible opportunities and obstacles denoted by the different institutions of the EU, with a consideration of dynamic opportunities brought about by configurations of elite allies and enemies, elections, and public opinion with a view to drawing conclusions about which political opportunities are most pertinent for the outcomes of social movement campaigns, concluding that in the period before the financial crisis there appeared to be scope and success for campaigns involving more ‘grassroots’ approaches including process. Campaigns studied that relied more on engaging with the Commission, and thus pouring resources into the production of expert information and the like (thus labelled ‘technical’ campaigns), were found to have fewer outcomes and policy impacts. Campaigns that focused on the Council(s) and European Parliament combining advocacy work with protest at various levels (thus labelled ‘political’ campaigns) were found to have more outcomes and policy impacts.²

² In the ‘political’ campaigns the Commission was, for reasons unclear, unwilling to engage in consultations. In that sense it could be argued that procedural politics played a strong role in determining the shapes of the

Some of the most important facilitating factors for the outcomes seen in pre-crisis social movement campaigns on EU issues were discursive in nature (della Porta and Parks 2013). Indeed, one critique often levelled at political opportunity approaches is their tendency to disregard the importance of discourse and culture. Some have recommended a discursive opportunity approach (Koopmans and Statham 1999) while others incorporate discursive elements in political contexts, for example public opinion (Kolb 2007). Studying the campaigns against the Ports and Services directive, for example, Parks and Leiren (2014) find that the context of wide and open discussion over the future of Europe during the negotiation of the Constitutional Treaty in the early 2000s, and in the campaigns studied specifically the debates around the referenda for the ratification of the Treaty in France, allowed would-be obscure policies to be linked to more general questions about the perceived neo-liberal direction of the EU. This reverse of Keck and Sikkink's (1998) 'boomerang' of increased discursive salience at national level leading to increased responsiveness at the EU level seems to have closed down in the wake of the financial crisis however.

In the EU after the financial crisis, the discursive salience of the EU is once again high, but in a manner that shuts down opportunities for many left-liberal movement groups since current discourse establishes the 'truth' of neo-liberalism (i.e. a liberalisation agenda) and the unquestionable 'need' for austerity policies. This is expressed by anti-austerity movements in the view that politics and the market have become entwined to the extent that markets now dictate economic policy decisions in the political sphere (often via heavy lobbying, see Crouch 2012, or the creation of 'technical' agencies including the European Central Bank, e.g. Stiglitz 2012) that should instead be democratically discussed: politicians begin to plead their higher duty to the market when faced with citizens' demands (for an extensive discussion, see della Porta, forthcoming). As already noted above, this closing down of opportunities, and perhaps particularly discursive opportunities, is reflected in the strategies of anti-austerity movements moving down to the local level (della Porta and Parks, forthcoming).

It is in this context that ECIs finally came into being: in theory with the entry into force of the Lisbon Treaty in 2009 and in reality with the adoption of rules for their administration in

campaigns (in line with the political opportunity approach). This does not however change the finding that elements of protest and a concentration on the political institutions of the EU seems to result in more influence.

2012. When an ECI is signed by least 1 million signatures from EU citizens, and pass minimum thresholds in at least 7 member states, these petitions can lead to EU legislation. Of course, the subject matter must relate to areas where the EU has the power to legislate, and importantly there is no guarantee of legislation but the obligation to consider the matter. After a successful petition is received, a European Parliament hearing is held, along with meetings between the organisers and the Commission. The Commission then publishes a communication detailing the action it will take. Following the line that political opportunity in the EU is often procedurally dictated and reliant on shifting alliances between actors within the different institutions, the ECI represented a unique new configuration for an opportunity of bringing grassroots voices to the EU level (whether such voices would be responded to or not). The rules and procedures for registering an ECI can be argued to require the kind of expertise usually found in rather institutionalised groups engaging in policy processes in Brussels – ECIs must be in line with EU competence and Treaties, for example. To gather signatures in line with member state rules also requires expertise. Institutionalised and long-standing groups are also more likely to succeed with ECIs because of financial implications – gathering signatures electronically in line with strict rules and other administrative costs (constituting citizens’ committees etc.) means substantial spending. The Initiative for the European Citizens’ Initiative, providing advice to the EPSU as they launched the Right2Water ECI, recommended funds of €100.000 be put by (interview 1, Berg 2013). Launching an ECI is thus heavy in demands for expertise and funding, making it a relatively inaccessible choice for many smaller or grassroots groups without EU experience.³

Once an ECI has been successfully registered with the Commission, a year is allowed for the collection of signatures. However, potentially contradictory resources are needed before and after the registration of an ECI to maximise the chances of success. A successful ECI, it can be argued, requires a centralised Brussels organisation to have a network of well known and well rooted member organisations in the member states who can work to gather signatures, connect with other organisations which can do the same, publicise the ECI and render it meaningful in local contexts. On paper then the organisations that launch ECIs must combine expert knowledge and funding with real grassroots networks, yet the two can be difficult to maintain simultaneously. Organisations that concentrate on engaging as stakeholders at the EU level may well find themselves moving away from the interests and concerns of

³ Representatives from organisations active in the right2water ECI campaign point to this, noting that it is rather misleading to even call ECIs ‘citizens’ initiatives.

grassroots members. The subject matter of the ECI must also, crucially, be something that is discursively and politically meaningful throughout the EU. In light of the above discussion of the closure of opportunities for grassroots messages at the EU level after the financial crisis, this paper will look into the framing of the Right2Water ECI, which it is argued conveyed grassroots messages to the EU level. The frames of the right2water ECI, it will be shown, echo the core ideas expressed in anti-austerity protests.

The next section will give a brief overview of the literature on framing in social movements before describing the data and methods used for this investigation. Then, the ECI campaign is described, followed by a discussion of the frames in that campaign. In a discussion and concluding section, the framing of the ECI campaign is compared to that of anti-austerity protests, and reflections made on the findings as well as the consequences of the EU's failure to legislate on the basis of the successful Right2Water ECI.

Framing, data and methods

Frames attach characteristics and definitions to people and issues in space and time - they attribute blame, outline alternative paths and means of achieving goals. Put simply, "framing functions in much the same way as a frame around a picture: attention gets focused on what is relevant and important and away from extraneous items in the field of view" (Noakes and Johnston, 2005, 1-29), p. 2). The foundations of the concept are found in constructionism. Since social movements are not carriers of fixed identities (Snow, 2004, 380-412), framing processes, understood as the work undertaken to forge collective definitions, are interesting to social movement scholars: "The framing perspective is rooted in the symbolic interactionist [re. Stryker 2000] and constructionist principle that meanings do not automatically or naturally attach themselves to the objects, events, or experiences we encounter, but often arise, instead, through interactively based interpretive processes". (Snow 2004, p. 384) Researchers thus pay attention to processes of the social construction of meaning (Oliver and Johnston, 2000, 37-54) when looking at frames.

Much work has detailed the different types of frames we can distinguish, and the strategies that movement actors may draw on in framing work. The latter are particularly interesting for

the current investigation. Benford and Snow detail how movements make frames more resonant (Benford and Snow 2000, see also (Noakes and Johnston, 2005, 1-29). These strategies include articulation – “the connection and alignment of events and experiences so that they hang together in a relatively unified and compelling fashion” (Benford and Snow 2000, p. 623), and amplification – stressing the importance of certain issues, events, or beliefs in order to make them more salient (*ibid.*). Logically, a coherent argument will produce a frame that is more acceptable and therefore more likely to be acted upon (Gerhards and Rucht 1992), yet this is perhaps particularly challenging in a transnational campaign such as an ECI campaign. Here, frames must be salient in a range of different national and local contexts in order to convince people to sign the petition.

The method of frame analysis, used to study frames, is a form of content analysis. The method employed here is used to corroborate and correct evidence from interviews and movement documents. Publicly available movement documents are read and the frames employed in them coded inductively to form overall counts and an image of how frames are combined and built over time. Documents from both the EU and national ‘levels’ of the ECI campaign are looked at to see if any differences in terms of how frame salience is sought at these different levels and whether a coherent whole is maintained. By taking ‘snapshots’ of frames across the campaign’s history, the analysis avoids static representations allowing discussions of framing processes (Johnston 1995, 2002) of articulation and amplification. The documents used are coded inductively, with the frame categories generated from the actual texts thus avoiding the imposition of any of the researcher’s presuppositions.

The data for the frame analysis of the Right2Water ECI are newsletters and other news stories published on the website launched for the collection of online signatures, www.right2water.eu.⁴ The news feed featured on this site gathers a host of articles on the petition and its themes from a variety of European, national and international sources. These were in turn condensed into periodical (more or less on a monthly basis) newsletters, also freely available on the website. These newsletters were used for the EU frame analysis since we can claim they are designed for an audience spanning the EU, and including the institutions. News articles featured on the website concerning national and local events and

⁴ All the documents analysed are available in the news page of this website and available as of 22 July 2014. All documents are coded inductively, involving as little interpretation as possible. Documents analysed also on file with the author.

situations were used for the national level analysis. As the website organisers translated many of these articles from other member state languages, or simply reported on events in different member states, a fairly wide sample of different countries is covered.⁵ Information from the frame analysis is supplemented not only by the general reading of all the news articles featured in the newsfeed, but also by 6 semi-structured interviews carried out with key informants on the campaign by Skype and in person in June 2013.⁶

The data used to illustrate the frames of anti-austerity campaigns was gathered for the Subterranean Politics in Europe project, and focused on frames of protest in Italy in 2011 (della Porta, Mosca and Parks, forthcoming). Though the focus of this analysis is Italy, within the wider context of the project the Italian case was found to echo the frames arising from protests in a host of other EU states (Kaldor and Selchow 2012). The added interest of this data is that it includes analysis of documents from the Italian water referendum, which is particularly interesting for comparison with the European Right2Water petition. This frame analysis was carried out on randomly selected samples of movement-authored documents from the most prominent protesting groups in Italy in 2011. These in turn were selected by searching the keyword ‘protest’ in the archives of La Repubblica newspaper. Though the frame analysis for these documents followed a codebook, this was notably added to where frequently occurring frames arose that were not already covered, and in that sense provides a good overview of frequent frames in the Italian context at that time.

The Right2Water campaign

One of the first ECI petitions to be registered following the Regulation implementing the mechanism was named ‘Water and sanitation are a human right! Water is a public good, not a

⁵ A total of 28 EU level newsletters were coded, dated between March 2012 and February 2014. A total of 39 articles relating to activities in member states were coded, dated between April and October 2013. These broke down as follows: 1 each from Belgium, Finland, the UK, Poland, the Netherlands and Luxembourg; 2 each from Ireland, Lithuania, Sweden and Austria; 3 from Spain; 4 each from Portugal, Italy and France; and 5 each from Germany and Greece. Numbers of newsletters and timeframe, numbers of ms articles, from how many countries, and timeframe. The discrepancy in time periods corresponds to the peak signature collection activities in member states, shorter than the timeframe of the newsletters which began before and continued after signature collection.

⁶ Interviews are numbered in brackets in the following. Key: interview 1 – representative of the Initiative for the European Citizens’ Initiative, 18/06/13; interview 2 – Representative of the European Public Services Union, 26/06/13; interview 3 – Representative of the European Food and Water Movement, 26/06/13; interview 4 - MEP advisor, 27/06/13; interview 5 - Representative of the European Public Health Alliance, 28/06/13; interview 6 – Representative of Campact (Germany), 3/7/13.

commodity!’ – or the rather snappier Right2Water for short. The main thrust of this petition was to secure recognition of water as a human right in the EU, in line with statements from the UN campaigned for by the water movement in 2010⁷, and thus legislation protecting water as a public good not to be privatized. The organisation behind the petition was the European Public Services Union (EPSU). This regional organisation, in turn a member of the global union Public Services International, had been working on water issues since the early 1990s alongside groups and activists concerned with water issues (interview 2). The idea of the petition lay with this organisation, and the majority of groups listed as supporters such as the European Public Health Alliance were hands-off in the actual collection of signatures (interview 5). The structure of the EPSU mirrors the ideal type suggested in the introduction – with a strong presence, expertise and resources in Brussels, this umbrella organisation could also rely on developed networks of national and local members for the collection of signatures.

The EPSU took the official decision to launch the Right2Water ECI at its congress in 2009. Although the decision was taken by that organisation alone, it is clear that the ECI was considered as the next step in the wider campaign on the human right to water, where the EPSU has long worked with many other groups in the water movement (interviews 2 and 3). In that sense, an understanding of the organisational implications of ECIs and the obstacles in the way of a successful outcome are clear in the EPSU’s decision. Though they listed many EU-based groups as supporters, these did little more than place banners on websites. The real coalition is found in the organisation’s long-standing work with social movement organisations in the water movement, reflecting the priority of connecting with citizens in ECI campaigns rather than the EU level.

In this vein, the ECI was officially announced at the Marseille official and alternative world water forums in mid-March 2012, with the website launched a week later to coincide with World Water day. On 1 April, the first possible day to do so, the campaign applied for registration with the Commission, holding a press conference in Brussels. Over the month it took for the Commission to consider the campaign began highlighting local links, for example holding events with the mayor of Brussels. When the ECI was confirmed on 10 May 2012, the campaign continued in this vein of highlighting links with different member states, whether through mayors or grassroots campaigns. Given technical problems with the

⁷ See http://www.un.org/waterforlifedecade/human_right_to_water.shtml, accessed 7 July 2014.

collection of online signatures that eventually saw the deadline for signature collection postponed until early September 2013, events held by local trade union chapters to collect signatures are highlighted at this point of the campaign along with celebrity ambassadors. A cross-national trade union event marking the ‘official’ start for the collection of paper signatures was held in late June 2012 at famous fountains throughout the EU, but with the launch of online signature collection, finally, in September 2012, the campaign really took off. At this point the newsfeeds show that not only trade unions but also other actors not previously apparent in the campaign begin to appear, with signature collections taking place at protest events and festivals, for example.⁸ Other movement forums including the Florence 10+10 meetings and the World Social Forum are cited as arenas for spreading word of the petition (interview 2), while the links between local struggles against proposed privatisations are clear in the news feed on the ECI site. The importance of links to grassroots groups as well as other local actors is thus clear in the form of the campaign as well as in its framing.

The campaign continued in this style until late January 2013, when interest from the German media saw the numbers of signatures gathered explode. In late January 2013, a German comedian and satirist featured material about the right to water and the privatisation of water supplies on his television programme, ending the piece with information about the ECI and how it could contribute to safeguard publicly-owned water supplies in the country.⁹ This led to a significant jump in the numbers of signatures from Germany and Austria, with 84% of signatures coming from Germany by early February ((Berg, 2013) Numbers of signatures in fact tripled in a matter of days, leading the organisers to raise the target to 2 million on 5 February 2013.¹⁰ With the ECI now firmly on the map in Germany, the screening of an edition of the documentary series Monitor in mid-February then forged the link to the Concessions Directive, then under discussion. The programme discussed the Commission’s perceived plans for water privatisation, exploring cases in Portugal and Greece, and interviewed Commissioner Barnier along with German Green MEP Heide Ruehle and the European Corporate Observatory. Subsequently, the ECI and the Directive were woven into the electoral campaign in Germany’s September 2013 federal elections, where politicians of both right and left picked up the issue, leading the government to push for the Commission to

⁸ News Splash No. 9, 3/10/2013 ‘The European Citizens’ Initiative “Water is a human right!” – Sign now online!’ Available at: <http://www.right2water.eu/news/european-citizens%E2%80%99-initiative-%E2%80%9Cwater-human-right%E2%80%9D-%E2%80%93-sign-now-online>, accessed 7/7/2014.

⁹ The sketch is available with English subtitles at <http://www.youtube.com/watch?v=sTYNFyML-3s>, accessed 22 July 2014.

¹⁰ ‘Raising the target to 2 million signatures’, 5 February 2012, available at <http://www.right2water.eu/news/raising-target-2-million-signatures>, accessed 8 July 2014.

exclude water from the Directive (interview 6). The link to the Concessions Directive was thus very much the work of others in Germany – media attention to the ECI and the Directive was not planned but certainly serendipitous. The huge boost in the numbers of signatures certainly aided to spread the word about the ECI. Yet linking the two subjects was not without drawbacks for the campaign. The Commission moved to exclude water from the Concessions Directive in June 2013, citing the ECI. This apparent victory, the result of a link between the ECI and the Directive the campaigners had not sought, was regarded with scepticism. The exclusion would, to begin with, be reviewed 3 years after implementation of the Directive. This, some groups believed, could mean that water would be reintegrated once the climate of opposition to water liberalisation created by the ECI and its bridging with the Concessions Directive had abated. In the shorter term, and as in fact happened, the move was seen as something the Commission could tout as a reaction to the ECI in lieu of actually proposing legislation to protect access to and the public management of water in the EU: in the event, the Commission's reaction to the ECI explicitly referenced the move as evidence of a positive response.¹¹

Though the German story showcases the effects of raised public opinion in this case, this was at least initially limited to Germany and German-speaking Europe: in early February the national quotas had only been passed in Germany, Austria and Belgium. Though more than a million signatures had been collected, four more national quotas would need to be passed before success was secured. In other countries in Europe the need to give the ECI meaning in local contexts, as already mentioned, meant linking water with austerity. The work of local movement groups struggling against planned privatisation, or struggling to have water supplies returned to local government hands, or in some cases to get supplies restored to individuals and communities, thus continued to be publicised and supported by the ECI campaign, usually in the form of local trade union chapters affiliated to the EPSU through their national union. The EPSU as part of the water movement had many years of experience of this type of ground level work in Europe as well as South America and Africa (interview 2).

Thessaloniki in Greece is a stand out case within the framework of the ECI in this vein. The case was discussed at an event in the European Parliament about the ECI sponsored by the

¹¹ E.g. 'Commission says yes to first successful European Citizens' Initiative', European Commission Press release IP/14/277, 19 March 2014, available at http://europa.eu/rapid/press-release_IP-14-277_en.htm, accessed 23/06/14.

Greens-EFA in June 2013, and a letter to the companies bidding for the contract requesting them to withdraw was sent, signed by various groups involved in the ECI campaign.¹² News about the local referendum staged by the movement in Thessaloniki was reported extensively on the signature collection site right2water.eu and solidarity was pledged when the outcome of the referendum was dismissed by the local authorities in May 2014 (well after the end of signature collection).¹³ Generally, the link between local struggles and the ECI is not generally strongly reflected in the framing of the campaign shown at the EU level however, as will be discussed in the following section. Once public opinion at national level had secured quotas in three member states, securing public opinion in much more local arenas seems to have secured quotas in others.

In September 2013 nearly 1.9 million signatures were submitted for approval to member state governments, and on 20 December the petition was presented to the Commission. A very well-attended public hearing was, following the protocol for successful ECIs, held on 17 February in the European Parliament. On 19 March the Commission released its Communication on the ECI (European Commission 2014¹⁴), in which it promised to reinforce and improve current instruments but did not promise any new legislation. An EU-wide public consultation (albeit non-binding) was also promised on the Drinking Water Directive, and duly began in June 2014. While the EPSU was somewhat upbeat about the promising language of the Communication in public statements, they also noted their disappointment (but not necessarily their surprise) at the Commission falling short of taking action on their specific legislative demands.¹⁵

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¹² Public conference ‘Water is a public good’ held 27 June 2013 by the Greens EFA in the European Parliament, letter to the companies bidding for EYATH, the Thessaloniki Water and Sewage Company, 23 July 2013, available at <http://europeanwater.org/images/pdf/Letter%20to%20EYATH%20Bidders.pdf>, accessed 8 July 2014.

¹³ See e.g. <http://www.autonomias.net/2014/05/people-vs-corporate-rule-some-personal.html>, accessed 7 July 2014.

¹⁴ Communication from the Commission on the European Citizens’ Initiative “Water and sanitation are a human right! Water is a public good, not a commodity!” Brussels, European Commission COM(2014) 177 final.

¹⁵ Campaign newsletter ‘News Splash no. 25’, available at <http://www.right2water.eu/news/campaign-%E2%80%98right2water%E2%80%99-over-lobby-continues>, accessed 20 May 2014, e-mail exchange with representative of the EPSU, 20 May 2014.

How was this, the first successful ECI campaign, framed? Before looking at the framing used in detail, some more general discussion of why the right to water and public ownership was chosen as the subject of an ECI in the first place is important to explain the (limited) success of the campaign. This is a subject broached in interviews rather than reflected in documentation. Water formed only one aspect of the work of the core groups involved in the campaign - the European Public Services Union in obviously engaged in many other campaigns and activities, as is the Food and Water Movement for example. Yet in comparison with other areas of activity water is seen as easy to frame in terms of its fundamental importance to everybody in the world: “It’s water. It’s essential for life” (interview 2); “Every one of us is drinking and using water every day, so it has a day to day connection” (interview 3). Much EU work is characterised as rather abstract in comparison. Strategic framing on the part of the EPSU thus extends to the very choice of water as the subject matter for an ECI.

Beginning with the EU-level, the most common frames regard the collection of signatures – including details about support from various quarters, numbers of signatures collected and specific events held to publicise the ECI and gather signatures. Combining these frames with those exhorting citizens to sign the ECI places these frames as significantly more frequent than any others in the newsletter. Focusing on the widespread effort and support already garnered for the ECI (as well as asking people to sign) more than on the substantive issues involved thus stands out as the main emphasis for EU-level framing. If we assume that the target audience for these newsletters included EU institutions, it is clear that communicating success and citizen support is seen as the most important feature of the ECI during collection stage. This ties in with the discussion of awareness-raising among EU institutions above. Frames underlining that water is a human right are the second most frequent, again in line with the focus on international appeal. Previous campaigning by the water movement led to the recognition of water as human right by the United Nations in 2010, and human rights have been considered a ‘master frame’ that can appeal across borders and contexts in the literature (e.g. Tarrow 1998). These frames are by far the most repeated, but are supported fairly frequently by frames detailing that the petition is a means of setting the European agenda, that the management of water supplies should be excluded from market logic, closely followed by arguments about universal access, calls for legislation, and details of cases of inequality of access to clean water and sanitation. Two frames only thus stand out for the EU-level of the ECI campaign, making the message of the petition coherent and clear.

Frames at the national level are less dominated by any one group of frames, but are clearly characterised by the actual title of the ECI which stands out as the most frequent combination of frames throughout. The title contains two frames – water is a human right, and water is a public good.¹⁶ In line with findings about the campaign already presented, the ECI thus seems more tailored to salience at the national and local levels than the European, where popularity is instead emphasised. The human right frame links the EU and national level, while the public good frame (in any case still strong at the EU level) falls in line with efforts to tie the ECI to local specificities. Many local and national campaigns are focused on keeping water out of private hands (or restoring it to public management), and indeed many of the documents recount particular local struggles, emphasising the relevance of the ECI in a range of contexts. The choice of the title of the ECI thus also displays framing strategies well: it combines the international ‘master frame’ of human rights with the locally more relevant idea of public management.

Frames conveying information about numbers of signatures and publicity, as well as instances of public figures endorsing or signing the petition follow, once more bringing EU and national frames broadly into line. Wide civil society support is also emphasised in a similar line of showing widespread support, followed by an array of complementary but more substantial secondary arguments: why water should not be considered under market logics, why legislation is needed, and links to austerity and the Concessions directive. The latter of these, on the Concessions Directive and austerity, are not as strong as the discussion of the campaign in light of political opportunities might lead us to expect – this can be attributed to the fact that the link of with the Concessions Directive was not particularly sought by the EPSU (responsible for the website and newsletters), while the link to austerity was, as discussed, something achieved at very local levels and less reflected in the documents shared via the website. Overall, the framing in the right2water ECI campaign is thus characterised by clear and frequent arguments at both EU and national level, which complement and link to each other while emphasising frames more salient at the international and national levels respectively. In the language of the framing literature, the groups make use of *amplification* strategies (to boost salience). The EU, then, uses wider arguments linked to human rights as well as pushing the message of the ECI’s popularity, while the national level brings in a stronger emphasis on public management that can be linked to local struggles. In terms of

¹⁶ The petition is registered under the title ‘Water and sanitation are a human right! Water is a public good, not a commodity!’

dialogue between the two levels, the very structure of the ECI renders this an integral part of the campaign. Many of the national level documents thus come from national and local trade union groups affiliated to the EPSU, but also reflect the involvement of that body in the wider water movement in terms of the presence of a range of other types of group. Frames are amplified in different ways according to the level they are produced at, but remain *articulate* – “they hang together in a relatively unified and compelling fashion” (Benford and Snow 2000, p. 623).

Discussion and conclusions

The frames that emerged from the ECI campaign as particularly pertinent, on human rights, public goods and – to a less explicit extent but implicit in the use of the ECI instrument itself – on the power of a direct expression of citizens’ opinions are strikingly similar to some seen in anti-austerity protest. As already described, I draw here on a previous frame analysis on movement groups in Italy in 2011 (della Porta, Mosca and Parks, forthcoming), itself found to echo the main thrust of anti-austerity protest across the EU (Kaldor and Selchow 2012).

Common goods (‘beni comuni’) emerged as a particularly important and frequent theme in the framing of the problems facing Italy according to movement groups in that country in 2011. Of course, this was also the year that a referendum on a proposed law to privatise water supplies (among other issues). To trigger a referendum (the outcome of which is then binding) in Italy first requires the collection of 500,000 signatures – once this is achieved campaigning for the actual referendum can begin. The numerous Italian movement organisations involved in the campaign managed to both trigger and win the referendum during the first half of 2011, and the ubiquity of frames related to common goods can be attributed to this. The Italian example thus clearly echoes the ECI campaign, since public goods are clearly linked to common goods. Given that the ECI campaign was decided well before the Italian case it is also clear that this ‘echo’ is not a deliberate one, but a reflection of issues of general interest in the EU at that time.

The common goods frame in Italy is also closely linked to issues of rights and in particular democracy, allowing an illustration of how these frames interlinked in their importance across Europe in the wake of the financial crisis. To begin with the rights frame, although

issues of human rights did not appear with particular force in the Italian context, issues of workers' rights, social justice, social inclusion and defence of the welfare state did appear in close connection with issues of commonly owned goods. In this sense, the human right to share in the commons emerges within the frame of common goods and in the surrounding frames emphasising the social effects that lead on from this: access to common goods is seen to allow social justice, fulfilment of rights and the like. While the human rights frame is thus not as evident in Italian framing then it is certainly implicit – in line indeed with the differences highlighted between EU level framing and national and local framing in the discussion of the ECI campaign.

The link between common goods and democratic expression is expressed more explicitly in Italy. While the ECI campaign focuses less on the vehicle of the ECI, stressing its importance as an agenda-setting tool more than anything else, democracy is widely discussed in light of common goods in Italy. The clearest articulation of this is found in discussions of the referendum. Two groups involved in the referendum campaign, Arci (the Italian Cultural and Recreational association) and Cobas (a grassroots trade union), generally very active in the political scene in Italy are eloquent on this point. Arci described the referendum as an exercise in popular education, an experience that reinvigorated words such as rights, common goods, and democracy, stating that “Defending the result of the referendum for public water will allow us to strongly state that only the value of participation can return dignity and value to a new politics, capable of guiding the country out of disaster”. Cobas saw the wide participation in the referendum as a sign of the “rebirth of civil passion and participation from below. The revolution of common goods” (both cited in della Porta, Mosca and Parks forthcoming).

The importance of democracy in terms of the expression of citizens' voices is also present in the wider Italian context of anti-austerity however. Here differences in framing are clear in that the Italian analysis shows the preferred method of expression to be protest above any other means, yet in terms of normative argumentation we again find common goods linked to democracy per se. Common goods are seen as fundamental to fostering a culture of participation in the country, thereby revitalising its ailing democracy. Whereas public management is linked to the exercise and enjoyment of human rights in the ECI framing, the Italian context links common goods more explicitly to participation and democracy. Overall, however, there are striking resemblances between the framing seen in the two campaigns, even if the manner of linking public goods to anti-austerity struggles is emphasised

differently. In addition, we can note that the frames calling for common goods and public ownership form a perfect counter-demand to the perceived merging of politics and the market discussed in the introduction.

Whether consciously or not, then, it can be concluded that the Right2Water ECI campaign captured the core arguments of the movement sector in the EU after the crisis, and conveyed those messages in the most direct way available to its institutions. Its success also ensured that those messages were inescapable, since rules on hearings and discussions had to be followed in light of the number of signatures collected. This finding is particularly important if we consider a final clear point about framing in the Italian protest context, again one that was found to be common to other areas of the EU: the lack of engagement with Europe and the EU in general. The frame analysis for Italy found very little was said about Europe at all, a finding echoed not only in other countries but also in work about transnational protest more generally during the same period (Kaldor and Selchow 2012). Interviews conducted to investigate the ECI echoed this, with interviewees commenting about how difficulties in gathering signatures were higher in those countries most affected by the financial crisis.

It is in this view that the fact the ECI brought grassroots messages to the EU level is so interesting. If the input and acceptance of citizens is important to the EU's survival, this new route for expressing opinions is crucial to its future in a period when most movements appear to have abandoned it as a target. Reflections on the potential of ECIs in a special edition of *Perspectives on European Politics and Society* discuss the potential of this mechanism for opening up the EU arena to groups and citizens that do not usually engage with EU politics (Greenwood 2012), overcoming the structural encouragement for groups active at the EU level to move away from grassroots counterparts, and how this may eventually lead to a new European public sphere (De Clerck-Sachsse). While the EPSU is not an 'outsider' group in that it is very much engaged with the EU and its institutions, it is a group more "prone to use social movement tactics on the side of more institutional registers" in line with Bouza Garcia's prediction that more grassroots-oriented groups would be more likely to launch ECIs (2012: 346), and its campaign not only engaged such grassroots groups but tied EU issues to local struggles and brought messages from such struggles to the EU level. In that sense, this campaign certainly appears to represent a step on the way towards an increase in pan-European debate, one of the logics behind the idea of the ECI identified by Monahan (2012).

There has been little reflection, however, on the consequences of a lack of responsiveness from the EU institutions on the future of the ECI with the exception of Bouza Garcia, who suggests that “a tendency to massively reject ECIs may paradoxically result in this tool being confined to the niche of organisations contesting European integration and left as a protest rather than an effective participation device” (2012: 349). Though the Commission’s response to the right2water ECI was by no means a rejection, it fell well short of the demands of the group that launched it, and as much was conveyed to its signatories via newsletters and the signature collection website.¹⁷ While groups working at the EU level can see the strategic worth of the ECI as an agenda-setting tool, this may not be the case for those who sign – particularly while the tool is still little known and similar national mechanisms for the most part trigger legislation when successful (Bouza Garcia and Greenwood 2012). Another ECI has since collected enough signatures for consideration, this time falling into Bouza Garcia’s protest category (the ECI focused on ending research using stem cells and providing development aid for abortion among other things), with the Commission again stopping short of demands made, triggering strong negative reactions from the organisers.¹⁸ Thus far, then, two ECIs challenging the position of the Commission and EU more generally have been communicated as relative failures by their organisers – despite what the Commission may retort. As more ECIs pass, the danger of this perceived unresponsiveness may end with the exclusion of the ECI as a viable option for EU social movement organisations (i.e. those engaged with the EU but also tending to draw on grassroots contentious strategies) where the investments required for gathering the signatures are simply not worth the impact created in terms of public opinion and agenda setting – outcomes that can be achieved without investing in ECIs (Parks forthcoming). This move towards the ECI becoming a mere tool for protest against European integration, as Bouza Garcia speculates, may well be hastened if the Commission is seen to be responsive only where an ECI is in line with its own agenda. Such an outcome would be a shame for a tool that can, as seen in the case explored here, bring citizens’ views to the EU.

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¹⁷ ‘Campaign ‘right2water’ is over, Lobby continues’, 15 April 2014, available at <http://www.right2water.eu/news/campaign-%E2%80%98right2water%E2%80%99-over-lobby-continues>, accessed 21 July 2014.

¹⁸ <http://www.oneofus.eu/press-release-from-the-executive-board-of-the-european-citizens-initiative-one-of-us/>, accessed 21 July 2014.

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