Social Movement Response to State Framing Activity:
The Influence of State Frames in the Anti-SOPA Movement

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ABSTRACT

Social movement research has recently focused attention on the role of movement frames in eliciting favorable responses from the state. But while past studies treat state action as a response to social movement organization (SMO) framing efforts, this study instead examines the influence of state framing activity on SMO frames. Using an analysis of speech acts from SMO opposition to the Stop Online Piracy Act of the U.S. Senate (2010-2012), I examine the influence state framing activity can have on social movement framing, and the conditions under which this influence does and does not occur. A qualitative analysis shows that (a) SMO frames in this case were influenced by state frames both directly and indirectly, and (b) the type and extent of this influence depended on both the target of the SMO frame and factors in the movement's political environment. These findings serve to further articulate the SMO-state framing relationship, and explore its impact as a determinant of SMO frame promotion.

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INTRODUCTION

While social movement organizations (SMOs) may have a variety of goals, among the most common is that of effecting some change in law or public policy. The relationship between the state and social movements is thus of great interest to those who study these movements and their consequences. Many social movement scholars have now examined when and to what extent movement activity achieves political goals (Amenta & Caren 2004), and increasingly these studies have integrated the role of social movement *framing* – the ways in which SMOs construct persuasive messages (Polletta & Ho 2006) – into this approach (Amenta et al. 2010). As this literature points out, framing activity is both commonplace in social movements (Cress & Snow 2000; McCammon 2009), and a potentially decisive means of interaction between movements and the state (McCammon et al. 2007).

However, while this research has effectively honed in on many key attributes of successful movement frames (Cress & Snow 2000; McCammon et al. 2001), it has not yet looked at other framing activity so thoroughly. The prevailing conception of the movement-state relationship – that social movements may produce effective frames which then win concessions from the state – treats state actors as simple respondents who matter only in their propensity to be won over by movement frames. In reality however, state actors promote frames of their own, and can influence the framing activity of SMOs in ways beyond simply helping to constitute the movement's political context. It may indeed be true that, as McCammon and colleagues (2007) articulate, "lawmakers decide to revise laws in part because they are convinced by activists' arguments." However, as an approach to social movement framing generally

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this unidirectional view ignores lawmakers' active role in the framing discourse, overly narrowing our understanding of the movement-state relationship.

It is this lacuna that this paper sets out to examine – not only whether movement frames influence certain state actors, but whether state framing activity influences the movement as well. I argue that this state-to-SMO influence is a key determinant of any movement framing activity where said movement engages with the state in the pursuit of political goals. I set out to explore both the extent of this influence, and the conditions of its occurrence, using evidence from the 2010-2012 organized protests against the Stop Online Piracy Act and Protect IP Act[1] (heretofore both referred to as SOPA) of the U.S. House and Senate. This case was selected primarily because of the immediate importance of state action to SMO goals, which I believed would cause the effects of state framing to be particularly salient. The short timeframe of the movement also allowed for a relatively comprehensive sample of speech acts to be collected and analyzed. I examine a variety of speech acts from legislators involved in the promotion of SOPA, and additionally from four major SMOs which set out to defeat it.

My results show that state frames may influence the framing activity of SMOs in a variety of ways. At different times in the anti-SOPA movement, SMOs were found to adopt certain frames from the state, or attempt to undermine these frames through counterframing. The type of influence state frames had on SMO frame promotion in this case depended on the target of the SMO frame and the political environment in which the SMO operated. This influence and the factors informing it provide an

[1] Also included in this analysis is the predecessor to PIPA, the Combating Online Infringement and Counterfeits Act. COICA never came to a vote and was rewritten as PIPA; the vast majority of collective action around this issue came about after PIPA was introduced.

opportunity to further articulate the SMO-state relationship, and explore how this relationship shapes the frames we see promoted by SMOs.

SOCIAL MOVEMENT FRAMING ACTIVITY

In the study of social movements, theories of framing address how social movement organizations (SMOs) construct their movement and its issues. Social movement frames, not unlike the frames of a picture, work by "demarcating and punctuating important aspects of reality, that is… by advancing a compelling point of view." (Polletta & Ho 2006). Since its initial conception into social movement theory approximately thirty years ago (Snow et al. 1986), framing has emerged as one of the primary theoretical approaches to understanding social movement activity, with the proliferation of scholarship on the subject accelerating even faster in the past decade (Snow et al. 2014). While early framing analyses focused on frames and their ability to mobilize the movement's own members (Snow et al. 1986; Benford 1993a; Koopmans & Duyvendak 1995), many contemporary studies have shifted the focus towards frames which are directed outwards towards non-participants such as movement opponents, elite decision makers, and the state (Evans 1997; Westby 2002; Wooten 2010). This new direction has begun to examine not only how SMOs frame their causes internally, but how they frame their relevant political issues for society at large (Gamson 1988; McCright & Dunlap 2003; Fujiwara 2005; McCammon 2009).

A key question of this literature asks how and under what conditions these frames successfully achieve movement goals. Much of this research examines this question by studying when frames elicit favorable changes in legislation, and when

they do not (McCammon et al. 2001; Andrews 2001; McCright & Dunlap 2003; Fujiwara 2005). This research generally focuses on the qualities of the frames themselves in determining a frame's success (Snow & Benford 1988; Gamson 1988). By isolating the political response to a movement's framing activity, these theorists attempt to elucidate which factors of this framing activity lead to favorable political action, and which do not (Cress & Snow 2000; McCammon et al. 2009).

This approach is taken throughout the literature, leading to a variety of insights. Benford, Snow, and others have argued that successful frames feature clearly articulated diagnostic and prognostic components, emphasizing what the problem is that needs fixing (diagnosis), and how it ought to be fixed (prognosis) (Snow & Benford 1988; Benford 1993b; Cress & Snow 2000). Effective frames have also been found to feature particularly cohesive arguments (McCammon 2009), and point to clear injustices (Polletta & Ho 2006). Additional research here has highlighted the necessity of frames to be culturally resonant (Gamson 1988; Koopmans 2004), and has linked successful frames to larger "master frames" (Snow & Benford 1992; Pedriana 2006). An early empirical study by Cress and Snow (2000) examined the attributes of successful frames of homelessness SMOs across eight U.S. cities, and McCammon and colleagues have advanced this empirical approach in a variety of studies on the U.S. women's jury rights movement, providing further evidence for the attributes of framing activity which lead to their success (McCammon et al. 2007; McCammon 2009).

It is however the strength of these theories – their ability to focus solely on a movement's frame in relation to some dependent measure of its success – which also signifies one of the literature's greatest weaknesses. As this body of research has evolved over time, the perception of the social movement-state relationship has

become narrow and rigid, with a conception that effective frames produce public pressure for legislation which government actors then bow to (Polletta & Ho 2006). The understanding of state actors primarily as respondents to movement frames, and not as active participants of the framing discourse, hides the important role they play in social movement framing.

Influences on Social Movement Framing Activity

The factors which inform the content of frames promoted by SMOs are of particular interest to framing researchers. A growing body of research has come to examine these factors, though discerning the exact conditions that influence framing remains an area for growth (Snow et al. 2014). The variation of these frames in particular remains a topic in need of further attention, particularly intra-movement variation over time and across multiple movement actors (Snow et al. 2007: 388; Snow et al. 2014). For all that we now know about what makes frames successful, the factors that cause SMOs to promote certain frames above others remain relatively unknown.

One concept of particular utility for understanding how frames are chosen is that of the frame's target: the group(s) whom the frame is crafted to resonate with. These target groups can be specific organizations (e.g. the U.S. Senate), or larger groups of individuals who are simply assumed to be somewhat homogeneous (e.g. Democrats or Republicans) (Evans 1997). SMOs choose groups to target based on both the perceived utility of winning over the target groups, and the perceived difficulty of reaching the target groups with movement frames (Evans 1997). SMOs with specific policy aims, for example, may find lawmakers a particularly tempting target, due to the potential benefits of winning them over. However, if an SMO is not equipped to

reach said lawmakers with a frame, they may be dissuaded from trying to do so. Because target groups may differ in the types of frames that will resonate with them, the target of a frame can have a great effect on the frame's content.

The effect of a frame's target on its content has been examined in a variety of ways. Wooten (2010) for example showed how targeting elite donors affected the frames proffered by the United Negro College Fund. Wooten's findings indicated that the United Negro College Fund downplayed the social impact of the movement when soliciting support from wealthy donors, in order to fundraise more effectively. Coe (2011) has also looked to the ways in which SMO framing is informed by the presence of other groups, describing the ways in which SMO framing among reproductive rights advocates in Peru was informed by regular interactions with other actors, including countermovements and political parties. SMOs here attempted to "stretch" favorable frames among allies while "pushing back" the boundaries in which their opponent attempted to transmit its own frames. It is clear from this research that SMOs take other actors into consideration when determining which frames to promote (Snow et al. 2014). How this occurs with state actors in particular however, especially in cases where the SMOs seek legislative victories, remains somewhat unclear – while Coe (2011) describes the sorts of interactions SMOs may have with the state, her research falls short of examining the explicit impact that state frame promotion has on the frames SMOs promote.

Some studies have taken into account the framing activity of groups other than SMOs, and how this framing activity can influence SMO frames. These studies focus on countermovements, and how the framing activity of countermovement organizations impacts the frames produced by opposing SMOs. Social movements respond to countermovement frames in the construction of their own frames in a

variety of ways (Oselin & Corrigall-Brown 2010). Often SMOs will push back directly against countermovement claims, promoting contrasting frames of their own (Benford 1987; Fetner 2001; Oselin & Corrigall-Brown 2010; Coe 2011). Other times, SMOs may borrow rhetorical strategies or general frames from countermovements in order to bolster their own frame promotion (Fetner 2001; Fujiwara 2005). In sum, it is clear that social movement actors deliberately take into account countermovement claims in the construction of their own (McCaffrey & Keys 2000; Fetner 2001; Oselin & Corrigall-Brown 2010). However, countermovements are not the same as state actors. After all it is the state, not countermovements, whose action defines success and failure for movement policy goals. Movements and countermovements with contrasting policy goals are often combatants in the framing discourse (Dixon 2008), but both hope to achieve favorable outcomes from the state itself, not from one another. Frames promoted by the state therefore warrant unique attention from SMOs which hope to achieve favorable policy outcomes.

An understanding of how state framing activity helps to inform SMO frames can be of great utility to social movement framing research. Changes in law or public policy are common goals for SMOs, but when current research attempts to explain SMO frames in these cases, it assumes SMOs construct these frames either completely independently or through interaction with countermovements. However, much as countermovement framing activity has a great influence on an SMO's choice of frame, so too does state framing activity. Choosing to ignore state-promoted frames therefore may ignore a major determinant of SMO framing activity, especially in cases where SMOs seek to win legal or policy goals.

This paper engages a literature that has traditionally viewed the role of the state in social movement framing not as an active frame promoter, but merely as a

respondent to SMO framing activity. Additionally, more research must still be done to determine the factors which inform SMO frame promotion within movements, and how this varies across time and organizations. Using the case of opposition to the Stop Online Piracy Act of the U.S. Senate, this analysis examines the influence of state frames on SMO framing activity, and the conditions under which this influence does and does not occur. This influence may be a key determinant of SMO frame content, especially in cases where SMOs seek to win concessions from the state.

THE SOPA DEBATE

The SOPA bill was purportedly designed to combat copyright infringement by granting the U.S. government new powers to shut down websites hosting infringing activity. While anti-infringement laws already exist, the Digital Millennium Copyright Act or DMCA of 1996 being a notable example, SOPA would now allow the state to forbid web search engines (e.g. Google) from linking to infringing sites, as well as require internet service providers (e.g. Comcast) to block user access to these websites. One particular provision would allow the state to interfere with the Domain Name System (DNS) by which every website is identified and accessed. While these provisions were deemed by pro-SOPA legislators to be benign and necessary in the fight against piracy, they caused much alarm among internet freedom groups, who would warn of the implications of such a bill on both the integrity of the internet and on freedom of speech.

SOPA was at first considered a relatively innocuous bill among members of Congress, and its eventual passage seemed likely at the time of its introduction

(Benkler et al. 2013). Yet, after its introduction the legislation was met with a rapid and vociferous public backlash. While initial legislative support for the bill was strong, it waned as social movement organization (SMO) activity grew, and as members of the public began to mobilize against the bill. In the end, this mobilization resulted in the withdrawal of the bill and its counterparts from Congress (Bridy 2012; Schmitz 2013). Figures 1, 2, and 3 (in Appendix A) begin to illustrate these shifts; figure 1 illustrates legislator support for the bill over time (data from ProPublica 2012), figure 2 shows the distribution of sampled SMO speech acts about the bill over the same timeframe,[2] and figure 3 illustrates public interest in the issue using a measure of Google searches for SOPA (data from Google 2016). As shown by the figures, as SMO activity grew in the later months, so too did public interest and legislator opposition within Congress. The vast majority of both Google searches for the bill and legislator opposition to the bill came towards the end of January 2012, in the immediate aftermath of the SMO-led "Internet Blackout" protest (see FFTF 2012). These data show a bill whose legislative support was nearly completely reversed over the course of a year and a half, in large part due to SMO efforts and collective action.

The SOPA debate proceeded in two distinct phases, as illustrated by these tables. The defining shift in this debate occurred around November 2011, when public interest grew rapidly following the introduction of the Stop Online Piracy Act proper (previous iterations of the bill, COICA and PIPA, did not attract the same level of public interest). This radical increase in public interest was sparked by a combination of factors. For one, the action of SMOs and other organizations was key in informing the public of these bills, and in sustaining public interest (Benkler et al. 2013; Yoder

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[2] Data drawn from current analysis. For sampling methodology, see following section.

2012). The unique networking capabilities of the internet were pivotal in this process, as they allowed for the rapid dissemination of movement messages (Benkler et al. 2013; Powell 2016). Lastly, an increase in involvement by popular websites such as Google, Wikipedia, and Reddit all helped to spur on public interest in the bill (Schmitz 2013). As Benkler and colleagues (2013: 17) and I both argue, this surge in public interest drove a larger shift in how SMOs acted in pursuit of their goals, with an increase in mobilization efforts following this initial surge of public interest. The shift in dynamics between these phases is elaborated upon fully in the results section.

Copyright policy has traditionally reflected the interests of copyright-dependent industries such as the film industry, who have had success winning favorable legislation through lobbying (Litman 1987; Boyle 2008). The language of this bill, as well as the arguments made in support of it, generally reflected this cooperation between the entertainment industry and legislators (Benkler et al. 2013: 12; Schmitz 2013). In particular, major backers of this bill included the Motion Picture Association of America and the Record Industry Association of America (Yoder 2012). But while these copyright-dependent industries had remained relatively successful leading to SOPA's introduction, in the years leading up to the bill an increasingly powerful coalition of technology and communications businesses, whose success relies on the open flow of information online, had begun to resist these efforts in Congress (Benkler et al. 2013: 11). Members of this coalition included Google and Wikipedia, who were instrumental in the mobilization efforts of this movement (Yoder 2012). While SOPA's initial drafting primarily reflected influence from the entertainment industry (Benkler et al. 2013: 12), legislators were somewhat receptive to arguments from this new tech coalition, hearing testimony from both SMOs such as the Center

for Democracy and Technology (U.S. House 2011a) and industry giants such as Google (U.S. House 2011b).

The contest between legislators and SMOs who argued for and against the bill was often fought by framing the bill itself different ways. Legislators who backed the bill painted copyright infringement as a threat to American society, and argued that the bill's provisions would adequately address these issues. The bill's sponsors were fairly consistent in framing copyright infringement as the fundamental issue to be addressed and SOPA as its solution. SMOs on the other hand were more diverse in how they framed the issue. Some conformed to the legislator's framing of copyright infringement as a major issue for society. Others however rejected this state frame and promoted a frame painting SOPA as the threat to personal liberties and a free internet. These latter frames especially resonated very highly throughout the movement, and continued to be used by tech activists in future movements as well (Powell 2016: 257-8). The intricacies of these frames, and the interplay between them, is further explored in the results section.

CONCEPTUALIZATIONS AND METHODS

I analyze speech acts from both social movement organizations (SMOs) and state actors involved in the SOPA debate to determine how and under what conditions state frames influenced the frames promoted by SMOs. The conceptualization of social movement organizations here follows that of social movement literature generally, relying specifically on the definition produced by McCarthy & Zald (1977: 1218) of SMOs: formal organizations which identify their goals with the preferences of a

particular social movement. This definition limits this analysis to only those organizations that align themselves with the anti-SOPA movement specifically, or the open internet movement generally, excluding organizations such as the Wikimedia Foundation which, while important to the SOPA debate, are not SMOs by definition. The scope of state actors, the other population in question, is here limited to only those who were most involved in the SOPA debate: the members of Congress who served during the lifespan of the bill.[3] Of these members of Congress, all were included in this analysis.

As is standard methodology for framing research (Snow et al. 2014), speech acts are utilized to measure and analyze the framing activity of relevant actors. The term speech act here refers to a published document produced by an organization in question, such as a press release or blog post; these documents were analyzed in full to account for their framing activity. Following Koopmans' (2004) theory of social movement and state interaction,[4] this study focuses primarily on frames that are promoted publicly and are intended on drawing the attention of the public and media. As such, the speech acts selected from both sides include all published documents that are directed outward to a public audience, and crafted as such. This primarily includes press releases, but also includes certain speech acts such as blog posts which are also outwardly directed. I also analyzed the text of the bills in question, and transcripts from committee hearings where the language of the bills was negotiated. These documents chosen for sampling are of particular utility in that they are crafted by the

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[3] The timeframe of interest spans from September 20, 2010 when the first iteration of SOPA was proposed by Senator Patrick Leahy, to January 20, 2012 the bill was finally withdrawn.
[4] Koopmans theorizes that in interactions between social movements and the state, many decisive confrontations are no longer simply direct, physical interactions but rather those which occur within the public sphere (2004).

organizations themselves and not by grassroots supporters, and thus reflect only the dominant frames of these organizations (see also Evans 1997; Reese & Newcombe 2003). Additionally, these documents as a rule contain political claims and generally advocate particular courses of action, making them especially useful for framing analysis (see also Fetner 2001).

Using this definition, all speech acts that mentioned SOPA were collected from the organizations and state actors in question. State speech acts were collected using both a ProPublica database of instances where a member of Congress went on record about the bills, and a series of ProQuest Congressional searches. Speech acts from the SMOs in question were found from site-specific searches of these organizations' webpages. Both searches were made to be as exhaustive as possible, to gather the full population of framing activity from these actors on this issue. From the four SMOs examined for this study, a total of 119 speech acts were drawn; from the legislative side, an additional 198.

Sampled Social Movement Organizations

SMOs were sampled by drawing on a related study by Benkler and colleagues (2013), which examined the relative voice and influence of organizations in the SOPA debate as reflected by their online linking behavior.[5] Through an examination of which SMOs tallied the most in-links[6] in this period, I was able to compile a list of the most

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[5] The Benkler et al. study was conducted using the open-source, open-data software platform Media Cloud, which is itself a joint project of the Berkman Center for Internet & Society and Harvard University and the Center for Civic Media at MIT.

[6] An "in-link" is a link to the URL of a particular webpage, from another webpage. Organizations which tallied the most in-links were therefore those that had web traffic directed into their sites the most.

influential organizations. As Benkler and colleagues argue, tallying in-links can be of great utility in determining a debate's most influential speakers, "both because of the tendency of digital media organizations, activists, and the private sector to engage in multiple platforms and due to the strength of cross-media linking." (2013: 16) Of the ten most in-linked organizations, four meet the above criteria for SMOs (McCarthy & Zald 1977): the Electronic Frontier Foundation, Fight for the Future, the Center for Democracy and Technology, and Public Knowledge. These SMOs are discussed below; a more detailed review of each can be found in Appendix B.

These SMOs were selected both for their importance to the movement, and for their diversity. Staggenborg's (1988) conceptualization of professional SMOs is of particular utility here. Professional SMOs are those with more formal organizational structure, bureaucratized procedures for decision making, and leaders who are career activists (Staggenborg 1988: 587). These SMOs, unlike nonprofessional SMOs, are better equipped to operate in periods where mobilization becomes difficult. They also tend towards institutionalized tactics such as lobbying, instead of disruptive tactics such as protest.

The Center for Democracy and Technology (CDT) is a multifaceted organization whose goals include policy advocacy as well as public awareness of technology issues. The group is a major political organization with offices in D.C. and nationwide, and an additional international presence. Their work includes both legal and policy advocacy, with a stated goal of "driving policy outcomes" towards "tangible solutions." (CDT 2016) CDT is a professional SMO, and of the four organizations sampled, they appeared the most focused on affecting policy through this direct interaction. CDT also had the ability to access legislative audiences directly with their frames; notably, CDT's senior policy counsel David Sohn was the lone member of any

SMO to be invited to testify before the Senate subcommittee which drafted the initial bill.

Public Knowledge (PK) is another professional SMO similarly located on Capitol Hill, and focused on policy advocacy. Their organizational strategy in this case was similar to CDT's, but slightly more oriented towards public awareness and mobilization than direct engagement with legislators. PK was able to reach some legislators with their frames, however to a lesser extent than CDT; they did however cohost a brief press conference with congressional representatives Zoe Lofgren and Darell Issa towards the beginning of public mobilization in the movement.

The Electronic Frontier Foundation (EFF) is an advocacy group based in San Francisco, CA. While EFF does engage in litigation work, they find themselves further removed from the legislative processes of Capitol Hill. Unlike the Center for Democracy and Technology and Public Knowledge, both of whom sought to use their access to legislators to engage the state directly on this issue, EFF focused their efforts more firmly on mobilizing public opposition to the bill. While a professional SMO, EFF still prioritized mobilization and protest above lobbying efforts. EFF worked throughout the movement to inform members of the public about the bill and direct interested individuals towards ways in which they could productively oppose the bill.

Lastly, Fight for the Future (FFTF) sought primarily to challenge the bill through mobilizing collective action. FFTF was founded midway through the movement itself, primarily to challenge SOPA and similar legislation. It was the quintessential non-professional SMO: small, informally structured, and focused on protest. As a newer organization based in Massachusetts, FFTF had limited access to legislators throughout this process, and instead focused on informing and mobilizing

the public; the organization had a leading role in coordinating the massive public protests against the bill.

The selection of these four SMOs is of particular utility to this study due to their variance in terms of organizational strategy, professional status, and access to state actors. As I will show, these factors greatly impacted the tone and extent of state framing influence on the frames of these organizations.

Analysis

Once all speech acts from legislators and SMOs were sampled and collected, I set out to identify any types of influence state frames may have had on SMO framing activity. To do this, I first identified the predominant frames used by legislators in speech acts addressing the bill through a preliminary content analysis. With the help of a research assistant I coded legislator speech acts for their diagnostic and prognostic frames, in order to determine which argumentative frames were used most commonly by legislators who supported the bills. This process was repeated with the sample of SMO speech acts, in order to determine which frames were used most commonly by SMOs who opposed the bills. These codes were not used as evidence in the final results of this analysis, but were rather used to orient my focus on only the most relevant frames in the SOPA debate.

In searching for evidence of state frame influence, I paired SMO speech acts with the state-produced speech acts which preceded them in publication, and looked to instances where the frames promoted by the SMO showed either direct or indirect influence from the frames promoted by the state. Direct influence occurs when a frame promoted by an SMO mimics, to varying degrees, a frame previously promoted by the

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state. In this sense, frames or components of frames promoted by the state may be adopted by SMOs and used in their own frame promotion. Indirect influence between state and SMO frames occurs when a frame promoted by the state is not adopted by an SMO, but still helps to inform which frames are promoted by that SMO. A clear example of this indirect influence is in SMO counterframing, where SMOs adjust their frames to combat the frames promoted by an opponent. Indirect influence manifests itself here when SMO frames shifted not to mimic frames previously promoted by the state, but to undermine them. Evidence of both types of influence is presented in the results section.

Limitations

One limitation of this analysis is that of sampling. Due to time and resource limitations, neither all state actors nor all relevant SMOs could be sampled. Of state actors, notable exceptions include members of the executive branch who did occasionally make statements on SOPA, as well as state and local politicians who may have contributed to the overall framing discourse. While this study benefits from using a full population of acting members of Congress, I cannot claim to capture the full breadth and diversity of political claims made by all state actors in this debate. Of SMOs as well, the adherence to a narrow definition of 'SMO' necessarily ignores organizations that spoke out on SOPA but that did not qualify as SMOs. To this more general point, by narrowly focusing on only state and SMO actors, much framing activity from other groups is disregarded. Only four SMOs could be included in this analysis, but due to both the importance of sampled SMOs and their organizational diversity, I argue that using these four for analysis is sufficient to provide insights

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into the state-SMO framing relationship. This study is thus not mean to be a census of framing activity on SOPA, but an illustration of the framing dynamics between two groups of particular interest to the field.

RESULTS

Over the course of the anti-SOPA movement, the influence of state frames on social movement organization (SMO) frames was shaped by a variety of factors. In particular, I found that both an SMO's framing target and the extent of public interest in SOPA helped to determine the nature and extent of state frame influence on SMO frames. The results of this analysis are divided accordingly, broken up first by phase (before or after the rise of public interest in the bills) and secondly by the target of SMO framing activity (the state or the public). Framing activity oriented towards specific group targets and towards the public often occurs simultaneously (Evans 1997), but it is still analytically useful here to discriminate between the two. The shape and extent of state influence on SMO framing activity is discussed first by each subsection (phase and target), and also in sum at the end of each phase.

Phase 1 (September 2010 – October 2011): Absence of Widespread Public Interest in SOPA

This initial phase in the course of the movement was characterized by SMO action in the absence of strong and sustained public interest in the bills. As Benkler and colleagues (2013) conclude from their analysis of the debate, these early months were

characterized by a coalition of anti-SOPA organizations seeking to create and sustain political power in the absence of widespread mobilization. While SMO activity eventually did help to spur an uptick in public interest and mobilization (Yoder 2012; Benkler et al. 2013), early SMO frames had to be crafted with the knowledge that widespread mobilization would be difficult to achieve. As will be shown, this was a challenge which different SMOs responded to in different ways; some SMO activity eschewed mobilization efforts in favor of direct engagement with state actors, while other activity turned to the public in an attempt to capitalize on what little interest did exist at this point.

Pro-SOPA legislators, however, began this phase with a clear and consistent framing agenda. The first iteration of the SOPA bill was introduced on September 20, 2010 (U.S. Senate 2010a), and while it was met with some criticism from the tech community, it garnered bipartisan support and its passage appeared likely (Benkler et al. 2013). The initial framing of this bill by legislators was generally in line with that of previous copyright policy, and reflected the traditional frames shared by anti-piracy legislators and the entertainment industry (Benkler et al. 2013: 12; Schmitz 2013). Copyright violation, more specifically the piracy of copyrighted goods, was demonized, as were violators themselves. Speech acts framed the issue in two primary ways: first, painting copyright infringement as a threat to the United States economy, and second, focusing in on the "criminals" responsible for this activity (U.S. Senate 2010b). An early press release from bill sponsor Patrick Leahy reflects both of these primary frames used by legislators in support of the bill:

> Intellectual property theft costs the U.S. economy more than $100 billion every year, according to estimates, and results in the loss of thousands of jobs. Rogue

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websites are essentially digital stores selling illegal and sometimes dangerous products. If they existed in the physical world, the store would be shuttered immediately and the proprietors would be arrested (U.S. Senate 2010b).

In this phase, SMOs that opposed the bill found themselves in a difficult political position. Some focused their frame promotion on the state, while others targeted their frames more on members of the public. Without widespread public interest to draw on, however, winning favorable political outcomes through the promotion of mobilization frames would be difficult. As articulated by Evans (1997), SMOs survey their larger political field when determining which groups to target with their framing activity. Here, this meant that certain SMO frames engaged the legislature more directly than they did members of the public. I find that these SMOs in particular were likely to incorporate state frames into their own framing agenda, as discussed below.

SMO State-Targeted Framing

Early SMO framing activity had a split focus; the Center for Democracy and Technology (CDT) targeted the state almost exclusively with their frames, while Public Knowledge (PK) and the Electronic Frontier Foundation (EFF) did so considerably less.[7] State-targeted framing in this first phase pursued favorable changes in the legislation through frame alignment, attempting to align legislator's interpretations of the bill with those of the SMOs (see Snow et al. 1986; Evans 1997).

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[7] The fourth sampled SMO, Fight for the Future, was not founded until October 2011.

Of the major anti-SOPA SMOs, the Center for Democracy and Technology (CDT) focused on state legislator frame alignment the most. In terms of their diagnostic framing – the way that certain issues were problematized over others (Cress & Snow 2000) – CDT framing fell much in line with how legislators had framed the issue. The organizations' first press release responding to the bill's introduction begins, "Copyright infringement is a serious problem, and CDT harbors no sympathy for websites whose primary purpose is to enable widespread violation of copyright and other intellectual property rights" (CDT 2010a). This language is present throughout early CDT speech acts; beyond simply giving lip service to the goal of defeating piracy, CDT actively constructed their frames around this idea. This is further apparent in the testimony of CDT senior policy counsel David Sohn, who in his testimony to the bill's drafting committee stated the following:

> Large-scale copyright infringement undermines First Amendment values in promoting expression and threatens the growth of new media and e-commerce. With respect to the particular focus of this hearing, CDT recognizes that there are websites whose main purpose and activity is to enable and promote infringement. These sites are true "bad actors" and they deserve to be the target of law enforcement (U.S. House 2011a).

This exemplifies the tendency of CDT diagnostic frames to fall in line with early state framing of the issue. In CDT frames, not only was copyright infringement identified as the primary threat to America, but even the state's "rogue websites" language is reflected in how the SMO describes the perpetrators of copyright infringement as "bad actors." Where CDT's framing attempted to persuade the state by aligning state

frames with their own occurred more in the SMO's prognostic framing, where CDT proposed new methods in dealing with this common issue of piracy. CDT was here consistent in promoting a "'follow the money' approach," (CDT 2011a) which they argued would directly target infringement sites by sapping their finances. This was framed in contrast to the state's initial approach, in which infringement sites would have their domain names blocked by the federal government, an approach which SMOs criticized as being overly broad and risking a "variety of collateral consequences" (CDT 2011a).

In this prognostic appeal too however, CDT infused certain state frames into their own framing of the matter. Again, in his testimony to legislators, Sohn states:

> Some tactics may be attractive from a copyright protection perspective, but would carry significant costs to important values such as innovation and free speech. CDT urges members of this Subcommittee to be aware of this risk and to carefully avoid tactics that would impair lawful Internet-based media and communications tools that are of growing value to consumers, the economy, and society in general (U.S. House 2011a).

In criticizing the state's approach, CDT used much of the same language and reasoning as legislators had used in their initial promotion of the bill. CDT framed alternative policies prognostically as ways to protect innovation, free speech, the economy, and American society in general – all key components of state prognostic frames surrounding the bill.

Public Knowledge (PK), the other anti-SOPA SMO which operated on Capitol Hill, produced marginally different frames. While PK echoed the sentiment opposing

copyright infringement, it incorporated this idea much less centrally into its framing agenda. As PK's first press release on the subject begins:

> Although the undersigned entities support the objectives of S. 3804... the bill raises numerous legal, political, and technical issues. If left unresolved, these issues could harm consumers, educational institutions, innovative technologies, economic growth and global Internet freedom (PK 2010a).

The fundamental difference in PK's framing of the issue is diagnostic (i.e. how the problem is defined); while it is agreed that piracy should be opposed, it is the bill itself that is painted as a threat to American society. Prognostically (i.e. how the solution is described), while certain state frames are borrowed ("harm [to] consumers," "economic growth") this is mediated by frames unique to the SMO ("innovative technologies," "global Internet freedom"). These latter frames would become central in SMO framing of the bill later on, especially among frames directed at the public. Indeed, part of the reason these frames appear such as they do is that they are not intended exclusively for legislator consumption. As Evans (1997: 456) writes, while potential movement participants are often secondary targets of frames, they are to some extent always a target. The presence of these components in PK's early frame promotion shows that while early speech acts largely targeted the state, certain components were still geared toward resonating with the public – something missing from early CDT frames.

Early framing by the Electronic Frontier Foundation (EFF) was also oriented towards resonating with the public. Most early EFF speech acts could not be said to target the state – even an early open letter addressed to the Senate committee which

drafted the bill primarily reflected these public-oriented frames. This open letter, while ostensibly meant for the eyes of legislators, encouraged its readers to write their representatives in opposition to the bill, and featured a variety of mobilization frames. These frames again painted the bill itself as the threat to be addressed, going as far as to call it not a piracy bill but rather an "Internet censorship and copyright bill" (EFF 2010a).

This wave of state-targeted frame alignment was somewhat successful in bringing about favorable shifts in the legislation. Primarily, legislators reacted by narrowing the stated definition of infringing websites in the bill's language, a shift which CDT would applaud (CDT 2011a). Legislator framing of the bill also changed in response to SMO frames; in response to SMO frames which criticized the bill as being overly broad, legislators began to frame the bill as being narrowly focused (U.S. Senate 2011a). Legislator framing also began to counterframe SMO claims, arguing that the bill "does not exist in opposition to our guarantee of free speech, it supports it," (U.S. Senate 2011c) and that it would "likely lead to a stronger Internet ecosystem" (U.S. Senate 2011b). Early SMO state-targeted framing therefore not only won concessions in terms of bill language, but began to alter the frames legislators used as well.

Of particular interest to this study is the variety of ways in which state-promoted frames were incorporated into the framing agendas of SMOs. This dynamic was most clearly present in the framing activity of the Center for Democracy and Technology (CDT), which mimicked state diagnostic frames by both painting copyright infringement as the fundamental threat to be addressed, and identifying "bad actors" as the culprits. These frames appear nearly identical to how legislators framed the bill diagnostically. Prognostically, CDT sought to align state frames to

their own by calling into question the methods of combating piracy proposed by the bill. In doing this too however, they borrowed from state frames, pointing out in particular the impact the bill's proposed solutions would have on free speech, consumers, and the economy. Public Knowledge (PK) also incorporated state framing, but to a lesser extent. Instead, PK speech acts balanced state-directed frames with those that would resonate more with the public, and as such incorporated state-promoted frames much less centrally into their own framing agenda. Further yet to this end of the spectrum was the Electronic Frontier Foundation (EFF), which incorporated state frames not at all. In early state-targeted framing activity then, state frame influence manifested itself in the direct incorporation of state frames into SMO framing activity.

SMO Public-Targeted Framing

SMO frames which targeted the public in this phase differed both in content and in the type of state frame influence. The frequency of SMO frames that targeted the public depended on an SMO's ability to reach the state with their frames, and on the priority placed on public mobilization by the organization. The Center for Democracy and Technology (CDT), which was successfully able to reach legislators with their frames, produced very few public-targeted speech acts in this early phase. Public Knowledge (PK), while otherwise largely similar to CDT, did not have the same level of success reaching legislators, and produced frames targeting the public significantly more. The Electronic Frontier Foundation (EFF), which both faced significant barriers in reaching legislators directly and as an organization prioritized grassroots activism very highly (see Appendix B), produced the most public-targeted frames in this phase.

These public-oriented frames were meant to resonate not with the elite decision makers of Congress, but with potential movement participants. Framing literature theorizes these frames to be most effective when they have clearly articulated diagnostic and prognostic components (Snow & Benford 1988; Cress & Snow 2000) and point to clear injustices (Polletta & Ho 2006), among other factors. Here frames reflected this, seeking to paint SOPA as an affront to free speech and a danger to the integrity of the internet.

This can be seen clearly in the Electronic Frontier Foundation's (EFF) initial response to the bill. EFF frames sought to paint the bill itself as the threat to be addressed, rejecting altogether the piracy frame proffered by the state and the Center for Democracy and Technology. In the EFF's initial press release in response to the bill, it states:

> This flawed bill would allow the Attorney General and the Department of Justice to break the Internet… the bill would also create two internet blacklists… [SOPA] is a fairly short bill, but it could have a longstanding and dangerous impact on freedom of speech, current Internet architecture, copyright doctrine, foreign policy, and beyond (EFF 2010b).

The "censorship bill," as EFF describes it, is the problem that must be addressed, not piracy. This pattern can also be seen in early PK press releases, which described the bill as "only one manifestation of the government "takeover of the internet"" (PK 2011b). Later speech acts would continue to decry the "censorship bill" as threatening free speech online and even "[breaking] the Internet" (EFF 2010c). This framing of the bill itself as the issue to be addressed – not piracy – quickly became a central theme

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to nearly all public-targeted SMO framing. This framing of the issue allows for little adoption of state frames, which stand in stark contradiction to those promoted here. These frames, meant to resonate with potential participants over legislators, did not incorporate state frames but rather rejected them outright.

This is not to say that they were not influenced by state framing of the bill, however. In fact, SMO counterframing of legislator frames was a major component of their public-targeted framing early on in the movement. When not engaging directly with legislators, CDT did build some messages that targeted the public, and in these messages work was done to counterframe certain narratives proffered by pro-SOPA legislators. In an early publication entitled *[SOPA] and the Internet "Ecosystem"*, CDT made an effort to undermine the legislator-promoted frame of the internet as an interconnected "ecosystem" where players such as internet service providers must bear some responsibility for the actions of pirates who use their services. Wrote CDT:

> Various witnesses and Senators suggested that everyone in the "Internet ecosystem" needs to take strong action to fight infringement… Ecosystems, however, are composed of many different organisms occupying different niches and playing very different roles… At the end of the day, I think it is important to draw some lines, rather than lumping all players together into a big, undifferentiated "ecosystem" (CDT 2011b).

While targeting the state, CDT responded to certain state frames by adopting them directly. Here however, while targeting the public, CDT can be seen responding to a particular state frame by attempting to undermine it in the eyes of the public.

This counterframing activity was most prevalent in EFF publications. EFF for example began their framing of the bill by titling their first press release "Censorship of the Internet Takes Center Stage in "Online Infringement" Bill" (EFF 2010b). Note not only the presence of a censorship frame, but the scare quotes around "Online Infringement," attempting to undermine the state's framing of the bill. EFF press releases consistently attempted to counterframe legislators' framing of the bill as anti-piracy, with statements such as "If there's anything we've learned about efforts to rewrite copyright law to target "piracy" online, it's that they are likely to have unintended consequences. This is a censorship bill" (EFF 2010b). EFF would also attack legislator frames that claimed the bill to be pro-artist and pro-innovation. Stated EFF:

> This bill won't help creators get paid when their work is distributed online. In fact, it will do the opposite. The best way to help artists of every stripe get compensated for their work is to make sure that there is a thriving marketplace of innovative digital businesses to pay them… Had [SOPA] been law five years ago, platforms like YouTube might not exist today (EFF 2010c).

EFF would push this narrative even further, eventually challenging the idea that SOPA was written in the public interest at all. This counterframing was promoted in publications such as "MasterCard's Support for [SOPA] Threatens a Free and Open Internet," (EFF 2011a) which sought to paint SOPA as bad for the public, but good for corporations.

As described in the previous section, EFF directly adopted state frames significantly less than CDT and PK in this first phase. However, over this same time

frame EFF worked to counterframe the state significantly more. EFF did not seek to craft frames which resonated with legislators, as CDT and PK did; instead, they were focused much more heavily on targeting members of the public with frames. In this, they found the counterframing of state frames to be a useful strategy.

As detailed above, when SMOs targeted the public they tended to avoid adopting state frames explicitly, as they did when targeting the state. Where these SMOs did respond to state frames however, was by way of counterframing. EFF especially worked to incorporate attacks on state frames into its own framing agenda, in order to undermine the prominent state narrative surrounding the bill. This counterframing work became a major component of the SMOs' larger framing strategy in this early phase. In this way, frames promoted by the state can be seen to inform the frames SMOs promote not only when these frames target legislators, but also when they target the public at large.

Summary: State Frame Influence in Phase 1

In this initial phase of the movement, SMO frames which engaged the state directly incorporated state framing to various extents. The Center for Democracy and Technology (CDT) incorporated state diagnostic framing centrally and often explicitly into their own framing agenda, and this was especially prevalent in speech acts which engaged with the state directly. Prognostically as well, CDT and to a lesser extent Public Knowledge (PK) incorporated certain state frames in building the rationales for the courses of action which they advocated. This state frame adoption was the primary avenue of state frame influence among these SMOs in the first phase.

Framing activity which targeted the public, which was promoted primarily by EFF but to a lesser extent also CDT and PK, showed an absence of state frame adoption. Instead, SMO frames looked to state frames in order to counterframe them, similarly to how an SMO would combat the frames of a countermovement. SMO frames sought to undermine state frames in a variety of ways, attacking the state's "internet ecosystem" frame, opposing state frames that the bill was pro-artist, and even challenging the bill's very definition as a piracy bill. State frames were therefore important not only in their explicit adoption by SMOs who sought to win over legislators, but also in their counterframing by SMOs that sought to win allies among the public.

While these patterns held true in the first phase of the movement however, they would soon shift. As public interest in the bills began to mount, the promotion of effective mobilization frames became more plausible for SMOs. This caused a shift in frame promotion that manifest itself in both state- and public-targeted framing, influencing how SMOs responded to state frames in each.

Phase 2 (November 2011 – January 2012): Appearance of Widespread Public Interest in SOPA

The third and final iteration of SOPA, the Stop Online Piracy Act proper, was proposed in the House on October 26th, 2011. In the three months that followed, public interest in the bill would increase substantially (see fig. 3, Appendix A), as a result of both SMO activity and that of popular sites such as Google and Wikipedia which sought to mobilize users against the bill (Benkler et al. 2013; Schmitz 2013; Yoder 2012). This increase in public interest transformed the political landscape facing anti-

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SOPA SMOs, causing a shift in SMO frame promotion, and in turn shifting the influence of state frames on SMO frames. The newly founded Fight for the Future quickly capitalized on this public interest, mobilizing protests beginning with "American Censorship Day" on November 15th. Over time, popular sites including Google also began to encourage mobilization, helping to spur on public interest in protests (Schmitz 2013; Yoder 2012). Mobilization came to a head on January 18th with the "SOPA Strike," an online protest in which thousands of websites presented visitors with anti-SOPA banners; the same day, over 7 million signatures were collected in opposition to the bill (The Washington Post 2012). Legislator support for the bill declined dramatically surrounding the protests, with 21 members of Congress rescinding their support between January 17th and 20th, and an additional 144 coming out in opposition to the bill over the same time period (ProPublica 2012; see also fig. 1, Appendix A). The bill would be withdrawn from Congress on the 20th.

While legislator support began to shift in this phase however, initial state frames surrounding the newest SOPA bill did not. The introduction of the new bill was surrounded by much of the same language as its predecessor bills, pointing to the "illegal distribution of counterfeit goods" by "rogue websites" as the primary concerns to be addressed. Stated House judiciary Committee Chairman Lamar Smith:

> Rogue websites that steal and sell American innovations have operated with impunity. The online thieves who run these foreign websites are out of the reach of U.S. law enforcement agencies and profit from selling pirated goods without any legal consequences. According to estimates, IP theft costs the U.S. economy more than $100 billion annually and results in the loss of thousands of American jobs (U.S. House 2011c).

Pro-SOPA state frames remained largely unchanged from those of the first phase. Pro-SOPA legislators would also continue to engage in counterframing against anti-SOPA framing activity in this phase. Said co-sponsor John Conyers in a statement emblematic of pro-SOPA counterframing, "to those that say that a bill to stop online theft will break the Internet I would like to point out that one-quarter of Internet traffic is dedicated to crime." (U.S. House 2011d) These counterframing efforts largely saw an entrenchment of pro-SOPA framing which sought to make more pronounced the harmful effects of piracy and the criminals who engage in it.

Early anti-SOPA framing by opponents in Congress, of which there was some, generally incorporated the same component parts as pro-SOPA frames. Diagnostically, opponents generally agreed that online piracy was a problem to be combated, and that "rogue websites" ought to be punished (U.S. House 2011e). Anti-SOPA rationales also closely conformed to those used to support it, using economic and innovation frames to advocate against the bill. In the first formal press release against the newest iteration of the bill, a group of SOPA opponents in Congress stated:

> Each member is opposed to online piracy and committed to combating it, but this legislation would cause substantial harm to innovation and the economic opportunities created by the Internet… 'Rogue websites' are no doubt a serious problem and we fully support targeted measures to shut them down… The SOPA as written, however, is overly broad and would cause serious and long term damage to the technological industry (U.S. House 2011e).

While much anti-SOPA framing in Congress followed the same patterns as pro-SOPA frames, some legislators borrowed frames from anti-SOPA SMOs as well. A small group of legislators hoped to capitalize on dissent in Congress by promoting an alternative bill, the Online Protection and Enforcement of Digital Trade Act or OPEN. The very name of this bill – OPEN – is a direct incorporation of SMO framing which claimed SOPA to be a threat to the "open internet" (see EFF 2010a). Later, in the wake of larger public protests of the bill, many anti-SOPA legislators would continue to promote SMO frames, declaring SOPA a threat to the integrity of the internet and free speech (U.S. House 2012a; 2012b; 2012c). This state incorporation of SMO frames generally occurred on or immediately after the January 18th protests, as legislators came out in opposition to the bill (see fig. 1, Appendix A).

This adoption of SMO frames among legislators, alongside mounting opposition to the bill in Congress, represented major victories in the anti-SOPA movement. But while early victories had been won through direct negotiation with legislators, here it was more a result of the public pressure on legislators resulting from SMO mobilization efforts. This shift in SMO activity was largely a result of changes which occurred in the political environment of the movement, as SMOs began to gain more adherents among the public (see Evans 1997). With this new political environment facing SMOs, the influence of state frames on SMO framing activity would shift.

SMO State-Targeted Framing

SMO frames changed in tone following this shift. Early frames targeting the state had been moderately successful in bringing about favorable change in the legislation, with

early markups of the bill reflecting SMO proposals. The Center for Democracy and Technology (CDT) in particular saw favorable changes in the legislation following their direct engagement with legislators early in 2011. With the newest iteration of the bill however, this momentum seemed to stagnate. The new SOPA was deemed by SMOs to be a step backward, not forward, as it appeared to make it easier for websites hosting copyright-infringing material to be shut down (CDT 2011c; PK 2011c). Facing decreasing returns on their previous frame-promotion strategy, and simultaneously met with a public increasingly responsive to mobilization appeals, SMO frame promotion shifted.

The foremost shift occurred with regards to the frequency of state-targeted frames; SMO frames in this phase were concerned more with mobilization than in the previous phase, with many speech acts calling on members of the public to either join in a protest or contact their representatives directly (EFF 2011b). The speech acts which remained directed towards legislative audiences became relatively sparse, and different in tone when compared with earlier state-directed speech acts.

CDT maintained its policy of responding to bill markups and proposals, producing press releases following the introduction of OPEN and revisions of SOPA. However, the state frame adoption that was typical of these releases in the first phase was now missing. CDT at this point fell in line with other SMOs in promoting a diagnostic frame of SOPA as the threat, not piracy, and the tone of these speech acts shifted accordingly. In its initial response to SOPA's introduction, they write that SOPA "represents a serious threat to online innovation and to legitimate online communications tools" (CDT 2011c). CDT continued to urge lawmakers to shift course on the bill, but now did so without adopting the diagnostic components of state frames. Even in later releases addressing the introduction of OPEN and a proposed revision

to SOPA, CDT was at once both pleased with this state action, but still resistant to adopt state frames. In a response to OPEN they wrote only that the bill "avoids the serious pitfalls of SOPA," (CDT 2011d) but refrained from framing anything other SOPA as the primary issue to be fought. In responding to a proposed revision to SOPA, CDT writes somewhat thankfully of this shift in the legislation, but still targets the "sweeping broad anti-piracy bill" as the subject of its diagnostic frame. While much of CDT's framing activity in this phase still focused on the state, it lacked the state frame adoption characteristic of this activity in the first phase.

Public Knowledge (PK) also took a harder line against SOPA, now that it had a larger public audience. The group, which had previously offered relatively tactful responses to state activity, now responded to hearings with releases such as *SOPA Hearing Flawed as the Bill Itself* (PK 2011d). While early PK releases featured a slight adoption of state frames, new releases abandoned this altogether, focusing exclusively on those frames which would resonate with the public. This was even the case in a PK press conference featuring SOPA opponents in Congress Issa and Lofgren. David Moon, a representative of the movement speaking among legislators on Capitol Hill, still promoted frames which were unaffected by the prevailing frames of the bill's sponsors in Congress. Spoke Moon:

> We are here to send a message to President Obama, Congress… that internet users are alarmed at the provisions of this bill, both the censorship provisions and the innovation-stifling provisions (PK 2011a).

While state-targeted frames in the first phase of the movement were tactful and compromising toward the state, these new frames fell in line with public-targeted

frames in taking a hard stance against SOPA. Notably, while earlier state-targeted frames had adopted certain diagnostic and prognostic components of pro-SOPA legislative frames, these new state-targeted frames did not. This lack of state frame adoption is associated on the one hand with a decrease in favorable returns from the previous strategy of state frame adoption, but more importantly with a dramatic increase in the public attention to these frames. These frames now had to balance resonating with both the state, and potential movement adherents among the public. As such, adopting anti-piracy frames could now be counterproductive for SMOs, as they would run the risk of alienating members of the public with whom those frames would not resonate. As such, SMOs targeting the state now began to frame the bill in ways that may not be as effective in winning over legislators, but would rather be more conducive towards mobilizing public opposition to the bill.

SMO Public-Targeted Framing

In this second phase, the influence of state-promoted frames on SMO framing activity appeared more among public-targeted frames. With an uptick in public interest in SOPA, SMOs began to produce more mobilization frames targeting the public. In doing so, SMOs would continue to counterframe against pro-SOPA state frames, and even draw on certain state-promoted frames to help make their case against the bill.

Generally, SMO frames took a harder stance against SOPA than they had in the first phase. Mobilization frames were now quick to refer to SOPA as the "internet blacklist bill" (FFTF 2011; EFF 2011c), a "disaster" (EFF 2011d), and even "evil" (EFF 2011e). Instead of identifying "rogue sites" as the culprits for the threat at hand,

Hollywood, "Big Media", and the bill's sponsors themselves were the targets. As Fight for the Future wrote in a press releases announcing a day of protest against the bill:

> SOPA gives the government and any corporation the power to block entire websites – that's both wrong and dangerous… this legislation is just another salvo in the big media companies' war on sharing. They want the taxpayers' government to fund their legal assault on the public's freedom. Even worse, they want it done regardless of the collateral damage to perfectly legal uses of the Internet (FFTF 2011).

These diagnostic frames did not incorporate state framing whatsoever. These SMO frames were independent of state frames, and focused on convincing movement adherents to "fight back" against the bill by joining in protests (FFTF 2011).

These public-targeted SMO frames were influenced by state frames primarily by way of counterframing. Much of SMO framing worked to delegitimize interpretations proffered by the state, challenging both the efficacy of the bills and the motivations of those who promoted them. CDT sought to problematize the idea that an anti-piracy bill could be passed without harming freedom of expression, arguing that while such a thing is hypothetically possible, it is not true in the case of SOPA (CDT 2011e). PK took a similar approach in many of their speech acts, arguing against the ideas that the music industry is besieged by piracy (PK 2011e; 2012a), and that SOPA would even work to stop said piracy (PK 2011f). PK wrote:

> During a recent congressional hearing on H.R. 3261 "Stop Online Piracy Act", Representative Conyers stated, "25% of Internet traffic is copyright

infringement." This dramatic figure is meant to justify SOPA as the solution to ending online piracy. But before we take this figure at face value, much less decide if SOPA is the right solution, it's important to know where this number came from… Ultimately, a majority of the Internet is comprised of lawful use of content. It is important to accept that Internet piracy will never be completely eliminated (PK 2011f).

PK would also counterframe state frames of SOPA as a more reasonable alternative to its predecessors (PK 2012b), and even attack the bill's connection to piracy altogether (PK 2012c). EFF would engage in similar activity, attacking in particular the argument that SOPA was a narrowly targeted bill (EFF 2011f; 2011g). One press release in particular sought to "set the record straight" by attacking all of "Big Content's misleading arguments and numerous strawmen" all at once (EFF 2011h). Much of this counterframing pointed to the perceived misbehavior of members of Congress as a source of injustice in order to rally support for the movement, a potentially powerful movement strategy (Polletta & Ho 2006). Other counterframing activity sought to simply undermine pro-SOPA narratives in order to consolidate support for the movement and protect against attacks (see Evans 1997). All instances however show an avenue of influence state frames can have on those SMO framing, even when SMOs choose to target the public.

Another important political shift in this phase was the emergence of a significant anti-SOPA contingent in Congress itself (see fig. 1, Appendix A). SMOs capitalized on this in their framing activity by quoting members of Congress whose criticisms of the bill fell in line with SMO frames. CDT quoted Representative Jason Chaffetz at length when he expressed concern with what he described as "surgery on

the Internet, [without] a doctor in the room" (CDT 2011f). PK also cited members of Congress who came out against the bill in order to bolster movement claims, writing:

> Senators Grassley, Hatch, Sessions, Cornyn, Lee, and Coburn... are all correct – the solution to online counterfeiting and copyright infringement requires all sides to work together and all legitimate concerns to be considered and addressed. If it was not clear before, it is clear now that [SOPA] fails to do that (PK 2012d).

EFF and FFTF worked similarly to incorporate legislator opposition into their frames, quoting anti-SOPA members of Congress as more and more came out against the bill. In a statement, EFF wrote that "Rep. Zoe Lofgren wasn't exaggerating when she said SOPA "would mean the end of the Internet as we know it"" (EFF 2011i). These quotes generally did not promote novel frames created by anti-SOPA legislators, but rather bolstered existing SMO frames.

These frames, through successfully mobilizing public opposition to the bill, were crucial in bringing about the movement's eventual victory. As more and more legislators became swayed by public pressure, they looked to existing anti-SOPA frames to express their own opposition to the bill, often citing concerns over the internet and free speech as their motivations (U.S. House 2012a; 2012b; 2012c). The very name of the proposed OPEN Act – a nod to the "open internet" frame of SMOs (see EFF 2010a) – is emblematic of this activity among legislators. Soon, not only had many legislators adopted SMO frames, but they had made the bill's passage through Congress impossible. As a result, the bill was withdrawn merely two days after FFTF's "SOPA Strike."

SMO framing here did not only influence the state however, but it was also shaped in large part by it. Both the counterframing of pro-SOPA state frames and the occasional quoting of anti-SOPA state frames in this phase helped to inform the content of SMO frames. While the direct adoption of state frames typical of SMO framing in the first phase had vanished, these new mechanisms maintained the influence of state frames on SMO framing activity.

Summary: State Frame Influence in Phase 2

In both state- and public-directed SMO frames in this phase, the type of state frame influence shifted substantially. Among state-directed SMO frames, the direct state frame adoption that had been common among SMOs in the first phase now dissipated. The Center for Democracy and Technology (CDT), which had previously incorporated state frames quite often, now did so considerably less. Public Knowledge (PK) and the Electronic Frontier Foundation (EFF) had adopted state frames initially less, but even so reduced the extent to which they mimicked state-promoted frames. Fight for the Future (FFTF), a new SMO in the movement, did not do so at all.

Among public-directed SMO frames however, the influence of state frames was significant. All SMOs made efforts to counterframe certain frames of the state. In particular, SMOs attacked SOPA's efficacy in fighting piracy, as well as the motivations of those who promoted it. SMO public-directed frames also incorporated certain state frames by quoting anti-SOPA legislators to bolster SMO claims. In this phase, it was very common for legislator statements against the bill to make their way into SMO speech acts, especially when those statements conformed to already established SMO frames of freedom of speech and internet protection.

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These new SMO frames were very effective in winning favorable state action. Not only did many legislators come out against the bill, but these legislators often echoed SMO frames in doing so. Once legislator opposition to SOPA had grown enough, the bill was withdrawn from Congress, marking the final victory of the movement. The favorable outcomes of this phase came not from direct engagement with the state however, but rather from effective mobilization frames which leveraged public opposition to make these changes and eventually defeat the bill altogether. While the adoption of state frames was no longer a central part of SMO frame promotion, counterframing pro-SOPA frames in Congress now was. This phase thus continued to illustrate SMO frames which were complex and dynamic, but consistently influenced by state framing.

DISCUSSION AND CONCLUSIONS

While social movement framing literature traditionally sees the state as a target of movement frames (Polletta & Ho 2006), it does so at the expense of examining frames promoted by the state. This study's results provide evidence that state-promoted frames are in fact a major part of movement framing discourse, and that social movement organizations (SMOs) look to these state-promoted frames in the crafting of their own frames. In the anti-SOPA movement, SMO frames were effective in winning concessions from lawmakers; these SMO frames were also influenced by lawmaker frames in turn, in multiple ways. When SMOs attempted to win over state decision makers by targeting legislators directly through frame alignment, they often adopted components of state frames to make frames more persuasive to legislators.

Conversely, when SMOs targeted potential movement adherents in the general public, they met anti-movement state frames with counterframing, or otherwise incorporated pro-movement state frames into movement speech acts. In all, SMO and state framing in the SOPA debate is indicative of an SMO-state framing relationship which is complex, manifold, and deeply informative of SMO frame promotion in cases of policy-focused activism.

This study also examines the conditions under which these framing strategies are undertaken by SMOs. In the absence of widespread mobilization opportunities – here, before public interest in SOPA emerged – SMOs were more likely to adopt state frames directly, especially when targeting legislators with these frames. This was especially common among professional SMOs, and those which emphasized grassroots mobilization relatively little. The counterframing of state frames was more common among speech acts produced by nonprofessional SMOs, and SMOs which put a relative emphasis on public mobilization and protest. Naturally, pro-movement state frames were only incorporated into SMO framing once a significant pro-movement coalition had emerged among legislators.

Of these types of state frame influence, some are similar to those already explored by the literature. SMOs in this debate which targeted the public with their frames saw pro-SOPA legislators as an opponent, and thus met state frames with counterframing much as they would do to countermovement frames (see Benford 1987). In particular, the tendency of SMOs to directly attack pro-SOPA frames of legislators is analogous to the "frame debunking" processes described by McCaffrey and Keys (2000) in their analysis of counterframing in the abortion debate. Other forms of state frame influence found in the SOPA debate, on the other hand, are more novel. SMOs that targeted legislators with frames in this debate often directly adopted

components of state frames in doing so. This frame adoption was especially common among professional SMOs, and was a major determinant in the content of their frames. This activity signals a new process of SMO framing previously unexplored by framing literature.

These results point to frame adoption as a factor which plays an important role in determining the content of frames promoted by SMOs – an aspect of framing activity which scholars have seen as necessary target for new research of late (Snow et al. 2007). Furthermore, these results help to reveal certain to-date unknown factors contributing to frame variation within movements (Snow et al. 2007: 388; Snow et al. 2014). I show here that SMOs take cues from state frames in the promotion of movement frames, and that the nature of this influence depends on an SMO's relationship to the state, as well as factors in a movement's political environment. In this case, this was seen most clearly in CDT and PK adopting and promoting state anti-piracy frames early on, while EFF and FFTF tended to counterframe against these same claims as the movement progressed.

These results also add depth to Evans' (1997) exploration of the multi-organizational field. As Evans theorizes, state decision makers may be allies or antagonists to SMOs, and can therefore be met with either frame alignment or counterframing (1997: 452). In this case, state decision makers were met with frame alignment by CDT and PK in the early phase of the movement, and counterframing by most SMOs in the latter phase. These results compliment Evans' analysis first by positing frame adoption as a potential new component of state-targeted frame alignment, and also by showing how the perception of the state may shift over time, even within a movement – here the state was treated as an ally and met with frame

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alignment at first, but over time became treated more as an antagonist, as public interest mounted.
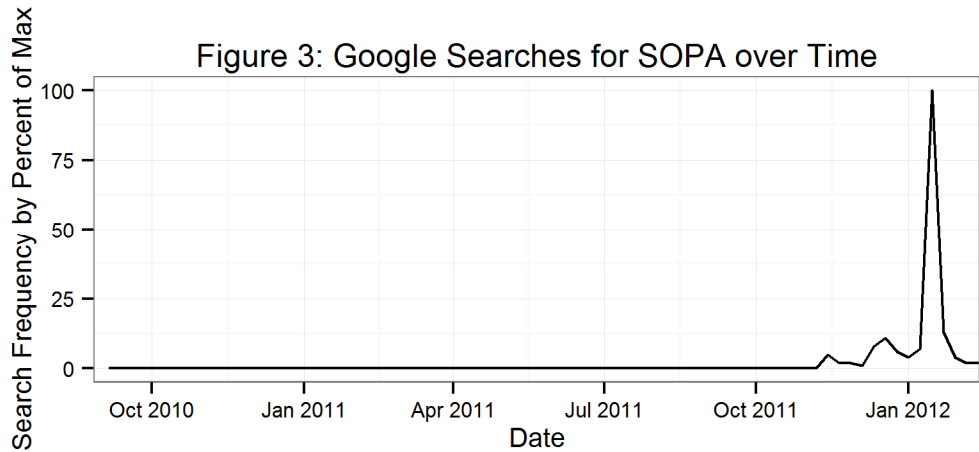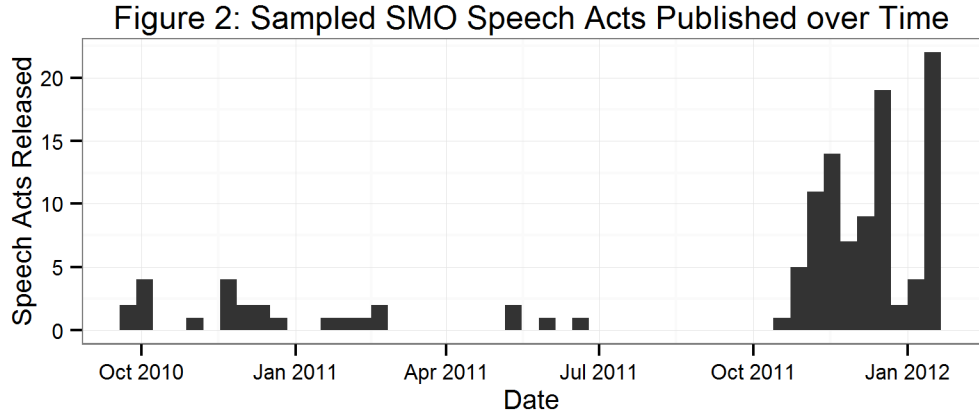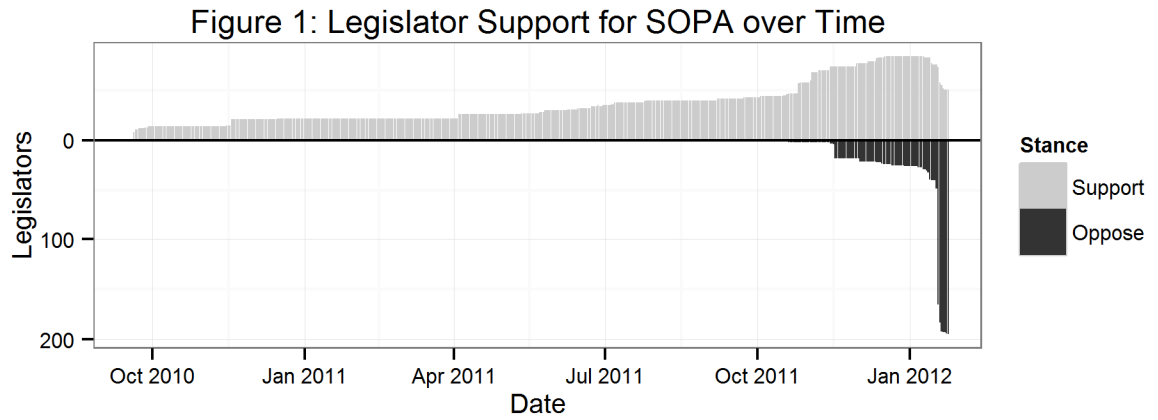
This analysis is not without limitations, and the dynamics of state frame influence outlined herein should not be generalized to all movements. Most importantly, this movement was one which concerned itself almost exclusively with the success or failure of a specific piece of legislation. As such, I believe movement organizations were particularly attuned to frames produced by the state. In exploring state frame influence in movements which targeted non-state sources of power in society (see Armstrong & Bernstein 2008), the state influence outlined in this case may not hold. Further, this study could not fully sample all state action; the influence of state frames may very well differ at the state level as opposed to the federal level, or when these frames are produced by state leaders such as the president instead of legislators. This study is meant to illustrate a particular case of state influence so as to outline its potential effects; I do not suggest that the types of influence here are universal, or that they are as influential for SMO framing in every movement.

Exploration of state frame influence in movements not focused on winning legislative victories is a possible direction for future research. Future studies may explore how the state-SMO relationship manifests itself across different levels of government (state vs federal, executive vs legislative, etc). Furthermore, this study examined a case where both ally and opponent factions existed in the legislature; future studies could examine state frame influence when the state is exclusively an opponent or ally to the movement (see Evans 1997).

Another potential area for future research is the influence of elite decision maker frames more generally, even when movements do not seek purely legislative victories. I would hypothesize that influence such as frame adoption – where SMOs

directly adopted the frames of the state decision makers they were attempting to persuade – should also appear in instances where SMOs seek to win concessions from non-state groups. This is however a question which must be examined on its own, along with further explorations of the influence of elite decision maker frames. Across much of social movement framing literature, movement frames are examined in their ability to win concessions from elite decision makers such as the state – it is the reciprocal impact of decision maker frames, in particular those of the state, which this study examined. More research is still needed to fully understand the reciprocal mechanisms of social movement framing.

Appendix A: Figures 1, 2, 3

Figure 1: Legislator Support for SOPA over Time

Figure 2: Sampled SMO Speech Acts Published over Time

Figure 3: Google Searches for SOPA over Time

Appendix B: SMO Breakdown

**Center for Democracy and Technology (CDT)**

Mission:

> CDT brings together thought leaders to find innovative and practical solutions to the policy challenges surrounding the Internet. We provide leadership and advocacy to help shape public policy and industry best practices, while providing a forum for stakeholder dialogue. This dialogue doesn't always lead to consensus, but it often helps lead to an understanding of contrary points of view, and the collaborative process helps to bring new solutions to the surface. Our current working groups focus on government privacy and security issues; consumer privacy; and free expression (CDT 2016).

Speech Acts Published by CDT over Time
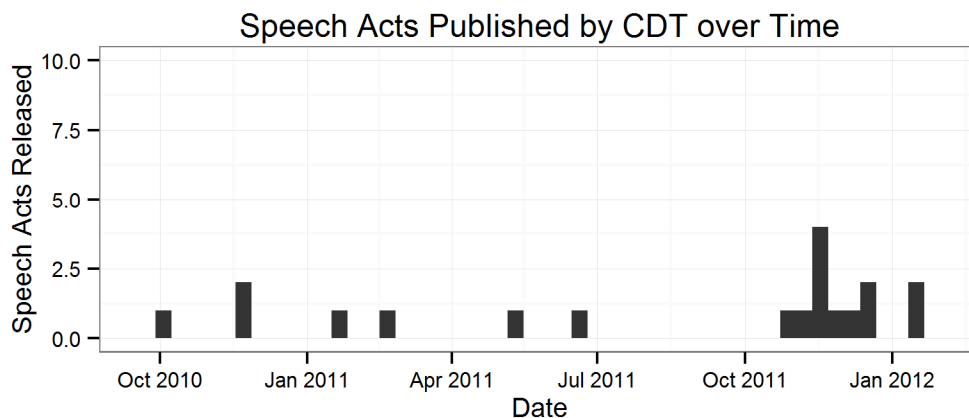
Public Knowledge (PK)

Mission:

> Public Knowledge promotes freedom of expression, an open Internet, and
> access to affordable communications tools and creative works. We work to
> shape policy on behalf of the public interest (PK 2016).

Speech Acts Published by PK over Time
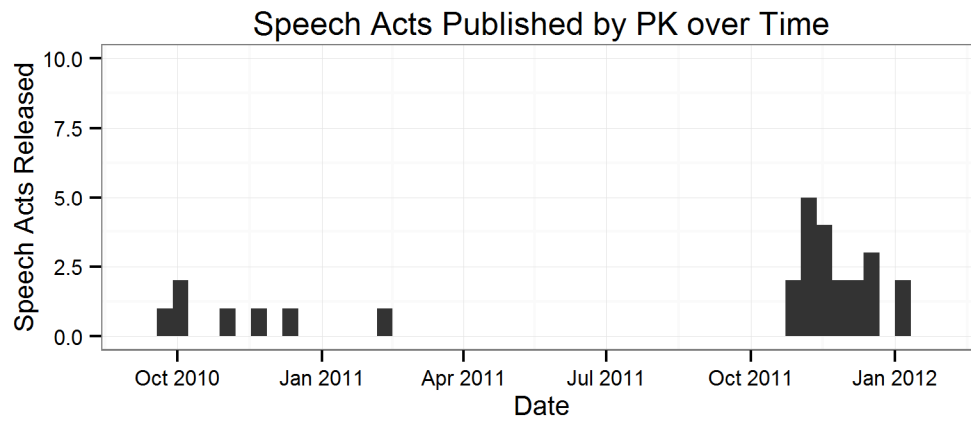
Electronic Frontier Foundation (EFF)

Mission (excerpt):

> The Electronic Frontier Foundation is the leading nonprofit organization defending civil liberties in the digital world. Founded in 1990, EFF champions user privacy, free expression, and innovation through impact litigation, policy analysis, grassroots activism, and technology development. We work to ensure that rights and freedoms are enhanced and protected as our use of technology grows (EFF 2016).

Speech Acts Published by EFF over Time
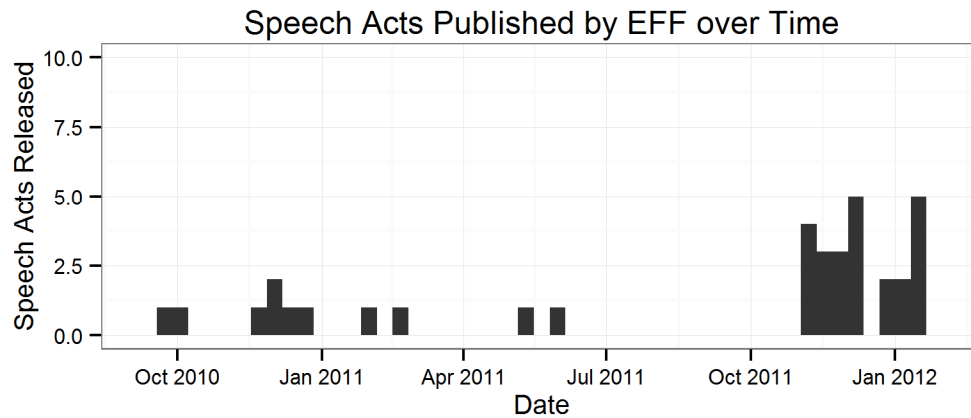
Fight for the Future (FFTF)

Mission (excerpt):

> Fight for the Future is a non-profit organization founded in 2011 whose mission is to ensure that the web continues to hold freedom of expression and creativity at its core. We seek to expand the internet's transformative power for good, to preserve and enhance its capacity to enrich and empower. We envision a world where everyone can access the internet affordably, free of interference or censorship and with full privacy. Our goal – always – is to build tech-enhanced campaigns that resonate with millions of people, enabling them to consolidate their power and win historic changes thought to be impossible (FFTF 2016).

Speech Acts Published by FFTF over Time
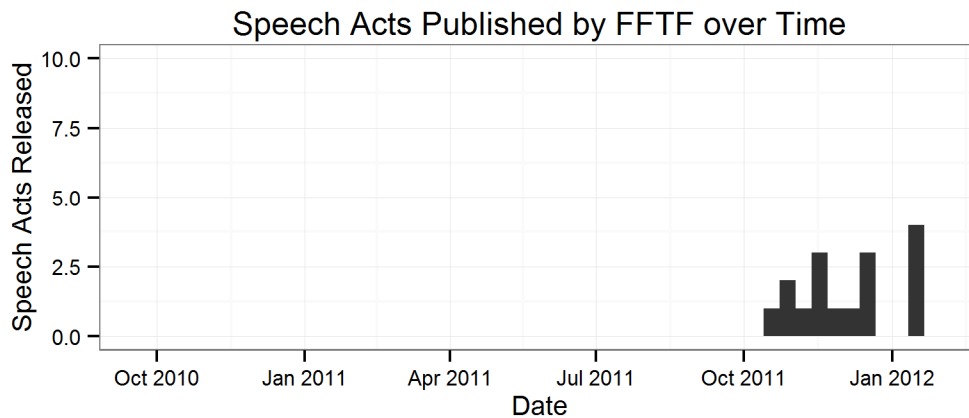
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