Democracy, New Media and Anti-Establishment Party Politics in the aftermath of the Financial Crisis:
Especial Consideration of the Spanish Case

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1.- Indignation around the World… and in Spain

Spanish Movement 15th May, 15M or Spanish Revolution, celebrated 3 years in May 2014. The Movement is not of an isolated nature, for a series of similar revolts and demonstrations have taken place worldwide since 2011-the Arab Spring, protests in Turkey, Brazil, Mexico, the United States and Europe-. These revolts and protests have in common, among other key features, the occupation of urban spaces and the strategic use of digital media. Today they belong to a new category defined with the formula *networked social movements*.

The "Outraged" first protests and demonstrations took place, on May 15 2011, in more than 50 Spanish cities gathering around 150.000 people. Protests were not organized by any political party or by any trade union, but by civic platforms mainly operating through the social media such as *Plataforma Real Ya*. About 20.000 people in Madrid and 15.000 in Barcelona claimed against poor political performance in the economic crisis. A campsite was set up in Sol Square, Madrid, on the week that followed. Soon the functioning (committees, first-aid section, library, kitchen) and activity in the campsite were organized. Lefebvre (1991), David Harvey (2003) emphasized the symbolic nature of the space. Since public places represent and give visibility to the hegemony of ruling powers, the occupation of public spaces is a way to challenge them. Occupy Wall Street, inspired by 15 M to some extent, represented as well the symbolic importance of the physical space as occupation took place in Wall street, icon of global financial power.

Around 70% of the Spanish population supported the movement (Metroscopia, Barómetro CIS). It created a distinctive model of protest based on the occupation of public places to express ideas, deliberate and make decisions that has been replicated. The police evacuated the campsite in Barcelona on May 27th and in Puerta del Sol on June 12th 2011. However,

the Movement continued to be active, fully engaged in socio-political matters, working in neighborhood assemblies.

15 M mobilizations find precedents in civil disobedience demonstrations and protests in Spain against the military service (1989/1996), 0,7% (1994/2000), anti-globalization, Prestige, No to War, 13 M (2004), in favor of decent housing… (Sampedro, 2011)

Scholars have widely studied citizen disenchantment and disaffection with politics and democratic institutions (Schmitter and Trechsel 2004: 26-27; Kaase and Newton 1995; Nye, Zelikov and King 1997; Norris, 1999), which have intensified with the economic crisis since 2008. Certainly, the financial crisis has had a major effect on political disaffection of the Spanish people and, in general, on their loss of trust in representative institutions. The crisis in Spain presented particular specificities: the real state bubble added to the US credit crunch effects. Carlos Taibo complements this general picture with the "indignation" of Spanish citizens resulting from the spread of corruption among all political parties and, thus, the rejection of the political class; from the measures taken by the government to bail out banks and corporations with public funds; from labor laws facilitating dismissal, from cuts in social services (education, health care), etc. (Taibo, 2011). Some figures can be explanatory at this respect: one out of five Spaniards –and half the youngsters- were unemployed, 11 million people were at the poverty limit, evictions occurred daily and people killed themselves in desperation and frustration. On the whole, the protests started in relation to the economic crisis. However, the claims became also political concerning issues such as social justice, participation, transparency and proportionality. 15 May and Occupy movements have been perceived as a response to a crisis of representative democracy (Razsa, 2012).

2.- Claims, Proposals, the Protesters. Consequences for Spanish Politics
It is convenient to remark that 15 M is not anti-systemic. It advocates for the renewal of representative institutions through the introduction of participatory channels where citizens would play a major role. As a matter of fact, the proposals and claims contained in the Manifest essentially aim to improve the poor functioning of the Spanish representative system. There is great concern about the political, economic, and social circumstances and

condemnation of corruption practices and fraud. The Manifest argues for equality, progress, solidarity, sustainability and development, welfare and people's happiness. Moreover, some inalienable truths are acclaimed: the right to housing, employment, culture, health, education, political participation, free personal development, and consumer rights for a healthy and happy life. In short, the Manifest urges for the revitalization of democracy bringing the people´s voice to the institutions, encouraging political participation through direct channels. It confronts the supremacy of the major economic powers and deficiencies of PP-PSOE two-party system (The Manifest, 2011).

Among other significant features of 15 M, the organizers of the protests were not traditional political parties, but the people that soon constituted civic platforms. Citizen disaffection with their representatives has been widely studied in the last decades (Rosanvallon, 2008). As a matter of fact, in the Spanish study-case, politicians and political parties have been considered as major problems in the country together with unemployment and the economy (CIS, 2011). Thus, some civic platforms recently created played an outstanding role: *Democracia Real Ya, Juventud sin Futuro, No Les Votes*. These platforms facilitated membership proceedings and operated rather online than through conventional media. Certainly, social networks have constituted a key tool for 15 M organization, information and mobilization.

Regarding the profile of 15 M militants, young people predominated over older segments of the population. Participants were educated –holding a secondary or higher education degree-, well informed about political issues, inclined towards leftish ideas, involved in cultural associations, in NGOs, in environmental groups, and highly active in social networks (Calvo et al., 2011).

Local and regional elections were held one week later the movement started, on May 22 2011. The Movement neither supported any political party nor encouraged citizens for abstention, but experts identify a real influence on the regional, local elections (Barreiro y Sánchez-Cuenca, 2012) and even on the general election that took place in November 2011. As a matter of fact, although only 10% of the Spanish population participated directly in the activities organized by the movement, 15 M was well known by Spaniards.

As far as the regional, municipal elections are concerned, 32% of the Spanish citizens declared sympathy with 15 M (CIS post-electoral survey). The Movement neither encouraged citizens to abstain from voting or to vote blank, nor opposed representative institutions. The real aspiration of the Movement was to improve the functioning of representative democracy and complement it with direct tools so that citizens would become more involved with the polity. Regarding the general elections, 15 M brought concern over social issues and could have fostered citizen participation. In addition, during the campaign it was argued that blank voting would benefit big parties. On the whole, 15 M should have favored smaller parties (IU, UPyD) at the expense of PP, PSOE or CiU. At this respect, it is convenient to remark that the Spanish electoral system supports big political parties. 15 M advocated that the system should be reformed and introduce open electoral lists, too.

3.- Alternative Forms of Democracy and 15 M Decision-making processes
The use of Information and Communication Technologies and Social Media can strengthen political participation and civic engagement, and enhance contemporary forms of democracy aiming to foster representative democracy with the presence of the civil society.

Representative democracy has repeatedly been identified with the notion of democracy itself. The essence of representation resides in the celebration of regular, free, fair elections where political parties compete to be in office. The legitimacy of the system is, thus, grounded on parties and elections.

In Western countries scholars have observed a certain erosion of the representative model: not of democracy itself but of the functioning of representative institutions. Representation has not supervised, restrained and controlled effectively the government (Hirst 2009). The financial crisis – breaking out in 2008- and the austerity measures introduced raised a wave of protests and disenchantment among citizens all over Europe. They were concerned and feared the disintegration of the welfare State, and alerted on the increasing poverty income limit.

The current, growing state of disaffection and distrust among citizens has more to do with the poor performance of particular representatives than with a crisis of the representative model. There is a huge "distance" separating the elected from their electors. The latter feel that once the former win the elections, they behave as an elite, as an oligarchy, and do not really matter about citizens´ views, and even are not interested in citizens to be involved in the political process regularly.

Some scholars suggest the convenience to revive political parties while others emphasize the importance acquired by participative, discursive, collaborative processes among citizens and representatives. Contemporary forms of democracy do not intend to replace representative government. On the contrary, they complement and amplify representation with the revitalization of civil society, and with the value of negotiated governance dynamics through participative, deliberative, dialogical, associative processes or consociational practices.

Deliberative democracy presupposes citizens deeply involved in public decision-making and problem solving. Through the implementation of particular techniques and mechanisms, citizens get together to discuss public issues and eventually come to some conclusions or recommendations on what lines of actions should be taken. It is convenient to emphasize that the key actors in this model are not politicians or experts, but the citizens who work actively with the municipalities or other governmental institutions to create synergies to face issues of common interest. Organizations such as the National Coalition for Dialogue and Deliberation (NCDD) and the Canadian Community for Dialogue and Deliberation (C2D2) are good examples of today deliberative practices. Their followers and supporters have grown exponentially in recent years.

According to Carcasson and Sprain (2010), the core principles of deliberation are tough choices, public judgment, democratic governance, inclusiveness and equality. These two scholars also distinguish the particular roles for each actor. Beyond the classic mission of taxpayers, consumers, constituents, or voters, citizens are now vitally involved in public affairs. The government must promote tools for public participation and ultimately nurture citizens´ deliberative capacities. The media and the experts assume big responsibility in engaging citizens and encourage high quality of public discussion.

Regarding <u>associative democracy</u>, we need to refer to Paul Hirst and his book *Associative Democracy: New Forms of Economic and Social Governance*, which is rooted in Émile Durkheim´s (1957) conception of democracy. In 1994, Hirst proposes new theories and formulas to reorganize economic and social governance in Western societies, as liberal democratic capitalism and collectivistic state socialism seemed to have come to a point of stagnation. Hirst denounces that modern representative democracies offer low levels of government accountability to citizens and of public influence on decision-making. He then advocates for the adoption of a new model of democracy, associative democracy, to address these problems. Associative democracy requires (1) devolution of functions of the state to society (keeping public funding); and (2) democratization of organizations in civil society. The result would be constitutionally ordered democratically self-governing associations, which would receive public funds proportionate to membership and, thus, provide for services like education or healthcare. On the whole, these practices would pave the way for the "post-political thrust" from government (control by the state) to governance (regulation, accountability, civil society involvement), which Hirst points out.

To some extent, Hirst `doctrine´ is encapsulated in the British notion of `big society´. The substance of this notion, or the way this big society is formed, lies in taking power away from politicians and attributing it to local people and communities (e.g.: localism and devolution). The transfer of power takes place at the domestic level –e.g., domestic policies-. In an article published in 2012 by *The Guardian*, Anne Power, professor of Social Policy at LSE, admitted the complementary functions developed by both the state and the civil society and remarked the convenience to balance the power of each. Prof. Power stated that the financial crisis and the austerity measures implemented had had a negative effect for community infrastructures. She finally stressed the leading role of the citizens and the need as well for intergovernmental cooperation to face transnational challenges.

<u>Participatory democracy</u> cannot be eluded. Most constitutions include participatory channels such as citizen consultations (referendum, plebiscite), the popular legislative initiative. The key-point is to what extent these tools have been used "regularly" or, on the contrary, they remain mere "lettre morte". In transitional countries of Eastern Europe, direct democracy tools have consolidated the new constitutional orders. In other European

countries, these mechanisms are used for the purpose of institutional reform. Even in South America, for instance in Brazil, local people participate in municipal affairs –e.g. budget-.

It is convenient to bring the Swiss case, which can be defined as a semi-direct model of democracy based on representative institutions and on direct tools. Certainly, the referendums and popular initiatives were introduced in the nineteenth century by the Swiss cantons and the Swiss federal government. The Swiss Constitutional Charter contemplates the obligatory referendum, the facultative referendum and the popular legislative initiative. The key elements of these direct tools are the following: 1) they are used <u>regularly</u> in political decisions, 2) <u>at all levels of government</u> –from national to local-, 3) and the <u>nature of the issues</u> decided by the citizens is wide –from ordinary to very significant- (Linder 2010).

The obligatory referendum implies that every amendment of the Federal Constitution and some international treaties, proposed by the two Chambers of Parliament, are subject to a popular vote and require a majority of the people and the Cantons. The facultative referendum means that all ordinary laws might be submitted to a popular vote if 50.000 citizens demand it within three months. Given the case, a majority will be needed for the law to be enacted. Eleven referendums were held at the national level in Switzerland during 2013 on spatial planning, executive pay, family policy, amendments to the laws on asylum and epidemics, longer gas station opening hours…

According to the popular legislative initiative, 100.000 citizens can sign a proposition to amend the Constitution. The Federal Council (government) and the two Chambers of Parliament can accept or reject the popular initiative. If they reject it, they can propose a counter-project as long as it maintains the wording of the popular initiative. Again a majority of the people and of the Cantons is required. On February 9th 2014 the Swiss voted in favor (50.3 per cent) of a popular legislative initiative to stop mass migration. After the outcome, the Government will have to turn the initiative into law within three years.

On the whole, the Swiss model is a good example of how direct democracy can complement electoral democracy.

It is also convenient to mention one initiative led by Daniel Ordás and Juan Cortizo to implement direct democracy system in Spain: #Reforma13. This project takes elements from the Swiss, Danish, Swedish, US and German systems. It is based on the following principles: direct democracy; open lists; Senate reform; electoral system reform, militia politicians and popular election of the Government. Nevertheless, most of the proposals finds its root in the current Spanish Constitution.

At this regard, the Treaty of the European Union, title II, Provisions on Democratic Principles, Articles 10 and 12, establishes both the principles of representation and participation shaping this dual model of democracy where representative institutions are enhanced with citizen participation: "The functioning of the Union shall be founded on representative democracy. Every citizen shall have the right to participate in the democratic life of the Union. Decisions shall be taken as openly and as closely as possible to the citizen. The institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society. Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties".

From the three types of categories described above, the practices adopted by the Outraged fit better within the deliberative model, basically based on discussion and on the search for consensus. Processes of citizen deliberation occur offline and online too (Black, 2011). 15 M could have constituted internal structures or apparatus of hierarchical nature to organize the movement, design proposals, prepare and disseminate activities. However, the Outraged remained loyal to the essence of democracy and debated the various issues *directly*, among all the participants in the assemblies or meetings; and *horizontally*, *leaderless*, as there were no higher or lower status and all participants could speak freely and make recommendations. Even passers-by were invited to join. Lawrence notes that there was a special focus and concern on ordinary people to become involved (Lawrence, 2013), which reveals the genuine democratic nature and scope.

Moreover, 15 M adopted coordinated action in smaller groups making discussion more effective: on the one side, working committees were created in the occupied areas; on the other side, decentralized neighborhood assemblies discussed ideas and proposals that later would be dealt with at the general assemblies.

Summarizing, traditional media often adopt hierarchical models of functioning and communication. Within new media communication happens in horizontal, participative and less formal ways: users or members have an equal voice to express views; agreements are reached by consensus. Certainly, 15 M functioning and practices have been decentralized and egalitarian. The Movement has operated autonomously from institutional political systems, independently from conventional politics. Interactivity, decentralization, delocalization, and direct democracy tools have been key features.

4.- A Movement of Hybrid Nature: Between the Virtual Space and the Physical Space
Castells asserts that new forms of social change and alternative politics emerge, by using the opportunity offered by new horizontal Communication networks of the digital age (Castells, 2007). The "network society" -resulting from the interaction between social organization, social change and technological paradigms built around information and communication digital technologies (Castells, 2006:21)- has now replaced the information (or knowledge) society. Juris makes emphasis on the expansion and diversification of networks, which "provides not only an effective model of political organization, but also a model for the global reorganization of society" (Juris, 2006). In short, the use of ICTs to mobilize has attributed new traits for social movements, which emerge decentralized, flexible and networked.

Beyond all doubt, above-mentioned, one of the most original features of contemporary social movements, also of 15 M Movement, compared to traditional ones, is the use of network features. In Spain, March 13th Movement -13 M- broke out right after the terrorist attack in 2008. 13 M has marked a turning point, since it was the first time citizens were convoked through text messages to gather before the Popular Party headquarters.

Among other benefits of ICTs for new social movements outstands 1) the capacity to mobilize the multitudes (Negri and Hardt, 2004) through networks, and 2) the contribution to the formation of a hybrid media system (Chadwick, 2013) where there are no intermediaries for new media, which stay beyond the control of traditional media corporations.

Regarding 15 M, statistical data have revealed the astounding network formation and online spreading dynamics in less than a week since its inception (Borge-Holthoefer J. et al., 2011). On the contrary, news from traditional media on 15 M phenomenon came as a late response; the coverage was insufficient and biased (Costa y Piñeiro, 2012).

Social Media have played a decisive role for the coordination and spread of activities. Actually, 15 M had hit 200.000 Facebook followers and more than 500 twits in only five days after the outburst (La Vanguardia, 20 Mayo 2011). Facebook was prominent to make comments and organize action; Twitter, as an essential tool for instant or short messages. De Ugarte had already emphasized that offline action constituted the paramount result of digital processes of social interaction (De Ugarte, 2007).

Other distinctive attribute of contemporary social movements associated with the use of ICTs is the sense of anonymity when initiating and engaging in action. Certainly, 15 M has often been described by its horizontal structures and decision-making processes, in an effort to change traditional schemes and approach to mechanisms of direct democracy enhancing the role of the civil society. Therefore, the Movement has never intended to designate any visible leaders. On the contrary, true to those principles and spirit, 15 M has endeavored to empower each citizen, either supportive or engaged in action. At this respect, Félix Rodrigo Mora refers to the transit from the "I", inherent to a decadent society, to the "we", which conveys the project to build a new society with new people, emphasizing the prevalence of the general interest over the individual interest. Yet, Rodrigo Mora admits that the platform *Real Democracy Now* and its members carried significant performance in planning and organizing (Rodrigo Mora, 2012).

Traditional theories of activism remark the notion of collective identity, the need to be a member of a group or movement. Nonetheless, anonymity and collective identity can be reconciled within contemporary social movements, since collective identity is developed among anonymous people through virtual communities. As a matter of fact, the Internet has facilitated to build the collective identity of the Movement, as a result of the existence of virtual communities (Rheingold, 1983), network interaction and the following interpretations of reality. Internet and virtual communities have been significant generators of alternative interpretation paradigms of collective identity. The creation of this sense of collective identity generated in the social networks has been the necessary, previous stage to mobilizing action. For 15 M collective identity is related to the belief that the economic, socio-political system has deteriorated, and to the urge to implement structural reforms to the social order and to representative democracy in Spain. (See section 2 of this chapter).

15 M is of hybrid nature, since organization, discussion and decision-making has happened in both the physical and virtual space. The movement was initiated anonymously through the ICTs. Social networks convoked protests and demonstrations with the motto "take the street". At this respect, it is convenient to bring about the distinction between *online multitudes* and *cybermultitudes* (Sampedro and Sánchez Duarte, 2011). On the one hand, *online multitudes* originate on the Internet but develop physical action and physical activities, too; i.e., in public spaces. On the other hand, *cybermultitudes* engage only in virtual action and claims. 15 M Movement constitutes the perfect example of *online multitudes* since online and offline action coexist, whereas protests in favor of the digital canon –started in 2004 through legislature 2008- embody the essence of *cybermultitudes*.

Compared to previous mobilizations such as the ones promoted by the Anti-Eviction Platform or 13 M, 15 M call is spread via the social networks, and not by emails or text messages replicated in blogs or webs. About three months before 15 M protests and occupation occurred, the platform for the coordination of pro-mobilization groups was created as a Facebook group. This group organized the action, designed details, drew up the Manifest. Although there were face-to-face meetings, most of the work was planned and coordinated online. Once public spaces were occupied, new media supported and complemented again "physical" action. As a matter of fact, after the first protest meeting,

Internet tools intensified. Together with the Facebook group, similar tools were created: the web site democraciarealya.es or the Twitter profile @democraciareal, facebook.com/acampadasol or facebook.com/SpanishRevolution, takethesquare.net, among others. Moreover, new "physical" structures were replicated online when 15 M acquired an international dimension or became decentralized into neighborhood and town assemblies so as to enhance effectiveness and dissemination. Rheingold (2004) coined the expression "smart mobs" to elucidate collective action organized through ICTs.

It is interesting to examine some of the social media messages spread on those weeks when 15M originated. The messages on takethesquare.net, facebook.com/acampadasol, facebook.com/SpanishRevolution aimed at convoking people either to demonstrate, or follow Twiter or some other media in order to be informed. Some messages disseminated photos and news about the success of demonstrations. Other messages posted news related to affinity Movements such as Occupy Wall Street, demonstrations and protests in other cities, too: "Hoy en la Puerta del Sol a las 20.00", Today, Let´s meet in Puerta del Sol at 8 pm; "Haceros cuentas en twitter. Es la mejor manera para saber sobre las Acampadas", Open a Twitter account, it´s the best way to be informed about the occupations; "¡Hoy vamos a llenar la Puerta del Sol un día más!" Today Puerta del Sol is gonna get crowded; "¡Hoy vamos a llenar todas las plazas un día más!", Today the streets are gonna be crowded!; Television para seguir los eventos desde SOL: http://www.soltv.tv/, Here´s the TV link to follow events in Sol Square: http://www.soltv.tv/; "La revolución sigue en marcha: ¡El 19 de junio toma la calle de nuevo!", "The Revolution goes on: on June 19th, take the Street again; "Manifestación #15oct 'Unidos por un cambio global", Demonstration October 15th, united for a global change'; explanatory videos #SpanishRevolution: explanation of what is happening and what we want ; Hundreds of thousands protest in the Street in Spain; 150.000 people took the streets in Madrid on Sunday; the Assembly at Puerta del Sol has decided to stay camped at least one more week.

Ortiz summarizes these tools: virtual meetings and assemblies, coordinating or reporting actions in real time –during protests and demonstrations-, information circulation, online

support –"one-click activism"- and electronic civil disobedience –"netstrikes"- (Ortiz, 2010); activity which has developed through text messages, forums, mailing lists, chat rooms, and similar Internet applications. The virtual meetings and assemblies prepared or advanced the work of face-to-face discussions, where decisions were made. They open new spaces of deliberation enhancing real democracy. ICTs promoted the organization of offline actions. Facebook and Twitter played a capital role as it has already been mentioned.

The reason why online activism became so effective has to do with the spread of information and mobilization among networks of trust. These networks of trust (Sampedro, 2005) refer to people who already know each other, not exclusively activists, and are related or linked by work ties, friendship, family, daily life -neighborhood, leisure (sports club, workshops), errands and routine (supermarket, train)-, etc. Information received through those channels is more plausible and convincing. The qualified impact of the message lies in the credibility and legitimacy of the person who sends it, with whom the receiver shares a personal bond (Francescutti, Baer, García de Madariaga and López, 2005:78). The networks of trust are, thus, based on personal relationships and can have major influence, as the information is passed on to the personal contacts of each recipient. The chain will expand and will reach people with no direct relation to those who started the call to action. Therefore, the existence of personal connections has been decisive for mobilization through ICTs. Without these networks of trust, the effect of ICTs would not have been so vigorous.

Moreover, ICTs contributed as well to exert control of the power –or possible abuse of power- of police forces, since 15 M protesters recorded brutal actions with their cell phones and uploaded the videos to the Internet giving evidence and making society, core institutions and mainstream media aware. Section 5 of this chapter describes this point.

To sum up, online action occurs mainly to speed activities: convoke new protests and demonstrations, dissemination. The physical space remains essential to uphold the protests. Decisions are made in the assemblies. Face to face meetings legitimate decision-making processes and allow non-Internet users to join and participate. Thus, the role of the physical

space and the virtual space is clearly different. But there is continuity and complementarity between the two of them (Piscitelli, 2009). Scholars such as Wellman use the formula cyber-place to design the corporal nature and continuity between physical and virtual spaces (Wellman, 2001). On the whole, Internet offers the structure to organize in accordance with contemporary values and needs, renewing the communication strategies of former social movements (Toret, 2012).

5.- Restrictions to Civil Liberties and Fundamental Rights

In the last few years Amnesty International has received an increasing number of complaints about restrictions to civil liberties and fundamental rights (Amnesty International, 2014). As we have noted above, the economic crisis with the high unemployment rate, the austerity measures, government cuts on essential social services such as education and health care made Spanish people take the streets and express indignation. In 2012 more than 14.700 demonstrations took place in Spain (Amaiur Group, 2013). Most of them came about in Madrid and Barcelona: 3429 demonstrations in Madrid in 2012, rising to 4354 in 2013; 3287 in Barcelona in 2012, dropping to 1918 in 2013. Those demonstrations carried the 15 M spirit. Related movements and groups such as the Anti-Eviction Platform, the "White Tide", and the "Green Tide" participated, too.

The Anti-Eviction Platform (PAH) was constituted in Barcelona in 2009. Today the platform has presence throughout Spain. PAH is both a registered association and a social movement which advocates for decent living in Spain. It has offered help, advice and taken action to prevent people from being evicted. PAH has claimed that the Spanish legal framework "overprotects" banks at the expense of citizens´ rights, since being unemployed they were not able to pay the mortgage and got evicted. The Platform promoted a Popular Legislative Initiative to reform mortgage laws and has taken part in "escraches". The practice of escrache originated in Argentina in the 1990s by human rights activists, HIJOS, in order to condemn genocides committed by PROCESO. It is a particular form of political demonstration happening in front of the house or workplace of a targeted person. It aims to exert influence on decision-makers (Kaiser, 2002). In the Spanish arena, PAH participated

in escraches against politicians and members of the ruling party at their home addresses or the headquarters of the Popular Party.

Similar movements have opposed austerity policies, especially on health care –the "white tide"- and on education –the "green tide"-. Medical professionals and public healthcare users marched on the streets in 2013 against cuts on social services, which had reduced 10% of the health care budget. In the same year, teachers, parents and students took the streets to protest against soaring costs of college tuition fees – a rise of 66%-, and a reform law which would introduce a new testing system, increase the number of students in the classroom, reinforce religion knowledge. College tuition fees rose by 66%, which was unbearable for a country with 1 out of 4 working-age people unemployed.

Although the demonstrations were pacific, citizens complained about administrative penalties –fines- imposed to participants and organizers, about the use of excessive physical force, abuses and brutality by the police. Police misconduct has also been accounted against journalists and photographers informing on the protests. Moreover, a lack of confidence in the judicial investigation has been reported in relation to these abuses.

Amnesty International denounces the excessive use of force and impunity of officers who could not been identified (AI Report, 2012). The Report collects evidence and incorporate images of demonstrations of 15-M movement, such as Plaça Catalunya May 27, 2011, or the mining protest July 11, 2012.

In the demonstration that took place May 27th 2011 in Plaza de Catalunya, Barcelona, police forces surrounded the demonstrators, hit them with nightsticks, tore gas, fired rubber bullets and even threw grenades. There are videos that show the protesters did not represent any threat against the security forces. The report contains the testimony of Angela Jaramillo, a woman of 58 years old, who was sitting on a bench in Paseo de la Castellana on August 4 2011, when police forces broke up a peaceful demonstration before the Ministry of Interior in Madrid. An agent hit her in the face with his shield and then gave him a whack on the knee, causing her an injury. A group of young people came to rescue her. "Don´t you see it's an old lady? How can you hit her?" At that time Angela Jaramillo

received another blow on the hip. On August 5 the woman filed a complaint providing evidence –images- and a medical report. In March 2012 a court in Madrid rejected the complaint because the responsible agent "had not been identified." Angela Jaramillo died on June 15, 2012.

Paloma Aznar Fernández testimony illustrates the case of police attacks on journalists and photographers. Aznar were bearing her press badge and went with the camera around his neck when a rubber bullet struck her in the hip. In her complaint, the journalist states that officers wore no badge and could not be identified. The same reporter had also been hit when covering a march to protest against the visit of Pope Benedict XVI. On that occasion she filed a complaint but was again dismissed because the responsible agent "had not been identified".

Amnesty recommends Governments to prevent the excessive use of force, to protect and fulfill human rights, to ensure thorough, impartial and effective investigations into all allegations of excessive use of force, and to guarantee that disciplinary proceedings are initiated against officials responsible for excessive use of force.

Freedom of assembly, enshrined in Article 21 of the Spanish Constitution, is implemented by Organic Law 9/1983, which regulates the Right of Assembly. Law 9/1983 distinguishes the different types of assemblies and dictates the legal requirements to exercise this right. Law 9/1983 has been supplemented by Organic Law 1/1992, which envisages the Protection of Public Safety. Law 1/1992 allows security forces to adopt measures to guarantee law and order during demonstrations or assemblies. Authorities are empowered in Chapter III (see Articles 16 and 20) to break up assemblies or demonstrations or carry out identity checks of participants.

A Report related to the freedoms of Information and Speech concluded that social networks have reached incredible levels of freedom and have provided the civil society with new ways to transform the social, political arena (Foundation for Citizenship And Values, 2012).

As far as freedom of information and 15 M are concerned, there were no government attempts to shut down the Internet, either block or spy the protesters, in the strictest respect of the democratic principles safeguarded in the Spanish Constitution. On the contrary, a survey conducted between May 20 and July 26, 2011 shows that information during the development of the Movement was disseminated through Facebook -45%-, word of mouth -43%- and Twitter -22%- (Giraldo Luque, Martínez Cerdá, Paredes Sánchez, 2013). At this respect, it is also interesting to point out that some scholars even coined the formula "freedom technologists" for 15 M activists. Freedom technologists refer to "those social agents who combine technological and political skills to pursue greater Internet and democratic freedoms" (Postill, 2014).

This been said, it is convenient to bring into consideration that the mainstream media did not report much on 15 M demonstrations and occupations. One reason argued is that conventional media have kept strong ties to the country ruling class (Postill, 2012). Moreover, according to Cesicat, the center for information security in Cataluña, the *Generalitat*, the Catalan Government, envisaged to design and implement a technological application to be used by police forces to control citizen communications through cell pones (El Confidencial, 2013). This initiative, known as *Mercury Project*, have not been accomplished as originally conceived: the "spy cell-phones" have exclusively been distributed among security agents and top members of the *Generalitat* (El Confidencial, 2013). Mossos d´Esquadra, the Catalan police agents, have monitored citizen activity and elaborated monitoring reports, in order to protect the Catalan administration from cyber-threats. In the same respect, Mossos d´Esquadra created a web site to identify suspects of having participated in street violence. This type of files -where people belonging to ideological groups are targeted- is prohibited by Spanish Personal Data Protection Law 15/1999. Article 7.4 of Spanish Personal Data Protection Law forbids the creation of files "to storage personal data related to ideology, union affiliation, religion, beliefs, race, ethnicity or sexual life of people". The reform of the Spanish Criminal Law has been controversial indeed. Magistrate Santiago Vidal and Chair Professor of Criminal Law Mercedes García Arán have concluded that the new regulation criminalizes pacific, non-

violent forms of protest. For instance, the instigation on the social media of illegal protests will be prosecuted, as well as the dissemination through any channel of messages encouraging the commission of offences against the public order; threats against police forces during demonstrations will receive more severe punishment, etc. (El País, 2014).

All in all, by imposing fines on protesters and by applying restrictedly regulations on gathering and reunion, Spanish authorities have limited the enjoyment of human rights, especially the freedoms of peaceful assembly, association and speech, contravening international law obligations. At this respect, it is convenient to remark that the Law regulating the right of assembly should recognize the right to hold spontaneous demonstrations, according to international standards. Finally, fundamental freedoms of speech and access to information, especially on the Internet, have never been limited during the outbreak of the protests and occupations. However, *ex-post* legal initiatives undertaken by the Spanish Government can represent a threat to civil liberties. Certainly, the ongoing reforms of the Criminal Code and the Public Safety Law restrict the exercise of the right to peaceful assembly and expression, and even "criminalize" protests as noted above.

6.- Final Remarks

Stéphane Hessel encourages us to confront the current state of decline and transform the economic model where inequality prevails. The first step is to get outraged; then, he urges to practice pacific civil disobedience to express indignation and concern (Hessel, 2010).

Certainly, the early decades of the XXIst century have known a revival of citizen empowerment both in Western societies and transitional regimes. The episodes of the *Arab Spring*, the Outraged (Spain), Occupy Wall Street (New York), mass protests in European countries (Greece, Portugal, Ukraine, Bosnia), in Brazil, etc., either contesting for democracy or striving for social rights, accountability and transparency, make it clear that a new era has inaugurated where the people, assisted with the new technologies of information and communication, aspire to play a major role in governance building the democratic edifice on new grounds: the paradigm of civic engagement and E-democracy.

ICTs have favored the constitution of counter powers and transformed relationships between citizens and institutions.

In Spain, on May 15th 2011 the social networks had convoked the Spanish people to gather and express their anger and disenchantment. Thousands of citizens concentrated in around 60 Spanish cities claiming against poor political performance in the economic crisis. On that evening many of them camped on the squares starting the most relevant pacific protest in the last decades in Spain. The police evacuated the campsite in Puerta del Sol on June 12th 2011. Around 70% of the Spanish population supported the movement. It created a model of protest based on the occupation of public places that was replicated in Athens, New York and Mexico.

Three years after the inception of the Movement, Spain has not only gone through a major economic, financial crisis; but mainly through a severe crisis of representative institutions. 15 M and affinity movements have attempted to "make a revolution", reconstruct, revitalize or "clean" the political system and renew it on solid foundation, in some *Habermasian* idea of a civil society connected to the state. The Internet offers new forms of social change and alternative politics.

Today 15 M spirit is not dead. On the contrary, there are many signs that things are changing is Spain: Popular Legislative Initiatives, Transparency Laws at the national and regional level, novel parties such as "Podemos" are good examples that the realm of conventional politics and dominant elites can no longer ignore citizens, who have at last regained their pristine, legitimate power.

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