
Social Media Influence on Diplomatic Negotiation: Shifting the Shape of the Table

Cathryn Clüver Ashbrook and
Alvaro Renedo Zalba*

Social media is changing not only the atmosphere in which international negotiations take place; it is also changing the very substance of the deals. Because of the pace and proliferation of social media, negotiators must read “weak signals” early on—and anticipate a quickly organized, highly motivated opposition. However, diplomatic negotiators still lack the tools to engage in this sort of anticipatory strategy design. This article examines two recent cases, one involving the Transatlantic Trade and Investment Partnership and the other involving a German Constitutional Court’s ruling on the European Central Bank’s Public Debt Purchasing Program, in which social media had a highly disruptive, unanticipated impact on international negotiations—to the point of forcing negotiators’ hands—and suggests institutional remedies to better anticipate the catalytic impact of advancing technology on diplomatic interactions.

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*Corresponding author: Cathryn Clüver Ashbrook, Future of Diplomacy Project, Harvard Kennedy School, 79 JFK Street, Box 134, Cambridge, MA 02138, USA.

Cathryn Clüver Ashbrook is the founding Executive Director of the Future of Diplomacy Project and Executive Director of the Project on Europe and the Transatlantic Relationship, both at the Harvard Kennedy School. Her e-mail address is: cathryn_cluver_ashbrook@hks.harvard.edu.

Alvaro Renedo Zalba is former Rafael del Pino-Ministry of Foreign Affairs of Spain Fellow at the Belfer Center for Science and International Affairs at the Harvard Kennedy School. A Spanish career diplomat, Renedo Zalba served as Director of the Department of European Affairs and G20 in the Presidency of the Government of Spain from 2016 to 2018. His e-mail address is alvarorenedozalba@gmail.com.

Introduction

Networked platform technology was cast as the great equalizer; a virtuous, new “marketplace of ideas”; and a “virtual town square” (Gates 1999). In 2010, the U.S. government still hoped it would be able to “synchronize our technological progress with our principles” (Clinton 2010). Ten years on, tech platforms have a profound impact on almost all aspects of life and have challenged a number of key prerogatives of the nation-state (Clüver Ashbrook 2017). Since then, early hopes of social media platforms as a democratizing force and an extension of U.S. global power projection—as demonstrated, for example, in the U.S. government’s request that Twitter delay a software update to allow protesters to keep communicating during Iran’s 2009 Green Revolution—have been dashed (MacAskell 2009). Rather, these same social media platforms have been used to disrupt democratic function and support the persecution of minorities (e.g., the Rohingya in Myanmar) (Stevenson 2018), and have themselves engaged in digital colonialism (Lafrance 2016) in a race for technological ownership in countries in the Southern Hemisphere. Thus, while the proliferation of social media enabled broader diplomatic outreach, it also changed the information environment in which diplomatic negotiations take place. More importantly, it can now be wielded to have significant impact on international policy making.

This article highlights a nascent field of negotiation analysis, reflecting on how the proliferation of social media platforms and their international, corporate activities have directly impacted many areas of diplomatic work across the globe, including the vital work of international negotiation. While the power of social media to change the information landscape and influence journalistic coverage has been the subject of a growing body of research (Lewis and Molyneux 2018; Pew Research 2019; McGregor and Molyneux 2020), far less systematic research has examined the impact of social media’s proliferation on three dimensions of diplomatic negotiation—(1) at the table, (2) in the deal design, and (3) away from the table.

This is particularly true for those negotiations that have been traditionally shielded from the public or have relied on select political intermediaries (such as political parties, unions, and interest groups) as stakeholders, narrowing the scope of stakeholder consultation. The literature shows that negotiations conducted away from the table, with stakeholders who can wield considerable influence, can significantly impact the shape of a deal and whether or not it can be realized. Negotiators focused solely on the first dimension—at the table—may be blindsided as they miss out on activities crucial for defining substance,

the zone of possible agreement (ZOPA), and the shifting power balance between parties. They might also be blind to shifting relations between parties at the table and the surrounding environment, such as the legislative, political, public policy, or public opinion arenas, or even how to define a surrounding environment: social media can make the definition of the breadth of an environment extremely challenging. Negotiators' inability to take note of surrounding circumstances may change the substance of the negotiation in the deal design or the ZOPA or may even make the deal design politically untenable.

Negotiation and Social Media

The expansion of social media, particularly Facebook and its subsidiaries (including WhatsApp) and Twitter, has already forced changes in deal design predominantly in the business world, and in the pre-negotiation mapping of the landscape for negotiators, that is, in the second and third dimensions of successful negotiations (Lax and Sebenius 2006). Initially, social media's expansion promised two fundamental advantages to policy makers and negotiators: a greater outlet for push-based information and a better "read" on communities affected by domestic and foreign policy decisions and international negotiations (through digital listening) (Stanzel 2018).

Over time, the primary uses of social media in diplomacy have solidified as (1) an additional communication channel (push-messaging); (2) a further information source for diplomatic reporting, particularly in curtailed media environments where diplomatic and media access is scarce (e.g., the Green Revolution in Iran in 2009 and the Arab Spring in 2010–2011); and (3) a diagnostic tool to support both diplomatic reporting and the impact of negotiations "at the table" on a wider group of stakeholders.¹ While domestic—even corporate—and international negotiations share fundamental principles of negotiation theory and are arguably affected by the expansion of social media in similar terms, there are two significant differences between the two types of negotiations. The first difference is in context: diplomatic reporting by social media, for instance, may refer to contexts that differ from domestic ones in institutional, social, and cultural terms, which, along with an eventually curtailed media environment, may render such contexts all the more hermetic, as was the case with Libya in 2011, when the U.S. National Security Council found out via Twitter that Tripoli had fallen (Rhodes 2018). The second difference is in scale of impact: diplomatic communication channels convey information regarding issues of direct foreign policy relevance—for example, an international summit or terrorist attack—and thus tend to have immediate transnational impact.

However, even thirteen years on from Facebook's creation, many foreign ministries still lack the personnel, resources, and strategic foresight to engage across all three dimensions with equal effectiveness. Western bureaucracies have yet to fully prepare for a world in which power now moves across the chessboard of nation-states and through diffuse networks, which often simultaneously wield this power through digital means (Slaughter 2017). As Anne-Marie Slaughter, the former head of Policy Planning in the U.S. State Department, suggests, these changing realities require that diplomats begin to engage in a serious and systematic way with networked actors.

This article highlights two examples where a failure to correctly map stakeholder influence through social media led to either unanticipated outcomes because of the degree to which negotiation dynamics were influenced away from the table, ultimately affecting the substance (ZOPA) of the negotiation, or to a political environment (a shift in power balance) that led to the collapse of the negotiations. The overview aims to underline how these negotiation pitfalls can be avoided in the future and how governments might think about using both consulates and embassies to greater effect for early negotiation digital listening in order to position themselves to better map existing social networks, to anticipate reactions with a functional lead time, and to mobilize the strength of the "virtual town square." The article concludes with some reflections on the impact of the rapidly progressing data revolution, which will again challenge the capacity—particularly of Western ministries and bureaucracies—to achieve best results according to governments' national interests, if they are not prepared in both technological and personnel terms.

TTIP: A Failure of Digital Listening

Free trade rarely evoked interest across European publics, for whom the broadening of the international trade architecture and the integration of their own economies had brought lasting prosperity. Hence, negotiators did not expect the degree of public mobilization around the Transatlantic Trade and Investment Partnership (TTIP), a proposed trade deal between the two largest global economies, the European Union and the United States, to ultimately make the deal prohibitive.

Conceptualized in 2013 to reinvigorate the U.S. and EU economies (which were still recovering from the economic crisis) while striking a political note of support for Western economic values against China, TTIP aimed to ease market access for goods, set clearer rules and standards for cross-border supply of services, clarify questions of corporate legal redress, and address regulatory issues in order to create estimated GDP growth between 0.5% and 1.0%. Because of the existing

close economic ties between the two markets, the negotiation was never going to be easy. Previous trade negotiations had always skirted the most challenging issues, including food security, so the remaining issues to be resolved for a truly comprehensive deal were always going to be the thorniest in closer market connection between the U.S. and the EU—thus, the ZOPA was rather discreet. Still, the U.S. Trade Representative (USTR) and European Commission negotiators were ill prepared for the degree of social media mobilization brought about by “an international alliance of non-government organizations” acting in a “professional and networked way,” which effectively stopped the deal dead in its tracks in 2016 (Deckstein, Salden, and Schießl 2016).

Despite a traditionally robust EU stakeholder consultation process, particularly as negotiations advanced into difficult legal territory such as the Investor–State Dispute Settlement (ISDS), civil society organizations (CSOs) that felt either too poorly or too ineffectively consulted created an opposition coalition (StopTTIP!) using multiple social media outlets, including Twitter and Facebook, to great effect.

The coalition, including trade unions, farming alliances, and environmental groups, managed to raise money for participating CSOs such that they could enlist assistance from so-called campaign companies (e.g., Attac, 38 Degrees, and Campact), who acted as force multipliers and knew how to motivate around fear-based messaging (Eliasson and Huet 2018). One key concern that American negotiators misread, for instance, was how innately food safety standards were tied to European cultural identity markers. Where advocacy networks were once difficult to coalesce, finance, and motivate (Cullen 2010), social media was at once a coordination and campaign tool. Campact was particularly effective in engaging in digital listening through market testing around specific phrases (“trigger words”) and targeted e-mails and tweets—all funded by online donations. The focus on young voters, half of whom get their news from the web and social media sources (e.g., Twitter, Facebook, and YouTube), helped swell street protests in France and Germany (each protest drew an average of 200,000 people in 2015). The attention to young voters also led to multiple, 1–2 million-signatory petitions to EU negotiators to remove ISDS proceedings and hold open hearings on the progress of the negotiation (Eliasson and Huet 2018). In addition, over time the Twitter-barrage by the campaign had measurable impact on the discussion of TTIP in mainstream media and disrupted the ability of European party politicians or the European Commission to change the tone or content of public opinion and debates on TTIP (Nordheim et al. 2018).

Tides Turn on Both Sides of the Atlantic

By early 2016, the European campaign had managed to significantly turn the tide of public opinion. In Germany, for instance, 88% of the public supported international trade deals in 2013 while only 59% supported them in 2016. Increasingly, media reports of pushback against the deal in Europe began to influence American public opinion (see Bluth 2016). By February 2016, a majority of Americans opposed the TTIP.² With the approval of the European Parliament and all EU member state parliaments needed for the approval of TTIP, public opinion vehemently against it and “traditional” negotiator voices silenced, the deal effectively had faltered by the summer of 2016, months before Donald Trump claimed victory in the U.S. presidential election on an anti-free trade agenda.

By comparison, the actual negotiators of the deal had little to offer by way of pushing back against such an orchestrated campaign. Even though a leaked European Commission communiqué highlighted that TTIP presented a “communication challenge,” for which a “special social media strategy” would be needed, the European Union’s lead bureaucracy was unable to muster a counter-strategy that would have addressed skeptics’ concerns and fears head on. Writing about these shortcomings in hindsight, von Northeim and colleagues concluded that “the @EU_TTIP_Team misses the chance to access the social media discussion on Twitter at an early stage,” relies entirely on push-messaging, and eventually “loses its influence on the debate, becoming relatively passive” (Von Nordheim et al. 2018: 560). It was just as the street protesters sang in their chants, the EU failed to “hear the song of angry men.”³

On the U.S. side, diplomats and negotiators similarly failed to anticipate the transatlantic pressure campaign building online, instead relying on key diplomatic figures to “sell” European lawmakers and citizens on the deal through the use of prominent spokesmen such as U.S. Secretary of State John Kerry and U.S. Secretary of Defense Chuck Hagel, who attended the Munich Security Conference in 2014 (Kerry and Gates 2014), the largest annual gathering of European policy-making elites. The most visible negotiator, U.S. Trade Representative Michael Froman, and EU Commissioner Cecilia Malmström used Twitter to report new rounds of negotiation or bilateral consultation or to highlight a press release (with increasingly greater frequency in 2014 and 2015), but only in rare cases to engage with mounting and vocal criticism. But by early 2014, the opposition’s social media efforts had already taken off. A hastily arranged, June 2014 Twitter campaign by the U.S. Embassy in Berlin to create a “contest” to shift the online debate by offering up to \$20,000 in cash rewards for positive news on TTIP was widely ridiculed.⁴ Anti-TTIP campaigners merely had to note that “real” engagement would have been

preferable: “If large sections of the population are coming out against that agreement, the appropriate thing would be to reconsider and listen to the voices of your critics” (Neslen 2014). A “roadshow” by Secretary Kerry in 2016 was widely read as “too little, too late” by European politicians and parties, whose voices had effectively been drowned out by the orchestrated campaign and who could no longer serve as believable, trusted interlocutors or muster a majority vote in favor of a deal (Gotev 2016).

In short, despite quickly mounting evidence at the start of negotiations in 2013–2014, neither the European Commission nor U.S. embassies and consulates, the USTR, or the U.S. State Department showed the capacity to engage in effective digital listening. Nor were these agencies able to craft an interactive campaign to create a deal design more palatable to their publics or more tactically useful to extract value (digital listening, or the use of key word analytics on Twitter or Facebook could have provided ample warning), or even to reframe the debate away from the table to influence the actual negotiations.

The May 5, 2020 German Constitutional Court Ruling: Social Media and Executive Decision Making

Despite their clear failure to deal successfully with social media in the case of TTIP, Western institutional architecture still prevents Europe and the U.S. from effectively using social media as an anticipatory tool across the board. In the case of a May 2020 German Constitutional Court ruling on the European Central Bank’s (ECB) Public Debt Purchasing Program, for instance, social media reaction to a national, legal verdict was so strong that it prompted the President of the European Commission to announce possible infringement proceedings against Germany in a record five days after the German ruling.

The May 5 ruling declared that a 2018 judgment by the EU Court of Justice (ECJ) validating the ECB’s debt purchasing program was *ultra vires* (not applicable in Germany). The German court’s ruling was widely interpreted as a unilateral declaration of constitutional independence from the EU legal order, raising two fundamental concerns among policy makers and academics. The first was that the ruling implicitly encouraged national courts to defy the ECJ—dangerous particularly because of illiberal governments in Europe pursuing major judicial reform.⁵ The second concern was that over time the ruling could adversely impact future ECB asset purchasing programs, seriously impeding progress beyond the ECB’s COVID-19 recovery program.⁶

Social media response to the German ruling was swift, increasing pressure on the European Commission to take action in the still-tumultuous wake of other crises faced by EU institutions throughout

the past decade (including those related to COVID-19, refugees and migrants, and economic and financial challenges), eventually gathering such steam that the President of the European Commission made a historic announcement only five days later. How could social media have had such powerful sway? Unlike in the TTIP debate, here the many expert voices choosing social media as their platform rather than traditional channels such as meetings, hearings, lobbying, and national parliamentary actions were loud, prominent, and influential *vis à vis* the media coverage that emerged. Critics of the ruling who considered it to be a threat to the EU legal system, and thus a direct threat to the EU political order, demanded the Commission take action against Berlin, lest it lose credibility to push back against illiberal forces in Europe's East.⁷ This group included influential politicians with a considerable number of high-ranking followers, including the Chairman of the Munich Security Conference and the Speaker of the German Bundestag. Defenders of the ruling, including judges of the German Constitutional Court, largely used traditional media outlets to communicate their position but triggered intense discussions on Twitter (e.g., after one judge stated in a newspaper interview that the ECB is not "master of the universe") (Matussek and Bodoni 2020), highlighting generational differences in the use of social media (used by only 19% of Germans over sixty-five).⁸ Other voices adding to the Twitter debates were the governments of Poland and Hungary, which felt vindicated in their critiques of recent ECJ decisions affecting them; and the Economic Council of the German Christian Democratic party, which used the ruling to question the entire legitimacy of the ECB purchase programs.

On May 10, 2020, in a historic press statement, the President of the European Commission, Ursula von der Leyen, noted that the Commission reserved the right to initiate infringement proceedings against Germany. The language and the substance of her message resonated with social media and specialized EU law blogs (Sarmiento 2020).

Here, too, social media accelerated the debate among outside stakeholders; broadened the range of the debate, which spread rapidly across the entire EU (rare for a national verdict); and influenced traditional media coverage, such that taken together the seeming deluge of pushback forced the European Commission's hand.

Negotiating in the Social Media Age: Consequences for Diplomats

The examples detailed above are both failures of government structures to imagine the breadth and scope of counter-organizing social media, and to adequately anticipate their magnifying effect, with such failures effectively prompting diplomatic action. They also highlight

the lack of a diplomatic social media “counter-offensive” to reframe the narrative—and the structural weaknesses in key bureaucracies that precluded timely action to detect, with good digital diagnostics, what ultimately amounted to seismic shifts. Diplomats must recognize even weak signals early on, and take them very seriously, precisely because social media enables and amplifies rapid shifts in public opinion. Both examples highlight the impact of social media actors on the pacing, breadth, and impact of an issue away from the table. First, on pacing: In the TTIP negotiations, public sentiment had turned negative by 2015. No amount of external campaigning by traditional actors in the following year could reel it back to allow European and national parliamentarians to vote in favor of an agreement, even as technical negotiations “at the table” continued. In the German Constitutional Court decision, social media backlash accelerated decision making at the supranational level. Second, in both cases social media widened and amplified the issues at stake—in the TTIP case, key documentation was leaked and campaigners used this knowledge to focus on two main areas in the negotiation, food safety and the ISDS mechanism, which arguably impacted the negotiators’ ability to keep different issues in play at the same time. In the German Constitutional Court case, a national decision became the focus of pan-European interest, demanding an EU-level response. Finally, both cases directly impacted those engaged through social media, either leading to street mobilizations or creating a politicized environment around an issue, effectively forcing the European Commission President to take action. In both cases, the public was able to measurably influence the traditional media coverage over time, further curtailing the diplomatic arena for action.

Both examples also highlight the limits of bureaucratic “learning” concerning the strategic use of social media in anticipating the impact of opinion makers (influencers) on key diplomatic portfolios. Bureaucracies are designed to move slowly, often serving as a brake on hasty, short-term decision making, in part to help achieve consensus, assess risk, and meet other goals. Moreover, institutions do not quickly adapt to technological change. Social media and digital technology, on the contrary, move fast, morph rapidly, and have the capacity to influence quickly. Making allowance for “increasing returns,” as well as certain interrelated phenomena (namely, inertia, timing and sequencing, and path dependence), the development of government structures to adequately respond to challenges posed by networked platform technologies unfolds progressively over time (Pierson 2000). The speed of the corporate world and the pressure of the bottom line, by comparison, have led to the creation of entire departments for social media and influence-design across the globe, which display great intercultural

savviness, borrow strategies from related technology fields including gaming, and are anchored in scientific analysis derived from behavioral economics.

To date, few foreign ministries have invested in social media training that is ongoing and at a scale great enough to change diplomats' analytical capacity to foresee a rapid rise in issue salience that could impact the shape of a negotiation. Deploying people who are specially trained in digital listening and engagement can be particularly beneficial in consulates or embassies covering large geographic regions—involving these diplomats in nascent debates can make all the difference.

The UK government arguably has been the international leader, working effectively with “social media influencers” across the globe to shape issues of vital national interest and developing a policy for “social listening,” as part of its social media playbook—not for PR purposes, but often to protect vital interests, investments, and political assets (Forrester 2020; Ghosh 2020; UK government 2020). The German diplomatic service has a relatively new unit for “strategic communications and networked civil society” that works through programs such as the Open Situation Room to expand the pool of potential recruits, help with social media and network mapping, and assist in identifying potential blind spots; such work is not without its challenges (Kaiser and Ringler 2016). The Danes and the French have innovated, deploying ambassadorial-level representatives to Silicon Valley (in the French case a former technology executive), underscoring their realization of technology's deeply transformative impact on their societies and attempting to influence the development of technology beyond social media in a way that links to their own national interests.

Better trained diplomats will be valuable in future negotiations, but only if institutions fully understand and take into account the effects of social media on negotiation dynamics. Social media's vast global reach can drastically change what is possible “away from the table” in a negotiation. Negotiators and lawmakers, for instance—often key to getting the results of a negotiation passed in a legislature—need to think about sequencing and timing: When should what actor be engaging with the wider public? With interest groups? What medium should these different actors use? Who are the actors they should be engaging? A re-sequencing of other actors to preserve and retain the negotiator's power and that of interlocutors—such as lawmakers—necessary for the final success of a deal might very well be required. This implies that the mapping of influence networks must begin far in advance of deal design. Negotiators themselves should not be tasked with mapping that landscape; this should be the work of specialists within foreign or trade ministries (or shared across ministries) who can answer the following

questions before the three dimensions of a negotiation are mapped: Who are the force multipliers for different diplomatic activities? What is the best way to map, engage, and entice them in an ethical, transparent, democratically supported manner? Furthermore, while opponents of an international negotiation or diplomatic action can use all manner of disruptive techniques on social media, including trolls, bots, and hacker networks, democratic governments will need to enlist other sources of influence to remain authentic and within the parameters of the law. Again, democratic institutions are slow-moving by design. They are meant to produce consensus-based results, and yet digitalization will force these institutions to think more creatively about their own personnel and the types of talent necessary for network analysis and engagement. In a connected world, a failure to engage in comprehensive social media network mapping and to identify influence nodes and linkages to media, lawmakers, and other opinion shapers is diplomatic negligence. Identifying gaps in strategy, personnel, and technology is critical.

This process must happen apace. Outside the halls of ministries and beyond mahogany negotiation tables, the data revolution is challenging tenets of government and governance. The advent of machine learning and AI in diplomacy promises to create further, tectonic shifts in the hierarchical architecture of ministries, making trade experts out of tech-savvy young diplomatic analysts/officers, who can examine condensed, bias-reduced AI-generated data, for instance, where it previously took decades to form that kind of expertise. Already, AI is being used in consular functions, for instance, in the determination of visa status, and is raising new ethical and legal questions for the diplomatic profession (Molnar and Gill 2018; interview with Molnar 2018). Amid a rapid growth of Chinese AI capacities and increased Russian savviness to disrupt social media discourse, Western foreign ministries should exchange best practices on the impact of digital technology on diplomacy—beyond the cybersecurity challenge—to enable functional, sustainable, and publicly supported dealmaking in the future.

Technology has changed—and will continue to change—the way negotiations are conducted in the future. The proliferation and savvy usage of social media has already shifted what can be done at the table because ample space is created for influence making and bargaining away from the table and it can significantly distort the pacing of negotiations. Negotiators have to operate in a more complex “fog of war,” forced to read even “weak signals” early. The examples discussed in this article prove that even before these weak signals become exponential, they can catalyze the speed at which negotiators have to map their moves and widen the sphere in which they must operate. Few of the supporting institutions for diplomatic negotiators are adequately

equipped to support them in this level of analysis—and more change is afoot. Now is the time to take institutional action.

NOTES

1. In diplomatic practice, social media can be an important tool for communicating the parameters of negotiation parties' positions (starting points, red lines, development of concessions, etc.). The dynamics of the Brexit negotiations, for example, have been shaped by the frequent tweets of chief negotiators and other actors.

2. Of course, the shift in attitudinal support for international trade agreements must be attributed to a multiplicity of factors, but that trade became such a vital issue for the average American can, in part, be connected to the 2016 election campaign, in which vocal trade critic Donald Trump emerged victorious as U.S. president. See Bluth (2016).

3. Anthony Gardner, former U.S. Ambassador to Europe, has written of observing protesters at the College of Europe—one of the most elite institutions of European policy—singing the words to the musical *Les Misérables* to register their disdain about TTIP (Gardner 2020).

4. The Embassy suggested “creating ‘a *Twitterfall* wall during a conference’, online discussion forums, TTIP websites, and digital posters in German with QR codes to inform about TTIP objectives” (Neslen 2014).

5. These fears turned out to be well-founded: Polish authorities declared *ultra vires* previous ECJ decisions against recent Polish judicial reforms (Shotter 2019).

6. This was the ECB's pandemic emergency purchase programme (PEPP). Some feared once Pandora's box was opened, things could play out differently.

7. Voices from this group proposed that the Commission launch infringement procedures against Germany—that is, sue Germany before the ECJ.

8. In 2019, the *Statistisches Bundesamt*, the German federal statistics office, found that 54% of the country's population reported using the Internet through social networks, forums, blogs, or chat rooms. Particularly interesting is the rate of usage according to age: 61% between 10 and 15 years, 89% between 16 and 24, 72% between 25 and 44, 41% between 45 and 64, and 19% of those aged 65 and older. Given the age range of the judges, few of them are present on Facebook or Twitter (and when they are, they usually have closed accounts).

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