

Why Europe has been ineffective in regulating social media platforms

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Structure

- Background
- The birth moment of the internet
- European regulatory history
- Possible explanations
- Is change possible

Background

- European (and global) dependence on the US media and technology companies:
 - Public administration
 - Public services (and public-like services)
 - Business
 - Private citizens and consumers
- In the field of the media, double-dependency:
 - Daily functionality depends on US-origin media and technology companies (hard- and software)
 - At the same time, the same companies undermine the economic basis of European media: advertising income & tax-dodging = deprivation of European media and decrease of diversity
- Consequences: less innovation, less new investments, increasing dependence?
- Conclusion:
 - European societies becoming increasingly dependent on a few US-based technology and media companies
 - What used to be understood as democratically produced and monitored public sphere (relatively speaking) has transformed into a privately conditioned quasi-public sphere

The birth moments of the internet

- Explanation for this can be sought from the birth history of the internet:
 - Initiated in the late 1950s: the Sputnik shock & Eisenhower: USA needs a military communication system that sustains a nuclear attack
 - Following this, in the 1960s a close collaboration was established between Pentagon and several universities; the best talents were sought and recruited; open purse for trials and errors
 - Several IT companies were engaged (soft- and hardware); telecoms were not interested (AT&T: fear of competition)
- Contradiction: military-industrial complex allied with libertarian hippie generation researchers;
 - Researchers/data engineers as activists; autonomy against the State and all authoritative power structures
 - In practice: non-paid/non-profit work to benefit first the military-industrial complex, and later the GAFAM companies, aiming at global domination
- In Europe, at the same time: only a few separate projects – UK, France, Switzerland; small scale, no coordination
- The birth moment of the internet as we know it today: the privatisation of the internet in 1992; fully developed with public money was offered for free to be exploited by commercial actors

European regulatory history

- In the beginning of the 1990s, in Europe:
 - A discourse on the Information Society: national strategies
 - The coming of the World Wide Web and Web 1.0 applications
 - EU documents: Deloires' White Paper (1993); Bangeman report (1994); EU Green Paper on Convergence (1997); eEurope: An information society for all
- At the same time:
 - The collapse of the Soviet Union and Eastern socialist countries
 - European/global economic crisis
 - Neo-liberal economic policy: deregulation; radical decrease in the role of the state and in the public steering of national economy
- The result: in the early 1990s, neither European countries (EU) nor European industries were prepared for the arrival of the internet and, as a consequence, for the US-led digital turning point in global economy

EU's reactions

- Early reactions (not exhaustive):
 - Delors' White Paper on Growth, Competitiveness, and Employment (1993)
 - Bangemann report on Europe and the global information society (1994)
 - EU Green Paper on Convergence (1997)
 - eEurope: An information society for all (2000)
 - World Summit on Information Society (2003 & 2005)
- Towards better coordination:
 - EU's digital single market strategy (2015)
 - Open Internet Access Act (2016)
 - GDPR (2018)
 - AVMSD (updated in 2018)
 - EU Copyright Directive (2019)
 - DSA & DMA (2021)
- However: Hans Bredow Institute 2020: The European Communication Disorder
 - European regulatory framework for information and communication is fragmented and reactive
 - To create a coherent overview is very difficult as regulation is mostly sector-specific and often overlapping
 - (<https://leibniz-hbi.de/en/publications/the-european-communication-dis-order-mapping-the-media-relevant-european-legislative-acts-and-identification-of-dependencies-interface-areas-and-conflicts>)

Initial explanations

- The role of the State:
 - USA: state-led investment and innovation policy
 - Europe: EU's fragmented innovation and technology policies; deregulation in the fields of ICT (telecoms & electronic communication)
- Libertarian myths:
 - US-origin libertarian net-culture (individualism, anti-statism and anti-authority) translated in the terms of digital democracy (hacktivism)
 - Deployed also to support European deregulatory/anti-statist policy
- European crisis:
 - Europe was dominated in the early 1990s by European and global economic crisis and EU's Eastern expansion
 - Lobbying: the US technology and media companies developed massive lobbying power in Brussels/EU
- In sum:
 - EU's regulatory approach appears to be led by the belief in market self-regulation, while the US digital media and tech companies have done their best to obstruct all regulation – both statutory, co-, and industry self-regulation, and instead, aim for market domination and sharing the markets between themselves

- All comments and improvements are welcome!
- Many thanks!
- Hannu, Claudia & Helena