

The Governance of Digital Policies

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The Governance of Digital Policies

Towards a New Competence in the European Union

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PREFACE

The Internet is now truly a part of our daily lives. Whether we talk about social networking or paying our taxes, we engage not only with our peers, but also with other companies, as well as with our local, regional, and national government. At the same time, the notion that the future Internet will almost certainly change our lives forever has also become a part of public discourses across Europe. This discourse has been present in the public debate even earlier, once the Internet started to get traction in the 90s. The challenge for public decision-makers was the same then as it is now: leaders must design policies to harness this unmeasurable potential, as well as help mitigate some of the challenges facing Europe. The difference is that back then leaders aimed to bend the rules to fit the architecture of Europe, while now it is clear that the architecture, the governance must adapt to fit the challenges.

Essentially, this is the purpose of this research into the governance of digital policies. It starts with a theoretical and historical discussion of the actors and mechanisms behind policy design for the Internet. Not only that, it aims to provide a few pointers into how the architecture and the actors may need to change so as to improve the delivery of meaningful policies for the European citizens.

The research starts with a reconstruction of the main ideas surrounding governance as a means of interaction between actors in the European Union (EU). This research is in congruence with the view of governance

as a model for building actions towards reaching common objectives, actions which are performed by multiple types of actors at different levels—supranational, national, and sub-national. As the research focuses more on the functioning of the European Union with regard to digital policies, the theoretical assumption is that the EU is a polity with different actors intervening at different levels of the decision-making process. To pursue this assumption further, the research engages two governance theories, namely the framework of experimentalist governance and Multilevel Governance (MLG), so as to identify the learning process behind policy decision-making and implementation on the multiple levels in Europe. The role of MLG is to provide justification for a greater involvement of local and regional authorities within digital policies, showing with certain examples that they are encouraged by the EU to grow their involvement, but they can also feed expertise in the policy-making cycle. On the other hand, the experimentalist framework governance is useful to explain the constant policy revisions necessary for digital policies and to illustrate the fluid relations between the national and European levels.

The historical discussion stretches between the advent of the research and technological development policy from the Single European Act to the Digital Single Market, and it is mainly designed to explore the balance between the national and European levels and their role in the fate of information technology policies. Although Member States have their own preferences, it is up to the European level to create a proper legislative framework and a proper mechanism to tackle digital challenges properly. In this sense, this research also deals with the idea of regulation, where the control of MS is more active in the decision-making process, and with coordination, where the EU is able to involve other actors, such as sub-national authorities, businesses, and experts. Also, there is another focus on the Europeanization of digital policies, on the growing European supremacy in policy design and implementation with strategies, such as the Digital Single Market strategy. One sign of the growing Europeanization is the development of regulatory authorities that work at the EU level to oversee the implementation of legislation, as well as the development of a network of independent regulators from each Member State.

A large portion of this research is dedicated to the involvement of sub-national authorities in decision-making and implementation of policies. Their involvement is a sign of their empowerment as full-fledged actors and their presence is paramount to policy domains, such as R&D or innovation. This is where the European Union provides the biggest boost

for them. At the same time, this research will also pursue other avenues by which they can grow their influence in digital policies, featuring examples from Darmstadt, Germany's first digital city and Transylvania Digital Innovation Hub.

Finally, the research asks another question regarding the possible advancement towards a digital competence of the Union. This is a tricky question, given that it unveils some of the complicated mechanisms employed by the Union to design digital policies, one of which is active regulation. The other refers to the coordination of actors towards a common set of goals, but coordination does not feature enforcement. The idea of a specific competence would give more power to the Union to decide on regulations, funding, research, etc., which the EU definitely needs, considering the complicated decision-making process. It would not guarantee success automatically. What would guarantee a bigger success would be a clearer governance framework and this is what this research is proposing.

This research would not have been possible without the research activity undergone within the Jean Monnet Foundation for Europe in Lausanne, which facilitated the access to the Jacques Delors archives that opened the historical perspective of digital policies. Moreover, as this research focuses also on local entities, active discussions with directly involved parties were extremely valuable for this endeavour. I am grateful for the fruitful discussion with interested parties within the Darmstadt Digital City project.

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CONTENTS

1	Theoretical Framework	1
	<i>Introduction</i>	1
	<i>EU Governance in a Nutshell</i>	4
	<i>Experimentalist Governance</i>	14
	<i>Multilevel Governance (MLG)</i>	17
	<i>Conclusion</i>	18
	<i>References</i>	19
2	Digital Policies: Past and Present	21
	<i>Introduction</i>	21
	<i>Beginnings of Digital Policies in the EEC/EU</i>	22
	<i>National vs. European in the Evolution of Digital Policies</i>	38
	<i>Conclusion</i>	59
	<i>References</i>	59
3	The Governance of Digital Policies	65
	<i>Introduction</i>	66
	<i>Trends in the Governance Model of Digital Policies</i>	66
	<i>Experimentalist Governance Framework for Digital Policies</i>	76
	<i>The Multiple Levels of Actors in Digital Policies</i>	87
	<i>A New Model of Governance for Digital Policies</i>	119
	<i>Conclusion</i>	122
	<i>References</i>	122

Conclusion: Towards a New Competence for the Union?	129
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Index	133
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LIST OF FIGURES

Fig. 2.1	Responsibility of actors for eEurope measures (<i>Source</i> Own composition based on Commission of the European Communities [2000] and European Commission [2002])	45
Fig. 3.1	DIHs in the EU by identified regional scope (<i>Source</i> Own composition based on Smart Specialization Platform [2018b])	99
Fig. 3.2	Structural funding for digital challenges. Breakdown by MS (<i>Source</i> Own composition based on Smart Specialization Platform [2018c])	100

LIST OF TABLES

Table 2.1	Overview of governance mechanisms of eEurope and DAE	50
Table 3.1	Challenges and projects of Darmstadt—digital city	109