

External constraints and national resources

*Reflections on the Europeanisation of communications policy*¹

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In a comparative study of media policy, the Austrian media researcher Josef Trappel argued in 1991 that five conditions structure policy-making in small European states: *dependency; scarcity of resources; size of the domestic markets; vulnerability; and the strength of corporate structures*. Trappel concluded that taken together, these five conditions placed small states in a weak position against the impact of external constraints such as the increased internationalisation of the media industry and the increased liberalisation of regulations carried out by supranational organisations and stated: "The Europe of Big Business Combines shows no consideration for the concerns of small states. In this phase of radical change in all areas of the media landscape, the small states will only survive if they orient their media policy to take structural disadvantages into account while making good tactical use of the few advantages they have. Small states have a lot to lose. The basis of their existence is their cultural heritage and their inner cohesion."²

In this conclusion Trappel launches the hypothesis that small states have lost most of their autonomy in the area of media policy because of the internationalisation of markets and regionalisation of political authority. Small states, because of their scarcity of resources and their open economies,

are particularly vulnerable to cultural and economic domination since they have small internal markets and few resources available, and therefore have to import increasing cultural as well as consumer goods. As a result, the argument continues, they are in danger of losing their national characteristics.³

These considerations have been repeated in the international debate on the development of the so-called 'information society' which also carry specific challenges for the small states. Processes such as convergence of communications technologies, 'Eppel's hypothesis fails to take into account historical and institutional characteristics that structure policy-making processes in the small states, and that this failure leads to an overestimation of the impact of external pressure and an underestimation of national characteristics. If we follow the argument to its logical end, the end result will be the "withering-away" of the nation-state. Being less convinced of the irreversible and unavoidable effects of internationalisation, however, I will argue that even if we recognise these external factors as limiting the autonomy of small states, it can be argued that small states also control resources that provide them with a certain degree of independence. There are important and lasting differences between countries

that for a long time have been exposed to external pressure. In order to understand these differences, it is necessary to go beyond the level of describing and classifying processes of adaptation in simple terms, and set the focus on explaining national differences in a changing environment.

I study this interplay in one developing area of policy, which I, following the Dutch researchers Paul Slaa and Jan Van Cuilenberg,⁴ have termed information and communication policy. It consists of the policy area that emerge in the wake of the convergence of broadcasting, telecommunications and computer technology and which is developing at the European as well as on the national level. The focus is on the "reactions" of small states to the initiatives from the European Union to create a "European audiovisual space"⁵ and a "European information society"⁶. In particular, I seek to provide answers to the following questions: to what extent are national regulations and institutions adapted to the supranational level, and to what extent can we find strategies to protect and shield traditional national interests? The response to this question should contribute to explanations of how and, in particular, why different strategies seem to be applied in different countries. I have to point out, however, that my argument is not that small states necessarily will choose an independent course, but that they have the resources and capability that allow for a certain choice.

In the following I will discuss, first, the external constraints and then turn to the characteristics of small states that may work to maintain or expand the space of independent or autonomous action. In order to illustrate my argument, I draw on examples from an on-going research project on information and communications policy in three small Western European states; Nor-

way, Denmark and the Netherlands. The countries share similarities of size, cultural characteristics and of the social welfare system. All of them are conceived of as small states, but there are nevertheless relatively large differences in the size of the population and the territory. They have different historical relationships with, and consequently, have been subject to different degrees of influence from the European Union. The Netherlands was among the founding member states of the European Communities, and has a reputation for being dedicated to further development of the Union. Denmark, on the other hand negotiated exceptions from the Maastricht Treaty after the referendum in 1992. Norway is, as you will know, a non-member, but has coordinated its policy-making with the European Union since the late 1980s,⁷ and entered the Single Market through the EEA Agreement that took effect on January 1, 1994. Thus, all the three countries have a formal relationship to the EU, but of different type, intensity and length. In each country communications services, that is, telecommunications and broadcasting, have been strictly regulated as public services. Yet, there are large differences between the countries that allow us to contrast similarities and differences.

External constraints:

Convergence of technologies and markets, Europeanisation and internationalisation of policy-making

In the area of information and communications policy, three types of external constraints are often referred to as explanations for political change on the national level: technological change; internationalisation of industry and markets; and regionalisation, which in our part of the world corresponds to 'Europeanisation', of regula-

tory authority.⁸ Technological change refers to, in this context, the development of new types of techniques for production and transmission of both mass mediated and point-to-point communication. Over the past 20-25 years, we may argue that the commercial employment of satellite communication for broadcasting purposes, and the convergence of information and communication technologies that follow from increased digitisation of both the production and the transmission of communication services, are two examples of technological advances that have had more or less direct impact on regulatory regimes. The latter is most in focus at the moment. Convergence usually refers to the integration of formerly separate domains of communication technologies: computer technology, telecommunications, broadcasting and print; a process that opens up a new industrial sector based on both production and transmission of new multimedia services over networks.

The production of multimedia services that are transmitted over networks, exhausts the definitions of both telecommunications and broadcasting; undermines the distinctions between the two; and consequently, lead to demands for regulations that are technology independent. This development dissolves the regulatory borders between different types of media, as it removes the connection between type of network and type of content; i.e. it is only a question of capacity and regulations whether telephone lines carry telephony or television, or whether cable television networks carry television or telephony. Thus, the economic and political rationale for providing any of these services by public monopolies is disappearing. Parallel to this horizontal convergence, there may, however, be a vertical divergence between different functions: the operation of networks and the provision of

services are being separated from the production of services and cultural products.⁹

Consequently, the technological convergence leads to convergence of markets and convergence of *policy areas*. In the middle of the 1990s there are abundant examples of the dissolution of borders between formerly separate markets: computer companies invest in the entertainment industry; telephone companies enter the cable television business, and broadcast institutions "go on" the Internet. The development of audiovisual services and the increasing demand for 'content', that is, cultural products that enhance the value of a given service, accelerate this process. The third aspect of convergence refers to the result of these processes: the pressure on national regulatory regimes, in particular concerning broadcasting and telecommunications, and the expected removal and convergence of regulations both on the European level and in individual states. Over the past two decades, these processes have changed the conditions under which national communications institutions operate, and, consequently, challenged national policies and national regulatory regimes in broadcasting and telecommunications alike.

'Europeanisation' of information and communication policy

One type of response to the challenges posed by these processes, is the transference of regulatory authority from the national to the European level.¹⁰ The degree of policy-making initiatives taken by the European Union in the area of information and communication policy has increased significantly during the past two decades, and particularly telecommunications is as a clear example of a Europeanised sector.¹¹ There are several reasons for this development: first, telecommunications were in-

cluded in the plans for the Single Market from the beginning of the 1980s. Second, it has been argued that the European Commission played a strong individual role in mobilising an alliance in favour of its liberal policies within the European "policy network" that over time contributed to giving the process of liberalisation an internal dynamic.¹² Third, telecommunications are generally regarded as strategic infrastructure resources necessary for increasing the competitive strength of Europe in relation to the USA and south-east Asia, and thereby reducing unemployment.¹³

There are three areas within European policy-making which concern communications and that are increasingly coordinated. The first we may refer to as 'information policy' that is directed at the introduction of the so-called "information society". Examples are the plans to construct 'trans-european information networks', and issues related to the increased use of information and communication technology such as privacy, intellectual property rights, language, secrecy, and other related issues that were discussed in the European Commission's White Paper on *Growth, Employment and Competitiveness* in 1993¹⁴, and in the following report of the Bangemann Commission on *Europe and the Global Information Society*. The realisation of the ambitious plans to construct 'trans-european networks' has been delayed because of lacking political willingness to allocate the necessary funding.¹⁵ However, the plans rely, as their American counterpart, the NII Initiative, on the assumptions that the 'information society' can only be reached if the role of government is reduced to a minimum. So far, the main results have been increased coordination of related policy areas under the heading "Towards a European Information Society"; the launching of a number of programmes for development of technologies

and services, and increased speed in the political process of liberalising the remaining monopolised sectors.

The second area, which can be regarded as a sub-field of the first, is telecommunications policy. Since the beginning of the 1980s, the EU has concentrated on liberalising telecommunications markets and abolish the remaining national monopolies. Since the first Green Paper on the establishment of a common European telecommunications market was published in 1987, the European Commission has led a relatively rapid process of de- and reregulation of the sector, following two main tracks: harmonisation of competition regulations and full liberalisation of remaining protected markets by 1998. The process has not been uncontroversial among the member states, however, the alliance between the Commission and the large industry actors facilitated the implementation of new regulations.

The third area, audiovisual policy, can, after the publication of the 1993 White Paper also be regarded a sub-field of information and communication policy, because new audiovisual policy increasingly is coordinated with the other two fields.¹⁶ Audiovisual regulations includes the controversial directive on 'television without frontiers', which has received most attention for its, so far optional, provisions that all European television channels should carry at least 50% European programmes. The directive, which is currently under revision, was legitimised with reference to both harmonisation of competition and cultural protection, and serves as a good example of what Schlesinger and Doyle termed a "contradiction between economy and culture". In addition to the directive, the EU has launched several initiatives aiming at developing a 'European audiovisual space', such as the MEDIA programme. Since 1992, the issue of culture has come to the

forefront in several ways. Schlesinger & Doyle note that within the European Union, cultural diversity has a history of being discussed as an obstacle to the Europeanisation of markets, and the competitive weakness of European film and television industry have often been described as a result of these problems.¹⁷ Recent European policy discourse indicates, however, that cultural diversity increasingly is regarded as a resource or an asset for economic development.¹⁸ More emphasis has been put on the diversity of the European countries, and on the argument that the diversity has to be recognised as an essential characteristic of the continent.¹⁹ The increased emphasis on culture led, according to Schlesinger, the European Union to launch itself as a 'cultural actor' in the closing of the Uruguay Round in the negotiations of the GATT Agreement in December 1993 when the EU rejected the liberalisation of the trade of audiovisual products.²⁰

Within the member states of EU and EFTA, the regulations described above have triggered both support and opposition, as well as strategic manoeuvring. The implementation of the television directive in 1991 caused reactions from several states, among them the Danish and the Dutch governments.²¹ The process of revising the directive that started in 1995 has revived the intense debate, both between the member states and between the European Commission and the European Parliament. Likewise, reregulation of the telecommunications sector have triggered protests from national governments, such as the Dutch reaction to the revision of a directive liberalising all telecommunications services except public voice telephony in 1993. The decision by the Council of the European Union to liberalise the telecommunications sector fully by 1998 has opened for a vari-

ety of strategies designed to protect national interests.

Having laid out the processes that we, following Peter Katzenstein, can describe as *de jure Europeanisation*,²² it is possible to argue that European information and communications policy have objectives that are only partly compatible with each other. First, the implementation of the Single Market through regulatory harmonisation of competition rules is only partly compatible with the increasing tendency to regard cultural diversity and multilinguality as characteristics worthy of protection on the European and the national level.²³ These and other examples of new issues that are partly or wholly left to the member states may indicate that more cultural autonomy is a response to the criticism of the 'democratic deficit' and to the lack of popular support and legitimacy that have plagued the European Union since the adoption of the Union Treaty in 1992. The recognition of the diversity among the member states has not only called for a certain caution in the on-going processes to harmonise legislation, it has even led to the launching of a programme aimed at promoting and protecting national languages in the future information society.²⁴

The factors described above, which I have classified as external constraints on national autonomy, may be interpreted in two alternative ways: either they are regarded as structural changes on the global level and are systemic in nature, or they are seen as outcomes of policy-making by political actors within the national states, and consequently, are intentional and reversible.²⁵ The main difference between the two views lies in the power attributed to individual political actors to influence their environment. I adopt the second view here, mainly by reference to the many historical

experiences of periods in which constraints similar to those I have just described were conceived of as equally irreversible, and where national decision-making nevertheless over time proved to make a difference. Yet, interpreting constraints as outcomes of conscious political actions, does not alter the point that once carried out, decisions to transfer authority limit future possibilities of autonomous policy formation. Returning to our starting point; the challenges posed by convergence of technologies, markets, and policies described above, what is the space of action left to the individual state, and how can national initiatives to reform and reregulate be isolated from external pressure?

Small is beautiful?

In his book from 1986, Peter Katzenstein examined small west-European states in an attempt to explain their "successful adaptation" to increased globalisation of industry and economy. Katzenstein regarded the strategies of European small states as responses triggered by the fact that they, in general, are characterised by open economies and are dependent on world markets, which means that protectionism is not an option. Katzenstein argued that this characteristic combined with national political decision-making processes described as democratic corporatism are the two most important explanations for the relatively successful adaptation to international economic change found in the small west-European states. The open economies of these states made them vulnerable to the effects of internationalisation, but at the same time, flexible and able to adapt rapidly to changes in the environment. The inclusion of 'concerned interests' in the decision-making processes by means of institutionalised practices and procedures²⁶, was, in

addition, an effective mechanism of conflict resolution and secured mobilisation of political legitimacy that was not equally obtainable in large states. In sum, these two characteristics gave room for national autonomy within the framework of flexible adaptation.

Katzenstein's criteria was applied to the field of media policy in the study by Trappel quoted above, where the main conclusion was that in this field the space for national autonomy had been significantly reduced during the 1980s and early 1990s. Trappel argued that the increasing dominance of large states, following from deregulation and liberalisation of markets on the European level, had more or less eradicated the space for independent national policy-making. In a more recent article, Josef Trappel and Werner A. Meier pursue this argument. However, their analysis seems to overestimate the degree of autonomy historically enjoyed by small states, and, at the same time, underestimate the fact that small states have always had to adapt to the international environment. The result is that they seem to overlook the very factors that indicate autonomy, such as the speed of adaptation, the comprehensiveness of reforms, the alliance and compromise formations on the national level, and other variables that have an impact on how national states manoeuvre in their changing environments. In the following, I hold that despite the indisputable effects of the external pressure we should not overlook the characteristics that point in the direction of national differences. Still following Katzenstein, it is possible to regard adaptation to the international environment as a structural condition for the small states in Europe throughout their existence.

Consequently, and as a first point, processes of 'internationalisation' has to be studied not only in a comparative, but also

in a historical perspective. This approach favours employment of an 'institutional' perspective on social and political change, and it seems particularly appropriate when we seek to analyse changes in communications policy. Communications services in most European states have a long history of being institutionalised as public services. Second, the effects of the technological convergence processes described above are uncertain and open to many different outcomes both in terms of how technologies are applied and how technologies are distributed within each state. The formation of national policies will therefore be subject to internal bargaining and compromise formation that open for individual, national solutions. Third, national governments use communication and information policy strategically in order to position themselves internally and externally. This is no less important in the small states than in the EU or in the large states in Europe and elsewhere. This point can be illustrated by the many and different plans for constructing 'national information infrastructures' that are launched in these states, and which can be read both as strategies for legitimising reforms and as strategies for mobilising support and activating the corporate mechanisms. Before concluding my argument, I will elaborate briefly on each of these points.

Historical resolutions of conflicts

Employing an institutional perspective in the analysis of changes in communications, means emphasising the historical compromises that are embedded in the organisations and regulations of the sector. One of the marked characteristics in the states that we have studied, is that communications, both telecommunications and broadcasting,

have a long history of being provided as public services, that is, services provided to the population on politically decided conditions. These conditions emerged more or less gradually in each state as results of bargaining processes, compromise formation and establishment of alliances that favoured or did not favour particular organisational solutions. Following March and Olsen's²⁷ reasoning, the outcome of these processes were institutions and arrangements that over time "carried meaning" in their own right, and they may as such be regarded as *historical resolutions of conflicts*. Consequently, since the conflict structures differ between countries there are significant differences between the countries in terms of how public services were organised, and, in particular, by which criteria public services were defined, and by which instruments these services were allocated to the population.

One example of such differences is the degree of state ownership and state intervention in the market that has varied and still varies significantly across countries. One explanation for these differences can be found in the historical accounts of the political processes leading to the establishment of national public telecommunications operators which can be interpreted as national responses to the internationalisation of industry and trade towards the end of last century. In Norway, the Netherlands and Denmark, the telephone services were started by the International Bell Company around 1880, soon followed by private providers of many types. By the end of the century, however, 'market failure', in the form that private companies were unable to guarantee national coverage and a universal service, turned out to be a common experience in all three countries.²⁸ Only in Norway, however, did this observation lead to a political decision providing the state with a

monopoly on the telephone service, a point that can be accounted for by the specific geographical and topographical characteristics of the country. Nevertheless, the fact that the market's 'invisible hand' failed to balance demand and supply worked to legitimise public intervention and public take-over of the telephone service in all three countries. Over time, and by controlling and regulating the provision of these services, policy objectives such as national coverage, universal service provision and equal access could be imposed on the national telecommunications operators.

Thus, the definition of universal service vary according to both national contexts²⁹ and historical contexts.³⁰ Yet, in all definitions we find that national coverage, quality of services, reasonable prices and connection to the network are central values. According to this principle, the public are entitled to an equal and universal menu of telecommunications services irrespective of where they lived. Unlike what has happened in the broadcasting sector, the European Union has taken a separate responsibility for universal service provision in liberalised markets, by including the issues in reregulation process.³¹ In the proposals from the European Union, there is a certain space for national variations that give room for some bargaining between the EU and the national state and within each state.

We find similar national variations in the public broadcasting systems. Public broadcasting monopolies were established in Norway and Denmark, whereas the public broadcasting system in the Netherlands reflected, and still reflects, the pillarisation of Dutch society. During the 1980s, the national systems have been faced with competition, both from independent commercial broadcasters on the national level, from

local broadcasters and from transnational broadcasters. The regulatory framework has gradually been adapted to competition in all three countries, but public service as a regulatory principle has been retained. In the reregulation of the broadcasting systems, Norwegian as well as Danish authorities have used ownership and licenses as regulatory instruments in order to shield and maintain the national programme production. The interesting points are, however, that although the public service institutions have lost much of their protection, they still have exclusive rights and obligations, and further, in Norway, application of the public service model in a commercial setting was also the compromise that opened for a decision to establish TV2.

All over Europe a restructuring of both the broadcasting and the telecommunications sectors have taken place during the past two decades. The monopolies have been or are in the process of being abolished, and reregulation and coordination of the sectors are under way. These changes can and should be interpreted as indications of internationalisation and Europeanisation. However, it is also important to note, that it is exactly when the definitions of public service and universal service are challenged that the differences between small countries occur. In each country, the redefinition of 'public service' and 'universal service' demands formation of new compromises and new alliances, and these issues seem to contain a political explosiveness that either speed up or delay national decision-making in relation to the European process or to their neighbouring countries. The conflicts do not stop the process of adaptation to the environment, but they lead to marked variations in the speed, range and form of the process.

Unequal effects of technological and market changes

The second point that follows from the emphasis on national institutions and characteristics, concerns the impact of regulations in different countries. Paschal Preston has been occupied with the effects of the Europeanisation of telecommunications, and he argues that the 'convergence' in itself does not entail uniform effects: "the allegedly 'necessary' intensified 'globalization' of the telecommunications sector and markets within the EU area will be far from universal or uniform. The form, shape and impacts will not be experienced uniformly throughout the EU regions and nations"³². Preston is concerned about the "less favoured regions", and he fears the negative impact of increased liberalisation and competition in the poorer countries of Europe. Yet, his argument may be turned upside down for the small and highly industrialised and economically well-off countries. Because of the comparatively high quality of communication infrastructure and services and the wide-spread usage of information technology, it can be argued that there may be more space for national autonomy.

Studying the pace and speed by which reregulation and adaptation of communications policy have taken place in different countries, it is possible to argue there are considerable differences in the speed of the adaptation to the international environment, and in the arguments that are used to either spur or delay political action. In countries which is, or is conceived of as technologically advanced, there is more space for compromise formation on the national level, and exploitation of the internal contradictions between objectives on the European level. This is probably one of the main reasons for the differences that can be observed between Norway and Denmark con-

cerning the speed and range by which the countries have restructured their respective telecommunications sectors. Similar differences can be observed when studying the transformation of media policies.

National policy strategies against Europeanisation

A third indication of how national characteristics are used as strategic resources in small states, as well as in the European Union, in the USA and in many other countries, are the national IT-plans that have been launched everywhere. These plans have many similarities, in the sense that most of them emphasise the need for liberalisation, increasing national competitiveness and the need for being at the forefront of the technical development. In this respect there are few differences between the Norwegian, the Dutch and the Danish plans on the one side, and the action plans presented by the European Commission or the American administration on the other.

However, looking beyond this rhetoric, we find marked differences in the formulations concerning implementation of reforms, acceptable and not acceptable effects of competition and reregulation, and in particular in the arguments for and against the need for measures to prevent or promote certain types of effects. These plans should be read as having two types of functions; first, they are messages to the environment; and second, they are instruments for mobilising support and legitimacy for reforms that are planned on the national level. In the countries that we have studied the launching of IT-plans were followed by extensive public hearings, that is, they invoke the corporate mechanisms, and open for formation of new alliances that may replace those that have been broken. As such, these plans may also be read as

conscious counter-strategies against external pressure.

Conclusion

Summarising my argument, a model describing and explaining Europeanisation of communications should focus not only on the processes of change themselves, but place these processes within the national political and cultural conflict structure. By taking into account how conflicts over allo-

cation of strategic resources have been resolved historically, it is possible not only to compare EU policies and national policies, but to place the development within a historical context. By paying attention to the national culture and conflict structure, the core conflicts may be located. The nature of Europeanisation processes may thus be described and explained more precisely than what can be obtained by describing only the outcomes of policy-making processes.

Notes

1. The article is published with support from the Norwegian Research Council through the research programme ARENA (Advanced Research on the Europeanisation of the Nation-State). I want to thank the members of the research group on Europeanisation, Media and Democracy as well as other researchers in the programme for having discussed these theme and problematic of the article extensively with me.
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