

Digital sovereignty, economic ideas, and the struggle over the digital markets act: a political-cultural approach

Catherine Hoeffler & Frédéric Mérand

To cite this article: Catherine Hoeffler & Frédéric Mérand (2024) Digital sovereignty, economic ideas, and the struggle over the digital markets act: a political-cultural approach, Journal of European Public Policy, 31:8, 2121-2146, DOI: [10.1080/13501763.2023.2294144](https://doi.org/10.1080/13501763.2023.2294144)

To link to this article: <https://doi.org/10.1080/13501763.2023.2294144>



Published online: 22 Dec 2023.



Submit your article to this journal [↗](#)



Article views: 2482



View related articles [↗](#)



View Crossmark data [↗](#)



Citing articles: 27 View citing articles [↗](#)



Digital sovereignty, economic ideas, and the struggle over the digital markets act: a political-cultural approach

Catherine Hoeffler^{a,b} and Frédéric Mérand^c

^aRobert Schuman Centre, European University Institute, Florence, Italy; ^bDepartment of Political Science, Sciences Po Bordeaux, Bordeaux, France; ^cDepartment of Political Science, Université de Montréal, Montreal, Canada

ABSTRACT

Digital market regulations respond to technological changes and global dynamics, but also to how political actors shape markets. Focusing on the Digital Markets Act, this article explains the EU's marketcraft as the result of a struggle in the policy field between political actors promoting competing economic ideas in a rapidly evolving technological and geopolitical context. We show that significant discursive and policy change in digital market governance has occurred because of shifting coalitions between three constellations of actors, which we call market-correctors, market-busters, and market-directors. Tracking the ongoing campaign to challenge Big Tech and define the meaning of digital sovereignty, we argue that market-directors have ushered in potentially comprehensive policy change.

ARTICLE HISTORY Received 9 April 2023; Accepted 6 December 2023

KEYWORDS Digital sovereignty; digital markets act; European commission; Big Tech; competition policy

Introduction

Whether one looks at data protection, antitrust, or taxation, the EU has developed a wide array of rules to rein in Big Tech. While the push to regulate digital markets began in earnest in the mid-2010s, the EU's efforts have accelerated since Ursula von der Leyen came to office. They are increasingly justified in the name of digital sovereignty. During the 2022 French presidency of the Council, the Digital Markets Act (DMA) was adopted along the Digital Services Act (DSA): while the latter builds on previous legislation to regulate content and data privacy, the former seeks to restrain large digital platforms by guaranteeing fair and contestable markets (European Commission, 2020a, 2020b).

CONTACT Frédéric Mérand  frederic.merand@umontreal.ca  Département de science politique, Université de Montréal, CP 6128 succursale Centre-Ville, Montréal, Québec H3C 3J7, Canada

© 2023 Informa UK Limited, trading as Taylor & Francis Group

In this article, we ask two questions that are drawn from the Introduction to this special issue (Falkner *et al.*, 2023). First, what kind of change does the DMA signal vis-à-vis digital market governance? *Prima facie*, the DMA constitutes a least-likely case to document the discursive shift towards digital sovereignty, as it deals with competition issues and derives from the rationale of ensuring a well-functioning single market. However, we demonstrate that the DMA goes further than competition law in ways that suggest greater political control over markets. The DMA establishes specific rules that ‘gatekeepers’ must follow. This innovative concept defines core platform services (almost all of which are US-based) that have an entrenched and durable intermediation position as well as a significant impact on the internal market, making them *a priori* subject to public intervention. Gatekeepers are bottlenecks that use their considerable market power in the digital ecosystem, making it difficult for the state to control them with traditional antitrust law (Krämer, 2020; Marty & Warin, 2020; Srivastava, 2023).¹ Although digital sovereignty is inconspicuous in the Act itself, conceptual innovation that allows greater control of the digital market, and is increasingly justified in such terms, points to the tangible possibility of comprehensive policy change, that is, ‘a prominent use of digital sovereignty language in a policy sub-field with concomitant policy change in the direction of more control of the digital’ (Falkner *et al.*, 2023).

Second, where does this change come from? We argue that it is the result of a political struggle taking place in the EU’s policy field between three constellations of actors promoting different conceptions of control (Fligstein, 1996), i.e., economic ideas about how to shape markets that predate the development of the digital space. We call the first constellation the **market-correctors**: they accept that public pressure requires changes in the degree of policy steering that will address market failure and offer more protection to consumers, without upsetting the functioning of the single and transatlantic markets. Often allied with US tech giants, Nordic firms and governments apply intense lobbying to make sure that changes in digital market governance remain modest and in line with past antitrust practice. The DMA is for them an incremental piece of legislation that derives from gaps in competition law. Their objective is what Falkner *et al.* (2023) refer to as first-order adjustment. The second constellation we call the **market-directors**: French political leaders, for instance, see the digital sector as an emerging market that requires picking European champions who will be able to withstand global competition, or at least forcing US firms to significantly Europeanize their activities. They seek to effect second-order policy adjustment, that is, to change the form of policy steering through new instruments. For market-directors, the DMA is but one part of a broader set of policy tools to assert European sovereignty

in the digital space. The last group we call the **market-busters**: embodied in Maximilian Schrems's successful litigation against US-EU data sharing agreements, their objective is to harden policy steering by applying antitrust and consumer protection rules in such a way that no government or tech giant, be it US, Chinese or European, would be able to control the digital space. This third-order policy change would substantially reorient priorities in a capitalist society. Market-busters play a role in our story, albeit one that is increasingly reoriented towards data privacy and not necessarily market governance.

In this unfinished struggle, we argue that market-directing ideas gained traction in Brussels through a political campaign aimed at challenging US firms and making room for European ones. This campaign was turbocharged by the crisis of economic liberalism and the rise of geoeconomics (Matthijs & Meunier, 2023). The US turn to neomercantilism (under Trump) and industrial policy (under Biden), alongside the COVID-19 pandemic, put European market-correctors under immense pressure to justify their liberal ideas. The policy field where conceptions of control are shaped was up for grabs, which market-directors took advantage of.

Market-directing ideas predate the discourse of digital sovereignty, but they resonate with it. The DMA's legislative text itself does not mention 'sovereignty' so, to answer one of the introduction to the special issue's questions, we cannot say that the term is *central* to market governance. But from the policy formulation to the adoption phase, digital sovereignty has increasingly served as a *positive* reference point in the discourse that surrounds market governance (Falkner *et al.*, 2023). Much like the repertoire of the market, the language of digital sovereignty is inherently ambiguous and can be used strategically (Adler-Nissen & Eggeling, 2024; Jabko, 2006). When market-correctors use this language, they interpret sovereignty as a way to manage interdependence through a dialogue around rules, especially between the US and the EU. The focus of market-busters is on the rights of sovereign individuals who control their data and private lives. But when market-directors speak of digital sovereignty, their goal is to increase European strategic autonomy, that is, the ability to control the internal market through European rules, technologies, and champions without being reliant on others.

The battle of ideas in digital market governance

The question of how to govern digital markets emerges against the backdrop of a long and institutionalized battle of ideas about market governance in the EU. Our starting point is that although the digital space represents a new challenge, the economic ideas that have been brought to bear on previous sectors shape the current political struggle.

Governing European markets

While we know that EU member states belong to different varieties of capitalism, the literature on EU market governance typically pits liberalism against *dirigisme*, and assumes the dominance of the former over the latter in the EU's policy field (Gerber, 2001; Patel & Schweitzer, 2013). Liberalism focuses on competition law as the primary tool to ensure efficient markets. While ordoliberalism focuses on market access, the Chicago School later introduced consumer welfare as the main yardstick to evaluate efficiency. Sometimes associated to protectionism or mercantilism, *dirigisme* corresponds to the exercise of political power over markets and manifests itself in the strong role of public officials in promoting national industries (Ansaloni & Smith, 2018). As a rule, *dirigistes* tend to question competition law which prevents them from using state aid and mergers to promote national champions.

Warloutet (2019) argues that EU policies reflect an evolving compromise in which *dirigisme* never disappeared, and the recent literature indeed shows that the liberal consensus on competition policy started to erode even before the COVID-19 pandemic. In particular, the digitization and geopolitization trends of the 2010s allowed policy entrepreneurs to promote greater concern for European industry as well as supranational competition enforcement (Meunier & Mickus, 2020). The popular backlash against globalization, reckoning with China's trade policy, and the rise of protectionism in the US have upset the policy balance that used to favor liberalism (Warloutet, 2023). This provides the context in which the political struggle around digital market governance now takes place.

A political-cultural approach to marketcraft

The scholarship on EU market governance points to the necessity of better understanding why certain ideas win over others at certain moments. To do so, we adopt a political-cultural approach which blends the sociology of markets with strategic constructivism. In essence, this approach pays attention to how political actors and firms vie with each other to impose market rules that will, most of the time, benefit incumbents and, sometimes, empower challengers (Fligstein, 2001). These rules derive from conceptions of control, which refer to 'understandings that structure perceptions of how a market works and that allow actors to interpret their world and act to control situations. A conception of control is simultaneously a worldview that allows actors to interpret the actions of others and a reflection of how the market is structured' (Fligstein, 1996, p. 658). Such conceptions can emerge from market interactions, but they will often emerge in the policy fields that shape markets.

From the political-cultural approach we derive two main propositions. First, markets are above all constructed by political actors (by which we do not only mean government actors but also business leaders and activists engaged in the struggle over defining market rules) who adhere to cultural templates or economic ideas about how markets should function. In the EU, conceptions of control can be situated on a continuum according to how they relate to liberal and *dirigiste* ideas. These ideas do not converge on what is the legitimate role of state/public intervention in markets (van Apeldoorn & de Graaff, 2022). For liberalism, the role of public authorities is to guarantee a legal framework for the well-functioning of markets. Public authorities sometimes perform market-correcting functions, when the sustainability of markets or consumer welfare requires correcting for negative externalities. For *dirigisme*, by contrast, public authorities almost always steer markets towards desirable political goals: market direction uses funding programs, state aid, influence on corporate governance, and trade policy to promote industrial champions.

Second, while stable markets function as systems of domination with clearly identifiable incumbents, emerging markets are more likely to be subject to dynamics of contestation (Fligstein, 2001). This means that constellations or coalitions of actors will mobilize power resources to transform how the market is organized. These actors can operate in the market itself or in the policy field. Focused on such actors, strategic constructivism suggests that one way to engage in marketcraft is to create a repertoire of ideas, or cultural frame, that others will rally behind (Jabko, 2006). During periods of contestation, different conceptions of control coexist. When the market's norms and boundaries are not yet fully stabilized, as is the case with the digital, political actors can engage in a fiercer battle of ideas. While public authorities are usually a conservative force that favors incumbents, they or elements thereof may at times encourage challengers. The key insight from the political-cultural approach is that, one way or the other, political actors contribute to picking winners and losers through their drafting of property rights, rules of exchange, and conceptions of control, and more generally by drawing the boundaries of the market.

Market-correctors, market-busters, and market-directors

While the digital market, dominated as it is by large US firms, may superficially look like a stable one, it is actually still in flux. This is especially true in Europe where US firms have provoked strong public resistance despite their commercial success. As a result, the EU's policy field is characterized by the interaction of constellations of actors who are trying to shape the market in different directions. Our article analyzes three constellations and the ongoing struggle

to impose their respective conceptions of control, which this section introduces in stylized fashion.

Personified by (but not reducible to) competition commissioner Margrethe Vestager, market-correctors believe in competition law and the liberal protection of consumer rights to correct for digital market externalities. They argue that all firms must follow rules that will prevent them from abusing their market dominance and, to some extent, power over individuals. The constellation behind what Newman (2020) calls 'embedding' the digital market, that is, regulating the market without necessarily shaping it, includes actors as varied as the Directorate-General for Competition (DG COMP), Nordic governments, progressive business circles, and national competition authorities. This constellation is powerful because it is based on legal expertise and institutionalized practices. Antitrust procedures launched by the Commission against digital firms, the 2019 copyrights directive and the GDPR are the most visible forms of market intervention, which most firms have grudgingly come to embrace. These kinds of market intervention generate their own externalities, creating the need for some coordination at the international level. In the last months of the Juncker Commission, market-correctors pushed for the creation of the Trade and Technology Council which would allow the US and the EU to make their market-correcting legislation converge, which corresponds to the definition of sovereignty as a way to manage interdependence.

Personified (but not reducible to) digital activist Max Schrems, market-busters believe in a decentralized digital world where no government, no firm will be able to take control over personal data. NGOs like None of Your Business, Electronic Frontier Foundation, European Digital Rights or La Quadrature du Net defend the freedom and privacy of citizens against 'surveillance capitalism', but also an alternative model of internet governance which goes from fairly established open-source software to radical Web3 visions (Heermann, 2023; Zuboff, 2019). With its pro-rights discourse, this constellation of actors has had considerable success in the media and the courts. Although the EU's regulations on data privacy such as the GDPR are partly the brainchildren of their legal activism, market-busters envision forms of governance that could potentially break corporate (and state) power (Kalyanpur & Newman, 2019; Mager, 2017; Obendiek, 2022). For them, policy steering needs to take a new direction that will give sovereignty back to the individual.

Personified (but not reducible to) internal market commissioner Thierry Breton, market-directors came late to the digital game. Their objective is to shape the market in a way that reaffirms political sovereignty and industrial autonomy. This constellation of actors is traditionally entrenched in the French government but has important relays in Brussels (Matthijs & Meunier, 2023). In their more modest ambitions, which are potentially compatible with market correction, market-directors want to make sure that tech companies, most of them American, play by the EU's consumer rules,

invest in Europe, keep their data in Europe, and give some space to European competitors. Yet as the European Chips Act and its attendant large investment vehicle suggest, the dream of creating European champions that will be able to compete globally with US and Chinese firms lurks in the background. This thinking is close to *dirigisme*, as it combines strong political steering of markets with the promotion of national or supranational interests (Ansaloni & Smith, 2018; Clift & Woll, 2012).

Constellations of actors are not clearly defined institutions, organizations, or individuals. In practice, they wax and wane, and may very well overlap. For example, a consumer-rights group like the *Bureau européen des unions de consommateurs* (BEUC) is likely to pick and choose some aspects from each conception of control: citizens' rights from market-busting ideas, antitrust from market-correcting ideas, and promoting European start-ups from market-directing ideas. This is also true of national governments that are all keen to support their industries but must respond to constituencies that are variably connected to US firms or consumer rights advocacy groups. The point of distinguishing these constellations is not to assume that they form cohesive actors, but, in line with strategic constructivism, to suggest that actors tend to coalesce around economic ideas that prescribe various degrees, forms, or orientation of change in digital market governance. When they become politically organized in the policy field, we call such constellations 'coalitions'.

Methodology

To analyze discursive and policy change, we follow the conceptions of control that have shaped the policy process before and during the adoption of the DMA, paying attention to who articulates them and participates in building coalitions, how they relate to the discourse of digital sovereignty, and whether they have been turned into concrete policies. We trace shifts in discourse and policy based on written material and oral interviews.

For written sources, we rely on the specialized press on the EU (*Politico*) and on digital policy (*Contexte*). In particular, a systematic, week-by-week survey of *Contexte*, an independent online source which publishes an insiders' view of digital policy-making, allows us to retrace the history of policy discussions inside EU institutions since 2016. For oral sources, the study is based on longitudinal interviews as well as one-off interviews in Brussels, Paris and Berlin: the authors had the opportunity to conduct semi-structured phone interviews with six policymakers on a regular basis in 2022–2023, which they complemented with nine one-off interviews. Interviews were held with cabinet members and senior civil servants from all relevant DGs in the European Commission, policy advisors in the European Parliament, senior civil servants in the German and in the French government, as well as with corporate and NGO experts. For questions of confidentiality, the

interviewees' identity as well as the precise date of the interviews remains concealed. Berlin and Paris were selected on the presumption that they were the most influential member states, including in shaping competition policy (Bora & Schramm, 2023a) but also because they held the rotating Council presidency in the crucial second semester 2020 (formulation, Germany) and first semester 2022 (adoption, France).

Before 2019: market-correctors respond to market-busters

The DMA was launched by the von der Leyen Commission, which came to office in 2019. But von der Leyen didn't start from a blank slate. The previous decade saw growing concerns about the practices of large online platforms, with new policy ideas emerging in the Commission's Directorate-General for Communications Networks, Content and Technology (DG CONNECT), DG COMP, and in expert and activist circles. There were also burgeoning discussions in member state governments, notably France and Germany, around what was not yet known as 'platform power' (Cioffi *et al.*, 2022). Those were partly taken on board by the Juncker Commission.

Yet 'for much of the 2014–2019 period, European Commission leaders articulated a commitment to traditional competition instruments, which, it was argued, were able to meet the needs of the new digital economy and society' (Cini & Czulno, 2022, p. 42). Digital market governance was then apprehended through two conceptions of control in the policy field. The Commission's approach to the digital was very much the same as for other markets, namely one of ensuring efficient competition and consumer rights through market correcting. Contestation came from market-busters, who criticized the marketization of the internet and its nefarious effects on citizens' rights.

After she moved to Brussels to take on the competition portfolio in 2014, Margrethe Vestager became famous for using her powerful legal authority to impose fines on tech giants that ran afoul of competition laws and/or trampled on consumer rights. The Commission's antitrust cases forced some US firms to change their relationship with consumers, business users, and competitors. But while dominant in Europe, this approach to digital markets was not the only one. Activists like Max Schrems represented a more radical alternative. In contrast to market-correctors, market-busters alerted the public about the risks of marketizing the internet for citizens' rights. Activists were able to use EU law to fight back against corporate actors and governments. Schrems' strategic litigation cases against Facebook, Amazon, Apple Music, Netflix, SoundCloud, Spotify, or YouTube forced the Commission to renegotiate its data sharing agreements with the US.

Around the language of rights, market-correctors and market-busters found common ground with commissioner Andrus Ansip, responsible for

digital policy in Juncker's team, and political forces in the European Parliament which also sought to regulate Big Tech and push for a 'European-style' digital market. They jointly produced advances in digital governance, such as the GDPR (Anagnostopoulou, 2020; Obendiek, 2022). But despite the judicial and media success of market-busters, the 2015 *Digital Single Market Strategy for Europe*, with its focus on consumer access and digital skills, clearly put the emphasis on liberal rules and market correction: 'The Digital Single Market strategy seeks to ensure better access for consumers and business to online goods and services across Europe, for example by removing barriers to cross-border e-commerce and access to online content while increasing consumer protection' (European Commission, 2015). With the e-commerce directive and, to a lesser extent, the Digital Single Market strategy, the Commission's objective was to remove barriers for the benefit of European consumers (Cini & Czulno, 2022; Heidebrecht, 2023; Mărcuț, 2017). While market-busters' agenda was ultimately to break up Big Tech and foster citizens' rights, market-correctors simply wanted to better regulate competition and consumer protection.

The DMA: a tool for competition policy or digital sovereignty?

There is no doubt that the Juncker Commission took the digital challenge seriously. As a result, the main platforms had to change some of their practices worldwide (Bradford, 2020). But Europe remained a consumer market for dominant US firms. In the last years of the Juncker Commission, as trade tensions with the Trump administration increased, services were thus working on improving competition policy, which was deemed too slow to keep pace with fast-changing digital technology. The question was whether competition law, once considered the EU's finest legal weapon, was strong enough to tackle Big Tech. The answer, carried by Vestager and DG COMP, was to develop a 'new competition tool' which would improve enforcement through market analysis and precautionary intervention. In so doing, the Commission enjoyed a 'permissive environment to expand its powers in antitrust regulation' (Meunier & Mickus, 2020, p. 1084). In spirit, the planned tool was still market-correcting: the goal was to modernize competition policy (senior official in DG CONNECT, personal communication, 2022) and make the Commission a bit more proactive in consumer protection (Crémer *et al.*, 2019; Krämer, 2020). Appointed executive vice-president of the Commission in the von der Leyen team, in charge of overseeing the EU's digital agenda, itself a presidential priority, Vestager seemed to have the upper hand in imposing incremental, first-order changes in the degree of policy steering, which consisted in adapting competition policy to the new digital reality, but not necessarily changing it.

Eventually, the DMA would come out of this policy process which, under different proposals (new competition tool or *ex ante* regulation), was focused on developing pro-active antitrust strategies. Because the DMA's goals overlap with those of antitrust law, some observers see it as the result of a 'gradual' adaptation of the EU's competition regime to a changing digital environment, lessons learned, and growing legal expertise (Cini & Czulno, 2022). To be sure, the DMA is in part the result of policy learning about the limits of competition law as a tool to regulate the behavior of large firms. The rationale behind the DMA's provisions echoes some previous or ongoing cases brought up by DG COMP such as the Google Shopping antitrust case, in which the platform was accused of treating its own products more favorably than third parties.

But in discourse and in content, we argue that the DMA ended up adopting a regulatory stance that goes beyond a simple modernization of competition policy and includes elements that allow greater control of the digital. Its political steering ambition contrasts with the market-correcting solutions of the past (Jaurisch & Blankertz, 2021; Rusche & Büchel, 2021). Because the DMA is not yet fully implemented, we present two reasons why it is plausible to argue that the DMA differs from competition law. They suggest that the DMA is Janus-faced, with a face that looks to market correction and another to market direction.

First, the DMA differs from antitrust law because it is a regulatory instrument with the internal market as its legal base. The DMA's design reflects a conception of control according to which the EU should be 'able to regulate Big Tech' (senior official, business association, personal communication, 2023). 'Substantively, ... the DMA comes close to being competition law. Yet, the method prescribed by the DMA to give life to that substance strays from the methods typical of competition law' (Moreno Bellosio & Petit, 2023, p. 31). Antitrust law relies on *ex post* investigation of anticompetitive behavior: public authorities step in once they certify that market actors infringe on antitrust rules, and then negotiate the terms if they win their case. Legal action is justified by and proportionate to the effects attributed to firms' behavior. By contrast, the DMA relies on *ex ante* obligations for incumbent firms. These rules build on the experience of DG COMP case handlers but, for some competition lawyers, they constitute a 'paradigm change' (senior official in DG COMP, personal communication, 2022): the DMA allows regulators to exercise discretion in the market (senior officials in DG COMP, personal communication, 2022) (Bongartz *et al.*, 2021; de Streel & Larouche, 2021). It does so not only through traditional antitrust reliance on behavioral remedies (fines, penalties) but also through structural remedies which are more intrusive (such as banning mergers and acquisitions).

Second, the DMA's stated goals are more ambitious than market-correction. In the words of Olivier Guersant, chief of DG COMP: 'The DMA is inspired

by competition law but it's not competition law. It's an internal market regulation that seeks to increase market contestation'.² Indeed, the DMA will ensure 'contestable and fair markets in the digital sector' (article 1). How these two objectives (contestability and fairness) relate to competition law and to one another leaves room for interpretation (senior official in DG COMP, personal communication, 2023). As a result, the extent to which the DMA's goals fit with competition law is debated among legal experts (senior official in DG CONNECT, personal communication, 2022) (Beems, 2023; Moskal, 2022). In theory, the DMA neither protects nor gives preferential treatment to European firms. But implicitly, it opens up the European market to EU firms, which are potential challengers against US incumbents. At a minimum, the DMA seeks to shape markets in such a way that EU firms can have a fair shot against US firms.

The market-directing face of the DMA becomes even more visible when seen in the context of several other policy proposals that build more directly on the repertoire of digital sovereignty, or what Seidl and Schmitz (2023) aptly call the EU's 'geodirigist turn'. For some business players, the DMA is only one piece of a 'tsunami of legislation' which aim to regenerate Europe's industrial capacities (representative of a North American firm, personal communication, 2022). The DMA is indeed accompanied by several other initiatives which resonate with the interpretation of sovereignty *qua* European autonomy. The DMA can thus be perceived as part of the larger toolbox of EU industrial policy (senior official in DG COMP, personal communication, 2023). In line with its market-directing tradition, France has long pushed for a relaxation of state aid rules and more public investment at the EU level. During Macron's tenure, Paris sponsored Scale-Up Europe, an initiative to 'create 10 European tech giants by 2030': the explicit goal is to help create unicorns that will be able to compete with US giants and create a 'European critical mass' in the digital market (personal communication with French Presidency official, 2022). In Winter 2022, the college of commissioners agreed to invest €43 billion into a European Chips Act (chips being the backbone of the digital sector) whose purpose is to increase substantially the European share of the global semiconductor industry. Such initiatives aim at encouraging the development of specifically European competitors in the digital market.

Market-directors take on digital governance

In sum, the DMA is more ambitious and liable to political discretion than competition law is supposed to be. For Heidebrecht (2023), the DMA 'is a new layer of regulation, but one that also redirects an existing institutional governance structure towards additional and new goals, in the sense of tightening control of big technology companies and realigning their powers with

European values'. The surrounding discourse of digital sovereignty and other critical Commission policy proposals related to the digital industry also give the DMA an edge because it implicitly promotes the development of European challengers capable of competing with US incumbents. While the ambition is not shared by everyone and may not pan out (see last section on implementation), we must ask why this shift away from competition law occurred. For Cini and Czulno (2022, p. 43), 'policy change resulted from the opening of internal and external policy windows which then profited from both a consensus in support of *ex ante* regulation among advisors and commentators, and member state opposition to other reform options'. While we broadly agree with this explanation, our own analysis focuses on the battle of ideas that animated the corridors of Brussels and turned such policy windows into a successfully adopted proposal. To do so, we look at political struggles between market-correctors, who had managed to find some common ground with market-busters through progressive legislation on data privacy, and the market-directors who, after 2019, coalesced around the repertoire of ideas that challenge US incumbents.

In line with the political-cultural approach, our main explanation for this shift lies in the successful campaign that market-directors, led by Commissioner Breton, launched to promote European industrial concerns through different means, including the regulation of digital markets. Using institutional resources such as the Commission's internal market competence and framing growing distrust of Big Tech in the EU policy field, this campaign also benefited from minor political controversies to strengthen and broaden the pro-market-directing coalition.

Breton's and Vestager's ideas

Appointed almost by accident in 2019, after Sylvie Goulard's rejection by the European Parliament, the French internal market commissioner played a leading role in building the market-directing coalition. Coming as he did from the telecom and tech sector, where he was CEO of several firms such as France Telecom and Atos, Thierry Breton invited himself in the policy discussion led by Vestager until his arrival, and pushed for a more ambitious form of market governance that would emulate what the Commission had done for the energy and telecoms industries in the 1990s, namely the regulation of incumbents (senior officials in European Commission, personal communication, 2022). At the time, network industries faced bottlenecks in the form of mostly state-owned monopolies. The creation of a competitive internal market went hand in hand with the development of European champions that would operate on a continental scale. Breaking up national monopolies would, it was hoped, help create large, competitive firms at the European level (Clifton *et al.*, 2010).

Breton's core idea was that digital governance was not only about consumers but also about industries (senior official in the Commission, personal communication, 2022). Surrounded by officials and experts who shared his views, he promoted an alternative conception of digital markets that found a growing number of allies in the Commission, in Parliament, and in some national governments, especially France but also Germany (digital policy advisor, personal communication, 2022). Our interviewees report that, while Vestager's cabinet and DG COMP had actually initiated the policy process around the new competition tool, the final push behind what would become the DMA came from the Breton cabinet. In particular, the focus on gatekeepers was believed to allow the Commission to intervene in the market to force core platform services to share space with challengers even if their market share did not yet seem to justify antitrust measures. Gatekeeping was conceptualized as a barrier to entry that prevents new firms from getting access to potential consumers. The codification of this concept, in and of itself, justified regulatory intervention.

Now, there are two ways in which one can think of potential challengers in the digital market. According to a competition expert, 'Breton wants to promote European industries. Vestager wants to protect European consumers from platforms ...' (personal communication, 2021). In Vestager's speeches and in official publications, the Commission almost never mentions the home base of incumbent firms or potential challengers, which in theory makes no difference for competition law because it does not affect consumer welfare. But in the digital space, and in contrast with other industries, the nationality of the challengers is the elephant in the room because almost all the gatekeepers are based in the US. What distinguished Breton from Vestager was his desire to address industrial concerns. 'He, says one of his collaborators, wants Europe to be strong. Not alone, but strong' (personal communication, 2022). While Vestager's fight against Big Tech was conducted in the name of competition, Breton's campaign was perceived to be focusing on sovereignty and the growth of European firms (representative of a North American firm, personal conversation, 2022; business association representative, personal communication, 2023).

Some differences between Vestager's market-correcting and Breton's market-directing stance on digital market governance derive from the nature of their portfolios. DG COMP (under Vestager) applies competition law while DG GROW and DG CONNECT (under Breton) do industrial policy and regulation. Due to the shift from an antitrust perspective to a regulatory one, and by using the internal market as a legal base, DG CONNECT and DG GROW acquire a policy role alongside DG COMP. Beyond their portfolios, the two commissioners display different *habitudes* that derive from their social and political trajectories a Danish liberal minister trained as an economist, in her second mandate as competition commissioner, versus a graduate

from a French *grande école* who came to the Commission after a career that has mixed engineering and executive roles with Gaullist politics. Each commissioner ‘represents a different set of ideas: free trade and transatlantic relations for one, European autonomy for the other’ (personal communication with a political staffer, European Commission, 2022). Vestager has a long history of thinking about the specific characteristics of digital firms for competition law, while Breton sees the challenge as one of European competitiveness and strategic autonomy. Tellingly, when he speaks of the DSA, the DMA or issues such as internet standardization, Breton says he wants to ‘take back control’ (Beuth, 2022; Perarnaud & Rossi, 2023).

The struggle over the DMA

As the von der Leyen Commission was formed, and in parallel to DG COMP’s work on the new competition tool, some officials pushed the idea of introducing *ex ante* rules to shape the digital market from the top (Thiffault, 2021). When the Commission announced its intention to produce legislation on the topic, in June 2020, the new competition tool and the *ex ante* approach were still considered as separate options, and the DSA was the main policy project in the digital space. Media outlets then reported tensions during interservice negotiations between DG COMP, who wanted to stay as close as possible to a competition role of preventing market dominance in general, and DG CONNECT, who wanted to structure the digital market specifically through the establishment of *ex ante* rules. *Politico* also published a long article about intercabinet tensions, describing turf wars among the two commissioners, each defending different economic ideas and vying for public attention. ‘There have been clashes, reported *Politico*, over how best to promote Europe’s national interests in the digital realm, squabbles over takeovers of tech firms, and public disagreements over the need to break up Silicon Valley giants’ (Larger *et al.*, 2020).

In the struggle between the two constellations of actors, a minor controversy inside the Brussels bubble may have tipped the balance in favor of the emerging market-directing coalition. In October 2020, the *Financial Times* leaked a Google internal document that detailed the firm’s strategy to undermine Breton’s influence, especially with regard to the DSA (Espinoza, 2020). Targeting the French commissioner, the document spoke of ‘reconfiguring the political narrative’ and ‘weakening support’ for digital legislation. Alphabet’s CEO soon apologized to Breton but the controversy allowed market-directors to highlight implicit collusions between US Big Tech and his internal rivals in the EU policy field, and push for tougher ideas on market regulation. ‘Breton, says one observer, went out to the media and the Google affair ended up undermining the others’ position. From then on, the internal process went very smoothly’ (personal communication, 2022). For Cini and

Czulno (2022, p. 50) ‘there is no evidence that corporate lobbying affected the decision to introduce the *ex ante* regulation of online platforms’. On the contrary, lobbying may have backfired.

After several months of consultations, the new competition tool and *ex ante* regulation were merged into a single text which became the DMA (senior official in European Commission, personal communication, 2022; senior official in DG CONNECT, personal communication, 2022) (Scott & Kayali, 2020). The focus on digital markets was a win for DG CONNECT, as Vestager had initially hoped for the new competition tool to reach beyond this scope. ‘The DMA was not the preferred option for DG COMP’, observes a competition expert (personal communication, 2021). In December 2020, as the German Council presidency drew to a close, Vestager and Breton sealed the agreement by writing a joint op-ed in the *Irish Times* which delineated the main contours of their compromise on the DSA and the DMA. As such, the DMA stands midway between Vestager’s market-correcting, competition policy-led incrementalism and Breton’s market-directing, industrial conception: ‘Nobody was really satisfied but that’s often a good sign in EU politics’, concludes one of our interviewees (digital policy advisor, personal communication, 2022).

Important differences in the underlying economic ideas remained. Regarding remedies, for instance, the DMA provides the Commission with strong powers that go further than what market-correctors wanted. In the drafting phase, the debate revolved around the option of breaking up large firms. Antitrust policy traditionally relies on behavioral remedies while structural remedies are more common in merger controls (senior official in DG CONNECT, personal communication, 2022). Breton was adamant about the need for structural remedies that could break up firms if necessary. Reflecting liberal thinking, Vestager defended her preference for behavioral remedies by calling structural remedies the ‘nuclear option’ (Larger *et al.*, 2020). Yet in the end the DMA partly reflects the Frenchman’s market-directing views: The Commission can apply significant behavioral remedies to non-compliant gatekeepers, especially those that repeatedly infringe upon EU rules, and impose structural remedies, such as the prohibition of killer acquisitions (buying an innovative firm before it becomes a competitor).

The adoption of the DMA

Once it was tabled by the Commission in December 2020, political opposition to the DMA turned out to be surprisingly weak. In the adoption phase, member states and interest groups lined up in a predictable manner. France and Germany were on board, the latter even more so after the new coalition government, which embraced the discourse of digital sovereignty, was formed in 2021. BEUC, the consumer interest group, mixed consumer

welfare and anti-Big Tech rhetoric to argue that the DMA was not going far enough.³ As for US business groups, they stuck to their anti-protectionism discourse but chose not to pick a fight. The US-based Computer and Communications Industry Association (CCIA) made it explicit that it would have preferred the DMA to target problematic conduct rather than company size, a clear reference to gatekeepers and structural remedies. Digital lobby groups also criticized the fact that, in their view, the DMA granted the European Commission too much discretion.⁴ As to market-busters, they supported but didn't play much of a role in DMA discussions. The Electronic Frontier Foundation called on the Commission to make sure that enforcement would be human rights-focused. Lamenting the length of the transition period, European Digital Rights applauded that the DMA 'promises to challenge the strongly centralized environment of Big Tech platforms exerting too much power over our rights and over the flow of information in society'.⁵ In the post-COVID context, the imperative was no longer to counter-act or resist the geoeconomic turn towards greater political control of markets, but how to accompany this turn: 'Europeans want digital sovereignty? We understand! Nobody is against it *per se*, everybody understands that Europeans have their own capacities and rules. The question is rather how to achieve that' (representative of a North American firm, personal conversation, 2022).

It took a bit more than a year for Parliament and Council to adopt the DMA, which is fast by EU standards, and by a large majority. The legislative debate revolved among other things around killer acquisitions. In May 2021, Paris, Berlin and The Hague, dubbed 'the Friends of an Effective DMA', pushed the Commission to crack down on these practices, signaling their distrust of US tech giants (while seeking to protect their own enforcement authority) (Haeck, 2021). Another debate concerned the number of firms that should be targeted as gatekeepers, which was ultimately linked to the question of a firm's home base (senior official in DG COMP, personal communication, 2022). A narrow focus on the largest firms was pushed by the center-right in Parliament, where some MEPs like the EPP's Andreas Schwab, the German *rapporteur* for the IMCO committee, wanted to take on US Big Tech. Schwab managed to increase the threshold for the designation of gatekeepers. A narrow targeting could be seen as a pragmatic move, as the EU would not have the resources to monitor many corporations. However, targeting large firms means that almost all of them would be American. Accusations of EU protectionism were raised, as US public and private actors voiced concerns that they would be discriminated against. At the December 2021 Trade and Technology Council, Breton had a spat with US trade secretary Gina Raimundo whom he accused of 'campaigning for Big Tech' when she raised concerns about the DMA targeting US companies (Espinoza & Williams, 2021). The final version of the DMA reflects a compromise to target very large

gatekeepers in a way that is compatible with WTO obligations (senior official in DG CONNECT, personal communication, 2022; senior official in DG COMP, personal communication, 2022).

In June 2022, the DMA was adopted by a large majority of 588 MEPs against 11. The vote took place three months after Russia's invasion of Ukraine and in a moment of growing tension with China, both of which bolstered the discourse of European sovereignty. This context probably galvanized MEPs. 'What is also new, says a Parliament staffer (personal communication, 2022), is that we have a political, cross-party majority in favor of strengthening European companies ... It even goes too far sometimes. This is all coming from the European sovereignty discourse. It's all very French [laughs]'. The Council followed suit one month later, much of the work having been indeed done by the French presidency.

Digital sovereignty as a repertoire of ideas

To understand the struggle between constellations of actors pushing for different conceptions of control in the EU's policy field, it is important to analyze how market-directors benefited from the emerging frame of digital sovereignty, which allowed them to find allies in the Commission, in Parliament, in member states, and in civil society.

In the formulation of the DMA and in early public pronouncements, the expression 'digital sovereignty' was rarely used. The *Irish Times* piece which sealed Vestager and Breton's compromise was short and did not mention it. Yet the growing priority accorded to digital sovereignty by EU leaders and the constructive ambiguity surrounding this discourse (Jabko, 2006; Jegen & Mérand, 2014) probably helped cement the deal. Discreetly present under the Juncker Commission, digital sovereignty took an increasingly important place in President von der Leyen's and the European Council's digital agenda from the beginning of her mandate going forward. Following Emmanuel Macron's 2017 *Discours de la Sorbonne*, the June 19, 2019 Council conclusions briefly evoked the 'need to ensure that Europe is digitally sovereign' (European Council, 2019). While the concept already existed in academic circles (Couture & Toupin, 2019; Benhamou & Sorbier, 2006) and in some policy papers,⁶ the year 2020 was a turning point. Here again, we see a difference between documents drafted by Vestager's team and those that have Breton's imprint. The 'Shaping Europe's Digital Future' communication (European Commission, 2020c), published on February 19, made no mention of digital sovereignty and remained vague with regard to competition rules. But the 'A New Industrial Strategy for Europe' communication (European Commission, 2020d), published less than a month later, with strong Breton input, underlined 'strategic autonomy' and 'digital sovereignty'. Spreading across Europe soon thereafter, the COVID-19 pandemic

emboldened the Commission to hammer out the discourse of sovereignty. In her first *State of the Union* speech, in September 2020, as the DMA was undergoing public and intercabinet consultations, Ursula von der Leyen brandished ‘tech sovereignty’ as one of her priorities.

During the legislative sequence, the digital sovereignty frame became ever more conspicuous in Brussels (Falkner *et al.*, 2023). In addition to it becoming a presidential priority, the power of this discourse lied in its ambiguous and polysemous repertoire of ideas, which market-directors could use strategically to enlarge and support a coalition that would take on Big Tech, including, but not exclusively, through market governance. Predictably backed by Paris, market-directors received support from the German government where the concept of digital sovereignty resonated with successive SPD (Sigmar Gabriel), CDU (Peter Altmaier) and Green (Robert Habeck) economy ministers, albeit with a slightly different meaning than in France (senior official in BMWK, personal communication, 2023). Indeed, the meaning of digital sovereignty ranges from state (including authoritarian) control to user autonomy to economic competition (Dammann & Glasze, 2023; Pohle & Thiel, 2020). In German circles where it has become commonplace since the Greens joined the Scholz-led coalition in 2021, digital sovereignty often refers to user autonomy (Pohle, 2020) and it is as such compatible with standard competition law through the focus on the rights of citizens/consumers. But in France, the term is more likely to be associated with economic competitiveness, industrial policy, and strategic autonomy (Bora & Schramm, 2023b; Tocci, 2021).

In less than two years, the repertoire of digital sovereignty came to be accepted by both market-correctors and market-directors in Brussels. On the discursive level, market-directors read strategic autonomy while market-correctors see the ability to manage interdependence. Market-directors like Breton explicitly equate marketcraft with statecraft: ‘In the global race for technological power, Europe will lead if we seize the opportunities of data, microelectronics and connectivity’ (Breton, 2020). Market-correctors like Vestager define digital sovereignty in strikingly different terms: ‘That doesn’t mean innovation is going to create a completely self-sufficient European tech ecosystem. ... Digital sovereignty is not about cutting those connections. It’s about managing them in a way that give us the power to make our own choices’ (Vestager, 2021).

A significant policy change? The limits of the DMA for digital sovereignty

In the preceding section, we showed that market-directors seized opportunities inside the Commission and in the geoeconomic space to promote their conception of control, created alliances within EU institutions and

with the French and German governments, and ended up importing the language of sovereignty in digital market governance. In line with the political-cultural approach's expectations, their successful campaign led the EU to adopt legislation that would in principle allow European challengers to coexist alongside US incumbents in the tech sector. Yet at the time of writing, the DMA was not fully implemented yet. It is difficult to predict whether it will be used to ensure fair competition (the market-correcting view) or whether it will constitute a stepping board for European industries (the market-directing view). Pointing to possible comprehensive change, the policy-related discourse that comes out of Brussels currently emphasizes strategic autonomy as much as managed interdependence, and market direction as much as market correction. But we can identify two factors that could impede the market-directing potential of the DMA, and thus limit the significance of the policy change.

A first factor is the lack of resources for the Commission to ensure coherent and ambitious implementation. While the DMA task force was made permanent in early 2023, observers questioned whether there would be enough case handlers to face Apple's or Microsoft's lawyers. The Commission met with tech firms to prepare – and negotiate – the DMA's implementation. However, the sheer complexity of applying *ex ante* rules to very diverse firms may lead to a return to case-by-case analysis, more analogous to competition law (business association representative, personal communication, 2023). The sociology of bureaucratic actors in charge of the DMA's implementation may also play a role here. While all interviewees underline that the DMA is different from EU competition law, whether the DMA will be implemented with an eye to favor European firms or not may depend on how officials conceive of their role and of this instrument's goal. Many of them having a background in competition law and having worked, presently or in the past, in DG COMP, it is likely that they will embody the competition face of the DMA. Whether implementation will also display a *dirigiste* face remains to be seen.

A second factor concerns the ability of the Commission to pull sufficient funding to finance its ambitious rhetoric regarding European technological catch-up, which is the context in which the DMA can be seen as a market-directing tool. The European Parliament has been very vocal about this issue: while MEP Schwab, for instance, converges with Breton's conception of digital sovereignty, he feels, like many of his peers, that there is 'too much blabla' and not enough money invested to make this discourse credible (digital policy advisor, personal communication, 2022). Again, this suggests that the DMA is, in the minds of many actors, about more than competition policy, showing the influence of market-directing ideas.

Both factors ultimately hinge on the power structure that underlies the policy field of digital market governance. A piecemeal, incremental

implementation of competition policy would signal that the constellation of actors whose liberal conception of control has historically dominated EU policy remains in charge but has adapted its consumer-focused practices to the digital sector. A more radical, European industry-focused implementation would suggest an evolution of the policy field in which new political and business players are coalescing behind *dirigiste* ideas long associated with France.

Conclusion

Borrowing from the political-cultural approach to marketcraft, our article has offered answers to the two main questions raised in the special issue's introduction: What kind of change does the DMA signal vis-à-vis digital market governance? Where does this change come from? We have shown that market-directors have upset the decade-long struggle between market-correctors and market-busters to steer governance towards greater political control of the digital. Although digital sovereignty was not always conspicuous, especially in the beginning, the DMA may constitute significant policy change if it is implemented according to market-directors' wishes. In terms of drivers, our story is not one in which policy discourse drives change through, for example, technological pressures or the logic of the better argument. It is one in which constellations of actors seize opportunities and build coalitions to push for their favorite conceptions of control in fluid policy fields. Seen this way, it is thus not yet certain that the successful campaign conducted by market-directors will translate in second-order policy change in the long run. Supported by decades of liberal market governance in the EU, corporate lobbying, and strong institutional interests, notably in the Council and in DG COMP, market-correctors haven't uttered their last word.

This study raises several questions requiring further research. One first question relates to the link between struggles that are internal to the EU policy field and global governance. On the one hand, we may see the digital market as the new frontier of political authority for Europe (Kelemen & McNamara, 2022). On the other, while international factors such as the US's turn to neomercantilism and industrial policy, the global pandemic, and the Russian war in Ukraine have helped bolster market-directors in the EU, it is not clear how 'Europe's Geoeconomic Revolution' (Matthijs & Meunier, 2023) will unfold. Another question relates to how much influence the EU's policies will have. Anu Bradford (2020) uses the GDPR as an illustration of the 'Brussels effect' whereby European regulations force firms to adapt their rights-driven standards globally. Whether the DMA will lead to global practices diffusion remains to be seen. US firms have also fought back and won against the Commission's tax decisions, the impact of EU initiatives on the US regulatory space has been minimal, and China

stands out by its increasingly decoupled, authoritarian way of regulating the digital market (Bradford, 2023).

While the DMA is in the process of being implemented, the jury is still out on whether the EU will become a truly autonomous shaper of digital markets, perhaps partly decoupled from the rest of the world, or will rather seek to carve out a socially and economically acceptable place for its consumers and citizens in the global digital market. Both can be called digital sovereignty, but they do not mean the same thing. While the latter would be a continuation of past practices, perhaps sharpened by political developments in Washington, the former would usher in comprehensive policy change towards strategic autonomy. If that were to happen, it would suggest that market-directors were successful in crafting a language, creating alliances, and mobilizing growing geopolitical rivalry to align digital market governance with their conception of control.

Notes

1. To be classified as such, gatekeepers must have either an annual turnover of at least €7.5 billion in the European Economic Area or a market capitalization of €75 billion, provide a core platform service in at least three EU member-states, and reach 45 million monthly active users or at least 10,000 yearly business users in the EU.
2. Public conference at Confrontations Europe, December 14, 2021.
3. See for example BEUC, BEUC's input on the draft DMA implementation regulation, 6 January 2023: https://www.beuc.eu/sites/default/files/publications/BEUC-X-2023-037_Input_on_the_draft_DMA_Implementing_Regulation.pdf
4. CCIA, CCIA Responses To EU Digital Markets Act and Digital Services Act Proposals, 15 December 2020: <https://ccianet.org/news/2020/12/ccia-responses-to-eu-digital-markets-act-and-digital-services-act-proposals/>; Digital Europe, Position paper on DMA, 27 May 2021: <https://www.digitaleurope.org/resources/digital-markets-act-position-paper/>
5. EDRI, press communiqué, March 25, 2022: <https://edri.org/our-work/the-digital-markets-act-promises-to-free-people-from-digital-walled-gardens/>. The discourse of sovereignty also resonates with market-busters for its promise to bring back control to citizens but it is less relevant for the DMA. The language of individual autonomy which underpins their conception of control has been partly incorporated in various EU policies that focus explicitly on data users, such as the Digital Services Act which was adopted alongside the DMA.
6. For example, the term 'digital sovereignty' already appeared in policy documents in France and in Germany around 2014-2015. DG CONNECT also published a strategy note in July 2019.

Acknowledgements

A first version of this paper was presented at the 'Digital Sovereignty – Rhetoric and Reality' conference organized by Gerda Falkner, Sebastian

Heidebrecht, Anke Obendiek, and Timo Seidl at the Centre for European Integration Research, University of Vienna, as well as the Department of Political Science at the University of Stockholm. We would like to thank the organizers who provided ample feedback as well as three anonymous reviewers from the *Journal of European Public Policy* and five colleagues who shared useful suggestions for improvement on earlier drafts: Neil Fligstein, Kathleen McNamara, Matthias Matthijs, Eugénia da Conceição-Heldt, and Laurent Warloutet. Frédéric Mérand thanks Camilla Thiffault, Yaxin Zhou and François Gionet for their research assistance. He is grateful to the Ludwig-Maximilians-Universität München Centre for Advanced Studies for their hospitality during the summer of 2023. Catherine Hoeffler thanks the Robert Schuman Centre, EUI, for the Jean Monnet Fellowship and the invaluable work environment they provided. Ethical clearance was obtained from Université de Montréal.

Disclosure statement

No potential conflict of interest was reported by the author(s).

Funding

Our research was supported by an Insight Development Grant from the Social Science and Humanities Research Council [SSHRC 430-2022-00464].

Notes on contributors

Catherine Hoeffler is associate professor of political science at Sciences Po Bordeaux and visiting fellow at the Robert Schuman Centre, European University Institute.

Frédéric Mérand is professor and chair of the Department of Political Science, Université de Montréal.

References

- Adler-Nissen, R., & Eggeling, K. A. (2024). Three concepts of digital sovereignty in Europe: Security, economy, and rights and the case of gaia-X. *Journal of Common Market Studies*. Forthcoming.
- Anagnostopoulou, D. (2020). The EU digital single market and the platform economy. In C. N. Cham (Ed.), *Economic growth in the European union: Analyzing SME and investment policies* (pp. 43–57). Springer International Publishing.
- Ansaloni, M., & Smith, A. (2018). The Neo-dirigiste production of French capitalism since 1980: The view from three major industries. *French Politics*, 16(2), 154–178. <https://doi.org/10.1057/s41253-018-0061-1>
- Beems, B. (2023). The DMA in the broader regulatory landscape of the EU: An institutional perspective. *European Competition Journal*, 1–29. <https://doi.org/10.1080/17441056.2022.2129766>
- Benhamou, B., & Sorbier, L. (2006). Sovereignty and digital networks. *Politique étrangère*, 1(3), 519–530.

- Beuth, M.-C. (2022). Souverainete numerique: le bouclier europeen. *L'Opinion*. <https://www.lopinion.fr/economie/souverainete-numerique-le-bouclier-europeen>.
- Bongartz, P., Langenstein, S., & Podszun, R. (2021). The digital markets Act: Moving from competition Law to regulation for large gatekeepers. *Journal of European Consumer and Market Law*, 10(2), 60–67.
- Bora, S. I., & Schramm, L. (2023a). Toward a more 'sovereign' Europe? Domestic, bilateral, and European factors to explain France's (growing) influence on EU politics, 2017–2022. *French Politics*, 3–24. <https://doi.org/10.1057/s41253-022-00203-y>
- Bora, S. I., & Schramm, L. (2023b). Intergovernmental political work in a supranational policy field: France, Germany, and the overhaul of EU competition policy, working paper.
- Bradford, A. (2020). *The Brussels effect: How the European union rules the world*. Oxford University Press.
- Bradford, A. (2023). *Digital empires: The global battle to regulate technology*. Oxford University Press.
- Breton, T. (2020). *Speech by Commissioner Thierry Breton at Hannover Messe Digital Days*. https://ec.europa.eu/commission/presscorner/detail/es/speech_20_1362.
- Cini, M., & Czulno, P. (2022). Digital single market and the EU competition regime: An explanation of policy change. *Journal of European Integration*, 44(1), 41–57. <https://doi.org/10.1080/07036337.2021.2011260>
- Cioffi, J. W., Kenney, M. F., & Zysman, J. (2022). Platform power and regulatory politics: Polanyi for the twenty-first century. *New Political Economy*, 27(5), 820–836. <https://doi.org/10.1080/13563467.2022.2027355>
- Clift, B., & Woll, C. (2012). Economic patriotism: Reinventing control over open markets. *Journal of European Public Policy*, 19(3), 307–323. <https://doi.org/10.1080/13501763.2011.638117>
- Clifton, J., Díaz-Fuentes, D., & Revuelta, J. (2010). The political economy of telecoms and electricity internationalization in the single market. *Journal of European Public Policy*, 7(17), 988–1006. <https://doi.org/10.1080/13501763.2010.499229>
- Crémer, J., de Montjoye, Y.-A., & Schweitzer, H. (2019). « Competition policy for the digital era. Final report ». Luxembourg: *Publications Office of the European Union*. Preuzeto 3(11).
- Dammann, F., & Glasze, G. (2023). Governing digital circulation: The quest for data control and sovereignty in Germany, territory. *Politics, Governance*, 11(6), 1100–1120. DOI: [10.1080/21622671.2022.2141850](https://doi.org/10.1080/21622671.2022.2141850)
- de Streel, A., & Larouche, P. (2021). The European digital markets Act proposal: How to improve a regulatory revolution. *Concurrences*, 2, 46–63.
- Espinoza, J. (2020). Internal Google document reveals campaign against EU lawmakers. *Financial Times*. <https://www.ft.com/content/d9d05b1e-45c0-44b8-a1ba-3aa6d0561bed>.
- Espinoza, J., & Williams, A. (2021). Breton accuses US commerce secretary of campaigning for Big Tech. *Financial Times*. <https://www.ft.com/content/d80c0c3a-460b-47b9-bab3-dfb114a40dd1>.
- European Commission. (2015). *Digital Single Market Strategy for Europe*. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52015DC0192>.
- European Commission. (2020a). *Digital Services Act*. <https://eur-lex.europa.eu/legal-content/FR/ALL/?uri=CELEX:52020PC0825>.
- European Commission. (2020b). *Digital Markets Act*. <https://eur-lex.europa.eu/legal-content/FR/ALL/?uri=COM:2020:842:FIN>.

- European Commission. (2020c). *Shaping Europe's Digital Future*. https://commission.europa.eu/system/files/2020-02/communication-shaping-europes-digital-future-feb2020_en_4.pdf.
- European Commission. (2020d). *A New Industrial Strategy for Europe*. COM(2020) 102 final <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0102>.
- European Council. (2019). June 19 Council meeting conclusions. <https://www.consilium.europa.eu/media/39922/20-21-euco-final-conclusions-en.pdf>.
- Falkner, G., Heidebrecht, S., Obendiek, A., & Seidl, T. (2023). Digital sovereignty: Rhetoric and reality. *Journal of European Public Policy*. Forthcoming.
- Fligstein, N. (1996). Markets as politics: A political-cultural approach to market institutions. *American Sociological Review*, 61(4), 656–673. <https://doi.org/10.2307/2096398>
- Fligstein, N. (2001). *The architecture of markets*. Princeton University Press.
- Gerber, D. (2001). *Law and competition in twentieth-century Europe: Protecting prometheus*. Oxford University Press.
- Haeck, P. (2021). Paris and Berlin urge EU to crack down on Big Tech. *Politico*. <https://www.politico.eu/article/brussels-eu-big-tech-regulation-digital-markets-act-act-apple-amazon-facebook-google/>.
- Heermann, M. (2023). Undermining lobbying coalitions: The interest group politics of EU copyright reform. *Journal of European Public Policy*, <https://doi.org/10.1080/13501763.2023.2249948>.
- Heidebrecht, S. (2023). From market liberalism to public intervention: Digital sovereignty and changing European union digital single market governance. *JCMS: Journal of Common Market Studies*, 62(1), 205–223. <https://doi.org/10.1111/jcms.13488>.
- Jabko, N. (2006). *Playing the market: A political strategy for uniting Europe*. Cornell University Press.
- Jaurisch, J., & Blankertz, A. (2021). What the European DSA and DMA Proposals Mean for Online Platforms, *Brookings*. <https://www.brookings.edu/techstream/what-the-european-dsa-and-dma-proposals-mean-for-online-platforms/>.
- Jegen, M., & Mérand, F. (2014). Constructive ambiguity: Comparing the EU's energy and defence policies. *West European Politics*, 37(1), 182–203. <https://doi.org/10.1080/01402382.2013.818325>
- Kalyanpur, N., & Newman, A. L. (2019). The MNC-coalition paradox: Issue salience, foreign firms and the general data protection regulation. *JCMS: Journal of Common Market Studies*, 57(3), 448–467. <https://doi.org/10.1111/jcms.12810>
- Kelemen, R. D., & McNamara, K. R. (2022). State-Building and the European union: Markets, War, and Europe's uneven political development. *Comparative Political Studies*, 55(6), 963–991. <https://doi.org/10.1177/00104140211047393>
- Krämer, J. (eds.). (2020). *Digital markets and online platforms: New perspectives on regulation and competition law*. Centre on Regulation in Europe (CERRE).
- Larger, T., Scott, M., Kayali, L., & Vinocur, N. (2020). Inside the EU's Divisions on How to Go after Big Tech. *Politico*. <https://www.politico.eu/article/margrethe-vestager-thierry-breton-europe-big-tech-regulation-digital-services-markets-act/>.
- Mager, A. (2017). Search engine imaginary: Visions and values in the co-production of search technology and Europe. *Social Studies of Science*, 47(2), 240–262. <https://doi.org/10.1177/0306312716671433>
- Mărcuț, M. (2017). *Crystalizing the EU digital policy: An exploration into the digital single market*. Springer.

- Marty, F., & Warin, T. (2020). Digital Platforms' Information Concentration: From Keystone Players to Gatekeepers. CIRANO Working Paper 2020S-70.
- Matthijs, M., & Meunier, S. (2023). *Europe's geoeconomic revolution: How the EU learned to wield its real power*. *Foreign Affairs*. September/October.
- Meunier, S., & Mickus, J. (2020). Sizing up the competition: Explaining reform of European union competition policy in the COVID-19 era. *Journal of European Integration*, 42(8), 1077–1094. <https://doi.org/10.1080/07036337.2020.1852232>
- Moreno Belloso, N., & Petit, N. (2023). The EU digital markets Act (DMA): A competition hand in a regulatory glove. *European Law Review*, 391–421.
- Moskal, A. (2022). Digital markets Act (DMA): A consumer protection perspective. *European Papers - A Journal on Law and Integration*, 7(3), 1113–1119. <https://doi.org/10.15166/2499-8249/615>
- Newman, A. (2020). Digital policy-making in the European union: Building the New economy of an information society. In H. Wallace, M. Pollack, C. Roederer-Rynning, & A. Young (Eds.), *Policy-making in the European union*. Oxford University Press. <https://doi.org/10.1093/hepl/9780198807605.003.0012>.
- Obendiek, A. S. (2022). *Data governance: Value orders and jurisdictional conflicts*. Oxford University Press.
- Patel, K. K., & Schweitzer, H. (2013). *The historical foundations of EU competition Law*. Oxford University Press.
- Perarnaud, C., & Rossi, J. (2023). The EU and internet standards - beyond the spin, a strategic turn? *Journal of European Public Policy*. Forthcoming .
- Pohle, J. (2020). *Digital sovereignty. A New Key concept of digital policy in Germany and Europe*. Konrad-Adenauer-Stiftung.
- Pohle, J., & Thiel, T. (2020). Digital sovereignty. *Internet Policy Review - Journal on Internet Regulation*, 9(4), 1–19.
- Rusche, C., & Büchel, J. (2021). On gatekeepers and structural competition problems. *Intereconomics*, 56(4), 205–210. <https://doi.org/10.1007/s10272-021-0986-5>
- Scott, M., & Kayali, L. (2020). Big Guns and Zoom Cliques: Inside Silicon Valley's Digital Lobbying Playbook. *Politico*. <https://www.politico.eu/article/europe-digital-lobbying-platforms/>.
- Seidl, T., & Schmitz, L. (2023). Moving on to not fall behind? Technological sovereignty and the 'geo-dirigiste' turn in EU industrial policy. *Journal of European Public Policy*. <https://doi.org/10.1080/13501763.2023.2248204>.
- Srivastava, S. (2023). Algorithmic Governance and the International Politics of Big Tech. *Perspectives on Politics*. First view. <https://doi.org/10.1017/S1537592721003145>.
- Thiffault, C. (2021). *Vers un marché unique numérique. Un chantier de construction France-Allemagne*. Master's thesis, Université de Montréal.
- Tocci, N. (2021). *European strategic autonomy: What It Is, Why We need It, How to achieve It*. Istituto Affari Internazionali.
- van Apeldoorn, B., & de Graaff, N. (2022). The state in global capitalism before and after the COVID-19 crisis. *Contemporary Politics*, 28(3), 306–327. <https://doi.org/10.1080/13569775.2021.2022337>
- Vestager, M. (2021). *Ideas for an Innovative and Sovereign Europe*. https://commissioners.ec.europa.eu/2019-2024/vestager/announcements/ideas-innovative-and-sovereign-europe_en.
- Warloutzet, L. (2019). The EEC/EU as an evolving compromise between French dirigism and German ordoliberalism (1957–1995). *JCMS: Journal of Common Market Studies*, 57(1), 77–93. <https://doi.org/10.1111/jcms.12817>

- Warlouzet, L. (2023). Towards a fourth paradigm in European competition policy? A historical perspective (1957–2022). In A. Claici, A. Komninos, & D. Waelbroeck (Eds.), *The transformation of EU competition Law – next generation issues* (pp. 33–52). Kluwer.
- Zuboff, S. (2019). *The Age of surveillance capitalism: The fight for a human future at the New frontier of power*. PublicAffairs.