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Globalization and the Re-emergence of the Regulatory State

Introduction

Globalization broadly refers to the spread and interconnection of production, communication and technologies across the globe. Media and communications have been drivers in the new globalized environment characterized by free-trade and free flow of information, technological advancements and technologically-mediated communication and new institutional arrangements. The complexity of the media networks and communications companies involved in the global scene and the speed of their expansion on an international scale is unprecedented. This has put pressure on the existing regulatory framework which is perceived to be inadequate to address issues in a fast moving globalized world. One such issue concerns the shift in state sovereignty to the international level in media regulation resulting from increased trade and new technologies. According to Raboy (2007) media issues are increasingly transnational and hence require international interventions and fresh regulatory mechanisms of various types to shape them and drive their development and social responsibilities. Unlike the national media systems where the rules governing the media were more straightforward in general terms (there are cases, especially in the Mediterranean countries where media regulation has been unclear), the emergence of a global media system brings with it increasing calls to apply new rules or reform the existing ones.

In fact, globalization denotes a shift from the nation-state to the global when it is applied to media policymaking (Iosifidis, 2011; Mansell and Raboy, 2011). Therefore a large part of this chapter attempts to identify the main features of global media policy and regulation. However, the work devotes an equally large space to those who claim that nation-states still retain key policy instruments to dictate the future of their cultural assets. Not only that. A camp of scholars contend that governments remain the dominant policy actors as they are tasked to *manage* and *orchestrate* changes (rather than control them), *coordinate* and offer *consensus* (rather than imposing it), *enable* and *facilitate* developments (through for example the provision of the regulatory framework and political order), and ensure *accountability* of the market in a period of rapid technological and social change. The chapter contributes to this debate by suggesting that national governments still maintain substantial autonomy to shape national policy agendas and meanwhile influence arrangements in the international environment.

The chapter starts by reviewing works of the 'global-enthusiasts' who denote a sharp decline of the role of the state to manage its affairs. Against this view, 'globalization sceptics' question the extent of change attributable to globalization and contend that the state continues to enjoy strength in the global era. It then explores the various meanings and rationale for regulation in the global era. Third, the work addresses the influence of supranational organizations such as the European Union on national policymaking, the impact of the trends toward privatization of previously state-owned industries on power flows, and the growing reliance of quasi-governmental and private institutions to shape

public services. Based largely on Western traditions, the chapter asserts that there is a continuing important role of nation-states, both within their own boundaries but also as facilitators of transnational processes. While the state is affected by the emergence of multinational corporations, non-governmental organizations and the trends towards liberalization and commercialization, it also affects the societal national and international environment.

From the Fordist era to media globalization

Throughout the 1970s and until the mid-1980s media policy was mainly managed by nation-states by means of active state intervention – this was the era of the Fordist mode of regulation. The emergence of the Fordist welfare state in most developed countries assumed state intervention in markets and welfare provisions. Steinmetz (1999) emphasized the central role of the state as a penultimate source of power and initiator of economic regulation, while Graham and Marvin (2001) highlighted the state's role in enforcing communication policy. The Fordist era understood the state as the central institutional player for delivering development and policy, but its appeal diminished following the emergence of international communications policy in which a multitude of actors are involved in decision-making. Whereas the terrain of media and communications policymaking before the 1990s was essentially determined by national legislative and regulatory frameworks and a minimum of international supervision, it is now characterized by a complex ecology of interdependent structures. Communications policy is no longer exclusively the result of national governments' actions or confined to clearly identifiable locations, but it is increasingly the outcome of a multiplicity of formal and informal mechanisms originating from many different sites. A multitude of factors have created enormous pressure on the existing media and telecommunications legal systems, although three stand out – globalization; the rise of international organizations; and technological change.

In fact, globalization emerged as a buzzword in the late 1980s and gained momentum throughout the 1990s to refer to situations characterized by reciprocal effects among countries or among actors in different countries. Globalization or Globalism is a state of the world involving networks of interdependence at multi-continental distances (Keohane and Nye, 2000, p.105). In effect, globalization can be defined as the integration of economic and socio-cultural relations across borders (ibid). There are various classifications and meanings of globalization, each informing the debate depending on the theoretical stance of the researcher - whether they are global-believers or global-sceptics, although some works appear to be neither strong supporters of media globalization nor fierce opponents. Scholte's (2000) thesis, for example, can be termed global-transformationist and found five broad definitions of globalization: internationalization, liberalization, universalization, Westernization or modernization, and deterritorialization, whereby social space is no longer defined in terms of territorial spaces, distances and borders. It is in fact this last approach of supra-territoriality which, according to Scolte, provides a comprehensive definition of the phenomenon of globalization, for it allows the exploration of shifts in the ways people understand and experience social space (see also Giddens, 1990 and Held et al, 1999). As Splichal (2009,

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p.391) notes, 'globalisation has transformed social relations profoundly, loosened their confinement to territorial boundaries, and weakened the links between territory and collective destiny'.

The globalist thesis incorporates technological change and the rise of transnational corporations (TNCs) with internationally dispersed production and distribution facilities. McChesney (1999) argued that a few TNCs have stakes in many types of media, ranging from newspapers to television and the Internet and located in different parts of the world. Sparks (2007) made references to the growth of supranational organizations and the rise of entrepreneurs like Bill Gates (Microsoft), Rupert Murdoch (News Corporation) and the late Steve Jobs (Apple) as distinct characteristics that underlie the most prominent theories of globalization. Alongside the role of new technologies, globalization is associated with economic dependency and the diminishing role of national economies which have been transformed to the stage in which they now share their sovereignty with other bodies of global governance and international law. Culturally, globalization is said to result in the decline of national cultures, the spread of Westernization and more homogenized global cultures (see Robertson, 1995), whereas politically nation-states are seen to be superseded by international organizations like the World Trade Organization, United Nations and International Monetary Fund, the European Union, global social movements, or even global civil society (see Keane, 2001; Martell et al, 2001).

The politics of regulation

In its narrowest sense, 'regulation refers to the promulgation of an authoritative set of rules, accompanied by some mechanism, typically a public agency, for monitoring and promoting compliance with these rules (Baldwin, Scott and Hood, 1999: 3; see also Baldwin and Cave, 1999). But there is also a broader meaning of regulation, referring to the efforts of all state agencies and non-state processes to steer the economy (ibid.). As will be shown below, this broader perspective of regulation that incorporates non-state actors reflects the changes that have been identified by some scholars (see, for example, Beck, 2005; Strange, 1988) to denote that the global mediated process, rather than the nation-state, should be the core unit of analysis of the contemporary media industry.

But let us first establish the rationale for media regulation. It should be said from the outset that the maintenance and even enforcement of regulation in the context of neo-liberal hegemony, privatization, commercialization and media convergence presents a paradox. While there has been much discussion about how the process of convergence and digital media challenges media regulation, accompanied by calls for a 'lighter' regulatory regime, few argue that 'no regulation' is a valid option. In fact, limited or self-regulation has traditionally been applied to the print publishing industry in order to secure freedom of expression, whereas broadcasting has involved heavier regulation due to high entry and operational costs, which prohibit many potential proprietors to launch even small or local TV stations. A striking example is Murdoch-controlled satellite operator BSkyB in the UK, which has acquired the exclusive rights for premium content (sports and latest blockbusters), thereby leaving little room for newcomers. It follows therefore that it might be difficult for any new operator to enter the UK broadcasting market and

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establish a presence through a strong subscriber base, though in 2012 BT Sports, a player with deep pockets, managed to challenge BSkyB's dominant position in the market by acquiring the rights to show some live football matches.

Secondly, regulation is needed for the management of spectrum. The trends toward convergence, competition and liberalization may call for a shift of scarcity-based regulation to regulation tailored-made for the era of abundance. Still, new services and technologies (mobile commerce, wireless telecommunications links, high-speed data links to electronic equipment) have highlighted the need for regulators, at both national and global levels, to ensure adequate spectrum for all new technologies and maximization of universal access. The principles of regulation, that is, to protect and promote values, such as freedom of expression and access to information, and balance these with acceptable limitations, such as protection of minors, diversity and impartiality, continue to occupy an important place. Because broadcasters can exert tremendous communicative power and form public opinion, regulation should ensure that operators reflect a range of different views and cultures in a society and contribute to rational political debate (Humphreys, 2000). Fourthly, there is a real danger that the market, left alone, favors concentration of media ownership, partly due to the high basic costs of access to the media, and partly due to the ability of powerful enterprises to penetrate any market and achieve 'synergies' (Graham and Davis, 1997). In short, regulation retains its relevance and importance in the new global and digital era. It is needed for eliminating barriers to entry and creating regulatory stability, as well as for delivering social benefits such as pluralism, diversity, affordability, interconnection and access (socio-cultural objective).

From 'government' to 'governance'

The idea of governance explores the erosion of traditional bases of power and changing boundaries among state, industry, international agencies and civil society. It denotes the transformation of the classical model of government in an increasingly interdependent world and reflects changes in the decision-making process at various levels: local, national and international (Splichal, 2009). This has put pressure on the current regulatory framework which is thought to be inadequate to address policy issues in a fast moving globalized world and there are increasing calls to reform it (Iosifidis, 2011). More specifically, it has been put forward that the regime of 'government' where the state exercised absolute control has been replaced by a regime of 'governance' in which there is a fragmentation of authority and the emergence of new actors, so that it is difficult to know who decides what, and how it is decided. In that sense, governance denotes that power is mainly shared among *national regulatory authorities, international intergovernmental agencies, civil society representatives* and the *corporate sector* (see Cariño, no date). In a regime of governance the authority is defined not so much by the *control* of the ruler as by the *consent* and *participation* of the governed. According to some commentators (Majone, 1997) this process makes the decision-making more participatory, whereas others (Splichal, 2009) assert that the public sphere is not enhanced as citizens are still kept in the dark. But does this mean that the role of the state is weak under a regime of governance?

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The role of the state as government certainly appears strong as it is the sole authority that rules and controls, but in a state of governance, the state typically *manages* and *orchestrates*. A government that rules relies on force and sanctions to ensure compliance and issues laws that are binding on all the inhabitants. In contrast, to orchestrate is to call on everyone to play a part in society. Whereas to control is to direct what each part of the system must do (assuming there is a law), to manage is to be open to inputs and methods other than those originally invoked that could result in specified objectives. Governing is an act of leadership (moving a society towards a preferred direction), but governance implies leadership toward societal development. The state is the wielder of power and the principal actor in government. In governance, many different actors are involved in managing public affairs (ibid). The continuous introduction of new modes of governance in contemporary policymaking has gathered pace over the past three decades or so. The combination of public-private partnerships, voluntary agreements, social dialogues and benchmarks are some of the public instruments that are being increasingly used in national, regional (for example, EU) and international policy contexts. As mentioned by Borras and Ejrnaes (2010, p.108) the new modes are more participatory, flexible, open-ended and voluntary than conventional regulatory or distributive modes and use different incentive structures. But ultimately the state is in charge even if there is all this debating and joint action. When the UK government imposed conditions on the BBC for the licence fee (the licence fee is frozen until 2017), the regulatory body Ofcom and the BBC Trust were overridden.

International intergovernmental bodies

The gradual transition from government to governance has been facilitated by the rise of international intergovernmental agencies and global bodies which increasingly influence global media policy venues. Today there are supranational and regional organizations with predominantly economic focus (but also socio-cultural agendas) and these play an active role in the area of media and communications policy. Examples of the most prominent ones include the World Trade Organization (WTO), the International Telecommunications Union (ITU), the Internet Corporation for Assigned names and Numbers (ICANN), and the UNESCO and in particular the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, which came into effect in March 2007. Regional players like the European Union (EU) and the Free Trade Area of the Americas (FTAA) also dictate the policy agenda. The above bodies tackle various aspects of international systems and simultaneously affect national regulatory regimes. Borras and Ejrnaes (2010, p.108) argue that these new fora are more collaborative and participatory than conventional decision-making processes. It follows therefore that these multi-level systems of governance may be more legitimate than older modes.

Civil society representatives

Alongside international bodies which provide instances of the supra-national hierarchies existing above the nation-state, civil society representatives have become a prominent public actor that need to be consulted on policy issues. Civil society includes all those

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who are not part of government, private enterprise or intergovernmental organizations (Raboy, 2004, p.228). Non-state entities such as non-governmental organizations (NGOs) would be examples of sub-national hierarchies existing below the purview of states (Kumar, 2010: 157). Through their actions (lobbying, advocacy, services providing) these non-state actors have an impact not merely in the domain of communications but across a range of global issues such as international health, environmental issues, security and peace keeping, trade, and human rights. Nae, Grigore and Grigore (2006) contend that NGOs have gained an important place in international public policy making through advocacy, public policy analysis and development. Civil society associations make important contributions to greater democratic accountability in global governance for a number of reasons: they confer legitimacy on policy decisions; increase the pool of policy ideas; support less powerful governments; and counter a lack of political will.

The media industry

In the new media environment the negotiation of regulation involves not only public actors but also private ones, like the corporate sector. Business actors are typically profit oriented and pursue goals such as efficiency, security or stability of the market, power and autonomy. Specifically in media and communications, the business sector acts as a powerful policymaking player, both by pursuing technical innovations and by lobbying for the introduction of more relaxed regulatory frameworks. The rationale behind these calls for market and regulatory liberalization has been to enable multinational companies to expand in various media, communication and cultural fields. Media convergence has enabled the rise of the 'network society' which succeeded the industrial society and introduced 'a pattern of discontinuity in the material basis of economy, society and culture' (Castells, 2000). The invention of the Internet with its global reach was a crucial milestone in this progressive disconnect. The new digital media institutions with their network power capable of crossing national borders pose more challenges to the nation-state (Vick, 2001; Morris and Waisbord, 2001). According to Kumar (2010), for instance, Google represents a new modality of power, increasingly making inroads into the nation-state system and presenting itself as 'centerless', thus claiming to operate in the interests of the larger global good by ensuring global free flow of information. Kumar's study provides a concrete example of the challenge that new media present by showing how Google ignored repeated requests from governments, and highlighting their lack of legal, technical or diplomatic means to influence the media giant.

In effect, new media challenge the very concept of defined international boundaries because of their 'borderless' architecture. This compromises a state's ability to implement laws within its defined geography (Kumar, 2010, p.158). In fact, some scholars have called new media entities such as Google (and Facebook) as 'sovereign entities equivalent to a nation' (Conti, 2009, p.4 cited in Kumar, 2010, p.159). It is clear then that the Internet and social networking sites have become a major arena for corporate activity, similarly to other branches of the cultural industries. Individualization of consumption has been accompanied by consolidation of media ownership producing global multimedia corporations intent on redeveloping cyberspace as retail real estate (Murdock, 2004). Thus it is mainly technological developments (but also socio-political

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shifts) that are changing who can communicate, what is communicated, and how it is communicated.

The 'theory of the eroding state'

International bodies, network power and civil society all interrelate and wield influence (albeit in different degrees) alongside the nation-state when it comes to communications policymaking. Global activists and organizations have brought about fresh forms of social organization and political engagement in the transnational media policy arena. Social media such as Facebook and Twitter offer novel forms of participation and influence beyond the traditional state-limited frameworks. Keohane and Nye (1998) discussed changes in the global environment resulting from the information age and argued that the world is becoming increasingly 'information interdependent'. Along these lines, Ulrich Beck (2005) asserts that multiple dimensions of media globalization such as industries and technologies (the consolidation of global networks) and civil society (transnational media activism) have limited the role of the nation-state and therefore scholarly attention needs to take a global perspective. In her deterministic approach Susan Strange (1988) stresses that state sovereignty is affected by inescapable processes of world transformations and calls for the 'end of nation state'.

So the shift to governance and the resulting 'complex interdependence' in the information era brings more activities into an international agreements framework. The process towards governance is viewed as synonymous to reduced state power, for national governments are now but a player among many others in the domestic and international arena. Referring to the UK, Rhodes (1994) used the expression 'the hollowing out of the state' to describe the impact of recent changes in UK policy-making. He suggested that the UK's membership of the European Union has seen power flow upwards from the central state to a supranational tier of government (more recently, similar concerns have been voiced by the UK Independence Party). Meanwhile, privatization of state owned sectors and wider reforms to the public sector have seen power flow downwards, from central government to various subsidiary bodies. Rhodes contended that the aforementioned changes have undermined the power of the UK government to regulate and that the British state is in the process of 'being eroded or eaten away' (ibid, p.138). In addition, devolution and pressures for more power to the regions, the fragmentation of voter allegiances – so a shift towards coalitions – are signs that this process is not just about the media but also about how politics is changing. For example in the UK there is a move away from a two party system towards something that is more complex and involves less certainties as parties have to negotiate with other parties.

In the same token, Gamble (2000) argued that the shift to governance has undermined UK government control of both the policy process and the policy outcomes. For Gamble, the state is becoming less united and coherent and more fragmented and diversified due to globalization, European integration, devolution and administrative reform. As decisions are being taken at many different levels and by various bodies, the policy process is hard to understand for politicians and citizens alike (ibid, p.290). Richardson (1994) noted a move from conventional direct UK governmental involvement to a more

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complex model of rule-making and implementation, with fresh sets of formal and informal rules and new sets of players. Echoing these opinions, Richards and Smith (2002) put forward the idea that the contemporary fragmented nature of the UK television policy process is a consequence of the ever increasing variety of terrains and players involved in public policy-making beyond the core executive. But the counterargument is that the policy process has become more centralized given that Ofcom has replaced five independent regulatory authorities (see below). To sum up, the above commentators have supported the 'loss of government control thesis', or put another way, the 'theory of the eroding state' as a result of the emergence of various national and supranational bodies, globalization and reregulation.

The enabling state

Yet the state continues to play the key role of enabling and facilitating the participation of other actors in society; it creates the political and regulatory conditions that enable and facilitate other key players, such as civil society and the market, to make their own contributions. In this sense, the state remains able to achieve most, if not all, of its preferred policy outcomes. The state as *enabler* or *facilitator* creates the setting (by for example making changes in the law, or offering incentive schemes, or upgrading the physical infrastructure) within which all stakeholders (citizens, the market, NGOs, voluntary groups) can overcome confusion brought about by rapid social and technological change and effectively manage societal affairs and pursue their objectives. Actually, power to influence differs greatly among the groups – it is common knowledge that there is a hierarchy with business on top and citizens on the bottom. Flew (2007) referred to a twenty-first-century model of the *enabling state*, whereby the role of governmental authorities is increasingly promotional and informative, working with complex networks of non-governmental authority and agency. By acting as a manager rather than as a controller the state can move a society toward a preferred direction through trust and consensus, rather than sanctions. This way the state does not lose power; instead the shared accountability, the consent and participation of various actors makes the exercise of state power more effective.

Waisbord (2014, p.29) acknowledges that certain media developments demand a post-state approach, but this does not exclude the relevance of states and nations as subjects of study, for they remain preeminent sites of action and debate over media matters. While global dimensions are critical to understanding the media in relation to a number of issues like policy, activism and identity, it is wrong to assume *ex ante* that everything is connected to global forces. Waisbord contends that 'methodological globalism actually explains little about the central features at the national or regional levels, from patterns of ownership and funding to the relations between media and organized politics' (ibid: 30). Referring to the Latin America region, the author asserts that 'it is necessary to address domestic politics and the role of the state to capture the defining elements of media ecologies in the region'. In his work, Waisbord discusses the limitations of the media globalization thesis by reviewing, among others, the role of the state in media policies in contemporary Latin America and concludes that regional cases illustrate the limitations of the global turn in media studies. Fundamental policies regarding issues such as

regulation, ownership and funding can be best grasped with references to national trends or actors as they are sensitive to domestic dynamics and calculations.

In this wider context of transitional media governance, helped by the emergence of an information society, regulatory reform, the rise of the Internet, globalization and technological convergence, the state is being transformed, not overwhelmed, and certainly it is in no way heading for extinction. States remain key actors in media policy formulation and enforcement, 'making the territorial congruence of mediascapes and nation-states a key component to media policy's development' (Abramson, 2001, p.301). Here, the state's regulatory role shifts at two levels: at one level, it is confined to the position of industry referee, enforcing and arbitrating the negotiations and relationships between the market players who constitute the mediascape. At another it attempts to address the thorny (and slippery) dichotomy between promoting culture and safeguarding industry concerns. Under the guise of the *promotional state*, governments try to synthesize the topographic imperatives of the nation-state with their role as facilitators, promoters and partners to industry (ibid, pp.316-17). But how does this square with states which are becoming much more interventionist – China, Russia – and have the technology to block what they do not particularly want their people to see. China is a key example of a state which very much has its eye on what is going on and Putin's Russia manages the media effectively. Although outside the scope of this Anglo-Saxon based piece, these examples show that states can still exercise considerable power over the media.

The regulatory state

Another camp of scholars point to the emergence of the *regulatory state*. Modern states are placing lots of emphasis on the use of authority, rules and standard- setting. In the late 1990s Majone (1997) described the changes in mode of governance as a shift from the positive to the regulatory state. While public ownership had historically been the default means of economic regulation, Majone claimed that this does not equate with public control and an alternative option is to leave public utilities in the hands of private owners while subjecting them to regulation by establishing special bodies. The changes in the inner face of the regulatory state can be described as a shift from 'direct government' to 'government by proxy'. This is paradoxical given the rise of neo-liberalism and accompanying deregulation trends, which presuppose the retreat of the state and the triumph of markets. But setting up agencies to operate at arm's length replaces the former monolithic entities with a new structure of responsibilities. The new players (the experts) replace the politicians to a certain extent and may lead to greater accountability and legitimacy (although this is not always the case). As Majone stresses governments delegate powers and transfer control chiefly in order to enhance the credibility of their policies in the eyes of transnational businesses and civil society organizations (ibid.).

The establishment of super-regulatory bodies like Ofcom in the UK in 2003, replacing five separate broadcasting and telecommunications regulators, can be seen as very much a product of the regulatory state. Although at face value this regulatory overhaul might be seen as a fairly straightforward response by UK policy-makers to the convergence of

television, telecommunications and computing technologies facilitated by digitalization, 'this motion should not obscure the fact that the establishment of Ofcom was also the institutional culmination of a significant shift in the focus of UK television regulation, away from the allocation of relatively scarce spectrum to achieve public service objectives and towards the control of market power to facilitate free market competition' (Smith, 2006). More recently, the phone hacking scandal and the subsequent Leveson inquiry suggests that in the UK at least there is renewed interest in regulating the behavior of the press. In France, the national broadcasting regulatory body CSA (Conseil Superieur de l'Audiovisuel) has seen its powers extended notably with a new law passed in 2013, extending its powers over digital content (Le Monde 2014). French President Hollande's presence at a CSA's meeting in early October 2014, a first for an incumbent president, marked this willingness to extend the state's control over digital media through an agency operating at arm's length. What does that really say is that old ways of doing things do not die!

In this regard, the state may not merely act as *facilitator* or *mediator* between different interests, demands and pressures, but in fact it acts as a *shaper* of preferences. As a consequence, the role of the state in the national and international arena is not to reflect or reconcile national/global conflicts and problems, or negotiate agreements, but to take an active role and pursue its own interests. At a European level, national governments have been careful not to restrain market developments, but they still intervene in order to maintain the conditions of open and fair competition and/or protect the interests of the public in having access to a variety of services. For example, governments are responsible for maintaining and promoting public interest goals like political pluralism and cultural diversity, which are considered fields of national interest where the European Union has no jurisdiction to intervene. Further, there is no single European regulatory model and there are no plans to set up a single European media regulatory authority, leaving lots of power to national agencies.

Conclusion

The chapter started by reviewing and providing a critique of the views of the pro-globalist camp that point to a sharp decline of the role of the state to manage its affairs in a global epoch. The work lined up with the skeptical approaches and argued that the process of globalization and governance does not lead to a weak state. It can be argued that the role of the state is increasing rather than diminishing. Indeed, states are involved in constant interaction with other players of international society such as civil society and businesses in order to produce greater integration, social cohesion and consensus-based world politics. The most significant shifts in economic globalization and the rise of multinational enterprises are heavily dependent on state support in order to provide an environment of smooth functioning. States remain the key actor in the domestic and international arenas by allowing economic integration through the adoption of market-based policies and regulations. But governments may be more interested in interacting and listening to big business than civil society. There are signs about how states cozy up to the TNCs to secure advantages. Where nation states are compromised is in dealing with large global players like Google, Amazon – not just in terms of what they distribute,

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but also in respect of how they play governments off with respect to tax for example. In TV production it is largely a race to the bottom to see who can attract the biggest companies to bring their business to a particular country. So for example Animation tax breaks in the UK are designed to attract the likes of Disney to the country. Conglomerates might bring the work, but often they do not contribute to locally originated content.

In political terms, states retain a central role in the growth and institutionalization of global governance. This is reflected in the setting up and/or strengthening the power of numerous regulatory agencies to oversee media and communication industries. As Michalis stresses in her chapter in this volume, national policies remain fundamental within the EU, which is biased in favor of regulatory policies, the implementation and cost of which have to borne by the member countries. EU policies, the argument goes, have contributed to the strengthening and expansion of member states' regulatory responsibilities. Thus the image of a borderless world in which the nation-state has little relevance is misleading. The regulatory state is back, if it has ever left, as Turner debates in his contribution to the volume.

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