

The Digital Dimension of European Cultural Politics: Index, Intellectual Property and Internet Governance

By Nanna Thylstrup

Abstract

The Internet and the World Wide Web (WWW) have become dominant fields for European Union (EU) politics. What used to be at the outer fringes of the EU policies has now taken centre stage. The transnational and dialogical structure of the Internet has hardwired it for international cultural politics, yet the very same structure also works to erode the very territorial foundation of traditional cultural politics. Given the delicate and complex terrain cultural politics traverse in international politics, and the trailblazing progression of the Internet, it seems on-line cultural politics is not just the application of existing cultural politics to cyberspace but a new field to be explored, analyzed and taught. The present article maps a constituent European cultural boundary on the WWW as the EU has circumscribed it and places this cultural node within a wider array of Europeanization and globalization processes.

Keywords: digitization of cultural heritage, EU cultural policy, EU citizenship, Intellectual Property, digital culture, Internet governance, privatization.

Introduction

‘Culture’ was introduced as a formal EU competence in 1992 with the agreement on the Treaty of Maastricht. Since its inception, the ‘culture article’ 167 (formerly 128 and 151) in the Treaty of Europe (TEU) has been left relatively undisturbed throughout the different Treaty amendments. It is effectively constrained by a strict application of the subsidiarity principle, and is exempt from legislative harmonization. However, despite the rigorous application of the subsidiarity principle, the article contains a ‘loop hole’- namely, article 167.4 - which reads: ‘The Union shall take cultural aspects into account in its action under other provisions of the Treaties, in particular in order to respect and to promote the diversity of its cultures.’ (European Commission Culture: Article 167 2010). This fourth paragraph underlines the transversal character of culture with regard to other Community actions. The objective of the paragraph is to ensure that Community legislation covers cultural issues. But it also indicates that the EU Commission’s working definition of culture is all-encompassing and consequently difficult to distinguish from political, economic and legal fields as such.

The EU’s inclusion of a cultural dimension invokes two central themes on overarching Europeanization processes. First, it touches upon the genesis of state formation and the philosophy dominant within the EU’s bureaucracy (e.g. supranationalism, liberalism or republicanism) and the degree of autonomy of the scientific fields that fall under it. Second, it reveals the impact transnational privatization has on cultural politics.

By employing Europeana, the EU’s large-scale digitization project, as a case study, the present article maps these ideological fluctuations as they appear in policies and politics in the WWW. Contrary to popular belief, neither the Internet nor the WWW is a borderless sphere. Instead, both realms have become constitutive factors in already-existing geopolitical hegemonic formations along two axes: a vertical axis of territorially bound national and supranational cultural politics and a horizontal axis of ‘rootless’ transnational market forces. The analysis revolves around these two axes: on a vertical plane, it charts out EU’s cultural politics between communitarian and procedural politics as they appear on the WWW. On a horizontal plane, the article describes how globalization and privatization affect, and possibly erode, these vertical strategies.

The article uses three thematic clusters to illustrate how the abovementioned horizontal and vertical perspectives collide: the index, intellectual property rights and Internet governance. The EU Commission has employed Europeana as an incentive for integration and a public service statement, yet at the same time the EU Commission is also restructuring Europeana to fit the transnational horizontal nature by using it as a lever to adjust and harmonise copyright legislation within the EU.

The EU Commission is thus pursuing a paradoxical strategy to maintain its position and that of the EU: On the one hand, the EU Commission is increasingly

emphasising communitarian aspects of culture to unify its citizens (Shore 1993; Galtung 1994; Delanty 1995; Pantel 1999; Pietersee 1999; Shore 2000; Haller & Shore 2005) and at the same time promoting culture as civic rights, welfare principles and scientific autonomy (MacCormick 1997; Weiler 1997; Kaufmann & Raunig 2002; Habermas 2003; Stiegler & Adolphe 2005; Kreis 2006; Müller 2007; Stiegler 2010); yet, on the other hand, the EU is escalating its privatization strategies in the transnational field of neo-liberal politics (Boorsma 1998; Bourdieu 1998; Smithuijsen 1998; Beale 1999; Belke & Schneider 2006; Schmitt 2011). The three clusters cannot be divided with a sharp distinction. Rather, they share some positions while rejecting others and in that respect they all reflect certain aspects of the diverse and strongly fragmented expressions of EU cultural politics (Staiger 2009).

A Note on Empirical Data

It is impossible to analyze EU policy making by means of a domestic state model (Knill & Lehmkuhl 2002; Hajer 2003). The lack of a central agenda setting and coordinating authority, combined with a process that involves constant deliberation and cooperation between several levels of state and non-state officials, makes supranational policy-making a distinctly more complex operation. In addition to this procedural complexity, the national and international adaptation of EU legislation needs to satisfy a multitude of territorial and functional constituencies. For these reasons EU decision-making gives more significant weight to private interest groups alongside European, national and sub-national state officials than national decision-making would (Hix 1998). The present article focuses on the role of the EU Commission because it accepts that the EU Commission remains, despite several political setbacks and harsh criticism from inter-governmentalist theory, a powerful supranational organization with the capacity to set a normative agenda in the EU (Hooghe & Nugent 2006). However, accepting the complex agenda-setting structure of the EU, the argument here is built on the basis of policy documents, official EU communications and interviews with stakeholders, EU officials and Europeana employees.

Europeana – A Brief Introduction

Before embarking on the analysis, a brief introduction to Europeana and the idea of digitizing cultural heritage is in order.

French politicians and practitioners conceived the idea of Europeana in 2005 as a reaction to Google's invention of Google Books. Emphasising what he perceived as the dialogical and relational nature of books, the then French Minister of Culture, Donnedieu De Vabre, strongly objected to the idea that peoples' access to French culture online should be facilitated by an "Anglo-American machine"

(Jeanneney 2007: 60). The French position thus implied not only that artworks are relational and embodied, but also, and more importantly for the present analysis, a discourse on the bias of technology (Winner 1986; Latour 1992; Flanagan, Howe & Nissenbaum 2008) claiming that American technology was essentially discriminatory of French cultural and political values.

Invoking the concept of “cultural diversity” (in this case understood as “cultural exceptionalism” (Vernier 2004)), the French government urged the EU to construct a European alternative to Google’s search engine and archive (Jeanneney 2007). Occasioned by France, the EU Commission promptly adopted the idea of Europeana as a “flagship project” for the emerging EU cultural policy (Interview Luca Martinelli, Principal Administrator at the European Commission, Directorate General “Information Society and Media”, Luxembourg, 2011). The EU Commission’s assimilation of Europeana as a part of their policy objectives was in accordance with general EU cultural objectives aiming at creating cohesion and profit for the EU and its member states while still respecting the principle of subsidiarity. President José Manuel Barroso thus noted in a letter to Jacques Chirac:

Comme vous soulignez, nos bibliothèques et nos archives contiennent la mémoire de nos cultures européenne et de société. La numérisation de leur collection – manuscrits, livres, images et sons – constitue un défi culturel et économique auquel il serait bon que l’Europe réponde de manière concertée¹
(Letter from Commission President Barroso 2005)

The letter communicated that European cultural heritage was both culturally and economically valuable for the EU. He thus embedded the French-cum-EU initiative as an important element in a double-barrelled strategy aiming first at European polity formation by means of providing pan-European access to Europe’s cultural heritage and second, at EU profit enhancement by means of expanding the EU’s competences on the Internet and the WWW. Soon after José Manuel Barroso’s letter, the EU Commission sent out a statement that contrasted the slow pace of European digitization first to Google’s fast-paced digitization project and subsequently to large-scale digitization initiatives in India and China (i2010: digital libraries 2005). The communication made it clear that Europeana’s ambition was threefold: enforcing integration within the EU, expanding the public sphere on the WWW and enabling competition with third party states. A competitive external dimension, expressed specifically through the juxtaposition with Google Books, was thus adjoined to the integrative and informative internal dimension.

To the wider public, Europeana is primarily perceived as a portal exposing cultural heritage from various sources to Europe’s citizens. Hans Jansen, the archive’s Director of e-Strategy, notes that the main difference between Google and Europeana is in the content it provides and the way it accords relevancy to objects (Interview Hans Jansen, Director of e-Strategy, Europeana, Den Haag, 2010).

According to other Europeana staff, however, this distinction does not entirely capture the essential characteristics of Europeana, which are as diverse as the interests invested in it. Europeana has thus been called a search engine, a portal, a cultural institution or, as some of its chief architects explain:

Europeana thus is much more than a Digital Library: it is a DLS [Digital Library System] in the sense defined by DELOS [an international association for digital libraries], and at same time based on a DLMS [Digital Library Management System] as developed in the Europeana V1.0 and EuropeanaConnect projects and which may in turn be used to generate different varieties of Digital Library Systems. (Concordia, Gradmann & Siebinga 2009: 69)

In layman's terms, the professed main goal of Europeana's chief architects is to build an open services platform enabling users and cultural institutions to access and manage a large collection of surrogate objects representing digital and digitized content via an Application Program Interface (API). While this may sound like a purely technical discourse, it is in reality a highly politicized enlightenment discourse on how to ensure transparency and free access to knowledge in an increasingly opaque WWW marked by an expanding intellectual property rights regime.

The following pages analyze Europeana as an example of how the forces of globalization and digitization impact traditional cultural politics in the digital sphere.

The European Archive and its Index

Having already established that Europeana's terminology is not set in stone, we can for the sake of clarity refer to it as a European archive in the broad sense of the word (Derrida 1996; Myerson 1998; Velody 1998; Zajko 1998; Huyssen 2003). When discussing concrete archives the explicitly political question about 'who' governs and orders the archive is often reduced to the technically instrumental 'how' thereby displacing political-moral questions to technical discourse (Brown & Davis-Brown 1998). This section intends to draw out the cultural politics at play in Europeana's archives and thus the politics embedded in the digitisation discourse.

Analyzing the cultural political aspects of Europeana, two overall political ambitions seem to dominate: on the one hand, it works to preserve the autonomy of science and art works; on the other hand it aims at instilling Europeans with a sense of unity on the basis of a shared cultural heritage. As I shall argue, the former position echoes civic values, while the latter invokes communitarian ideals.

The scholarly turn towards the concept of cultural identity (Smith 1992; Taylor, Gutmann et al. 1994; Kymlicka 1997; Buchanan 1998) has been a defining moment for the status of cultural heritage. Not all scholars who took an interest in

cultural identity adopted similar approaches, however: there was a discernible school of thought endorsing self-determination in more or less explicit terms (Kymlicka 1989; Margalit & Raz 1995; Taylor 2004). The EU's appropriation of cultural heritage as a bearer of cultural identity and culture as the soul of Europe resonates with these communitarian convictions (EUROPA: Commission unveils plans for European digital libraries 2005; EUROPA: A Soul for Europe 2006; European Culture Portal). Following Charles Taylor, one could account for the obsession with cultural heritage as being a part of a more general trend – the right to recognition (Taylor & Gutmann 1994). This right to recognition has been appropriated by the French protectionist strategy of French, and European, culture in the face of US cultural hegemony by advocating first cultural exceptionalism, and later modifying it as cultural diversity (Farchy 2004).

Against this cultural view, other scholars have warned that cultural heritage is all too easily reified into closed totalities and opposed the idea that a person's identities remain dependent upon a defined culture or even the rootedness in a particular culture (Calhoun 1992; Delanty 2000; Habermas 2005; Eriksen & Stjernfelt 2009). Slavoj Žižek (1997) has argued that the dominant WWW discourse, the cultural heritage craze and communitarian politics are all formations of capitalism. As a more optimistic alternative to this 'prepolitical' nature of communitarian politics and "postpolitical" nature of the WWW discourse, Jürgen Habermas (1994) has argued that a procedural system of deliberative politics is needed to reinforce the democratic potential of the public sphere. However, to Habermas' mind the Internet and the EU have yet to prove to be successful public spheres in which citizens can express their views freely and without regard to status (Jeffries 2010).

In the case of Europeana, the division between cultural and civic discourse reveals itself in the EU Commission's entwinement of a cultural heritage and a knowledge discourse. The knowledge discourse echoes theoretical arguments set forth by Habermas and Žižek while the cultural heritage discourse emphasizes similar points as Taylor and Will Kymlicka. This distinction is important because the different discourses frame and determine the diverse political potential of Europeana. Thus, although the two concepts 'knowledge' and 'cultural heritage' in many respects resemble each other at first sight, the semantic implications of each term differ greatly. What I mean by the semantic division between 'cultural heritage' and 'knowledge' is the transformation from analogue to digitized heritage caused by the digitization process. The physicality of analogue material conveys what one could call a Kantian separation of content and form. A senior staff working at the EU Commission's DG Information Society confirms the distinction and explains the difference in the following terms:

Film heritage is the physical copies. Digitizing films is not a way of preserving them. This is a common mistake. When you go into digitization you enter an active process that never ends. While if you keep the analogue material, you keep

it. What digitization is giving us is the possibility of providing access in a way that we have never imagined before. So that is the point of digitization, of providing access. (Interview Marisol Pérez Guevara, Administrator at the European Commission, Directorate-General Information Society and Media, Unit Audiovisual and Media Policies, Bruxelles, 2011)

The digitization process thus transforms heritage artefacts into dynamic digital material without strong boundaries between data and metadata (Abrams, Cruse & Kunze 2009). The difference is also emphasised in the disciplinary discourse of digitization, which differentiates between preservation of physical copies and curation of digital copies (Yakel 2007; Abrams, Cruse & Kunze 2009; McCrary 2011). The political nature of the semantic difference between knowledge and heritage was confirmed by Europeana senior staff, who noted that the EU Commission were very adamant regarding the implementing of the cultural heritage discourse into Europeana's communication flow (Interview anonymous senior staff, Europeana, 2011).

The EU Commission's heritage discourse narrates a fragmented European history as a united European collective memory. In this respect the task of Europeana is to communicate European memory as an aesthetic construction of representations of the past in accordance with the needs of the present EU community (Halbwachs 1925). Europeana works as a mediator of symbolic form, constituting and guiding the European Commission's cultural logic through a specific set of protocols and context (Gitelman 2006: 7). In this sense the Europeana archive makes sense of 'Europe' by invoking the collective nature of European cultural heritage. The 'index' can be consequently seen as a European algorithm ordering the European narrative in the EU archive.

As a subjective signifier the index, and the right to define it, plays an important role in cultural politics. And it was exactly this right to define the algorithm that orders our perception of the world which motivated the French to invent Europeana in the first place. In his book *Google and the Myth of Universal Knowledge: a View from Europe* Jean-Noël Jeanneney (2007: 47) expounded the urgent need for an autonomous European search engine to serve as an alternative to Google:

A European algorithm ought to be defined, so that it can be used knowledgeably, subjected to criticism, and eventually improved, by anyone who cares to (We know that some Americans favour making algorithms patentable; the former French prime minister, Michel Rocard, along with other European parliamentarians in Brussels, rightly opposed that idea.) The development of an algorithm is not necessarily the prerogative of the public sector ... The state, however, should do the instigating.

In the above quote, Jeanneney invokes two central themes: he presupposes a European unity, and he emphasises the importance of Enlightenment as a political practice that stresses the need for a public framework to ensure public

accountability. He thus vacillates between cultural exceptionalism as it has been inscribed in French cultural politics (Farchy 2004), and political proceduralism, as it is understood by Habermas (1994). The former culturalist reasoning is primarily found in the discourses of the EU Commission and the stake-holders. The people constructing Europeana's technology and infrastructure, however, predominantly appropriate an Enlightenment discourse emphasising issues such as accountability, public service and individual reasoning.

A key ambition for several Europeana core members is to incorporate the information management concept Linked Open Data (LOD, also sometimes referred to Open Linked Data) into Europeana's infrastructure (Zeinstra & Keller year unknown). Apart from the innovative technological aspects of LOD, the information management concept also contains a highly politicized dimension. From this perspective, the ambition is to make Europeana as 'open' as possible with regard to its technical infrastructure and accessibility to content. As a core worker with Europeana explained, LOD *can* work without being open (which is the case, for instance, in pharmacy industries and biomedical data), however, too much reasoning potential and too many semantic values would get lost behind private property barriers (Interview Dr. Stefan Gradmann, responsible for Europeana's semantic interoperability, Berlin, 2011). The aim is therefore to incorporate LOD into Europeana as a radical openness concept which goes even further than the current Linked Data concept as it is envisioned by Tom Heath and Christian Bizer (Heath & Bizer 2011).

The incorporation of LOD would have a number of implications for future EU policies. For example, LOD in Europeana would entail complete freedom regarding data usage. This decree would, for instance, enable a link between a classic masterpiece and regular porn. Libraries have objected to this possibility, because it implies a loss of their traditional control over knowledge. Furthermore, several key actors within Europeana have stated that Europeana should make no profit from data access and use. This Enlightenment vision is in line with Bernard Stiegler's robust defence of civic virtues in contrast to the 'herdlike collectivity' that he thinks characterizes politics today (Stiegler 2010: 172).

Looking across different justifications for the existence of Europeana, we can thus trace how the cultural and the civic arguments entwine. The cultural discourse employs aesthetic notions of 'culture' and 'collective memory', while the civic discourse operates with political notions of 'knowledge', 'individual enlightenment' and 'the public sphere'. Both ideological strands narrate European traditions, yet their geneses differ fundamentally. The former justifies the existence of Europeana from a pre-political perspective, whereas the latter invokes political arguments, stressing its inherently democratic, reasoned and liberating potential.

The European Archive as Intellectual Property

The cultural politics of Europeana are inherently linked to the issue of intellectual property rights, including the Anglo-American copyright and Continental author's rights. In fact, three discursive rationales can be identified in the process of selecting and making available information through Europeana: economic, political and cultural. These three rationales exist in a trialectic relationship: Europeana was discursively launched as a vehicle of European cultural identity (EUROPA: EUROPEANA: un voyage à travers la culture européenne 2008), but prior to that it was embedded as a central part of a larger digital strategy aimed at harmonizing copyright in the internal market (EUROPA: Commission launches five-year strategy to boost the digital economy 2005), which in turn linked to the politically motivated aim of becoming a unified key player in the governance of the Internet itself to ensure legal rights and promote accountability and transparency (EUROPA: The need for accountability in Internet governance 2010).

This means that even though the primary motivation of large-scale cultural digitization projects such as Europeana is formally about preservation and access, in reality it is just as much about intellectual property rights legislation. As most Western societies have moved into the so-called 'Knowledge Economy', Viviane Reding has argued that the main challenge for the digitization of cultural heritage today is the fragmented copyright legislation in the EU, which hinders free online-accessibility (EUROPA: The role of libraries in the information society 2005). She addressed what would soon become a core ambition for the EU Commission in the cultural realm: to harmonize several aspects of copyright legislation in the EU in order to facilitate EU's economic potential in the digital sphere. In the *Green Paper on Copyright in the Knowledge Economy* from 2008, which was partly motivated by the then-pending Google Books settlement, the Commission indicated that it was strongly considering the implementation of a European Union-wide legislative measure, especially with regard to legislation on the issue of Orphan Works (Copyright in the Knowledge Economy 2008).

There are many regulatory impracticalities connected to the diverse nature of continental intellectual property legislations, and the EU Commission's wish to harmonize European copyright legislation is in line with the emergence of a new 'supra-national regulatory environment' occupied with questions of economic and competition policy (Morley & Robins 1995: 176). However, a harmonization of intellectual property legislation is not merely a question of pragmatic procedures, it is also a matter of uniting the diverse epistemological differences that are at the heart of what at first glance seems merely to be a question of commercial policy (Roeder 1940; Bécourt 1990; Rosenmeier 2001; Hesse 2002; Lessig 2004; Mayer-Schönberger 2005)

Continental author's rights and Anglo-American copyright traditions reflect cultural values and norms, which in turn have implications for cultural

expressions, productions and trade (Samuelson 1999). The Continental author's rights traditions have consequently had a great impact on aesthetic expressions we would categorize as distinctly 'European' (Teilmann-Lock 2009). Due to the cultural implications of the legal provision, Member States have long upheld the differences between the Continental author's rights legislation and the Anglo-American copyright legislation. This distinction also serves as foundation for the vehemence with which several Member States met the Google Books Settlement. France and Germany have been particularly outspoken in their opposition to the initial Settlement. Both countries have submitted *amicus curia* briefs to Second Circuit judge Denny Chin in which they argue against the inclusion of foreign authors in the lawsuit (Durantaye 2010/11). They have, moreover, both expressed their opposition to Google Books by bringing suits against Google Books for their scanning activities. In addition, both countries tried to exercise diplomatic pressure. Their efforts have resulted in a temporary stalling of the Google Books settlement after judge Chin rejected it in 2011. All of these measures have been thoroughly documented (Courant 2009; Darnton 2009; Hall 2009; O'Brien & Pfanner 2009; Pfanning 2011).

As Katharina De La Durantaye notes, however, it is a less known fact that the EU Commission's reaction differed from that of some of its Member States. Despite pressure from Member States such as France and Germany, the European Commission elected not to write an *amicus* brief on behalf of the EU in opposition to the original Settlement (Durantaye 2010/11). Instead the Commissioner Charlie McCreevy and Commissioner Reding stressed the necessity of, and potential for, public-private partnerships as a means to effect the digitization of books (EUROPA: It is time for Europe to turn over a new e-leaf on digital books and copyright 2009).

These public-private partnerships could consist of relatively conservative forms of cooperation, such as private sponsoring or payments from the private sector for links provided by Europeana, as well as of more far-reaching involvement of private parties that, according to the EU Commission, could go so far as turning the management of Europeana over to the private sector (Europeana: next steps 2009). In a similar vein, a report authored by a Comité de Sages set down by the EU Commission opened the door for public-private partnerships and also set a time frame for commercial exploitation:

It is logical that the private partner seeks a period of preferential use or commercial exploitation of the digitized assets in order to avoid free-rider behaviour of competitors. This period should allow the private partner to recoup its investment, but at the same time be limited in time in order to avoid creating a one-market player situation. For these reasons, the Comité set the maximum time of preferential use of material digitised in public-private partnerships at maximum 7 years. (The New Renaissance 2011: 39)

These considerations stand in stark contrast to previous statements made by the EU Commission, which envisioned a bigger role for the public sector in the administration of Europeana (*Digital Libraries: Recommendations and Challenges for the Future 2009*: 7). Furthermore, they indicate that the EU Commission encourages horizontal transnational privatization initiatives that may go against the national cultural politics of the Member States. Coming back to the cultural nexus, this development might end up affecting the democratic potential of the public sphere and encroaching on the autonomy of science and culture as such. Several scholars have argued that public-private partnerships displace public accountability and that if this is true they should be conceived as incompatible with democratic accountability (Bourdieu 1998; Mörth 2009; Schinkel & Houdt 2010; Gammeltoft-Hansen 2011). Thus, privatization processes may erode the democratic potential of the public sphere in favour of the efficiency of the private sphere (Mörth 2009).

Europeana and Internet Governance

The dominant issues of cultural content and its legal protection are also determining factors in what is now called Internet governance. Internet governance tackles central questions such as: who rules the Internet, in whose interests, by which mechanisms and for which purposes, including issues such as censorship, access and context (Lessig 1999; Bernstorff 2003; Mayer-Schönberger 2003). In 2009, the Internet Governance Forum identified key policy areas, including issues relating to the use of the Internet such as national policies and regulations and issues with wider impact than the Internet such as competition policy, privacy and Intellectual property rights (Internet Governance Forum: *Creating Opportunities for All 2009*). The EU Commission's role in the development of Internet governance has therefore been highly relevant for Europeana and vice versa. Europeana serves as a counter example to Google on several Internet governance issues such as privacy and intellectual property.

Due to the historical development of the Internet, the notion of Internet governance has only recently gained prominence. In its early years, the Internet was perceived as borderless and ownerless and these distinctive characteristics had wide theoretical consequences. The Internet put into question everything from geographical distances to notions of space, from legitimacy of law to state sovereignty, and from the location of power to potentials for political action (Branscomb 1996; Kittler 1999; Reidenberg 2002; Nye 2004; Dahlberg 2007). In short, the expansion of the Internet fuelled the notion of a space where normal forms of control, regulation and norms were taken up for renegotiation and in some cases elimination. It sometimes even echoed the discourse of the old West: a new frontier for people not comfortable with the constraints and rules governing the more physically felt analogue space.

This notion has since been challenged, however, by a sharp increase in walls and borders fencing in the supposed commons (Mayer-Schönberger 2003; Wu & Goldsmith 2006; Rogers 2008; Zittrain 2008). The enclosures have been erected on two levels: on the vertical level of states, and on the horizontal level of corporations (Wu 2010). The physical structures of the Internet that have always been the spine of the World Wide Web are beginning to emerge from below the 'Schein' like a skeleton supporting the body of bits and bytes that connects the world, reminding us that the Internet is as physical and fragile as anything else that exists in this world. As Manuel Castells (2009: 115-116) has noted in *Communication Power*: '... the Internet submits, as everything else in our world, to relentless pressure from two essential sources of domination that still loom over our existence: capital and the state.'

As a reaction to these developments, the EU Commission claimed a state-like responsibility in its negotiations on Internet governance (Internet Governance: the next steps 2009), expressing its will to achieve a vision similar to what Joseph Weiler (1997: 45) projected in an article several years before: 'The Internet in our vision is to serve as the true starting point for the emergence of a functioning deliberative political community, in other words a European polity cum civic society'. Weiler thus emphasized the civic potential in an EU polity context. Not long after Weiler's vision, the EU Commission began paying attention to the Internet. Until the second half of the 1990s, the Internet was almost an irrelevant issue in the plans of the EU Commission. This changed when the Internet started to develop from a research computer network into a universal infrastructure used for commercial, political and individual purposes (Leib 2002). The commercialization and securitization of the Internet thus transformed the Internet from a creative playground to a highly politicized realm. Today, Internet policy has become a vital plank of the EU Commission's information sector policies.

The governance of the Internet has hitherto divided the US and the EU on a range of issues, including privacy laws and the state's role in regulating the Internet. Shalini Venturelli has identified several overarching differences between the EU and the US Internet policies. Among other things, Shalini Venturelli (2002) has noted that the US is removing most constraints on vertical and horizontal consolidation of media, infrastructure, and information industries. Furthermore, the US is lifting most public interest, non-commercial obligations from the content industry, and from the cable and telecommunications infrastructure industries. In contrast to this, the EU's path to Internet regulation is more concerned with social models and political traditions of public service regulation. This is, among other things, reflected in higher levels of protection for individual citizens in cyberspace. Last but not least, the EU still places a strategic importance on the vertical issue of national identity and preservation of national culture as a fundamental matter of social solidarity, demonstrated in relatively higher levels of content regulation). These differences between European and US

governance objectives determine the shape and content of Europeana and Google respectively: they regulate content, they dictate the rights of the user and they provide the framework for the archives.

Needless to say, the emergence of a political arena on the Internet has resulted in ideological clashes between the EU and the US, particularly on the issue of public governance and privacy regulation. Thus the EU Justice Commissioner Reding has stated that:

The data revolution is putting individuals centre-stage when it comes to the “management” of their personal data. This requires a shift of focus for the policy makers ... Internet users must have effective control of what they put online and be able to correct, withdraw or delete it at will. In the recent public consultation on the review of the data protection rules, we were told that there should be “a right to be forgotten”. (EUROPA: Building Trust in Europe's Online Single Market 2010)

Reding's emphasis on the reader and the right to be forgotten addressed a contemporary problem in Internet governance (Mayer-Schönberger 2009). And it was immediately succeeded by several concrete clashes between the horizontal practices of Google and the vertical European privacy laws (Liguori & Santis 2011). That the EU asserted European privacy regulations on the Internet and that it maintained the necessity of public governance suggested that the EU upheld European governance traditions. However, a closer reading of the EU Commission's communication *Internet governance: the next steps* dilutes the strict distinction between private and public in its views on the various levels of Internet governance: ‘Private-sector leadership and effective public policies are not mutually exclusive’ (Internet Governance: the next steps 2009: 4). This weakening of the public-private distinction could lead to an opaque accountability policy, however. An example is the way the EU has delegated the responsibility of guarding the Internet against crime to private bodies.

The EU has thus put pressure on Internet service providers (ISPs) to enforce what could essentially be seen as the task of the EU. As a study by Christian Ahlert, Chris Marsden and Chester Yung (Ahlert, Marsden & Yung) has shown, the EU has been pressured by copyright holders and mounting concerns regarding the protection of minors from harmful content, child pornography and other worries about the abuse of the Internet. In practice, ‘single points of content control’, which are increasingly being used to remove content from the Internet, have been identified. The EU has thus realized that governing the Internet requires the services of an Internet Service Provider. And in contrast to the EU-US culture clash regarding privacy regulations, the EU and US strategies on this issue resemble each other: the state has granted genuine powers to private actors in what could be called ‘delegated self-regulation’. The EU exerts its powers on ISP providers through the E-commerce Directive from 2000. However, the E-Commerce Directive does not provide any clear guidelines for ISP providers to distinguish between legal and illegal content (Nas 2003). Ahlert, Marsden and Yung (Ahlert, Marsden & Yung: 27) diagnose the situation as follows: ‘Under

this delegated (self)-regulatory regime the peculiar, technological architecture of the internet is utilized to induce technological control mechanisms by private parties, without duly considering their powers, interests and normative standards'. In principle, this situation could be seen as privatization of censorship, a development with huge implications for all cultural content on the Internet, both in terms of expression and access.

Taking the various Internet governance steps of the EU Commission into account, we can thus trace two corollaries in the European polity: on the one hand, a public reassertion with regard to the Internet and on the other hand an endorsement of privatization.

Conclusion

Europeana's content and framework epitomize the way European cultural, economic, legal and political paradigms are increasingly being coupled with the ongoing techno-territorialisation of the Internet. Thus, three paradoxes stand out in the digital dimension of European cultural politics. First, the cultural politics of the EU Commission's seems to straddle the divide between cultural and civic concerns. Second, and following from the first, there is a semantic divide between technological and political discourses, with the former promoting Enlightenment politics and the latter invoking cultural cohesion. The inherently political nature of Europeana's procedural structure, which is intended to support individual Enlightenment, is rarely discussed in forums that exist outside the tech-environment. Instead the general public is left with the EU Commission's nebulous communitarian rhetoric. Third, the digitization of European cultural heritage elucidates the EU's contemporary cultural politics as a contradictory field of a discursive emphasis on the public sphere and public governance and a practical implementation of public-private partnerships and imposed delegation of governance to private intermediaries.

When vertical cultural politics go on-line, they are faced with the daunting task of dividing and conquering the networked WWW to assert their cultural boundaries, in line with what Richard Rogers (2008: 1) has called the 'revenge of the geography' in cyberspace. It is becoming clear, however, that these cultural boundaries are not immediately reconcilable with the increasing opacity of the WWW and knowledge politics as they are evolving on the Internet today. Europeana thus serves as a good example of how the EU Commission's policies have developed into a Janus-faced public administrator of civic and cultural values in the privatizing sphere of globalization.

The political paradoxes reflect underlying conflicts between the interrelated movements of neo-liberal, cultural and civic ideologies. Time will tell which of the ideologies will end up dominating the future development of the WWW and what implications it will have. At the moment, however, it seems certain that the

EU's cultural territories are caving in under pressure from the transnational movements of the market. The progression so far reads as a European narrative without denouement. Instead, we are left with an open-ended question of how, and by whom, the autonomy of science and culture and the respect for basic civil rights will be upheld in Europe in the years to come.

Nanna Thylstrup is a PhD fellow at the University of Copenhagen and head of the international strategic research group (*Self*)*Censorship*. Her research focuses on cultural policy and cultural politics of the EU and in particular digitization and copyright of cultural heritage. She further works on censorship and self-censorship, autonomy and the arts, and digital culture. She is currently a visiting fellow at Duke University and will take up a position as visiting fellow at Columbia University from 2012.

Notes

- ¹ As you emphasize, our libraries and our archives contain the memory of our European cultures and societies. The digitization of their collections - manuscripts, books, images and audio recordings - pose a cultural and economic challenge, to which it would be good if Europe responded in a concerted manner. (author's translation).

References

- Abrams, Stephen, Patricia Cruse & John Kunze (2009): "Preservation Is Not a Place", *International Journal of Digital Curation* 4:1, 8-21.
- Ahlert, Christian, Chris Marsden & Chester Yung (year unknown): "How 'Liberty' Disappeared from Cyberspace: The Mystery Shopper Tests Internet Content Self-Regulation", <http://pcmlp.socleg.ox.ac.uk/sites/pcmlp.socleg.ox.ac.uk/files/liberty.pdf>. (accessed 11/08/10).
- Beale, Alison (1999): "Development and 'Desetatisation' in European Cultural Policy", *Media International Australia, Incorporating Culture & Policy*, 90:Feb, 91-105.
- Bécourt, Daniel (1990): "The French Revolution and Author's Rights: Towards a New Universalism", *Copyright Bulletin*, 14:4, 3-13.
- Belke, Ansgar & Friedrich Schneider (2006): "Privatization in Austria: Some Theoretical Reasons and Performance Measures", Marko Köthenbürger, Hans-Werner Sinn & John Whalley (eds): *Privatization Experiences in the EU*, Cambridge Massachusetts MIT Press.
- Bernstorff, Jochen Von (2003): "Democratic Global Internet Regulation? Governance Networks, International Law and the Shadow of Hegemony", *European Law Journal* 9:4, 511-526.
- Boorsma, Peter B. (1998): "Privatizing the Muse 'and all that Jazz'", Peter B. Boorsma, Annemoon van Hemel & Niki van der Wielen (eds): *Privatization and Culture: Experiences in the Arts, Heritage and Cultural Industries in Europe*, Dordrecht, Kluwer Academic Publishing: 23-49.
- Bourdieu, Pierre (1998): *Acts of Resistance: Against the New Myths of Our Time*. Cambridge, UK, Polity Press.

- Branscomb, Anne Wells (1996): "Cyberspaces: Familiar Territory or Lawless Frontiers", *Journal of Computer-Mediated Communication* 2:2.
- Brown, Richard Harvey & Beth Davis-Brown (1998): "The Making of Memory: The Politics of Archives, Libraries and Museums in the Construction of National Consciousness", *History of the Human Sciences* 11:4, 17-32.
- Buchanan, Allen (1998): "What's so Special about Nations?", Jocelyne Couture, Kai Nielsen & Michel Seymour (eds): *Rethinking Nationalism*, Calgary, University of Calgary Press.
- Calhoun, Craig J. (1992): "Habermas and the Public Sphere", *Studies in Contemporary German Social Thought*, Cambridge, Mass., MIT Press.
- Castells, Manuel (2009): *Communication Power*, Oxford: New York, Oxford University Press.
- Concordia, Cesare, Stefan Gradmann & Sjoerd Siebinga (2009): "Not (just) a Repository, nor (just) a Digital Library, nor (just) a Portal: A Portrait of Europeana as an API", *International Federation of Library Associations and Institutions* 36:1, 61-69.
- Courant, Paul (2009): "Tome raider: A fuss over the internet search firm's effort to build a huge digital library", *The Economist*, 3 September 2009, <http://www.economist.com/node/14376406>, (accessed 11/08/10).
- Dahlberg, Lincoln (2007): "The Internet, Deliberative Democracy, and Power: Radicalizing the Public Sphere", *International Journal of Media and Cultural Politics* 3:1, 47-64.
- Darnton, Robert (2009): "Google and the New Digital Future", *N.Y. Review of Books*, 18 November 2009, <http://www.nybooks.com/articles/archives/2009/dec/17/google-and-the-new-digital-future/?page=1>, (accessed 11/08/10).
- Delanty, Gerard (1995): *Inventing Europe : Idea, Identity, Reality*, New York, St. Martin's Press.
- (2000): "Social Integration and Europeanization: The Myth of Cultural Cohesion", *Yearbook of European Studies*, 14, 221-238.
- Derrida, Jacques (1996): *Archive Fever: A Freudian Impression*, Chicago, University of Chicago Press.
- Digital Libraries: Recommendations and Challenges for the Future (2009): http://ec.europa.eu/information_society/activities/digital_libraries/doc/hleg/reports/hlg_final_report09.pdf, (accessed 11/08/10).
- Durantaye, Katharina De La (2010/11): "H Is For Harmonization: The Google Book Search Settlement and Orphan Works Legislation in the European Union", *New York Law School Law Review*, 55:1, 157-173.
- Eriksen, Jens-Martin & Frederik Stjernfelt (2009): "Culturalism: Culture as Political Ideology.", Eurozine, <http://www.eurozine.com/articles/2009-01-09-eriksenstjernfelt-en.html> (accessed 11/8/10).
- EUROPA: The Need for Accountability in Internet Governance (2010): <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/10/323> (accessed 11/08/10).
- EUROPA: Building Trust in Europe's Online Single Market (2010): <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/10/327>, (accessed 11/08/10).
- EUROPA: It is Time for Europe to Turn Over a New E-leaf on Digital Books and Copyright (2009): <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/09/376&format=HTML&aged=0&language=EN&guiLanguage=fr> (accessed 11/08/10).
- EUROPA: EUROPEANA: un voyage à travers la culture européenne (2008): <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/08/633>, (accessed 11/08/10).
- EUROPA: A Soul for Europe (2006): <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/06/706&format=HTML&aged=1&language=EN&guiLanguage=en>, (accessed 11/08/10).
- EUROPA: Commission Lauchnes Five-year Strategy to Boost the Digital Economy (2005): <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/05/643&format=HTML&aged=0&lan> (accessed 11/08/10).
- EUROPA: Commission Unveils Plans for European Digital Libraries (2005): <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/05/1202&format=HTML&aged=0&language=en&guiLanguage=en> (accessed 11/08/10).

- EUROPA: The Role of Libraries in the Information Society (2005), <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/05/566>, (accessed 11/08/10).
- European Commission Culture: Article 167 (2010): http://ec.europa.eu/culture/key-documents/doc1841_en.htm, (accessed 11/08/11).
- European Culture Portal:
http://ec.europa.eu/culture/portal/activities/heritage/cultural_heritage_vehic_en.htm, (accessed 11/08/10).
- Europeana - Next Steps (2009): <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0440:FIN:en:PDF>, (accessed 11/08/10).
- Farchy, Joëlle (2004): "L'exception culturelle, combat d'arrière-garde?", *Quaderni*, 54, 67-79.
- Flanagan, Mary, Daniel C. Howe & Helen Nissenbaum (2008): "Embodying values in technology: Theory and Practice", Jeroen van der Hoven & John Weckert (eds): *Information Technology and Moral Philosophy*, Cambridge: Cambridge University Press.
- Galtung, Johan (1994): "The Emerging European Supernationalism", *International Journal of Sociology*, 24:2/3, 148-165.
- Gammeltoft-Hansen, Thomas (2011): *Access to Asylum : International Refugee Law and the Globalisation of Migration Control*, Cambridge: Cambridge University Press.
- Gitelman, Lisa (2006): *Always Already New: Media, History and the Data of Culture*, Cambridge, Mass, MIT Press.
- Habermas, Jürgen (1994): "Three Normative Models of Democracy", *Constellations*, 1:1, 1-10.
— (2005): "Equal Treatment of Cultures and the Limits of Postmodern Liberalism", *The Journal of Political Philosophy*, 13:1, 1-28.
- Habermas, Jürgen & Jacques Derrida (2003): "February 15, or what Binds Europeans Together: A Plea for a Common Foreign Policy, Beginning in the Core of Europe ", *Constellations*, 10:3, 291-297.
- Hajer, Maarten (2003): "Policy Without Polity? Policy Analysis and the Institutional Void", *Policy Sciences* 36, 175-195.
- Halbwachs, Maurice (1925): *Les cadres sociaux de la mémoire*, Paris, F. Alcan.
- Hall, Ben (2009): "Paris Court to Hear Case on Google Books", *Financial Times*, 24 September 2009, <http://www.ft.com/intl/cms/s/0/5f377278-a869-11de-9242-00144feabdc0.html#axzz1W8Vk3a1W> (accessed 11/08/10).
- Heath, Tom & Christian Bizer (2011): *Linked Data: Evolving the Web into a Global Data Space*, Morgan & Claypool.
- Hesse, Carla (2002): "Intellectual property, 700 B.C.—A.D.2000: An Idea in the Balance", *Daedalus*, 131:2, 26-45.
- Hix, Simon (1998): "The Study of the European Union II: The "New Governance" Agenda and Its Rival", *Journal of European Public Policy*, 5:1, 38–65.
- Hooghe, Liesbet & Neill Nugent (2006): The Commission's Services, John Peterson & Michael Shackleton (eds): *The institutions of the European Union*, Oxford: Oxford University Press.
- Huyssen, Andreas (2003): *Present pasts : urban palimpsests and the politics of memory*, Stanford, California: Stanford University Press.
- i20S10: digital libraries (2005): <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2005:0465:FIN:EN:HTML>, (accessed 11/08/10).
- Internet Governance Forum: Creating Opportunities for All (2009): <http://www.ifap.ru/library/book481.pdf>, (accessed 11/08/10).
- Internet Governance: The Next Steps (2009): <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0277:FIN:EN:PDF>, (accessed 11/08/10).
- Jeanneney, Jean-Noël (2007): *Google and the Myth of Universal Knowledge* Chicago, The University of Chicago Press.
- Jeffries, Stuart (2010): "A Rare Interview with Jürgen Habermas", *Financial Times*, 30 April 2010: <http://www.ft.com/cms/s/0/eda3bcd8-5327-11df-813e-00144feab49a.html#axzz1W7sRPF3F> (accessed 11/8/10).

- Kaufmann, Therese & Gerald Raunig (2002): "Identity Matters: On European Cultural Policy", <http://eipcp.net/policies/aecp/kaufmannraunig/en>, (accessed 11/8/10).
- Kittler, Friedrich A. (1999): *Gramophone, Film, Typewriter*, Stanford, California: Stanford University Press.
- Knowledge in the Knowledge Economy (2008): http://ec.europa.eu/internal_market/copyright/docs/copyright-infso/greenpaper_en.pdf, (accessed 11/08/10).
- Knill, Christoph & Dirk Lehmkuhl (2002): "The National Impact of European Union Regulatory Policy: Three Europeanization Mechanisms", *European Journal of Political Research*, 41, 255–280.
- Kreis, Georg (2006): *Welche Demokratie braucht Europa. Was ist europäisch? Die Vielfalt von Gedächtnissen oder die Eindeutigkeit von europäischen Werten*, Wien, Österreichische Akademie der Wissenschaften.
- (1989): *Liberalism, Community, and Culture*, Oxford: Oxford University Press.
- Kymlicka, Will (1997): *States, Nations and Cultures*, Assen: Van Gorcum.
- Latour, Bruno (1992): "Where are the Missing Masses? The Sociology of a Few Mundane Artifacts", Wiebe E. Bijker & John Law (eds): *Shaping Technology/Building Society : Studies in Sociotechnical Change*, Cambridge, Mass., MIT Press.
- Leib, Volker (2002): "ICANN – EU can't: Internet Governance and Europe's Role in the Formation of the Internet Corporation for Assigned Names and Numbers (ICANN)", *Telematics and Informatics*, 19, 159–171.
- (1999): "Open Code and Open Societies: Values of Internet Governance", *Sibley Lecture*, Athens, Georgia, University of Georgia: 1-21.
- Lessig, Lawrence (2004): *Free Culture: How Big Media Uses Technology and the Law to Lock Down Culture and Control Creativity*, New York, Penguin Press.
- Letter from Commission President Barroso (2005): http://ec.europa.eu/information_society/activities/digital_libraries/doc/letter_2/index_en.htm, (accessed 11/8/10).
- Liguori, Laura & Federica de Santis (2011): "The 'Right to be Forgotten': Privacy and Online News", *Media Laws*, 18 February 2011: <http://www.medialaws.eu/the-“right-to-be-forgotten”-privacy-and-online-news/>, (accessed 11/8/10).
- MacCormick, Neil (1997): "Democracy, Subsidiarity, and Citizenship in the 'European Commonwealth'", *Law and Philosophy* 16:4, 331-356.
- Margalit, Avishai & Joseph Raz (1995): National Self-Determination, Will Kymlicka (ed): *The rights of minority cultures*, Oxford: Oxford University Press: 79-92.
- (2003): "The Shape of Governance: Analyzing the World of Internet Regulation", *Virginia Journal of International Law*, 43, 1-80.
- (2005): "In Search of the Story: Narratives of Intellectual Property", *Virginia Journal of Law & Technology*, 10:11, 1-19.
- Mayer-Schönberger, Viktor (2009): *Delete: The Virtue of Forgetting in the Digital Age*, Princeton, New Jersey, Princeton University Press.
- McCrary, Quincy (2011): "The Political Nature of Digital Cultural Heritage", *Liber Quarterly*, 20:3/4, 357-368.
- Morley, David & Kevin Robins (1995): *Spaces of Identity : Global Media, Electronic Landscapes and Cultural Boundaries*, London, Routledge.
- Myerson, George (1998): "The Electronic Archive", *History of the Human Sciences*, 11:4, 85-101.
- Müller, Jan-Werner (2007): *Constitutional Patriotism*, Princeton, New Jersey, Princeton University Press.
- Mörth, Ulrika (2009). "The Market Turn in EU Governance—The Emergence of Public–Private Collaboration", *Governance: An International Journal of Policy, Administration, and Institutions*, 22:1, 99–120.
- Nas, Sjoera (2003): "The Future of Freedom of Expression Online: Why ISP Self-Regulation is a Bad Idea", Christiane Hardy & Christian Möller (eds): *Spreading the Word on the Internet: 16 Answers to 4 Questions*, Vienna, OSCE: 165-173.

- Nye, Joseph S. (2004): *Power in the Global Information Age : From Realism to Globalization*, London, New York, Routledge.
- O'Brien, Kevin & Eric Pfanner (2009): "European Opposition Mounts Against Google's Selling Digitized Books", *N.Y. Times*, 23 August 2009:
<http://www.nytimes.com/2009/08/24/technology/internet/24books.html> (accessed 11/08/10).
- Pantel, Melissa (1999): "Unity-In-Diversity: Cultural Policy and EU Legitimacy", Thomas F. Banchoff and Mitchell P. Smith (eds): *Legitimacy and the European Union: The Contested Polity*, London, Routledge: 46-66.
- Pfanning, Eric: "After Much Ado, a Google Book Deal in France", *N.Y. Times* 7 August 2011,
<http://www.nytimes.com/2011/08/08/technology/internet/after-much-ado-a-google-book-deal-in-france.html>, (accessed 11/8/10).
- Pietersee, Jan Nederveen (1999). "Europe, Traveling Light: Europeanization and Globalization", *The European Legacy*, 4:3, 3-17.
- Reidenberg, Joel R. (2002): "Yahoo and Democracy on the Internet", *Jurimetrics* 42, 2002.
- Roeder, Martin A. (1940): "The Doctrine of Moral Right: A Study in the Law of Artists, Authors and Creators", *Harvard Law Review*, 53, 554-578.
- Rogers, Richard (2008): "The Politics of Web Space",
http://www.govcom.org/publications/full_list/rogers_politics_web_space_2008_pre.pdf, (accessed 11/8/10).
- Rosenmeier, Morten (2001): *Værkslæren i ophavsretten*, Copenhagen, Jurist- og Økonomforbundets Forlag.
- Samuelson, Pamela (1999): "Implications of the Agreement on Trade Related Aspects of Intellectual Property Rights for Cultural Dimensions of National Copyright Laws", *Journal of Cultural Economics*, 23:1-2, 95-107.
- Schinkel, Willem & Friso van Houdt (2010): "The Double Helix of Cultural Assimilationism and Neo-liberalism: Citizenship in Contemporary Governmentality", *The British Journal of Sociology*, 61:4, 696-715.
- Schmitt, Carina (2011): "What Drives the Diffusion of Privatization Policy? Evidence from the Telecommunications Sector", *Journal of Public Policy*, 31:1, 95-117.
- Shore, Cris (2000): *Building Europe : The Cultural Politics of European Integration*. London, Routledge.
- Shore, Cris (1993): "Inventing 'People's Europe': Critical Approaches to European Community 'Cultural Policy'", *Man. Journal of the Royal Anthropological Institute*, 28:4, 779-800.
- Smith, Anthony D. (1992): "National Identity and the Idea of European Unity.", *International Affairs*, 68:1, 55-76.
- Smithuijsen, Cas (1998): "De-monopolizing Culture: Privatisation and Culture in 23 European countries", Peter B. Boorsma, Annemoon van Hemel and Niki van der Wielen (eds): *Privatization and Culture: Experiences in the Arts, Heritage and Cultural Industries in Europe*. Dordrecht, Kluwer Academic Publishers: 82-95.
- Staiger, Uta (2009): "New Agendas? Culture and Citizenship in EU policy", *International Journal of Cultural Policy*, 15:1, 1-16.
- Stiegler, Bernard (2010): "Le Mépris - Contempt.", *TeamWork network*,
<http://www.cultureactioneurope.org/component/content/article/548-le-mepreis-contempt?lang=en>, (accessed 11/8/10).
- Stiegler, Bernard (2010): "Telecracy Against Democracy", *Cultural Politics*, 6:2, 171-180.
- Stiegler, Bernard & Jean-Marc Adolphe (2005): *Constituer l'Europe*. Paris, Galilée.
- Taylor, Charles (2004): *Modern Social Imaginaries*, Durham, North Carolina: Duke University Press.
- Taylor, Charles & Amy Gutmann (1994): *Multiculturalism, Examining the Politics of Recognition*, Princeton, N.J., Princeton University Press.
- Teilmann-Lock, Stine (2009): *British and French Copyright: A Historical Study of Aesthetic Implications*, Copenhagen, Djoef.
- The New Renaissance (2011):
http://ec.europa.eu/information_society/activities/digital_libraries/doc/refgroup/final_report_cds.pdf, (accessed 11/08/10).

- Velody, Irving (1998): "The Archive and the Human Sciences: Notes Towards a Theory of the Archive", *History of the Human Sciences*, 11:4, 1-16.
- Venturelli, Shalini (2002): "Inventing e-regulation in the US, EU and East Asia: Conflicting Social Visions of the Information Society", *Telematics and Informatics*, 19, 69-90.
- Vernier, Jean-Marc (2004): "L'État français à la recherche d'une politique culturelle du cinéma: de son invention à sa dissolution gestionnaire", *Quaderni*, 54:Spring: 95-108.
- Weiler, Joseph H. H. (1997): "To be a European Citizen – Eros and Civilization", *Journal of European Public Policy*, 4:4, 495-519.
- Winner, Langdon (1986): *The Whale and the Reactor : A Search for Limits in an Age of High Technology*, Chicago, University of Chicago Press.
- Wu, Tim (2010): *The Master Switch : The Rise and Fall of Information Empires*, New York, Alfred A. Knopf.
- Wu, Tim & Jack Goldsmith (2006): *Who Controls the Internet? Illusions of a Borderless World*, New York: Oxford University Press.
- Yakel, Elizabeth (2007): "Digital Curation", *OCLC Systems and Services*, 23:4, 335-340.
- Zajko, Vanda (1998): "Myth as Archive", *History of the Human Sciences*, 11:4, 103-119.
- Zeinstra, Maarten & Paul Keller (year unknown): "Open Linked Data and Europeana", http://www.version1.europeana.eu/c/document_library/get_file?uuid=374c381f-a48b-4cf0-bbde-172cf03672a2&groupId=10602 (accessed 11/8/10).
- Zittrain, Jonathan (2008): *The Future of the Internet and How to Stop it*, New Haven, Connecticut; Yale University Press.
- Žižek, Slavoj (1997): "Multiculturalism, Or, the Cultural Logic of Multinational Capitalism", *New Left Review*, 225:September/October, 28-51.

Interviews

- Interview anonymous senior staff, Europeana, 2011
- Interview Dr. Stefan Gradmann, responsible for Europeana's semantic interoperability, Berlin, 2011.
- Interview Luca Martinelli, Principal Administrator at the European Commission, Directorate General "Information Society and Media", Luxembourg, 2011.
- Interview Marisol Pérez Guevara, Administrator at the European Commission, Directorate-General Information Society and Media, Unit Audiovisual and Media Policies, Bruxelles, 2011.
- Interview Hans Jansen, Director of e-Strategy, Europeana, Den Haag, 2010.