

Regulating dependency: the political stakes of Google's deal with French publishers

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01.


INTRODUCTION

Central research question

02.

LITERATURE REVIEW


Governance & regulation;
infrastructural capture;
platformization



03.

CASE STUDY: APIG vs. GOOGLE

Historical overview & policy
timeline



04.

DISCUSSION

Findings & concluding remarks



INTRODUCTION

Research Questions

1. What does the French case study tell us about the asymmetrical relations between oligopolistic digital platforms and the media?
2. How do these relations affect the public sphere and democracy?

Goals

- Theorize about platforms' way of capturing news media & the risks of "regulating dependency"
- Understand power asymmetries with platform/media governance
- Explore consequences to our public debate & democracy





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LIT. REVIEW

MEDIA GOVERNANCE & REGULATION

Puppis, 2010; Napoli, 2015;
Flew, et al., 2021

CAPTURE & DEPENDENCY

Nechustai, 2017; Schiffrin,
2014; 2021; Bell & Owen,
2017

PLATFORMIZATION

Smyrnaioi & Rebillard,
2019; van Dijck, 2018; 2020

□

EMPIRICAL MATERIAL

TEXTUAL CONTENT

- ADLC's Decisions
- Leaked info re the deal & reports
 - Stakeholders' communicative material (i.e., APIG, Google, etc.)

AUDIOVISUAL DATA

Data taken from
interviews & panels of
relevant stakeholders

INTERVIEW DATA

- Supplementary source
- Relevant Interviewees: APIG's General Director, former head of CSA, News Media Europe's President, a DG CONNECT Policy Officer, and others.





■ FRANCE AS GOOGLE'S "TESTING GROUND"

"The study shows that the data giant's rise to become a patron of the media began in France, where, responding to political pressure, it set up a 60million euro fund to support press publishers' innovation projects in 2013, which was the blueprint for the DNI & the GNI" □

Fanta, A., & Dachwitz, I. (2020). *Google, the media patron. How the digital giant ensnares journalism*. [Preprint]. SocArXiv.
<https://doi.org/10.31235/osf.io/3qbp9>



CASE STUDY: APIG

- The Alliance of the General Information Press is the result of the union of the four historical unions of the daily press and similar - national, regional, departmental and regional weekly press.
 - *Le Syndicat de la Presse Quotidienne Nationale (SPQN), Le Syndicat de la Presse Quotidienne Régionale (SPQR), Le Syndicat de la Presse Quotidienne Départementale (SPQD) & Le Syndicat de la Presse Hebdomadaire Régionale (SPHR)*
- Created in 2018, the organization brings together and represents nearly 300 political and general information press titles, which are major players in democratic debate and pluralism of expression at the national, regional and local levels.

CASE STUDY TIMELINE: APIG - GOOGLE DEAL

July 2019

Transposition of the Directive by France.

April 2019

Directive on Copyright in the Digital Single Market (Introduction of Art. 15: related or "neighboring" rights)

Sept. 2019

Google blocks news snippets "unless the publisher has taken steps to tell us that's what they want"

Nov. 2019

Complaint by the Syndicat des éditeurs de la presse magazine (SEPM), l'Alliance de la presse d'information générale (APIG) and Agence France-Presse (AFP) to the Competition Authority of France (ADLC)

April 2020

Interim decision: Publishers are "to engage in negotiations in good faith with Google in order to discuss both the terms of the re-use and display of their content that the remuneration associated to it." They have 3 months.

Jan. 2021

APIG strikes a deal for a framework agreement with Google: Google will pay \$22 million annually for 3 years to a group of 121 national and local French.

July 2021

The ADLC fines Google with €500 million for not having complied with some interim measures: i) negotiated in "bad faith" namely because they tried to impose Google News Showcase on publishers, and ii) didn't give publishers data re the criteria of evaluation of their remuneration



■ FINDINGS

“None”

That was a Google’s lawyer response to a Judge of the Paris Court of Appeals who asked “what value has press content to you?”

Cooperative Governance

FR press is highly fragmented/contentious; yet this case study shows the need to collectively negotiate with platforms & handle rights

David vs. Goliath

Google not only has immense resources but is also a gatekeeper; APIG only had resources to secure one deal, leaving other platforms “unchecked”

Divide & Conquer

Google News Showcase is a “strategic masterpiece” as it fends off regulation, it splits the front of publishers with exclusive deals & further platformizes news

Competition & Copyright

Current reg. models focus on either element; the APIG case study shows the need to take both into account

Dependency

Without support in favour of public interest journalism, without access to advertising money & with the consolidation of infomediaries, news publishers are pushed to take any deal





“Basically [Google played] copyright law, but [the way they] wanted. And only a big monopolist company can do that”

News Media Europe’s EU Public Policy Manager

CONCLUSIONS

01

Google's strategy is "divide & conquer"
(i.e., opaque & asymmetric deals)

02

Google and, consequently, platforms
prefer direct & individual negotiations at
the expense of smaller news orgs

03

Google wishes to expand its
platformization / capture of news media
to avoid regulations & expand its
political / quasi-hegemonical power

04

Current (co-)regulatory frameworks further
entrench news media dependency on
platforms & do not support autonomy

THANK YOU

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