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The platform for the European public service media and culture sector; towards a sustainable and democratic model

In this paper the author opens the discussion about using the current platform model but for public service ends backed by a democratic governance structuration. The main argument of this paper is that the affordances of the platform model can be used for public service media and culture ends; the European Broadcasting Union is the case-study that illustrates the point. The article explores whether the current criticism against high-tech platforms should be aimed at their structure and dynamics or whether the problem lies with governance. The article argues that it is not the structure or dynamic of platforms per se that are problematic, but the fact that platforms are governed by for-profit companies, which are interested in moderation and curation rather than in the quality of content itself.*

Keywords: *platform, cooperation, public service media, democratic governance, content curation, European Broadcasting Union*

Introduction

In this article I start by explaining the platform as a business model, then I propose an alternative way of explaining the platform model for public service media and culture ends. To this avail, the European Broadcasting Union is showcased as an offline platform *avant la lettre*. The case study that illustrates the point of alternative consideration of the platform as a

* This work was supported by the EEA & Norway University Cooperation Grant Program, project acronym SUSTENT, no. 21-COP-0031.

cooperation model is thus EBU, the most important association of public service media providers in Europe.

Further on, the paper shows the limits of the current high-tech platforms that have content as core. The article explores whether the current criticism against high-tech platforms should be aimed at their structure and dynamics or whether the problem lies with governance. The article argues that it is not the structure or dynamic of platforms *per se* that are problematic, but the fact that platforms are governed by for-profit companies, which are interested in moderation and curation rather than in the quality of content itself.

The paper introduces an overview of recent regulation that opens the discussion on new opportunities for the media and cultural sectors in Europe. At the moment, separate sectors deal with culture, media, and (tele)communication in Europe (Valtysson, 2020). While separately they create value for their respective stakeholders, in a platform-like interaction they could reach the ideal of generating public cultural wealth. EBU is only one example that can make us imagine the cooperation opportunities to connect the media and culture sectors in Europe.

The arguments used in this paper are economic, legal, as well as sociological. The economic reasoning is used in order to explain the platform as a business model, the sociology of media reasoning adds to the argumentation about EBU as a public service media platform, and the legal arguments are used for the critique of the content curation limitations of the high-tech platforms. The main methods used are secondary data analysis and the case-study. The empirical pretensions of this paper are modest, the main ambition being to show how an economic model can be fit for public service ends.

Definition and main features of the platform model

The platform model was born out of economic necessities for coordination, innovation, and productivity. The platform is an American business model, currently driven by private actors in an environment that is quite adverse to state interventions. At the same time, it is not by default that platform governance ought to be private, and it is one of the elements that

are to be considered if we are to learn how to do platform in the public interest. In principle, the platform allows for collaboration, exchange, and cooperation conducive to innovation.

Practically speaking, the platform is the safe playground where all interested parties can meet, interact, produce and exchange value along the rules set by the platform itself. The platforms are in principle infinitely scalable and easily defensible because of their network effects. The main advantage of a platform is that it enables direct interactions between all parts involved on an equal footing. The main social advantage is represented by the indirect network effects upon all parts and customers involved (Boudreau & Hagiu, 2011).

The platform is an institutional structuration that allows various interested parties to come together and maximise their respective value. This is especially the case for the ‘multi-sided’ platform – MSP «platforms that enable interactions between multiple groups of surrounding consumers and ‘complementors’» (Boudreau & Hagiu, 2009, p. 163). The key of MSP success is the fact that they dramatically reduce search and/or transaction costs for participants, thus allowing for value to rocket (Hagiu, 2014). The «new form of organisation to emerge from (...) interaction between Internet infrastructure, NBT and servitization has been defined as the platform-ecosystem» (Brown *et al.*, 2017, p. 168). The platform is an enabler for all parts involved, that provides the rules of the game and the means of rule enforcement. «MSPs are characterized by interactions and interdependence between their multiple sides. For example, more participation on one side attracts more participation on the other side(s) and vice versa, and thus network effects will often emerge» (Boudreau & Hagiu, 2011 p.163).

Multisided platforms (MSPs) are technologies, products or services that create value primarily by enabling direct interactions between two or more customer or participant groups. Prominent examples of MSPs and the participants they connect include Alibaba.com, eBay, Taobao and Rakuten (buyers and sellers); Airbnb (dwelling owners and renters); the Uber app (professional drivers and passengers); Facebook (users, advertisers, third-party game or content developers and affiliated third-party sites) (...) (Hagiu, 2014, p.1)¹.

¹ <https://sloanreview.mit.edu/article/strategic-decisions-for-multisided-platforms/> retrieved on the 9th of February 2023

Other examples are Google and Apple. The «provision of easily-shared technology infrastructure in the form of the open Android platform for smartphones has enticed a service ecosystem of content providers, consumers, innovators and investors (...) Apple's iOS platform has led to the creation of 1.4 million 'apps'» (Brown et al., 2017, p. 168). Overall, “platform-ecosystems typically comprise a combination of core technology components made by a platform owner together with a wide range of external participants, both organisations and individuals, who complement the platform with applications and services that provide solutions that enhance and extend those created by the original platform owner (Brown et al., 2017, p.167).

In classical business models the main aim was to develop better products and services, control the chain of production and fight competition: «multinational firms focused their attention on innovation of better or more economic products, services or commodities by reaching economies of scale, often with the goal of killing competition» (Zutshi, Grilo, 2019, p. 456). For example, if one was in the shipbuilding industry, the main aim would be to build better and cheaper vessels, control the whole chain of production, and be ahead of the competition. In the case of the platform though, «value was provided by developing a platform that provides opportunities for other businesses instead of competing with them (...) they were merely platforms that connected buyers and sellers, and facilitated the interaction between them» (Zutshi, Grilo, 2019, p. 546). In terms of membership, «MSPs regulate access to and interactions around MSPs through nuanced combinations of a long list of legal, technological, informational and other instruments – including price setting» (Boudreau & Hagiu, 2011, p.164).

Researchers in economics observed that the multi sided platform (MSP) functions like a 'licensing authority'. Moreover, the MSP «regulates connections among ecosystem members» (Iansiti & Levien in Boudreau and Hagiu, 2011, p.164). It is interesting to observe that, at the moment, the largest high-tech platforms actually act like regulators although they do not have a public mandate, no transparency and no accountability obligations. The very definition of the MSP main structuring practices is actually very close to the definition of global governance: «a set of authoritative rules aimed at defining, constraining, and shaping actor expectations in a purposive order, generally implemented through a set of mechanisms recognized as legitimate by relevant actors» (in Biersteker 2010: 3). In this respect, managing a platform is more of a policy making and enforcing activity than an economic or pricing challenge.

Practically speaking, a functional platform is one that has the capacity to define and manages to enforce the rules of engagement of all the parties involved. The most praised element in the platform model is the ‘network effect’, which is the genuine desire to be part of the platform, to be in. Thereafter, the more parties are in, the more the potential of the platform to be a success. Moreover, it is interesting to notice how the platform model is actually replacing competition with cooperation as main principle for generating value. It is even more interesting to observe that in the public sector the principle of cooperation is already present for decades, and it is just one more reason for the platform model to be easier integrated in the public media and the cultural sector in Europe.

The European Broadcasting Union; public service platform practices

In this subchapter I explore the platform practices of the European Broadcasting Union, the association of the European public service media providers. It is for more than eight decades already that EBU has been a driving force for cooperation, co-production, and exchange between public service broadcasters in Europe. Moreover, in the last two decades, there has been a steady transition from public service broadcasting to public service media at the level of EBU and its constituents. These transformations are recorded at the academic level (Bardoel, Ferrell Lowe, 2007)² and lately at the European Union policy level as well³. The transition mirrors the new institutional realities of former PSB turning towards digital diversification.

It is true that the legacy of public service broadcasting is essentially a national one. PSBs around Western and Northern Europe have robustly been serving their respective nations after the Second World War. Nevertheless, the transnational platform model, along the already existing

² Research of NORDICOM, the most important centre for the research of public service media, has transited from the PSB terminology to PSM since 2007 https://www.nordicom.gu.se/en/publications/search-books-and-reports?combine=Public+Service+Medi&field_publicerad_r_target_id=All&field_publicera_d_lang_1_target_id_2=All&field_kategori_1_target_id=All retrieved on the 20th of April 2023

³ https://ec.europa.eu/commission/presscorner/detail/en/ip_22_5504 retrieved on the 20th of April 2023

institutional structuration of EBU open new avenues for cooperation and exchange, without the individual PSMs having to lose their national souls. Coming together on the platform is not about individual members dissolving into something bigger, but it is about cooperation, innovation, and ultimately the reduction of costs via sharing of content and formats. Just like in the more popular corporate platforms of the day, the members of EBU and the third party providers and consumers stand on an equal footing in the larger communicative ecosystem.

The European Broadcasting Union can be considered a platform *avant la lettre* if we consider that a main feature of it has been to provide the common ground and the rules that make the link between public service media organizations all over Europe since before the digital era. Fundamentally, instead of actually producing something, the platform merely enables parties to interact. Thus, the costs of production are close to zero, the main added value is that of lucrative intermediation for all parts that are brought together on the platform and by the platform. On this vein, we can consider the European citizens as potential beneficiaries of the platform model and its network effect. The affiliation of all parts involved is acknowledged and brings benefits to all. At the same time, the platform is a model that does not necessarily have to be digital, this is not the fundamental feature or a distinctive attribute. In the economic literature, there are very inspiring examples of platforms that are not fundamentally digital, like for example Business Harvard School (Hagiu & Kester, 2008). It is indeed the case that digital technologies greatly enhance the affordances of the platform, but they are not a prerequisite of it.

Thus, one of the main arguments of this paper is that EBU is already functioning as an offline platform, with a public service ethos and practices. In a constructivist theoretical perspective, inspired by Berger & Luckmann (1991), the success of a platform emerges from the institutionalisation of licenced behaviours by repeated interactions of the voluntary members in the context of growing interest in taking part in the platform. The platform model is an opportunity for the European public service media and culture sector, because it is a regulated meeting point, a facilitator for multiple parts involved to cooperate and engage in meaningful exchanges conducive to innovation. The platform model is actually replacing competition with cooperation as main principle for generating value.

The governance practices of EBU are democratic and accountable to the members, as well as to the beneficiaries⁴. All European citizens have access to their public service media, and the members enjoy equal rights and representation in the governing bodies of the association, based in Geneva. The participation in this association is on a voluntary basis, and EBU provides technical know-how, legal expertise, and bargaining power.

While each public service media provider is more or less important in its respective market, EBU is a coagulation force that makes public service media the most important public service content maker in Europe: «as most of the revenues are reinvested in European content, PSM organizations are essential contributors to European creative industries. Each year EBU PSM invest over EUR 18 billion in programming. 84% of PSM programming expenditure is spent on original productions. PSM therefore emerge not only as major players within the audiovisual value chain, but also as key partners for the European creative sector» (EBU, 2022, p.7).

EBU does not produce something itself, but is a great facilitator for interested parties to come together and deal in public service content. The main value of EBU is not one of vertical servicing, but one of horizontal cooperation. The more members and third parties come together, the more efficient for all parts involved. A great example is one of the most expensive content forms from our contemporary world, the sporting events. EBU has the capacity to bargain for its members and to cut deals that make these events accessible for its members, and the sports visible in a myriad of countries, on a myriad of channels for a myriad of people:

The new agreement “guarantees free-to-air reach for the Games through the EBU’s network of public service broadcasters. Starting in 2026, the EBU will hold free-to-air rights on television and digital platforms. Every EBU Member will broadcast more than 200 hours of coverage of the Olympic Summer Games and at least 100 hours of the Olympic Winter Games on TV, with a broad range of radio coverage, live streaming and reporting across web, app and social media platforms⁵.

⁴ <https://www.ebu.ch/about/governance> retrieved on the 19th of April 2023

⁵ <https://tbivision.com/2023/01/16/ebu-wbd-secure-olympics-rights-in-europe-from-2026/> retrieved on the 10th of February 2023

Moreover, EBU does not extract value from commodified user data like the high-tech platforms currently do, its main driving force is editorially responsible content making, public service content exchange, content co-production, content distribution, and increasingly user generated content curation activities. In terms of content exchange:

The Eurovision TV Programme Exchange is a framework allowing Member broadcasters to exchange TV content across a range of genres on a reciprocal basis. Launched in 2020 (...) over 30 broadcasters participated in the first edition, serving over 1200 hours of programme requests across the EBU Membership. During an open round of the exchange, participating broadcasters submit programme offers via a pre-selection catalogue (...) No editorial or technical criteria or pre-selection is been made by the EBU. The aim of this exchange is that any programmes can be offered by an EBU Member broadcaster and the selection is made collectively by the acquiring broadcasters. All EBU Members (whether they've offered programmes or not) are invited to request programmes during the Selection Window.”⁶

On the production end of value generation, the EBU members are one of the most important investors in original content, and this is achieved both individually as well as by means of co-productions.

“A ‘Eurovision Co-production’ is a particular form of programme-making collaboration in which a number of EBU members contribute editorial input and resources to the development and production of a broadcast property. The resource contribution may take the form of technical crew / footage and/or a financial contribution to a central budget. The EBU can support projects at development and production stages, using different tools. In exceptional cases, co-production formats may be offered financial support at the discretion of the EBU TV Committee”⁷.

Co-productions represent a platform feature of the EBU. In the rather promotional language available on the EBU site, we find that it facilitates «members’ collaboration on editorially-distributed co-productions, ranging

⁶ <https://www.ebu.ch/tv-programme-collaboration>

⁷ <https://www.ebu.ch/tv-co-production/user-guide> retrieved on the 6th of February 2023

from the Eurovision Song Contest to natural history, new music and children's formats»⁸.

When it comes to social media content usage and verification, "In 2017, the EBU launched the Eurovision Social Newswire, an eyewitness and video verification service. Led by Head of Social Newsgathering, Derek Bowler, the service provides members of the EBU with verified and cleared-for-use newsworthy eyewitness media emerging on social media"⁹.

My argument is that EBU already functions on many fronts like a public service media platform. This example illuminates the opportunities offered by the platform model for the public service media and culture sectors of the future. EBU is an instructive case in this respect.

At the same time, the most successful platforms of the day are not public, but private and their main aim is not quality content, but consistent revenues.

Current criticism of high-tech platforms

From the legal point of view, there are several serious critiques raised when it comes to the subordination of content to commercial priorities at the level of the high-tech platforms. Legal scholar Rachel Griffin observes that «moderation policies tend to line up with whether the content in question is valuable for advertisers (...) it is notable that major social media companies have openly negotiated with the World Federation of Advertisers to align the definition of hate speech in their platform content policies with what advertisers consider harmful to their 'brand safety'» (2022, p. 49).

In terms of high-tech platform governance of content «the real responsibility landscape is equally determined by a mixture of voluntary agreements, self-regulation, corporate social responsibility, and *ad hoc* dealmaking» (Frosio and Husovec in Griffin, 2022, p. 48). These practices are not necessarily conducive to real interest in content and its quality, but in reducing financial risks and liabilities. «Liability risks evidently influence how platforms allocate resources to moderation and other 'trust and safety' programmes (...) Any deployment of resources and personnel to areas that do not generate revenue is unlikely to be approved by private corporations

⁸ <https://www.ebu.ch/tv-programme-collaboration> retrieved on the 6th of February 2023

⁹ <https://www.ebu.ch/fr/news/2019/11/the-eurovision-news-exchange-social-newswire-the-ebus-first-line-of-defence-in-breaking-news> retrieved on the 6th of February 2023

unless there is another clear financial justification, such as regulatory compliance» (Griffin, 2022, p. 41).

Another front of limitation of commercial high-tech platforms arises from the observation that the media sector has been practically captured by the tech industry in recent years. In the words of David Hesmondhalgh, «this shift is not, as some would have it, a case of boring old ‘legacy’ media companies giving way to smart, dynamic usurpers that will give the world better television (...) It is better understood as a wholesale media power grab by the tech sector»¹⁰. Giant high-tech platforms mostly function as businesses driven by maximisation of profit based on the commodification of data produced by user activity:

As unique intermediary services on a global scale, platform organisations are, however, not neutral. On the contrary, their services are primarily driven by a profit-logic based on the processes of datafication, commodification and selection (Van Dijck et al., 2018) and supported by data-driven personalisation strategies and recommender systems, which play a central role in the circulation of content in the online audiovisual media ecosystem (Bonini & Mazzoli, 2022, p. 925).

Content is not the core preoccupation for high-tech platforms; curation of interaction prevails over quality of content. We have to acknowledge that the success key of the current high-tech platforms does not lay in very sophisticated calculations, but in very simple social architecture that allows contributors to add to the system and receive recognition for it. In the current legal definition, specifically the Digital Services Act, «hosting services (which include social media) are immune from liability for making available illegal content posted by users, as long as they are not aware of the illegal content or remove it expeditiously on becoming aware of it» (Griffin, 2022, p. 40). The sensitive issue of responsibility for content is very light on the hosting platform, and theoretically it is placed on the shoulders of the users and private content makers themselves. At the same time, most of the contributors in the social media are private individuals that are protected by their own right to free speech.

¹⁰ <https://theconversation.com/why-it-matters-when-big-tech-firms-extend-their-power-into-media-content-86876> retrieved on the 24th of January 2023.

Moreover, the current functioning of the high-tech platforms, «the ‘move fast and break things’ business models of the big-tech firms have created direct conflict between them and civic values. This includes the management and control of private data (as in the specific General Data Protection Regulation (GDPR) intervention of the EU in controlling how data can be used» (Wright, 2022: 778).

The typical social media business model, which is based on maximising user engagement and time on site in order to gather as much data and sell as much advertising space as possible, is frequently criticised for exacerbating social harms such as hate speech and disinformation. In particular, algorithms optimised for maximum user engagement are accused of promoting divisive, extremist and sensationalist content, and driving users towards harmful content and ideologies by showing them more extreme versions of whatever they are interested in (Griffin, 2022, p. 42).

High-tech platforms have been traditionally left to self-regulate their content practices according to rules that are defined by themselves: «the EU promotes private ordering measures such as self-regulation and flexible legal obligations based on industry ‘best practices’» (Griffin, 2022, p. 48). This practice leads to what Edelman called ‘legal endogeneity’, «whereby formalities used to demonstrate compliance come to eclipse the substantive goals of regulation. This allows businesses to influence the law to their own advantage, as courts and regulators increasingly defer to industry ‘best practices’ when deciding whether legal standards have been met» (in Griffin, 2022, p. 44). We notice in this case that the courts that are called to judge on rule breaking pronounce their decisions based on the rules of the industry itself; and that gives the upper hand to the private platform, over the public court.

Moreover, the externalisation of content moderation to algorithms means that «enforcement tends to consider only the content of posts and to ignore contextual factors which would enable a more nuanced consideration of their meaning and whether they are harmful» (Griffin, 2022, p. 45). When it comes to content, one of the most sensitive and deep-seated problems of high-tech platforms is the very limited capabilities of the algorithms to deal with meaning. «Much of the difficulty with the application of machine learning to language is that it is, in practice, the application of machine learning to statistics about language, not to language itself» (Taylor, 2021, p.

37). While algorithms and AI in general are excellent when it comes to big data, they are dreadful when it comes to the inherent connotative nature of human expression. «Commentators have raised particular concerns about the inability of automated classifiers to identify legally protected uses of a work such as parody and quotation» (Griffin, 2022, p. 46). On the same token, the algorithms are not really able to differentiate between an work of art, an anatomical representation of a naked body, and a luring porn, for example. ‘Lack of clothes’ is the instruction that AI is programmed and able to detect, irrespective of the form of expression, artistic, medical or otherwise. Thus, «speech rules shift to reflect what algorithms are capable of assessing, rather than what is actually considered desirable on policy grounds: for example, when all nudity is treated as pornography because it is what can most easily be identified by image recognition software» (Griffin, 2022, p. 48). The context and the meaning are two elements that are specific to human reasoning, but not to AI.

At the moment, processing big data is the special power of the artificial intelligence. Nevertheless, it is not enough for dealing with human meaningful content. «The hope is that data-driven machine learning will be able to move beyond simple pattern-recognition and start to develop the organising theories about the world that seem to be an essential component of intelligence» (Taylor, 2021, p. 38). Until the machine learns, we can start considering already existing resources for curating and making accessible rich, and beautifully connotative content for all.

The platform model for the European ‘cultural public wealth’

Currently, the platform model is overwhelmingly defined in relation to the high-tech companies and this has created quite a narrow, negative understanding of the whole model. While the front of criticism is large and justified, the platform model itself is not by default an appurtenance of big-tech, and can be studied in itself as the example of EBU revealed. If we study the platform model along its current pitfalls, we can draw inspiration for a more fruitful and civically minded approach. It is not by necessity that the platform commodifies data produced by users.

It is high time that we move the focus from the commodification of user data towards content and its responsible curation. Happily, there is already a solid tradition of European public service media and cultural

institutions that can be an inspiration, along the basic platform structuration rules.

The most successful platforms that we currently know have not been created with public interest in mind; they emerged in an era of maximum faith in the liberating forces of the market, «before a real debate about public values and common goods could get started» (van Dijck, de Waal, Poell, 2018: 2). The time has come to imagine another path with the aid of the platform model. In terms of a legitimate mandate and democratic governance rules and practices a public service platform is better prepared to govern in the public interest than any private one. The way the commercial platform mediates between the supply and the demand part, the public service platform can curate between the supply and demand side in terms of cultural and information content practices along the rigours of European citizenship. It is of course high time to make the existing high-tech platforms responsible and accountable for the contents that they host, but it is even more useful to consider the development of a public platform within the already existing European cultural and media institutional setting.

The idea of collaboration is essential in contributing to society and have increasingly stressed the importance of cooperation in various domains, with partnerships encompassing schools, libraries, museums, charities and civil society organizations as well as newspapers and investigative journalism platforms and market players such as local broadcasters, independent production companies and innovation-driven start-ups” (Raats, 2019, p. 5)

For the moment, it is communication infrastructures and dominant tech giants that increasingly influence how people meet and interact with cultural products (Valtysson, 2020) and it is not necessarily to the benefit of all. It is all the more important, in the current context, to think about content in more responsible ways, finding organic ways to re-institutionalise journalistic gate-keeping and cultural curatorial practices, instead of trying to track illegal content that is already viral and harming. It is indeed the case that while legacy public service media has managed to deliver quality information to all, it has not equally manage to enhance participation on an equal footing, and this is one of the main lessons that we can learn from the platform model.

Dominant democratic theories prescribe two ideal functions for the media: shielded from state oppression and commercial coercion they should, first, make important information available for all and, second, enable citizens to communicate with each other about relevant issues. The media should both disseminate information and facilitate dialogue. As a key policy tool in Western European nation states, public service broadcasting has arguably contributed to the former task but it has persistently been criticized for not providing space for participation, neglecting the role related to dialogue. (Moe, 2008, p. 319)

Classic public service broadcaster have been criticised in the era of deregulation for being patronising in their privilege of choosing the contents that were to reach the audiences. In the famous Peacock report «criticism was driven by ideas related to the PSB's elitist nature, its paternalism, its limited accountability, its large budgets, its obsolete structuration in the age of democratic access to the free flow of information, and its obstruction of the free market» (Petre, 2018, p. 123). Major transformations have been witnessed in the cultural realm as well where the role of the state has been gradually shaken by new cultural practices and the emergence of the high-tech platforms: «the subtle equilibrium between promoting access for the public and supporting creators, which has been the state's prerogative for so long, is being forced to re-invent itself» (Roberge, Nantel & Rousseau in Wright, 2022, p. 7). At the moment, “private companies, not state actors, largely control the infrastructure of free speech” (Bloch-Wehba, 2020, p. 44)

All the way since the eighties, there has been a genuine deep-seated faith in the wisdom of the masses aided by technology, against the untrustful state. Cultural Studies scholarship has emphasised the capacity of audiences to reinterpret, resist, and produce counter narratives, to their credit. It was believed that all that was needed was access of people to digital devices, the content taking care of itself. «Enthusiasts fervently believed that computers could serve well-being by decentralising communication, and were suspicious of the state. The industry's rapid growth in the 1990s came as global policy-making decisively moved to the view that markets rather than democratic institutions were best at determining how people's needs and desires might be met» (Hesmondhalgh, 2017:1). As it turns out, some content makers are virtuous, while others are not. My own research into the content practices of teenagers revealed that deceiving is more common than telling the truth, and that private subjects are far more popular than public ones (Petre, 2017). Three decades ago, the main fear was of the authoritarian state

interfering with content, at the moment this fear is no longer central, being replaced by the generic issue of responsibility for content that private platforms are not able to tackle fully and responsibly.

From media, culture, and (tele)communication spheres, only the (tele)communication sector has been dominated by market principles in the recent decades. It has as well been the champion in terms of dynamic development, and resources attracted. “Vital to platform ecosystems is an architecture of related standards (e.g. Internet standards like TCP/IP) (...) These open standards provide the rules which establish compatibility between components to allow platform-ecosystems to continually evolve” (in Brown et al., 2017, p.167-8).

Nevertheless, the technological advances and resources have not solved the more delicate and deep seated problem of content and cultural meanings, but have somehow out-shadowed, downplayed and discreetly outsourced it to algorithmic procedures.

A (...) feature of the developing regulatory landscape is the active encouragement of private ordering, through the encouragement of self-regulation and the creation of legal duties outside the intermediary liability framework (...) Such co-regulatory measures have already significantly affected how platforms moderate both legal and illegal content, encouraging them to go beyond notice-and-takedown regimes and introduce more proactive content removal measures, including increasing use of automated moderation (Griffin, 2022, p. 40).

At the level of the European Union, the main policy directions have been towards deregulation at the level of (tele)communication, and feeble and under-resourced paternalism at the level of culture and public service media. Since the liberalisation started in the eighties in Europe, communication infrastructure and content have been dealt with in different directorates, and not like two faces of the same coin. All the while, «PSM are in the business of making content relevant to its users (not to advertisers) and of having an impact on and being a service to society» (Lehaen in van den Bulck & Hallvard Moe, 2018, p. 875). Nevertheless, the best student in the class has been the tech sector, with culture and public media as mere appurtenances of the former. When it comes to content, «historically, EU regulation of social media content has been relatively light-touch, governed mostly by the ‘safe harbour’ conditional immunity provisions in the 2000 E-Commerce Directive» (Griffin, 2022, p. 38). Regulation is a way to move

forward and considerable regulatory steps have already been taken in this direction.

European regulation; new avenues for taking content seriously

The mounting criticism of the current state of big high-tech platforms mis/functioning when it comes to content responsibly has led to renewed policy actions and regulation at the level of the European Union. The EU attempts at finding the correct balance between industry competitive goals and cultural and public service ones. “Such balancing act continues to be the main policy axis of the EU in relation to cultural and audio-visual sectors, which is evident in the new EU Digital Services act package” (Primorac, Bilić & Uzelac, 2022: 3).

At least three directives come to adjust and push responsibility about content. The newest directive that entered into force in European Union is the Digital Services Act¹¹, as of October 2022; that basically regulates the platforms and their responsibilities. It is a welcome actualisation of the outdated E-Commerce Directive, dating from the years 2000. This directive acknowledges the importance of content over other infrastructural issues, and sets quite clear understandings of the shared responsibilities on this matter.

The second piece of regulation that is of importance for the future of European content is Directive (EU) 2019/790 on copyright and related rights in the Digital Single Market¹². It deals with issues of intellectual property and sets the responsibility of major high-tech platforms when it comes to acknowledging the source of content by third party users among other things.

No less important, the European media sector is advancing in common definitions and practices at the level of the European Union by means of the Audiovisual Media Services Directive (AVMSD) that «governs EU-wide coordination of national legislation on all audiovisual media — traditional TV broadcasts and on-demand services»¹³; it received its latest actualisation in 2018.

¹¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32022R2065> retrieved on the 29th of January 2023.

¹² <https://eur-lex.europa.eu/eli/dir/2019/790/oj> retrieved on the 29th of January 2023.

¹³ <https://digital-strategy.ec.europa.eu/en/policies/audiovisual-and-media-services> retrieved on the 29th of January 2023.

Conclusion

To conclude, the affordances that the platform has can be used for public service ends, with a democratic governance design. The end point, in Europe, can as well be a 'cultural public wealth' (Valtysson, 2020). The example of the European Broadcasting Union is a way of considering already existing practices in a new platform perspective. The platform is currently a business model that is characterised by the coming together of providers, recipients and third parties of specific services on an equal footing. The platform facilitates exchanges by setting the rules. In this vain, the emerging European public service media and culture sectors can function as a 'multi-sided' platform, where the cultural sector meets public service media on the telecom infrastructure. Ultimately, while lucrative means profitable in the business world, lucrative means accessible and civically useful for all European citizens in the public service world. In order to achieve the end of an accomplished platform, no single participant in the platform should have an upper hand, but the old democratic principle of 'checks & balances' should prevail. In this way, the risk of capture would be minimised by design.

The main challenge for a successful European public service media and cultural sector to organically attract participants and produce network effects would be to restructure the silo type of management that is characteristic at the moment, with creative steps towards coordination and integration. From the point of view of having participants act on an equal footing, the platform is more democratic, and thus more appealing than the existing institutional structures.

Moreover, it is a huge challenge to reconcile the basic interaction needs of people with public interest content. It is not necessarily the case that people are by nature interested in culture and public service media. Breeding interest for culture and participation in public life is another task for a public service media and culture European platform. In order to be able to achieve democratic governance along productivity, diversity, and pluralism we need to continue exploring and learn from the policy and governance practices of both corporate, and democratic public service media and culture.

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