

Political illusions of the French presidency

Blog post by Senior Associate Frank Thomas, 22 February 2022

Since the beginning of its Council presidency, the French government has been vocal about the urgency to secure a deal on major digital proposals, namely the Digital markets Act (DMA) and the Digital Services Act (DSA). Other EU governments and the EU institutions are supportive of this accelerated timetable on the basis that it could help combat Eurosceptic candidates ahead of the presidential elections in May. But are French voters really going to cast their ballot on the basis of an EU agreement on digital competition policy or online content moderation? If not, this raises wider questions about why there is such a rush to legislate when we are still two years out from the next European elections.

If the French are successful in concluding negotiations on the DSA and DMA, the EU institutions would have concluded the legislative process in 18 months. This would be a speedy legislative process for what are contentious and complex laws which will, for example, govern free expression online. As a comparison, negotiations on the GDPR, another highly contested proposal, lasted four years.

In Paris, Emmanuel Macron wants to use the DSA and the DMA to make clear that the digital “Wild West” is over. The policy objectives are clear, but the political benefits are less clear. At first glance, these proposals, which are primarily targeted at large US tech platforms, could resonate with some voters who are hostile to multi-national companies, such as Amazon. However, it is unlikely that many French voters will be motivated by the passing of new laws in Brussels and far more likely to be driven by domestic political considerations.

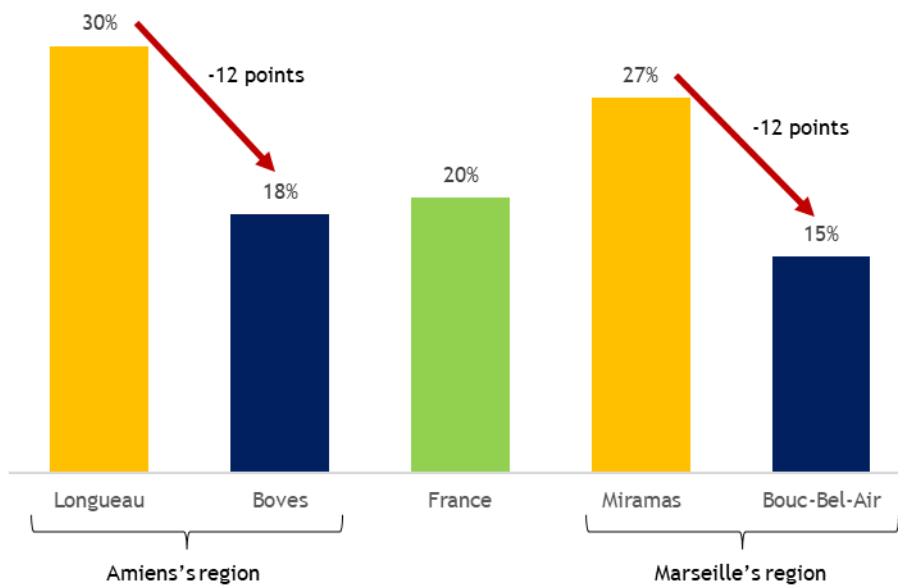
Even if there was an active constituency following the ins and outs of EU digital policy, the picture is, actually, more complex than uniform hostility to technology companies. For example, Amazon’s significant investments in France do not appear to have provoked a voter backlash via a surge in support for the Left and, indeed, appears to have been welcomed in local areas despite high profile employment issues associated with the company (see chart below). This is a striking example of how it is jobs and purchasing power rather than digital regulation like the DMA that respond to voters’ immediate concerns like the cost of living.

So if the passing of the DSA and DMA are unlikely to materially impact voting habits, could the value for the French presidency come from providing a legacy in Brussels? It is clear that the French presidency wants to use the DSA - and to a lesser extent the DMA - to set global digital standards, in line with EU values. This is driven by President Macron’s longstanding belief in the need to export EU - France’s - values and promote the ideas of the Enlightenment across the world. However, EU history shows that Macron is unlikely to be remembered for getting the DSA and the DMA over the line. The legacy of EU presidencies is often associated with the management of major crisis or milestones in EU integration. The 2008 French presidency is largely remembered for Nicolas Sarkozy casting himself as peacemaker in the Russia-Georgia war and it is again Russian

military action which is likely to define this French presidency. Few people remember which country held the presidency when the GDPR was agreed in Brussels (it was Luxembourg).

While the political benefits of an agreement on the DMA and DSA during the French presidency are unclear, there are potential risks from a rush to regulate, most obviously that it could come at the expense of the quality of legislation. More broadly, this shines the spotlight once again on the rotating EU Council presidencies. Supporters of the system argue that it binds in individual governments to the EU’s collective agenda and interests. Detractors contend that it creates artificial deadlines for passing legislation. When they come to look back on years to come, they may point to the DSA or the DMA as further evidence of this.

Vote for Jean-Luc Mélenchon (first round of 2017 presidential election)



- City with historical support for the far-left
- Close-by city with an Amazon warehouse

Source: “La France sous nos yeux”, 2021