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Regulatory histories of information and communication: the UK and Nordic cases

The digitalisation of information and the expansion of global communication networks, especially the Internet, have profoundly transformed all aspects of the use and application of information and communication – in social as well as political, economic and cultural contexts. Throughout the history of modern societies, information and communication flows have been regulated by nation states through legislation. The aim and rationale of control was the safeguarding of social and political stability, i.e. the existing social order, through the suppression of potentially subversive content. In this book, these developments will be tracked down in the cases of the UK and the Nordic countries (Finland, Sweden, Denmark and Norway).

Historically, even as print media evolved into electronic communication and then into digitalised information and communication, regulatory principles and practical instruments remained targeted at the types of media that existed when they were established. As long as information was stored and transmitted in a tangible form (print products, physical copies), it was possible for nation states to regulate it by controlling printing/copying facilities, content, circulation, availability and more. The means of regulation included pre- and post-censorship, taxes on copies and restricted access, as well as other instruments.

The advent of electronic communication brought new challenges. Radio waves were unrestricted by state borders, and subversive practices started to emerge. In Europe, private pirate radio stations challenged the existing state-run broadcasting system; several radio stations were established to transmit cold war propaganda (Radio Free Europe, Radio Liberty, etc.). As television and satellite technology advanced, the European non-commercial electronic communication landscape became more and more challenged.

For nation states to maintain control, trans-national information and communication regulation was needed. The first serious attempt on the European scale was the EU Directive “Television Without Frontiers” (1989), which attempted answer the regulatory needs of the era of satellite transmission and cable television. However, with the rapid ascendance of the Internet from the 1990s on, the limited ability of the nation state-based regulatory order became obvious. The original purpose of the regulation of information and communication was to produce and maintain social and political stability. Because of the Internet, this function is seriously challenged today. All nation states now face the challenge of identifying alternatives.

These developments took place in different stages and different forms in all European regions. In this paper, the focus is in the UK and the Nordic countries. Based on analysis of legal and policy documents as well as existing research literature, some of the guiding questions will be:

1. How are the social and political functions of information and communication regulation historically articulated in legal and political documents?
2. What kind of solutions are today proposed to answer the deficiencies of nation states-based information and communication regulation?
3. How do they reflect broader responses to the challenges towards the UK and Nordic models of welfare societies?