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Book Reviews

Anu Bradford, *Digital Empires: The Global Battle to Regulate Technology* (Oxford University Press, 2023).

Professor Anu Bradford's *Digital Empires* is one of the most comprehensive, accessible, and significant works for understanding the regulation and geopolitics underlying the modern digital world. The book showcases a nuanced analysis of the merits, weaknesses, and long-term relevance of the digital regulatory models of three economic powers (termed "digital empires"), namely, the EU, China, and the US, contextualizing several relevant policy problems, including online content regulation, digital taxation, data privacy, and artificial intelligence regulation. In doing so, Bradford examines broader questions regarding the interplay of markets, states, and human rights in future digital regulation. The big picture question that the book raises—which aspects of digital regulation will "dominate our world" (360)—is important for governments, individuals, the private sector, technical bodies, and the international community as a whole.

In examining the role and influence of these three "digital empires," Bradford does not restrict her analysis to only "horizontal battles" between these three governments to shape global digital regulation (11–16). She also suggests the possibility of horizontal conflict between private companies and further examines "vertical battles" between governments and Big Tech companies (383, 11–16). For example, she explores the complex interface of conflicting corporate values, the commitment of private companies to their home governments, the differences in corporate compliance requirements across these three "digital empires," and the insatiable greed of technology companies to capture international markets (150). This discussion is especially meaningful in the context of US companies operating in China and vice versa.

Through well-reasoned analysis, Bradford provides her perspective on the "influencer role" of each of the digital empires. For instance, Bradford acknowledges the appeal of China's state-driven model for techno-autocracies and imperfect democracies, especially for surveillance and censorship (323, 365). With respect to the US, Bradford presents the view that while the attractiveness of the market-driven approach is gradually waning in domestic regulation, it remains pervasive in the business models of several major technology giants (chap. 7, Conclusion). Finally, she suggests that the rights-based approach of the EU (even with its inefficiencies and imperfections) offers a sustainable solution for techno-democracies and thus should be the winning model in both horizontal and vertical battles (chap. 9, Conclusion).

Bradford's conclusion sets out her vision for the future of the internet and the digital world, drawing strong interlinkages between technology regulation and the fate of liberal democracy, and highlighting the importance of preserving core values and rights in techno-democracies in an ideologically divided world (388–93). She also suggests stronger alignment between the EU and US (and like-minded powers) to protect their shared values on individual freedom, human rights, democracy, and rule of law (223), and to limit the influence of the techno-authoritarian model of China (392). She judiciously steers away from extreme narratives that can result in global regulatory fragmentation and decoupling between digital powers, and instead finds that both horizontal and vertical battles can be "manageable" (16).

While presenting a systematic categorization of three regulatory approaches, Bradford provides many interesting examples of divergence from the archetypal approach of each of these "empires." This underscores the reality that most digital powers make nuanced choices balancing varied concerns around promoting digital innovation, maintaining global market power, protecting public

interests (including human rights), and dealing with the trust deficit in the global digital economy. For instance, she points out that the US deviates from its classical techno-libertarian model for national security reasons (66–67). Similarly, the Chinese model of techno-authoritarianism is not always oblivious to genuine public interests (91), or to the pursuance of dynamic digital innovation (74–75). Additionally, Bradford describes how the EU has shown a propensity to secure markets in semiconductors, batteries, and artificial intelligence (134–35) and also highlights its unique single market imperative (130). She also highlights interesting convergences between the regulatory approaches of these three “digital empires.” For example, both China and the EU focus on a certain sense of fairness and redistribution in the economy, although the former is based on maintaining a stable social order, while the latter is largely defined by democratic values and human rights. The net outcome, however, can take the form of digital industrial policies in both the EU and China.

Bradford’s brilliant book also opens up new avenues of thought for its readers. For instance, the emergence of India as a powerful and gigantic digital economy adds another layer of complexity in the global digital economy. Similarly, as some have argued, the ASEAN/Asian way of rulemaking can offer pragmatic solutions in various economic contexts including on digital economy regulation, especially for developing countries. In addition to Asia, other markets with high potential for digital growth and penetration include developing countries in Africa and Latin America. Especially with Africa now adopting a Digital Trade Protocol, we might also see the emergence of an African model of digital regulation more suited to the least developed countries. While the influencer effect of the digital empires will never fully recede, it is likely that many of these emerging economies will customize their models of digital regulation to suit their unique political and economic realities. As and when these alternative models emerge, Bradford’s work will continue to be a crucial foundation for understanding the fast-moving digital world.

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Aurélie Dianara Andry, *Social Europe, the Road Not Taken: The Left and European Integration in the Long 1970s* (Oxford University Press, 2022).

In November 2022, the European Union’s Directive on adequate minimum wages¹ came into force. Having voted against its adoption, Denmark is now challenging the directive before the Court of Justice of the European Union,² arguing that it should be annulled because the member states never agreed to transfer to the EU the power to regulate minimum wages. However, it was, at a certain point in history, not impossible to imagine the regulation of minimum wages being transferred to the supranational level. Aurélie Dianara Andry’s book, *Social Europe, the Road Not Taken*, tells the story of how socialist ideas *almost* became the mainstream ideology of the EU integration process. Andry reveals the window of opportunity that arose for communist and

¹ Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on Adequate Minimum Wages in the European Union, OJ L 275, 25.10.2022, pp. 33–47.

² Case C-19/23 Action Brought on 18 January 2023—Kingdom of Denmark v. European Parliament and Council of the European Union OJ C 104, 20.3.2023, pp. 17–18.