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Business-government relations in the digital age

Corporate responses to policymaking in the European Union

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CO-AUTHOR STATEMENTS

[put together by Prof. dr. Ans Kolk]

Chapter 2

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At the time of the submission of this dissertation, the version as included here is under second-round review with a slightly different title and the same author order. Václav Ocelík has been the leading author in all respects, with Ans Kolk and Kristina Irion supporting (and co-authoring) where applicable from their respective areas of expertise.

Chapter 4

An early version of this chapter (Ocelík, V., & Kolk, A. Multi-Level Nonmarket Strategies: A Case Study of Datacentres in the Netherlands) was accepted for presentation at the Academy of International Business Conference, Warsaw, July 2023. Preceding versions were presented at the ‘When Digital goes Global’ Conference at the University of Cambridge (9-10 December 2022) and the ‘New trends in Strategy, International Business, and Innovation’ workshop at the University of Amsterdam (8 May 2023).

Václav Ocelík has been leading in this study and in the writing, with support from Ans Kolk, particularly in the earlier versions mentioned above.

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SUMMARY

Business-government relations in the digital age: Corporate responses to policymaking in the European Union

How has the advent of digitalization altered the manner in which firms attempt to shape public policy in the European Union? Throughout the decades, scholars from various social sciences, including business, political science and sociology have studied how, why, when and to what effect firms attempt to influence the rules and regulations governing business conduct. This has resulted in a rich and massive body of knowledge about firm lobbying.

The rise of advanced technologies, such as artificial intelligence, big data analytics and cloud computing have brought about massive changes in the business-government domain. Digital technologies enable the creation and spread of enormous amounts of information; the development of new and disruptive business models; and come with enormous implications for economic, social and environmental sustainability. Business scholars have started to examine these technologies and their effect on so-called corporate political activity. However, much of the focus in the current literature is on ‘digital multinational enterprises’, digital platforms and the usage of social media. While these constitute important subject matter that ought to be properly scrutinized, a substantial gap can be discovered in the current literature: the enormous increase in rules and regulation governing the usage of digital technologies.

Nowhere is this development more pronounced, and more consequential, than in the European Union. Following the passage of the General Data Protection Regulation, the European Union has continued to enact consequential pieces of legislation in the areas of digital platforms, cybersecurity, cloud computing, datacenters and artificial intelligence. Each of these regulations significantly affects the business environment in which domestic business and multinational enterprises alike operate. As such, many firms are actively attempting to shape these policies. In this dissertation, I explore how this unfolds.

In Chapter 2, we identify following five pivotal insights for researchers exploring the nexus of MNEs, I4.0 and sustainability: the field is in an embryonic state; there is a noticeable absence of rigorous conceptual research;

much of the literature consists of commentaries and perspective articles; the unique characteristics of multinational enterprises are often overlooked; and studies focusing on individual technologies are scarce. In light of this, we propose a comprehensive research agenda aimed at furthering the study of MNEs, I4.0 and sustainability.

Chapter 3 of this dissertation makes three contributions to the existing body of literature on CPA. First, it introduces and defines two novel information strategies: categorical information strategy and conditional information strategy. The categorical information strategy is identified as the initial approach used by firms and other stakeholders in the absence of an official position paper or communication. This strategy involves providing specific information to policymakers with the aim of influencing the inclusion or exclusion of particular elements in upcoming legislation. As the policy process progresses and an official communication is released, there is a strategic shift towards a conditional information strategy. This approach involves offering specialized knowledge or insights to policymakers, with the goal of integrating certain conditions or limitations into forthcoming legislation. This distinction between categorical and conditional information strategies provides CPA researchers with a useful tool for deeper analysis into the complex dynamics of information strategies, a previously underexplored area in CPA research. The second contribution lies in highlighting the importance of understanding the significance of institutional procedures within the realm of CPA. Thirdly, this chapter challenges existing notions in the field, indicating that stakeholder groups not only pay close attention to the lobbying activities of others but also actively engage in counter-lobbying, suggesting a more dynamic and interactive lobbying environment than previously acknowledged.

Chapter 4 examines the challenges faced by digital MNEs in managing regulatory pressures across multiple government levels. While existing IB literature often focuses on national or subnational influences on MNE behavior, this chapter addresses the less explored area of multilevel governance. It highlights how *interactions* between various levels of institutions present unique strategic challenges and opportunities for MNEs. A key aspect of this chapter is the exploration of how digital MNEs adapt their lobbying strategies across local, regional, national and supranational levels. The chapter also underscores the differentiated approach MNEs take in

engaging with policymakers at various levels, tailored to the specific competencies and authorities of these levels. Additionally, the chapter discusses how MNEs strive to build a reputation as environmentally responsible stakeholders in the digital economy.

Chapter 5 analyzes the convergence of digital sustainability and geopolitics in the context of MNEs, offering several key insights for IB. First, it notes the end of the self-regulation era for MNEs, highlighted by the EU's regulatory proposals in areas like AI, data governance, and cybersecurity, and similar trends in the U.S. Second, the chapter discusses the resurgence of geopolitical considerations in policymaking. Third, the chapter suggests that future international trade and production may increasingly align with geopolitical alliances. The chapter also emphasizes the need for scientific definitions and measurements in governing digital sustainability, where firms' technical expertise becomes crucial. Lastly, the chapter highlights the growing importance of corporate diplomacy in the current geopolitical landscape.

Together, these insights contribute to scholarly understanding of how firms in the digital age have responded to policymaking in the European Union. Each chapter stipulates how its core findings can be expanded, nuanced and challenged in future research. Overall, the key takeaway from this dissertation is that the subject matter of corporate political activity will necessitate stronger and more consistent cross-disciplinary collaborations between the social sciences. As mentioned previously, business lobbying is a topic of interest to economists, political scientists and business scholars alike. To be sure, business scholars in particular have an important contribution to these discussions, as they possess in-depth knowledge of the firm.

SAMENVATTING / SUMMARY IN DUTCH

De verhouding tussen bedrijven en overheden in het digitale tijdperk: Bedrijfsreacties op beleidsvorming in de Europese Unie

Hoe heeft de digitalisering de manier veranderd waarop bedrijven proberen overheidsbeleid binnen de Europese Unie (EU) te beïnvloeden? Door de jaren heen hebben onderzoekers uit diverse sociale wetenschappen, zoals bedrijfskunde, politicologie en sociologie, bestudeerd hoe, waarom, wanneer en met welke gevolgen bedrijven de regels en voorschriften die hun gedrag reguleren, proberen te beïnvloeden. Dit onderzoek heeft geleid tot een uitgebreide, maar ook enigszins gefragmenteerde wetenschappelijke kennis over lobbyen.

De opkomst van geavanceerde technologieën zoals kunstmatige intelligentie, big data-analyse en cloud computing heeft de verhouding tussen bedrijven en overheden ingrijpend veranderd. Digitale technologieën stellen bedrijven in staat om enorme hoeveelheden informatie te creëren en te verspreiden, evenals ‘disruptieve’ bedrijfsmodellen te ontwikkelen. Dit heeft, vanuit een duurzaamheidsperspectief, verstrekkende gevolgen voor de economie, sociale cohesie en het milieu. Bedrijfswetenschappers zijn reeds begonnen met het onderzoeken van deze technologieën en hun impact op zogenaamde “bedrijfspolitieke activiteiten” (BPA). De huidige wetenschappelijke literatuur richt zich echter voornamelijk op “digitale multinationale ondernemingen” (MNOs), digitale platforms en het gebruik van sociale media door bedrijven voor marketingdoeleinden. Ofschoon dit belangrijke onderwerpen zijn die grondig onderzocht dienen te worden, is er een aanzienlijke lacune in de huidige literatuur. Dit betreft de enorme toename van nieuwe regels en regelgeving die het gebruik van digitale technologieën door bedrijven reguleert.

Nergens is deze ontwikkeling duidelijker en ingrijpender dan in de Europese Unie (EU). Na de invoering van de zogehete Algemene Verordening Gegevensbescherming (AVG) heeft de EU verdere ingrijpende wetgeving ontwikkeld en aangenomen op het gebied van digitale platforms, cybersecurity, cloud computing, datacenters en kunstmatige intelligentie. Elk van deze regelgevingen heeft een significante invloed op de manier waarop zowel binnenlandse bedrijven als MNOs opereren. Derhalve proberen veel

bedrijven actief deze beleidsmaatregelen te beïnvloeden door middel van lobbyen. In dit proefschrift onderzoek ik hoe dit proces zich ontvouwt binnen de EU.

In Hoofdstuk 2 identificeer ik vijf cruciale inzichten voor onderzoekers die het snijvlak van MNOs, Industrie 4.0 en duurzaamheid verkennen. Ten eerste bevindt het onderzoeksgebied zich in een beginfase. Ten tweede is er een opvallende afwezigheid van rigoureuus theoretisch onderzoek. Ten derde bestaat een groot deel van de literatuur uit commentaarartikelen. Ten vierde worden de kenmerken van MNOs vaak over het hoofd gezien en worden MNOs, onterecht, beschouwd als een homogeen collectief. Tot slot zijn studies die zich richten op individuele technologieën schaars. Op basis van deze inzichten stel ik een uitgebreide onderzoeksagenda voor die zich richt op het verder bestuderen van MNOs, Industrie 4.0 en duurzaamheid.

Hoofdstuk 3 van dit proefschrift levert op drie manieren een bijdrage aan de bestaande literatuur over BPA. Ten eerste introduceert en definieert het twee nieuwe theoretische concepten met betrekking tot informatiestrategieën: de categorische informatiestrategie en de conditionele informatiestrategie. De tweede bijdrage ligt in het benadrukken van het belang institutionele procedures binnen het domein van BPA. Ten derde daagt dit hoofdstuk bestaande bevindingen uit door aan te geven dat belangengroepen niet alleen nauwlettend de lobbyactiviteiten van anderen monitoren, maar ook actief deelnemen aan ‘counter lobbyen’. Dit suggereert dat de lobbyomgeving dynamischer en interactiever is dan eerder werd erkend.

Hoofdstuk 4 onderzoekt de uitdagingen waarmee datacenters worden geconfronteerd bij het omgaan met regelgeving op verschillende overheidsniveaus. Daar de bestaande literatuur over MNOs voornamelijk focust op nationale of subnationale invloeden, richt dit hoofdstuk zich op het minder verkende gebied van ‘multilevel governance’. Het benadrukt hoe interacties tussen verschillende overheidsniveaus unieke strategische uitdagingen en kansen bieden voor bedrijven. Een belangrijk aspect van dit hoofdstuk is de verkenning van hoe digitale MNOs hun lobbystrategieën aanpassen aan lokale, regionale, nationale en supranationale niveaus. Het benadrukt ook de gedifferentieerde aanpak die bedrijven hanteren bij het betrekken van beleidsmakers op verschillende niveaus, afgestemd op hun specifieke competenties en autoriteiten. Daarnaast bespreekt het hoofdstuk

hoe bedrijven proberen een reputatie op te bouwen als milieubewuste actoren in de digitale economie.

Hoofdstuk 5 analyseert de samensmelting van digitale duurzaamheid en geopolitiek in de context van MNOs en biedt verschillende belangrijke inzichten voor internationale bedrijfskunde. Ten eerste merkt het op dat het tijdperk van zelfregulering voor bedrijven ten einde is, zoals blijkt uit de EU-regelgeving op gebieden zoals kunstmatige intelligentie, gegevensbeheer en cybersecurity, en vergelijkbare trends in de VS. Ten tweede bespreekt het hoofdstuk de heropleving van geopolitieke overwegingen in beleidsvorming. Ten derde suggereert het dat toekomstige internationale handel en productie steeds meer kunnen worden beïnvloed door geopolitieke allianties. Het hoofdstuk benadrukt ook de noodzaak van wetenschappelijke definities en metingen bij het beheersen van digitale duurzaamheid, waarbij de technische expertise van bedrijven cruciaal wordt geacht. Tot slot belicht het de groeiende betekenis van bedrijfsdiplomatie in het huidige geopolitieke landschap.

Samen dragen deze inzichten bij aan de wetenschappelijke kennis over hoe bedrijven in het digitale tijdperk hebben gereageerd op beleidsvorming binnen de EU. Elk hoofdstuk toont aan hoe de kernbevindingen kunnen worden uitgebreid, genuanceerd en uitgedaagd in toekomstig onderzoek. Over het algemeen concludeert deze dissertatie dat het onderwerp van BPA sterkere en consistentere interdisciplinaire samenwerkingen tussen de sociale wetenschappen vereist. Zoals eerder vermeld, is lobbyen een onderwerp van interesse voor economen, politieke wetenschappers en bedrijfswetenschappers. Bedrijfswetenschappers kunnen met name een belangrijke bijdrage leveren aan deze discussies vanwege hun diepgaande kennis van het bedrijfsleven.

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