



30% European content – A study on policy discourses, news media frames and algorithmic awareness with regard to the EU quota at the case of the SVOD platform Netflix

Lynn Caroline Bröker

Tutor: Miquel Rodrigo-Alsina
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Master in Social Communication
Department of Communication
University Pompeu Fabra

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Abstract

The significant growth rate of video on-demand (VOD) platforms has disrupted markets, and triggered an EU policy response in form of a 30% quota on European content. This measure implemented in 2018 under the creative and cultural policies, is currently underexplored from an academic perspective. This investigation therefore seeks to outline a research project, divided in three areas, that shall examine the policy discourse on EU level, the media response from EU member states and the logic of algorithmic awareness, display and diversity. A central objective would be to locate, if the quota is grounded in the economic value (protection of the audiovisual sector) or the social value (consumer protection) and if any duality of objectives, in fact, should be contested due to aspects of mutual exclusion. Generally, the research is based on the assumption that the construction and interpretation of algorithmic personalization is not finalized from a sociotechnical perspective. This investigation therefore seeks to contribute to new knowledge and opens an academic discussion marrying a cultural policy and sociotechnical approach to the platformization of culture.

Key words: *European policies, AVMSD, platformization of culture, Netflix, algorithm awareness, content diversity*

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Abbreviations

AVMSD	Audiovisual Media Service Directive
CDA	Critical discourse analysis
EU	European Union
GDPR	General Data Protection Regulation
SCOT	Social construction of technology
SCT	Social cognitive theory
SVOD	Subscription video-on-demand
TVOD	Transactional video on demand
VOD	Video on-demand

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1. Introduction

This chapter seeks to introduce a research project in form of a final thesis within the scope of the Master in Social Communication Research at University Pompeu Fabra. Before changing to the third person within the entire rest of this paper, I would like to briefly outline my motivation with regard to the topic of this research project. In 2018, the European Council has adopted a revised version of the Audiovisual Media Service Directive (AVMSD). This new directive is aligned with one of the main buzzwords of our times, diversity, and introduced a quota for video on-demand (VOD) services to feature a specific amount of European content. This aspect of the AVMSD (which is nothing novel to for instance French authorities, that have implemented a quota of 40% on French language as for radio and broadcasting), has been a huge game changer for most audiovisual markets across Europe. The directive basically forces streaming giants like Netflix and others to offer 30% *European content* on their platforms. In my perspective, a radical and novel turning point in the management of digitalization and platformization, which certainly may have a direct impact on how and what content European citizens are consuming VOD content.

Justification claims of the quota can mainly be divided in two areas, grounded either on the protection of consumers (social value) or the protection of the audiovisual sector (economic value). With regard to digital rights in general, one may argue that policies tackling fundamental rights of consumers have already been put in place with regard to the protection of personal data, minors and illegal content. While the management of those are already complex, any policies approaching consumer self-regulation, algorithmic content display or the impact of artificial intelligence are certainly needed, but a huge challenge for policy makers and academia likewise. Moreover, when reading 30% European content, most readers would immediately jump to one particular question: But what constitutes European content and what does make and does not make audiovisual content European? And how would the definition shake up the European audiovisual market as a whole and affect the smaller markets? After all, how successful can a quota be in an era of digitalization and algorithmic content display, where private SVOD companies ultimately remain rights and access to the algorithms playing out the content? Additionally, my curiosity for the topic at hand is also deriving from my interest in cultural policies and my speculation, that regulation of digital platforms within the audiovisual sector are easier to tackle than platforms of other kind, since conceptually located under the European Commission's policies for culture and creativity. Reasons for that could be grounded

in the tradition of thought that the cultural and creative industries require a specific amount of regulation.

Last but not least, I have witnessed the emergence and success of subscription video-on-demand (SVOD) platforms such as Netflix or Amazon Prime with astonishment. Especially in times of the current COVID-19 pandemic, one could wildly guess that Netflix and other SVOD platforms have become a valued substitute for personal social encounters. If they haven't already, one may argue that VOD services will possibly disrupt the audiovisual market in future. In fact, growth rates of paid VOD have increased 30-fold over the past ten years (European Audiovisual Observatory, 2021).

Within the following sections of the introduction, the rationale, context and research objectives shall be outlined. The principal objective of the subsequent chapters of this paper is to present a research project proposal that shall be executed within the scope of a PhD project of three years. My object of research and interest is not limited to the audiovisual sector in itself, but the rationale that informs the introduction of the quota within the AVMSD. In general terms, this investigation seeks to examine the policy discourse on EU level, the media response from the EU member countries France, Spain and Germany and the logic of algorithmic awareness, display and diversity with regard to the quota, implemented in 2018.

The paper is divided in six chapters, an introduction, literature review, the establishment of a conceptual and theoretical framework, a chapter dealing with the methodological approaches, a concrete outline of the research planning just as a conclusion, that shall not conclude any investigation conducted but gives critical comment with regard to the project development and potential limitations so far.

1.1 Rationale and context

The beforementioned quota on European content has been implemented within the Audiovisual Media Service Directive (AVMSD) in 2018 and the EU member countries have the obligation to implement this regulatory framework. In concrete, the quota encompasses that VOD platforms within the EU area required to achieve a minimum share of 30% of European work within their content catalogue. EU member states have decided to comply to the directive, however, very few information is available on the outcome and measurements of this policy.

In theory, countries had until 19 September 2020 to implement the directive. In concrete terms, the 27-EU member states and UK have had the obligation to introduce the AVSMD into their national legislation. The concrete amendments to national law are publicly documented and all member states have followed up with the implementation (European Audiovisual Observatory, 2021). To what extent they have implemented the directive and to what extent the states are following up with its enforcement, is of course another aspect. An evaluation report from EU side will follow up with the implementation of the directive in a three-year time frame and the final evaluation report publication is not due until December 2026. With this in mind, one may also see the directive a work in progress, while certainly remaining a legal requirement.

In March 2021, the EU has published guidelines on how the share of European content shall be calculated in concrete terms. The main measurement of European content shall be the number of titles in any catalogue (as opposed to possibilities like overall duration or programs) (European Commission, 2021). Despite the discussion on whether the directive is appropriate and necessary, one may add that the directive has been implemented in the context of diplomacy and lobbying, under the tension of industry lobbyist and feedback of its member states. Opinions may vary, the directive may be perceived as a punitive measure and not in accordance with the legal frameworks of the other sub-sectors of the audiovisual sector. Others in contrast may claim that the legal frameworks implemented are not even compensating or enough, given the explosive growth rate of the VOD services. There are various agents that may have conflicting interests and seek to gain power, in in line with Foucault's notion of power (1979). Those agents can be roughly divided into the companies that provide content, individuals working for the production companies, lobbyist, policy makers and the institutions that seek to govern the production, circulation, consumption and regulation of cultural goods and services in multiple ways.

Video on-demand (VOD) services are mainly divided in two different categories and the significant growth rate of VOD services can be seen as the reason for the increase in attention from the European Union. While revenues of VOD platforms continue to make up the smallest proportion of the overall audiovisual sector revenues, they are the one that show the highest growth rate. As the European Audiovisual Observatory (2021) points out, VOD services, made up of subscription service on demand platforms (SVOD) and transactional video on demand (TVOD), have exploded within the past 10 years. Interestingly, both only make up 6% of the audiovisual market revenue of 2019, next to larger fragments such as publicly funded tv, cinema

or pay-tv. However, VOD services jumped in terms of revenues from 388.8 million in 2010 to 11.6 billion in 2020 (European Audiovisual Observatory, 2021). This enormous jump is of course a major driver of political attention.

To sum up, and as pointed out earlier, the introduction of the content quota is a rather novel policy implementation and can be regarded as an ideologically laden measure with specific objectives. The directive and the quota are certainly contested or applauded by the European member states and the general public. Simultaneously, the platformization of audiovisual media and the regulation of those, are primarily concerned to protect consumers and industries. If these protectionist objectives can hold up to the formulated claims, shall be a central focus of this research project.

1.2 Framing the topic and research objective

In concrete terms, the research project proposal at hand seeks to examine the policy discourse on EU level, the media response from the EU member countries France, Spain and Germany and the logic of algorithmic awareness, display and diversity with regard to the quota for subscription video on demand (SVOD) platforms, implemented in 2018. The topic is self-evidently of multidisciplinary nature, within the context of this research, but also in general terms. The implementation of the quota is primarily a matter of legal studies, the emergence of the video on demand platforms demonstrate changes in the media ecology landscape, the policy implications can be examined from a political science perspective and technical implications with regard to algorithmic display from an information technology angle. This research project seeks to analyse the emergence of platforms from a cultural policy and sociotechnical and persuasive perspective. By comparatively examining, in what ways local EU member states have implemented the directive given by the EU and the repercussion of the news, one may locate a divergence or convergence from the central EU policy frameworks.

There are of course many platforms that fall under the SVOD definition (Netflix, Amazon Prime Video, Apple TV+, Disney+), whereby examining all would be beyond the scope of this three-year project. Therefore, the specific case of Netflix has been chosen as a case study in order to additionally study the algorithmic display of content and diversity claims with regard to European content. The case of Netflix is certainly an interesting object of research in itself, but it can also be seen as a good example that helps illustrating the relationship and

interdependencies of the emergence of platformization of the creative industry and the emergence of new EU policies and legal frameworks that seek to protect and integrate the audio-visual sector. Netflix can also be understood as a platform between consumer empowerment (free choice of novel content) and manipulation (risk of persuasive effects of algorithmic display). This area is representational of an inquiry of long tradition in mass media research, tackling to what extent people are consumers with rights of freedom of choice and selectively exposing themselves to choices and to what extent or under what condition persuaded or manipulated.

Additionally, hosted under the creative and cultural policy strategy, it is worth examining if the ideological assumptions that the cultural sectors need protection (and what type of protection), have fuelled the implementation of the AVMSD. This because other (social) platforms with user-generated content would equally benefit from policy attention, however, regulations and implementation here are lacking progress.

In line with the previously outlined aspects, the general attempt of this research project would be to locate the ideological rationale exposed in discursive manner, to locate the mediatic response and the relation between algorithm awareness, content display and content diversity with regard to the 30% quota on European content.

2. Literature review

The chapter at hand, the literature reviews, seeks to give an overview of the existing body of academic knowledge with regard to the research topic and specific objectives, as described within the previous section. As for the building of the body of relevant literature, the systematic approach following a specific methodology has been applied. This methodology included a specific protocol with regard to the search terms, the databases and the selection criteria applied. With regard to the search terms applied, a variety of abbreviations and synonyms were introduced to the search bar, additionally search terms were applied in combination with each other, interchangeably and following general Boolean search operators to exclude, include or combine terms, in order to limit and optimize the anticipated search results. Additionally, the search was limited to peer-reviewed journals and the common engines for scholarly literature. Special focus was given to academic research articles published within the past ten years. Where needed, literature published before this benchmark were included, in order to secure a

valid and comprehensive review of a specific research area. The most relevant literature and previous scholarly research conducted with regard to cultural policies, the platformization of culture, media effect theories, EU regulations on platforms and audio-visual content just as previous research with regard to the Netflix case shall be presented within the following sub-chapters.

2.1 Cultural policies and the creative industries

The concept cultural policy is composed of two words with high ideological tensions. Political institutional *policies* on the one hand and *culture* on the other. The term culture has been described by Williams (1976) as “one of the three most complicated words in the English language” (p.87). Hence, this word is not just difficult to conceptualize and operationalize in academia, also in the public policy debate, this term is ideologically laden. Building up towards a conceptual framework, the concept of culture needs to be outlined. From its traditional understand mostly in relation to fine arts or anthropology, to a shift towards a more modern understanding in line with Gombrich’s (1991) search for the truth in art and the struggle of cultural relativism versus universal norms. Generally, culture can be seen as either in relation to artistic production or as a “way to live” with processes of collective belonging and differentiation (Said, 1994). In academia, research on postcolonial processes and intercultural communication has given a path for institutions recognizing and promoting values of inclusivity and intercultural representations. Other authors go beyond the concept of interculturality and argue of hybrid cultures (Canclini, 1995). To sum up, there is no general understanding of what culture is and how it shall be treated in cultural policy, but there is need for research regarding how it is conceptualized and perpetuated within different institutions either with regard to its economic or its social value.

In the context of academic investigation, one may look at cultural policies from three different angles: from a discursive perspective regarding the notion of culture in the political agenda, by understanding cultural policy as an instrument of cultural representation or with regard to its impact, (economic and social) value and inclusiveness towards the general public or specific audiences.

Generally speaking, the field of study of cultural policies, is a rather novel academic area. With growing relevancy, the terminology cultural industry emerged. The concepts of cultural

industries and the creative industries are defined differently by different authors, while only the terminology cultural policies, not creative policies have entered the academic and policy sphere. Authors may either understand the terms “cultural” and “creative” as interchangeable or as two opposing concepts. The term “creative industries” has firstly been introduced within the policy context in 1994 by the Australian government, that attempted to foster innovation for areas such as design, arts, libraries and IT (Moore, 2014). But the understanding that culture and creativity needs to be at the agenda of policy makers has been existent at earlier moments in time. Within academia, Horkheimer and Adorno made reference to “The Culture Industry: Enlightenment as Mass Deception” in 1944 (1982). During this particular moment in time, radio and film reached more and more people and often times three components were made reference to at once: sport, film and entertainment. Also perpetuated by mega events, such as the Olympiads, those oftentimes introduced a cultural component to showcase local culture. The Olympiad of Barcelona in 1992 firstly introduced the “Cultural Olympiad” and alongside the commissioning of public art and urban renewal projects, a strategy that short after found entry into policy making and academia as the “Barcelona model” (Marshall, 2010), with regard to the success, economically and culturally. However, in particular starting the 90ies, many scholars also examined the existence of culture and creativity measured by economic success critically. This for instance with regard to cultural commodification (Miege and Garnham, 1979), with regard to labour inequalities existent in those industries themselves (Campbell, 2020), inequalities within cities (Florida, 2002) and their cultural-led urban regeneration strategies (Marshall, 2010; Campbell et al., 2017), often critically examining for who local governments design those (tourists vs marginalized locals or consumerism versus intangible artistic aim).

Moreover, and coming back to the duality and interchangeability of the concepts culture and creative with regard to policies and industries, some authors see a threat in conceptualizing both interchangeably. As O’Connor (2009) points out, those authors see a need for a clear distinction between the traditional arts on the one hand, and the creative industries on the other. This need is grounded in the threat of the “market-centred reductive view of culture” (Lee, 2017, p. 1078).

The cultural and creative industries found entrance into the policy agenda, not just on local level, but also on institutional level within the international organisations such as the UNESCO, World Bank or OECD. The UNESCO, perpetuates the terminology *cultural and creative industries* (UNESCO, 2021), while also applying the terminologies *creative economy* and *cultural policy*. The “Convention for the Protection and Promotion of the Diversity of Cultural

Expressions” is seen as a milestone in cultural policy and shall protect cultural diversity with integration of sustainable development and an emphasis on the unification of the creative economy on a global level (UNESCO, 2021). The EU has equally applied a holistic approach to culture and creativity and has also placed it on its agenda. The European Commission features a dedicated website to “Culture and Creativity” that encompasses the European cultural heritage on the one hand and specific cultural and creative sectors, like architecture, audio-visual, books and publishing and music on the other (2021). This constitutes, that the Commission conceptually distinguishes between *cultural heritage* and the *creative industries*. Moreover, the European Union is making reference to the importance of the creative sector within different places. The European Commission clearly states its agenda concerning the “Creative Europe programme 2021-2027” and aligned the importance and legitimization with regard to innovation, diversity and the economic value (European Commission, 2021). The Commission fosters specific networks and programs and provides funding for projects in line with specific values, e.g. audience building and inclusivity (Potschka et al., 2013). Despite the centralized strategy of the European Commission, many projects are locally executed and scholars did not locate a convergence or homogenization across the cultural policies (Rius-Ulldemolins and Pizzi, 2019) or the creative industries (Boix et al., 2016) within Europe. With increasing digitalization of the creative industries, specific legal frameworks by the EU may shape this sector. One of those legal frameworks is the recent proposal by the Commission to the Parliament and Council, the Digital Markets Act (DMA) is directly addressing issues of digitalization with regard to the usual tech giants. The impact of legislative proposals such as the Digital Markets Act, Digital Services Act, GDPR or other future legislations on the creative industries needs yet to be investigated.

To sum up, a holistic understanding of the concept encompasses arts, design, craft, architecture, heritage, music, broadcasting and even software and computer games (Boix et al. (2014). This research project acknowledges the compacity and debates with regard to the concepts cultural policy and creative industry. In fact, it is understood that debates or different conceptualizations of the cultural versus the creative industries could be one of the main sources of ideologies with regard to free market versus protectionist emphasis. Additionally, within the scope of this project, cultural policies and the creative industries are treated as a discursive concept, while the product and content those sectors produce, helps shaping cultural representation.

2.2 Platform studies and the platformization of culture

Platform studies has become a popular and interdisciplinary field of research within the past years. As pointed out by Platin (2016), the concept mainly emerged out of technologies studies and entered media studies to describe “new digital objects of study” (p. 294), while intersecting with the concept of infrastructure. Gillespie (2010) is conceptualizing the terminology with regard to its discursive context, meaning, so it depends on the situation the term is used. Within the scope of this research project, the term “platform” is applied with regard to media and business platforms. As a media and business platform, it can be experienced by the user via code, the program behaviour and interface (Bogost and Montfort, 2009). Additionally, Bogost and Montfort (2009) point out that a platform and its study can be understood from a technical perspective, but also need to be studied from its social-constructivist standpoint and in that way, is directly related to many of the arguments raised by McLuhan, since “for him, the content of a television program or a newspaper story is far less important than the logics of these media, the ways they transform human sensation and experience.” (para. 3). In this same sense Van Dijck et al. (2018) point to the new business model of those platforms, that foster user interaction but also “shape social norms” (p. 11).

The studying of platforms has been a central theme for scholars of media and communications studies and the cultural and creative industries. The creative industries have been directly affected by digitalization and the emergence of platforms. Nieborg and Poell (2018) see the relations of the platformization and the cultural industries as contingent with regard to their role as an aggregator on the one hand, and a mediator of content on the other. Simultaneously they point out that there is a gap of research focussing on the exact relationship of platforms and the cultural industries and cultural commodities. At the same time, the authors suggest that further research should focus on the interplay of the economic, political and technical aspects, since those three areas have only been studied independent of each other up until now. In fact, most existing academic research with regard to the platformization of the creative industries examines specific sub-areas of the topic while few locate general trends. Nieborg et al. (2020) have located a redistribution of capital and power while analysing Canadian gaming apps and the impact of international platforms on the local industry. As conclusion, they have located similar dynamics to the film industry, with “production centres” in Canada, but few Canada-made apps. In that sense the authors speak of platform imperialism, and raise question of economic sustainability and cultural diversity.

2.3 Platform and audiovisual policy regulations within the EU

Previous research on policy response to platformization in the EU context has been conducted with regard to different areas. On the one hand, scholars have examined the emergence of platforms from a labour perspective (Fabo et al., 2017) and paint a rather negative current scenario with low pay and insecurities and the lack of union or policy to support workers' rights. A second line of research can be located with regard to the fundamental rights of EU citizens with regard to data protection. The EU has implemented the General Data Protection Regulation (GDPR), managing areas such as IP, cookies or location data with rather high accountability measures as for companies to comply to the directive. As Breen et al. (2020) point out, those policies bear specific pitfalls, such as users merely "tick a box" (p.37), instead of actually reading and understanding the implications. On the other hand, with regard to data breach and international data flows, the policy is solely applicable with regard to the EU sphere. On the other hand, the EU has implemented specific policies around consumer protection with regard to copyright law, the protection of illegal and harmful content in cyberspace, algorithmic recommendation system, in particular with regard to minors. Growing emphasis with regard to the monitoring and regulation of cultural and creative products has been placed by the EU, which can be observed with the emergence of ReCreating Europe (2021), a Horizon 2020 project. It is likely that this field of policy is only growing and another line of research could be to what extent those EU policies have an international effect on other countries.

When talking about the *audiovisual sector*, this paper acknowledges that this sector is located under the creative industries, as conceptualized by the European Commission. The European Commission outlines that the audiovisual sector is "*vital to safeguarding Europe's cultural diversity and sovereignty*" (2021, Introduction section). The European Commission has developed specific policies, programs and frameworks to shape this sector. Before going into detail of those, one may outline that the previous reference to conceptual tension is additionally challenged by the fact that the EU operates also between tensions of the interest of the markets and the public (Vlassis, 2020). As defined by Vlassis (2020), these tensions can be observed in either a) interventionist policies, that understand audiovisual content as a cultural commodity and needs protection, regulation and an exception from any free market regulations or b) the economic model, that considers audiovisual sector part of the free market economy and is mainly supported by private broadcasting and telecom companies and some countries within the EU. The conceptual definition of the audiovisual sector as an industry with an economic

purpose or as a cultural sector, producing culture that needs protection, clearly impacts the type of policies developed around it.

When taking a look at the cultural policy strategy of the EU with regard to the creative audiovisual industry, one may not locate one single doctrine or policy, but instead a diverse sum of policy drafts, specific programs and legal frameworks, developed by the European Commission. As for the programs developed, there is the EU Multimedia Action, to “strengthen news reporting on EU affairs from pan-European points of view (European Commission, 2021), made up of Euronews NBC, the radio Euranet Plus, data-driven news and multilingual news content. Next to this, a program on media literacy and disinformation just as program MEDIA, to support the European film industry. With regard to the legal framework, one may locate the EU Copyright Directive, the Cross-border portability regulation and the Audiovisual Media Service Directive (AVMSD). Since 2016, the AVMS directive has been subject to modification and debate. The latest update has been published June 6th in 2018 and adapted by the Parliament on October 2nd 2018. The Audiovisual Media Service Directive (AVMSD) has been approved and gained legal status by November 14th 2018. With regard to the subject of this research paper, the most relevant policy aspect of the publication would be the obligation for on-demand services to comply with 30% of European content.

2.4 The case of Netflix in academia

Netflix is a subscription based streaming platform, also called subscription video on demand (SVOD) platform, that disrupted traditional TV and cinema. Within this research project, Netflix is considered a business platform with content whose content production can be considered part of the creative industries sector. As pointed out briefly within the previous section, academia needs to critically investigate the developments within this sector that contributes to approximately 5.3% of EU’s GDP and is responsible for about 7.5% of total employment within the European Union (Culture Action Europe, 2021) and that creates cultural representation and shapes society with regard to various dimensions.

There is very little research currently available on the areas the research project at hand seeks to analyse. Most previous research on Netflix had either focused on the promotional strategy of Netflix or on images and frames of specific series produced by Netflix. The aim of this research project goes into a different direction, analysing the impact the EU quota has on the platform’s content. As Hallinan and Striphas (2014) put it, there is plenty of ambiguity around the system

of recommendation applied by the platform and the impact on cultural preference and identity are estimated to be considerable (Hallinan & Striphas, 2014). A relevant question is raised by Hallinan and Striphas (2014) with regard to what may happen if algorithms take over the role of traditional critics of cultural production. With regard to the agents that shape the platform Netflix, the research by Fagerjord and Kueng (2019) gives valuable information concerning the main actors that shape the platform and content: providers of content, Netflix as a platform, primary and secondary distribution and device makers. Another line of previous investigations done by other scholars goes into the direction of understanding Netflix's geographical strategy and its impact. Recent studies by Lotz (2021) and Wayne (2019) give valuable information about the methodological considerations. Additionally, Lotz (2021) argues that Netflix will never replace the national broadcasting institutions even though it tries to adapt its strategy to local demand. The vast majority of local Netflix content is produced in the "US, India, South Korea and Japan" (Lotz 2021, p. 210) and most similarities concerning the content watched was located with regard to countries with shared languages. Even though Netflix aims for a global strategy, in practice content does vary geographically, but is not entirely local neither. A study conducted in 2019 by Wayne reveals similar findings. By conducting interviews with Israeli broadcasters, Wayne (2019) found out that most of them only perceived Netflix as an indirect threat with no or little impact on their industry. According to the findings by Wayne (2019), the reason that Netflix is not perceived as a critical competitor, is the fact that local broadcaster still produces a different type of content, much more local than Netflix offers.

A recent study by Colbjørnsen et al. (2020) gives valuable insight into the policy implication of Norwegian streaming platforms. Colbjørnsen et al. (2020) argue that streaming platforms propose new challenges to policy makers that seek to regulate access and availability to culture. Within a study on the Canadian cultural policy standpoint with regard to foreign multinationals such as Netflix, Schnitzer (2019) examines the protectionist efforts of the Canadian government and locates ideological tensions around the protection of their local cultural expressions. With regard to the EU quota on Netflix, few studies have been published up until now, which may as well be due to the fact that the European Commission announced its attempt to implement a protectionist quota quite recently only.

Existing previous scholarly research with regard to the Netflix case and its impact on the creative industries within the European Union context has been conducted by Kostovska (2020) and Vlassis (2020). As Vlassis (2021) points out, "bilateral and multilateral trade agreements

have proved one of the most controversial issues in the European governance and EU external relations.” (p. 2). The analysis conducted by Vlassis (2021) is a multi-dimensional literature study on the EU influence on the global politics of audiovisual content. Main findings suggest that the general discourse by the EU circulates around the idea that culture is an exception within free trade, that the EU sees a need to actively shape culture and puts special emphasis on the terminology cultural diversity. Additionally, Vlassis (2021) argues that local industries across the globe have not yet challenged the Hollywood domination and that the type of exception and protection policy that the EU will implement will certainly challenge the US dominance and trade diplomacy and will therefore ultimately decide if the US will expand its hegemony or not. The comparative study conducted by Kostovska (2020), is analysing those EU countries that imposed taxes on Netflix (France, Germany, Italy and Belgium). Findings suggest that the taxes applied were not entirely new, but deriving from familiar policies that were in particular form applied to other players of the audiovisual industry. Additionally, the research conducted located a strong economic reasoning (as opposed to cultural diversity) behind those taxes and also located that those policies, however, attempt to integrate the emergence of SVOD services such as Netflix into local policies and do not fully go against those new players of the market. The lack of research and the relevancy of the topic, however, demonstrates the need for scholarly attention towards this topic.

2.5 Algorithmic awareness, content diversity and power

Algorithms have become an omnipresent part of the digital infrastructure and is applied by institutions and companies likewise. Algorithms come into operation with regard to the automation of content display or automated decision-making (ADM) within the public and private sector. In line with the definition given by Gillespie (2014), the logic of algorithms can be described as a digital computational tool with the intention to “select what is most relevant from a corpus of data composed of traces of our activities, preferences, and expressions” (p. 168). The degree of objectivity of algorithms has been controversially debated, not just within academia. As Gillespie (2014) points out, the objectivity or technological neutrality of algorithms has often been acclaimed by companies, whose entire rationale and legitimation with regard to their information systems has been grounded on the objectivity claim (p. 182). However, as Gillespie (2014) equally emphasizes, the social impact of algorithms and whether users are critical or receptive to them, matters greatly. Next to controversies on objectivity and technical neutrality, algorithms have also been examined with regard to bias deriving from,

amongst other, selective exposure, echo chambers and filter bubbles (Spohr, 2017; Cardenal et al., 2019).

Within the social sciences, the impact of algorithms on society can for instance be analysed from a social technical, legal, economic, journalistic or behavioural perspective. Three main focal areas of many scholars of communication and media research, have been to study the social impact of algorithm on society with regard to journalism (Dörr, 2015), social media (Bucher, 2017) or search engines (Mager, 2012; Gillespie, 2017). While often examined within the context of search engines or social media platforms, algorithms content display and recommendation systems of course also apply within all SVOD platforms. However, the academic publications available on algorithmic awareness, algorithm and content diversity and algorithm effects on media usage with regard to SVOD platforms are scarce. Hence, the literature review on those areas will draw to scholarly work with regard to platforms and algorithm logic in general. Moreover, one may need to point out that research on media or algorithm effects is one of the most complex one. Therefore, it is needed to narrow down the topic to specific areas manageable areas. Relevant areas of previous scholarly focus and findings by media and communication researchers with regard to algorithm can be grouped under three main areas: research on *algorithm awareness*, research on *algorithm and content diversity* and research on *algorithms and power shifts*. This existing body of research with regard to those three areas is of direct relevance to the research project at hand. As such, it is forming the state of the art of scholarly research, since the conceptual and methodological implications can be transferred and applied with regard to this research project. The three areas of previous scholarly research shall be presented within the following three sections.

- *Algorithm awareness*

One line of research can be summarized under the objective to examine how people make sense of the algorithm around them and to what extent they are actually aware of them. As a second line of thought one may question if the awareness and attitude towards algorithms has an effect on how people react to algorithmic exposure. A valuable investigation by Taina Bucher (2017), has focused on the perception of users with regard to the algorithm by Facebook. The main idea behind this research approach has been to understand what people think of algorithm and like this, being able to understand one part of the puzzle that makes up the social power of algorithms. As Bucher (2017) points out, findings on whether people are aware of algorithms

or not are not consistent and vary depending on the study examined. While analysing twitter publication and conducting 25 in-depth interviews, the researcher concludes with regard to the findings, that people are actively experiencing algorithms. In this sense, they do get a feeling of that something is happening in the background. However, other research findings suggest, that people do not fully understand how algorithms work. A study by Pew Research Center, revealed a gap of understanding how algorithms on the platform Facebook work and the majority of respondents believed to have little or no control over the Facebook news feed and neither tried to influence it in any way (Smith, 2018). Another research by Gran et al. (2020) equally examines people's levels of awareness and attitude towards algorithms. The main question this study raises, relates to algorithms on any platform and is dealing with the doubt of whether people's awareness and understanding of algorithms is fostering a digital divide (Gran et al., 2020). From a methodological angle, the researchers distributed online surveys to a representational segment of the Norwegian population ($N = 1624$). The data was later evaluated by demographic values such as age, gender or location. With regard to the main findings, the study revealed that 41% of the Norwegian population had the perception to not be aware of algorithms and the findings additionally suggested demographic differences with regard to algorithm awareness (Gran et al., 2020).

- *Algorithms and content diversity*

Another line of research with regard to algorithms also relevant to this research project, circulates around the diversity of content. The scholars primarily examine the question of how diverse algorithms are with regard to the content they display and how concerned society should be with regard to buzz words such as echo chambers or filter bubbles. *Algorithmic personalization, echo chambers, filter bubbles* and *algorithms and content diversity* are all four different concepts that have been previously investigated. However, due to the novelty of those, there is not a massive corpus of scholarly research available.

One main line of thought behind the concept of *algorithmic personalization* and content display would be that digitalization is diminishing any human editorial impact, potential quality check, just as sequence of content display, so that a democratic and coherent for all exposure to information or news is not guaranteed. As described by Eli Pariser (2011), the era of personalization began in 2009 with Google starting to play out content based on user's previous search history and interest (p. 3). While many still believed in the neutrality of search engines,

this marked a turning point and enabled what Pariser (2011) called the “*nearly invisible revolution of how we consume information*” (p. 3).

The concept of *echo chambers* has been extensively discussed and researched in the past ten years, in particular with regard to news media and political information. The main question remains if people live in echo chambers, whether digitalization accelerated those (Cardenal et al., 2019) and if echo chambers are related to the emergence of polarization or the spread of disinformation and hence, if this is a direct threat to democratic societies. From media theories such as the two-step flow of communication (Katz and Lazarsfeld, 1955) we know that users naturally seek for information and content that reflects their pre-existing beliefs, in particular with regard to opinion leaders. The echo chamber phenomenon, while possible offline just as online, is often grounded on the assumption that personalization algorithms and filter possibilities in fact shape the type of content displayed and lead to an acceleration of consumption of ever homogenous content. If in theory, users would have an infinite number of choices with regard to content, news or information within the digital sphere, this is barely the case in practice. With the filtering options users have available and due to algorithmic content curation based on previous interests, users may end up being exposed to one side of a story only. This process may perpetuate the so-called echo chambers of likeminded thought that are often grounded in theories of selective exposure and cognitive dissonance (Festinger, 1957). Those mechanisms are often times associated with buzz words of our times, such as polarization and the spread of misinformation. However, this quite novel area of research is widely lacking evidenced-based data on the exact the relationship between selective exposure, echo chambers and polarization. Moreover, one may add that Cardenal et al. (2019) made a valuable point, emphasizing that many research projects on echo chambers have been conducted in the United States. The researchers therefore examined the Spanish case and found out that as for Spanish news consumers certainly spend more time in news outlets that would underpin their pre-existing belief systems, but also consume those outlets and articles of different thought, in particular as for left wing users. In concrete terms, their finding overall suggests that there is no evidence for echo chambers amongst people affectionate to a particular party. Other scholars such as Spohr (2017) argue that selective exposure would be the main driver of polarization mechanisms in society, not echo chambers of filter bubbles. Generally, the author points out that “*continued investigation into ideological polarization, selective exposure and algorithmic curation*” (Spohr, 2017, p. 157) is needed in order to draw any conclusions. Also reference to existing studies tackling this area of research is made and the value of the research conducted

by Bakshy et al. (2015) and Del Vicario et al. (2017) (as cited in Spohr, 2017) is accentuated. Dubois and Blank (2018) equally acknowledge the attention and possible relation of selective exposure and echo chamber effect, but add another area of consideration and a potential threat to the research conducted up until now. The scholars argue that most research conducted is focusing on one media only, while the reality of most people is composed of the usage of multiple media sources (Dubois and Blank, 2018).

Filter bubbles can be understood as the tool and one of the mechanisms that enables echo chambers. According to Eli Pariser (2011), filter bubbles are unique and can be distinguished from e.g. echo chamber effects since, users are alone in them, they are completely invisible and one does not actively choose to be in them. This last point may be the most relevant aspects, and as Pariser (2011) points out, when a user purchases a specific newspaper or turns on a specific news channel on TV, he or she is aware of the editorial direction. In the case of filter bubbles, however, no active choice is made prior to the action, filter bubbles are tailored to one specific person and invisibly applying in the background.

Turning to a methodological approach with regard to *algorithms and content diversity*, one may present the research conducted by Möller et al. (2018). With the help of an experimental design, the researcher Möller et al. (2018) tested different algorithm systems with a corpus of $N=21,973$ articles and $N=500$ users from the Netherlands. By simulating the news article recommendation box and populating the box with regard to specific articles, based on topic, category, tag and tone distance, just as with regard to the ratio of political relevancy. Having a set of different articles to potentially being played out, the researchers tested different recommendation algorithms to finally play out the set of possible articles. With regard to the dataset collected, the researchers concluded that recommendations system of news outlets generally match requirements of diversity. Each recommendation system tested showed slight difference in the degree of diversity. Their conceptual and methodological approach gives valuable insight into how scholars can conduct research with regard to algorithms and diversity and how policy makers ultimately can enforce algorithms that respect diversity of content. With regard to the complexity of algorithmic content however, one may add that the findings by Möller et al. (2018) should not be taken as general assumption, since there is no one single algorithm that can be researched, but rather a diverse sequence of actions programmed by humans with specific intention on how to react to a sum of data.

- *Algorithms and shifts in power*

Within the past fifteen years, scholars have critically investigated the shifts in power with regard to algorithms (Mager, 2012; Diakopoulos, 2015; Gillespie, 2017; Lundahl, 2020). In 2006, Introna and Nissenbaum made reference to the importance of considering not just the technical, but also the social implications search engines and their algorithmic content display encompass, since search engines content display systematically include and exclude site display and hence, could lead to bias. Different scholars have equally picked up a critical angle, for example Mager (2012), who draws a connection between the algorithmic reality or ideology and neoliberal developments of privatization and capitalization. With the help of seventeen expert interviews, the scholar draws on social construction of technology (SCOT) and concludes that web providers, search engines, users and mass media all solidify the algorithmic ideology, while those actors in sum build a capitalist society, that helps shaping the type of ideology and algorithm in function. One additional line of conclusion derives from the concerns of specific experts with regard to the issue that specific implications and specific data are not ascertainable anymore with local jurisdiction only. Diakopoulos (2015) on the other hand approached the topic from a technical-ethical perspective and argues for the need of algorithm accountability. This because otherwise, algorithm bear too many areas where power is exercised with regard to “*prioritization, classification, association, and filtering*” (Diakopoulos, 2015, p. 400). Gillespie (2017) equally refers to power, but as Mager (2012), emphasizes this issue from a constructivist standpoint, while arguing that the threat with regard to power shifts is not due to “an algorithmic power, uniquely, but the power to grant visibility and certify meaning, and the challenge of discerning who to grant it to and why” (p. 63). Lundhal (2020) is another advocate of the power shifts and analyzed the social power implied via algorithms. Most importantly, the work of the scholar gives valuable insight into how social power in the algorithm context can be conceptualized, by applying the concept of meta-capital by Pierre Bourdieu. In conclusion, Lundhal (2020) argues that “algorithmic meta-capital is an extension of the power traditionally held by the state and legacy media.” (p. 12).

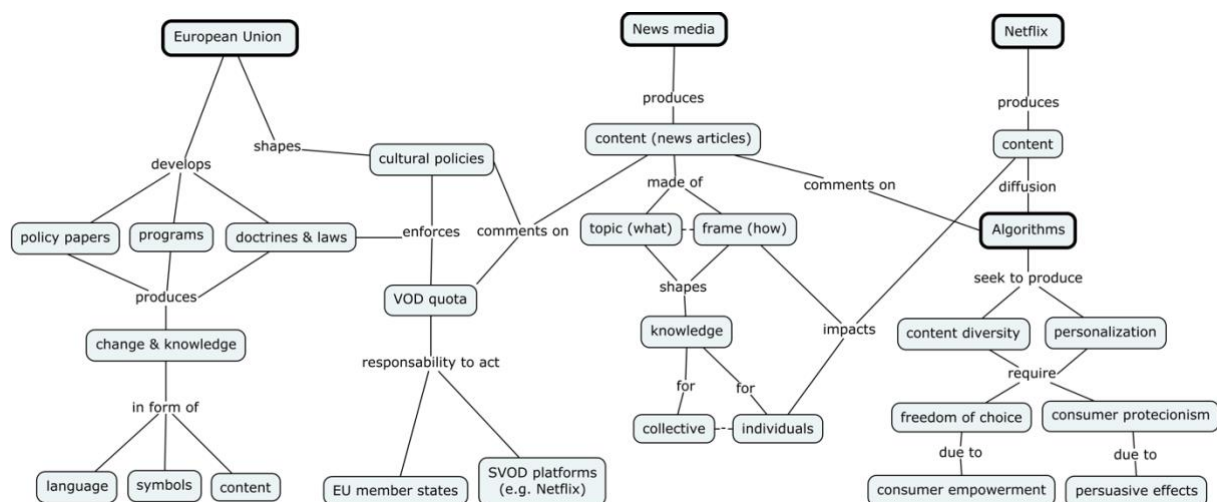
3. Theoretical and conceptual framework

This chapter builds upon the previous literature review and seeks to define and visually present the most relevant theories and concepts of the research project at hand. Moreover, the research problem will be formulated and explained and looking back at the general research objective, specific research questions shall be presented, that were developed to answer the general objective of this investigation. This systematic way of approaching the topic gave way for specific primary and subsidiary research questions, that were developed in line with concrete research methodologies and actions. In order to tackle and find measurable results to the research questions, a logic research framework was developed. In that way, the scope and structure of the research topic at hand shall be presented within the following sub-sections.

3.1 Logic concept map

The following map solely visually portrays the concepts located under the literature review and their dependencies relevant for the research topic of this project. Naturally, there are multiple relationships and additional lines of dependencies, e.g. news media also comments on algorithms or personalization. However, this aspect is not part of the research project designed. While acknowledging that the reality is more complex than the below concept map, the map does portray the conceptual dependencies and logic with regard to the topic of this project.

Figure 1: Logic research map (developed by the author)



3.2 Theoretical framework

Parallel to the systematic literature review conducted, specific theories were located and regarded as relevant in relation to the research topic and the main research objective. Those will be briefly examined within the following sections, since they form the basis of main theories this research project draws from. At the same time, they form the *raison d'être* of the research project. This, because the research project at hand has been developed understanding that digitalization and platformization has given rise to a need for new policies and regulations and that media has a complex effect on audiences (receivers of messages). In order to address the complexity of the platformization of culture, the research project establishes a conceptual dialogue between the different concepts outlined under the literature review. The interrelations of those concepts are examined and understood under the light of specific theories and concepts. Those are theories of mass media effects (Blumler and Katz, 1974; Gerbner et al., 1994; McCombs and Shaw's (1972), social construction of technology (Bijker et al., 1987) and the concept of ideology in line with Fairclough (2003, 2010) and van Dijk (2006).

- *Media effect theories*

Media effect theories can be understood as a consortium of different theories developed since the 1940s, alongside the emergence of mass media, that would encompass the work by Marshall McLuhan (1967), uses and gratification theories (Blumler and Katz, 1974), cultivation theory firstly introduced by Georg Gerbner (Gerbner et al., 1994), agenda setting theory by McCombs and Shaw's (1972) or the spiral of silence theory (Noelle-Neumann, 1991). Media effect theories are concerned with the influences of mass media on individuals and society with regard to cognitions, beliefs, attitude, affect and behaviour. Within the scope of this research, an in-depth analysis of the effects of type of content and the algorithmic content display on individual content consumption would go beyond the scope of this project. However, the research is developed under the assumption that the content provided on VOD platforms have some effect on audiences. This in line with the general current assumption that media messages and content have an effect on audiences, but that the audience or the receiver, also have an influence on the interpretation process of messages and content (rejecting, reinterpreting or accepting). The most acknowledged theories underpinning this assumption would be social cognitive theory of mass communication (Bandura, 2001) and the concept of selective exposure and cognitive dissonance (Lazarsfeld et al., 1948; Festinger, 1957).

The social cognitive theory (SCT) of mass communication is a conceptual framework developed by Albert Bandura (2001), argues that people are self-reflected and self-regulating individuals with specific goals. Moreover, this theory assumes a relationship between media and individual dependent on the degree of media being a reality perception. While referencing Ball-Rokeach and DeFleur, Bandura (2002) points out that “*The more people’s image of reality depend on the media’s symbolic environment, the greater is its social impact*” (p. 126).

The concept of selective exposure has also been introduced in the 1940s and can be related back to the work by Lazarsfeld et al. (1948) just as Festinger (1957). The concept of selective exposure has become particularly relevant in Festinger’s work “A theory of cognitive dissonance”, where the social psychologist argues that selective exposure to content that underpins one’s existent belief, is applied to reduce cognitive dissonance, a state that may arise when exposed to moderate contradictory beliefs, that individuals seek to avoid. The general assumption among communication scholars of that time was, that media has no hypodermic needle effect and rather reinforces previous belief systems and attitudes, instead of being able to directly and completely changing them (Klapper, 1960). Research on selective exposure and media effects has received a new upswing of attention, in particular with regard to contemporary digital media. The central question remains, in what ways and under what conditions media influences audiences. At this point, the social sciences have been only able to solve some parts of this puzzle.

- *Social construction of technology (SCOT)*

The theory of social construction of technology (Pinch and Bijker, 1987) is grounded in the social constructivist approach with special emphasis on the construction of technology as an artefact, hence leaning towards approaches of social constructionism (Berger & Luckmann, 1967). While marrying science and technology, Pinch and Bijker (1987) lay out the ground for the constructivist approach with regard to the sociology of science. SCOT is conceptualized with regard to three dimensions, that can be operationalized from an empirical perspective. Those three dimensions are: interpretative flexibility, “closure mechanism and the notion of social group” (Pinch and Bijker, 1987, p. 47). The concept of *interpretative flexibility* is referring to the assumption that the way people interpret technological artefacts just as their final design are socially constructed. The technological artefact is seen as a solution to a

problem, while both are constructed and do not follow linear, but multidimensional paths. By giving the example of the invention of the bicycle, Pinch and Bijker (1987) illustrate that interpretative flexibility with regard to its visual aesthetic or safety was applicable and modifying the artefact. At some stage, the technological artefact is given a status and rhetoric of stabilization (*closure mechanism*). This in order to settle an artefact in front of a particular social group (the example of solving the problem of the safety issue with regard to the bicycle is given). The artefact is ready by rhetoric, it is an acclaimed finished product, and shall be introduced to the general public – until a potential new “problem” arises, e.g. the issue of speed and hence, a re-modelling fixing this problem is needed or wanted. The third dimension, the *notion of the social group*, has already been anticipated and is best illustrated within the following quote:

“In deciding which problems are relevant, the social groups concerned with the artifact and the meanings that those groups give to the artifact play a crucial role: A problem is defined as such only when there is a social group for which it constitutes a “problem.”

“ (Pinch and Bijker, 1987, p. 30)

The above outlined citation is a relevant, since it encompasses that any technological artefact is only as good or problematic as any social group interprets or constructs it to be. In line with the theory of social construction of technology, technological products, such as platforms and algorithms, can therefore be understood as technological artefacts as well, whose “problems” or stability (in the sense of readiness) is flexibly constructed by particular social groups. The social constructivist aspect just as the different agents central to this research topic shaping the policies that govern platforms are of central relevance with regard to the logic and specific research objectives of this project.

- *Ideology and discourse*

Ideology can be conceptualized in many different ways and in broad terms, either as a distortion or falsification of reality or as a belief system with linguistic and discursive implications (Eagleton, 1991; Fairclough, 2003; van Dijk, 2006). Eagleton (1991) summarizes the variety of definitions of the term ideology and within the scope of this research project ideology is held to be a “process of production of meanings, signs and values in social life” (p. 2) with specific discourses and production of power. In that sense, ideology can be understood as a belief system

(van Dijk, 2006) with a specific impact on the social reality that is constructed, rather than a true or false cognition. According to Eagleton, ideological research has not gained popularity due to three doctrines. On the one hand, the challenges with regard to empirical models, on the other, concerning the risk that while locating an ideology simultaneously connotes locating an absolute truth and thirdly, the entrance of post-modernism and power relations into the academic world as principal lines to understand the underlying structure of a social reality. According to van Dijk (2006), “ideologies are acquired, expressed, enacted and reproduced by discourse”, which happens with the help of specific structures and strategies (p. 124). Ideologies have been largely conceptualized with regard to critical discourse analysis (CDA), a methodological approach that shall be examined in more detail under the methodology section. At this place, however, it is worth to outline that van Dijk (2006) states that “ideologies are generally explicitly expressed, acquired and reproduced by discourse, but not exclusively so” (p. 133). Ideology cannot be reduced to discourse or any cognitive notion such as attitude, knowledge or norms (van Dijk, 2006). Therefore, it is acknowledged that ideologies are also expressed within other social dimensions such as discrimination or empowerment, but this research project solely considers the discursive aspect of ideology while acknowledging that the terms *ideology* and *discourse* are not identical and two terminologies with own conceptualizations.

3.3 Problem statement and research questions

The research project at hands is threefold in logic and first of all, seeks to locate the discourse on the VOD quota by the EU, secondly, seeks to analyse the dominant frames within news articles from France, Germany and Spain and finally, aims to approximate the relation between the algorithmic personalization and content display within the platform Netflix, just as algorithm awareness among EU citizens. As outlined during the literature review and conceptual framework, plenty of research has been conducted in line with the research project at hand in general terms. With regard to the specific case of the EU quota of 30% European work as stated within the Audiovisual Media Service Directive (AVMSD) of 2018, almost no scholarly research has been conducted around this phenomenon. Moreover, there is not much public controversy and discourse or news media repercussion after the event of announcing the quota, picking up this rather novel policy implemented within the EU. As already outlined during the introduction, the EU member states had until 19 September 2020 to implement the policy, however, evaluation will not take place until December 2026. From an academic

perspective, the introduction of the quota has taken place rather recent and with regard to the compilation of empirical data, the rather little time that has passed since 2018 could be a potential reason that no scholarly research is currently available. This lack of scholarly publication, however, is also the reason why it is held to be of relevance to investigate the quota, its mediatic repercussion and ideological assumptions behind it on policy level, just as with regard to its algorithmic display of content.

As pointed out during the introduction, the VOD sector is the fastest growing with regard to revenues in the EU area. Market share of Netflix and Amazon are the highest among the countries that are object of investigation within this project, France, Germany and Spain. In fact, the emergence of VOD platforms has disrupted the audiovisual market, since due to their growth rate in revenues and users, this niche is likely to develop even further and may bring specific changes. Under this context, one may argue that the quota of 30%, implemented by the AVMSD is a rather significant policy implementation. Also significant is the shift the European audiovisual sector is currently undertaking, which in fact goes beyond the borders of the EU and certainly impacted other markets as well. This shift, however, does not just affect the sector in itself with regard to financing, shifts of advertisement spend, total revenues or productions, it also has an impact on final audiences, with regard to the type of content that is produced and offered. As outlined previously, there is a lack of scholarly research with regard to the quota and its ideological construct behind it. Additionally, the quota implemented can be seen as a rather novel policy measure to manage platforms in general. Something that, as this research project recognizes, is a rather complex endeavour from a legal and political perspective, since platforms, in most cases, despite the sector in which they operate, are first and foremost owned by private organizations. The audiovisual sector, located under the cultural sector, constitutes a unique case, however, where regulation of content produced have a long tradition in some European countries (e.g. France). This research paper, seeks to outline a project plan to tackle the areas of investigation underexplored, which will open valuable new areas of research and knowledge, are based on evidence from this research, but could lead to new lines of investigation with regard to the platformization of culture in general.

At the same time, one may need to point out that in order to narrow and grasp the complexity of the research topic, the research project can be seen as a project divided in three main areas of investigation, with distinct logic, partially unique literature and theories preceding and certainly distinct research objectives. In the aggregate, however, the three areas respond to a

general purpose of investigation, which is to locate the legitimization claims and underlying ideology behind the EU quota on VOD content from an EU, media and user perspective. In order to provide evidence-based research and findings, three main research questions have been formulated in line with the research objective illustrated under the introductory chapter. Those three distinct research questions are:

RQ1: What discursive rationale and legitimization claims can be located within the policy documents by the EU, dealing with the VOD quota implemented in 2018?

RQ2: What frames can be located with regard to the EU quota implanted in 2018 within news media articles from France, Germany and Spain as for the timeframe of June 2018 until June 2023?

RQ3: What relation can be located between algorithm awareness, algorithmic personalization and content diversity with regard to European versus non-European content on Netflix?

The research questions have been further narrowed down and twenty-two additional subsidiary research questions have been formulated under each specific research question. The subsidiary research question clustered together, seek to give answer to the specific research question. At the same time, by narrowing the specific research questions down to a variety of subsidiary research questions, those are easier to manage from a methodological perspective. The following logic research framework presented within the next section, therefore outlines the narrowed and specific methodological approach per research area in detail. The logic research framework has been developed to give a supportive, visual overview of the research project and to justify its conceptual and methodological approach in a quick manner.

3.4 Logic research framework

Table 1: Logic research framework (developed by the author)

LOGIC RESEARCH FRAMEWORK		
<p><u>Research Objective:</u> To locate the rationale and legitimization claims by the EU within specific policies and the local response within news media frames by France, Spain and Germany just as the relationship between algorithmic awareness, content display and diversity with regard to European content.</p>		
Research Questions	Subsidiary Research Questions	Research Activity
<p>RQ1: What discursive rationale and legitimization claims can be located within the policy documents by the EU, dealing with the VOD quota implemented in 2018?</p>	<p>SRQ1: What legitimization claims with regard to the quota can be located within the policy documents by the EU? SRQ2: What specific codes can be located with regard to the legitimization of the quota? SRQ3: What underlying ideology can be located? SRQ4: To what extent can tensions, differences, gaps or incoherencies be located within the different policy documents? SRQ5: To what extent is the discursive rationale of the EU motivated by social and/or economic objectives? SRQ6: Can those theoretical objectives of sector and consumer protection hold up in reality (under the light of algorithmic personalization and display)?</p>	<p>⇒ Critical Discourse Analysis of (currently) six policy documents by the EU</p>
<p>RQ2: What frames can be located with regard to the EU quota implanted in 2018 within news media articles from France, Germany and Spain as for the timeframe of June 2018 until June 2023?</p>	<p>SRQ7: What frames can be located with regard to the EU quota implemented in 2018 within news media articles from Le Figaro and Le Monde (France)? SRQ8: What frames can be located with regard to the EU quota implemented in 2018 within news media articles from Frankfurter Allgemeine and Süddeutsche Zeitung (Germany)? SRQ9: What frames can be located with regard to the EU quota implemented in 2018 within news media articles from El País and La Vanguardia (Spain)? SRQ10: To what extent do the frames pick up the policy discourse established by the EU?</p>	<p>⇒ Frame analysis of news media articles from 6 newspapers of FR, DE and ES for the timeframe of June 2018 up until June 2023. A sample selection of 50 articles per outlet</p>

	<p>SRQ11: To what extent can a divergence or convergence in frames be located between the three countries?</p>	<p>shall be taken into consideration</p>
<p>RQ3: What areas of relation can be located between algorithm awareness, algorithmic personalization and content diversity with regard to European versus non-European content on Netflix?</p>	<p>SRQ12: To what extent are European citizens from France, Germany and Spain regularly consuming content on Netflix aware of any algorithmic personalization? SRQ13: What attitude towards the algorithmic personalization do European citizens from France, Germany and Spain have? SRQ14: To what extent do citizens of France, Germany and Spain believe they are affected by the recommendation algorithm when consuming content on Netflix? SRQ15: What type of European content has been produced since the quota and what makes this content “European”? SRQ16: Under what categories within Netflix can the European content be found? SRQ17: What authorities determine that content can be classified as European content? SRQ18: Can the type of European content by Netflix be considered European content as by the EU definition of it? SRQ19: When creating a new Netflix account, how much European content is available in the main result section? SRQ20: When creating a new account on Netflix, is European content directly recommended? SRQ21: When creating a new account on Netflix, after watching three European movies, what type of recommendation is given to user in terms of percentage of European versus non-European content? SRQ22: What information does Netflix reveal with regard to the recommendation algorithm?</p>	<p>⇒ Survey conducted with participants that are active Netflix consumers in France, Germany and Spain. ⇒ Analysis of press releases by Netflix ⇒ Attempt to interview key stakeholder Netflix ⇒ Attempt to interview key policy makers on EU level ⇒ Analysis of Netflix content catalogue</p>

4. Methodology

The next chapter presents the methodological approach of the research project. In broad terms, it can be argued that the research project is composed of mainly qualitative secondary data and best aligned with what Marshall and Rossman (2006) constitute as critical qualitative approach, which is mainly grounded on the assumption that the world is a socially constructed context. Most subsidiary research questions and main research questions were held to be best answered with widely applied methodologies of qualitative content analysis within the social sciences. Nevertheless, in order to locate findings as for the third research area, a quantitative data collection, in form of a survey, has been chosen as the most appropriate approach. Therefore, from a methodological perspective one may generally define the research in line with the mixed method approach. As Saunders et al. (2007) point out, the triangulation of distinct approached and hence data, enables researchers to apply the most suitable research approach to different purposes and research area. It is furthermore assumed that the application of different data collection techniques, all with their respective advantages and disadvantages, not only enrich the research, but are even necessary to ensure the most adequate technique for the specific distinct research areas. As for the formal presentation of the methodological approaches, the same structural approach of the preceding chapter will be applied for the methodology and the research approach shall be presented in three sub-chapters. Each sub-chapter will consequently describe the methodology chosen and layout potential threats to the validity and reliability of the research project. Due to the complexity of the research objective, the different research methodologies chosen and the stage of research development, the method of reasoning is in flux. During the initial stages of the project, the inductive reasoning and an exploratory reasoning approach has been applied in order to approximate the research topic and accomplish first tests with regard to the corpus. At a later stage of the investigation and with regard to the third research area, the deductive approach was applied with specific research questions and a hypothesis tested via a survey. As pointed out by Creswell (2003), there are three main elements that constitute any approach, the knowledge claim, the strategy of inquiry and the specific method. Those three shall be examined in detail within the following three sections.

4.1 Methodology research area 1: EU policy discourse

The first research area seeks to locate the discursive rationale, legitimization claims and underlying ideologies of the EU content quota on VOD platforms, implemented in 2018. After an exploratory stage, relying on a systematic literature review and resulting in the formulation of specific research objectives and questions, the corpus and definitions and categories of codes were developed. Moreover, the research approach for the first research area can be described as corpus-based with ultimately following the deductive reasoning approach by applying the codes developed to the corpus in order to find evidence-based results, in line with principles of validity and reliability. At this stage of the project, the research design shall be outlined, while advancing that the research technique and data collection has solely been designed and not executed fully yet. Hence, with regard to the actual data collection and measurement, those remain currently at descriptive level.

First and foremost, one may point out that research methodology chosen for the first area - just as for the following two areas - was determined by the research problem located and the research questions formulated. Since the research seeks to add new knowledge with regard to the discursive rationale, legitimization claims and ultimately underlying ideologies within policy publications, the discourse analysis has been chosen as most appropriate. The ultimate subject of investigation of many scholars performing discourse analysis is language in text, and policy publication fall under such criteria. The term *discourse* just as the Critical Discourse Analysis (CDA) approach in general, have been subject to a variety of academic directions. On the one hand, the CDA methodology has been developed and is currently applied by scholars from different disciplines such as linguistics, political or media studies likewise. As such, the CDA can be titles a truly interdisciplinary one. On the other hand, scholars with authority have conceptualized CDA in different ways. Originating from the field of applied linguistics, CDA has been operationalized with regard to linguistic structures, the constructed meaning of single words in text, the genres, applied metaphors, intertextuality and interdiscursivity. While making reference to *text*, scholars of CDA not only focus on the written word, but also understand visual aspects or spoken and transcribed words as *social texts*. Moreover, a central idea of CDA, in particular in relation to policy studies, is oftentimes the location the relation between discourses in text and other social structure of power and ideology (Fairclough, 2001).

Within the scope of this research project, the conceptual and methodological understanding of CDA is in line with what Fairclough (2005) summarizes in a closing statement within the comprehensive book “A New Agenda in (critical) Discourse Analysis. Theory, Methodology and Interdisciplinarity” by Wodak and Chilton (2005). A book, with chapters written by the most renowned scholars of CDA, such as Norman Fairclough, Theo van Leeuwen, Teun A. van Dijk and Ruth Wodak, outlining conceptual nuances, approaches and examples of scholarly work.

“Through focusing on discourse, CDA aims to elucidate the discursive moment of social processes, practices, and change in its dialectical relations with other moments. It develops its theory, method, and agenda (objects of research) through transdisciplinary dialogue aimed at (a) coherent integration of discourse and discourse analysis (including detailed textual analysis) within social theories and methods of research, (b) development of its own theory of discourse and methods of discourse and text analysis in ways which are consistent with a dialectical view on social reality.” (p. 68)

Generally, one may observe that most scholars of CDA focus heavily on the theoretical framework and may lack transparent explanation of specific methodological frameworks. The systematic review of this approach has revealed a lack of concrete and hands-on guidelines and frameworks for data collection and analysis to apply to policy publications. Instead, one may argue that the methodological approaches to CDA are comprehensive and multi-layered.

This research project seeks to draw from the work by Fairclough, van Leeuwen, van Dijk and Wodak, since all of them have contributed significantly to the narrowing of this research approach in the past years. From a conceptual perspective, this research project relies on the theoretical emphasis by the aforementioned scholars. From a theoretical and analytical point of view, the paper at hand mainly draws from the concept of *legitimation discourse* as developed by van Leeuwen (2007), analysing social texts from a standpoint of legitimation. As van Leeuwen (2007) points out, the “concept of legitimation can link, on the one hand, social practices, and on the other hand, discourses of value.” (p. 109). He developed a framework that focuses on the analysis of text based on *actors or actions* with regard to three dimensions: *reactions, purpose and legitimation*. This approach has been chosen as a first start to analyse the corpus and a basis for the development of codes underlying those categories. While van Leeuwen’s framework is appropriate and unique with regard to the categories applied to text,

the examples given emphasize widely on narrative and conversational texts. The corpus of this research project is, however, composed of policy documents, which is why one may examine the work by Wodak and Fairclough (2010) with regard to *recontextualization*. Within a recent study on European higher education policies, the researchers propose the “*study of recontextualization processes*” (Wodak and Fairclough, 2010, p. 21). This approach understands any text as an discursive contexts that “*move between spatially and temporally different contexts, and are subject to transformations whose nature depends upon relationships and differences between such contexts.*” (Wodak and Fairclough, 2010, p. 22). In concrete terms, this approach acknowledges the external factors and intertextualizations influencing discourses.

With regard to the concrete process of finding, organizing and defining the code categories, the frameworks pointed out previously shall be applied to the corpus of policy documents in order to find repetitive patterns of justification. Such patterns in argumentation style are held to be representative of a first step of the legitimization process of the VOD policies. In fact, the development of a code structure based on categories introduced by other scholars, may be an appropriate research methodology, however, is not to be taken lightly. As Creswell & Poth (2018) point out, the development of codes is a challenging endeavour, while researcher bias can mean a direct threat to the validity and reliability of the entire research conducted. For that reason, the categories developed are based on previous work by other researchers and the codes developed are all grounded in the actual texts itself. In that sense, the overall approach would be in line with what van Dijk (2001) outlined as analysis of the *semantic macrostructure* (p. 354), with a first level (the codes developed) and second level (micro analysis of the ideologies behind the codes, coherences and incoherencies between them).

At the current moment, six different policy documents were located and held as appropriate. All documents are official publication by one of the organs of the European Union and publicly accessible (see Appendix). In essence, the methodological approach in form of the Critical Discourse Analysis of the first research area seeks to draw a relationship between those policy papers and specific social questions behind them. In this sense, the critical approach shall locate legitimizations and as such, underlying ideologies on which the legitimizations are grounded on. In that way, it is aimed to locate specific dynamics of power between different agents, namely the state (EU/local governments), individuals (the consumers), the network (the lobby) and the media (representative via specific news articles published).

4.2 Methodology research area 2: Media frame analysis

The methodological approach of the second research area is concerned with the location of the main frames concerning the VOD quota of 30% within news articles from three European countries as for the timeframe of June 2018 up until June 2023. As such, this research is mainly concerned to establish a comparative analysis between the mediatic repercussion of the VOD quota within the context of three European countries. Those countries have been chosen due to two reasons. On the one hand, France Germany and Spain are countries that form part of the EU and constitute of rather similar market dimension and number of populations. While the European Union is also an integrated market of a single European single market, the market and population size of for instance Germany and the Netherlands is rather different. On the other hand, those three countries disclose the most similarities with regard to the SVOD sector. As can be witnessed from the figure below, France Germany and Spain have rather similar market structures with regard to the top three players of the market (Netflix, Amazon, Apple TV+ and Disney+), also concerning the total number of subscribers in 2020, just as concerning the percentage of market share of those top players.

Figure 2: Top 3 OOT SVOD services by subscriber market share by country in 2020, published by European Audiovisual Observatory in 2020

Top 3 OTT SVOD services by subscriber market share by country in 2020
In % of total SVOD subscribers

Country	1st Rank	2nd Rank	3rd Rank	Total OTT SVOD subscribers, in thousands	Market share Top 3
Austria	Amazon - 40%	Netflix - 39%	Disney+ - 8%	2 378	87%
Belgium	Netflix - 52%	Amazon - 15%	Streamz - 14%	3 152	81%
Bulgaria	Netflix - 39%	Apple TV+ - 26%	Amazon - 24%	440	89%
Croatia	Netflix - 55%	Amazon - 37%	Voyo - 7%	209	99%
Cyprus	Netflix - 60%	Apple TV+ - 25%	Amazon - 15%	82	100%
Czech Republic	Netflix - 52%	Apple TV+ - 24%	Amazon - 22%	876	98%
Denmark	Netflix - 24%	Viaplay - 23%	TV2 Play - 18%	3 826	65%
Estonia	Netflix - 43%	Amazon - 20%	Apple TV+ - 19%	122	82%
Finland	Netflix - 29%	Viaplay - 16%	Ruutu+ - 13%	2 536	58%
France	Netflix - 54%	Amazon - 26%	Apple TV+ - 12%	15 453	92%
Germany	Amazon - 44%	Netflix - 32%	Disney+ - 6%	33 333	82%
Greece	Netflix - 55%	Apple TV+ - 28%	Amazon - 17%	939	100%
Hungary	Netflix - 49%	Apple TV+ - 28%	Amazon - 23%	690	100%
Ireland	Netflix - 54%	Amazon - 35%	Apple TV+ - 11%	978	100%
Italy	Netflix - 28%	Amazon - 18%	TIM Vision - 16%	13 136	62%
Latvia	Netflix - 35%	HBO - 27%	Amazon - 19%	162	81%
Lithuania	Netflix - 43%	Apple TV+ - 20%	Amazon - 19%	321	82%
Luxembourg	Netflix - 58%	Amazon - 29%	Apple TV+ - 12%	144	99%
Malta	Netflix - 51%	Amazon - 29%	Apple TV+ - 20%	59	100%
Netherlands	Netflix - 44%	Amazon - 15%	Videoland - 15%	6 250	74%
Poland	Netflix - 37%	IPLA - 29%	Amazon - 11%	4 685	77%
Portugal	Netflix - 47%	Apple TV+ - 21%	Amazon - 13%	1 473	81%
Romania	Netflix - 40%	Voyo - 38%	Amazon - 21%	1 160	99%
Slovak Republic	Netflix - 42%	Amazon - 24%	Apple TV+ - 24%	451	90%
Slovenia	Netflix - 38%	Voyo - 23%	Amazon - 22%	243	83%
Spain	Netflix - 44%	Amazon - 25%	Apple TV+ - 10%	10 824	79%
Sweden	Netflix - 34%	Viaplay - 19%	HBO Nordic - 10%	5 039	63%
UK	Netflix - 40%	Amazon - 36%	Disney+ - 10%	31 791	86%

Source: Ampere Analysis

Source: European Audiovisual Observatory (2020)

As for the concrete research methodology chosen, frame analysis has been held to be most appropriate in order to approximate the mediatic repercussion of the VOD quota within news media articles. The overall aim of the second research is to locate the repercussion of the EU policy discourse within three EU member states. Since it would be beyond any research project to analyse the overall repercussion, the project depicts one particular area, namely the media. In concrete terms, the focus would be on the frames created within news media articles. Frame analysis can be regarded as a widely applied research method for studying media messages. Moreover, one would need to point out that while frames in news media can be considered to shape the public discourse, this research approach cannot be equated with the CDA-approach. While both methodologies feature certain epistemological similarities, since both are concerned with the construction of public messages and discourses, they can also be distinguished with regard to specific aspects. On the one hand, both can be considered qualitative methodologies

of content and discourse. On the other, one may argue that the CDA-approach is much more complex in its theoretical definition and diverse with regard to the different lines of investigation researchers can follow. CDA is a much broader method, which is why the first research area has been clearly aligned to specific work of other researchers. As such, CDA can be considered an umbrella term, which always requires concrete narrowing. Frame analysis on the other hand, is a rather concrete methodology, primarily concerned with the construction of social frames. While CDA may focus on intertextual relations, grammatical structures and the production of knowledge and power, frame analysis is more concrete and attempts to locate socially constructed frames for consideration alone.

Frame analysis as a methodological approach has been developed by scholars such as Goffman (1974), Entman (1993) and McCombs et al. (1997). Goffman (1974) in fact gave a definition closely tied to the one of CDA in the 70ies, defining *frames as social constructs* that are additionally culturally relative, and that can be distinguished between actual occurrences (primary) and the depiction of events (secondary frames of primary occurrences) (p. 47). The work by Entman (1993) has been widely applied by other researchers and focuses primarily on two central aspects, the notion of “*selection and salience*” (p.52). The process of framing itself has been defined as follow:

“To frame is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation and/or treatment recommendation for the item described.” (Entman, 1993, p. 52)

In this sense, the frames constituted within news articles, make a specific attribute of a phenomenon (or code in the sense of data analysis) more salient to audiences. McCombs et al. (1997) additionally contribute to frame analysis by establishing frame theory within their concept of “two level agenda-setting theory (p. 4). The main argument of McCombs et al. (1997) would be that the attributes of frames affect audience with regard to what audience think about (first level issue salience) and with regard to how they think about something (second level attribute salience. In summary, frame analysis is operating under the premises that media influences audience with regard to how salient they perceive a topic and with regard to how they think about a topic.

With regard to the data collection and analysis, the following paragraph shall briefly outline the establishment of the corpus and the data analysis approach. As mentioned previously, online news articles from three European member countries shall be analysed and the choice of those countries have been made grounded in a specific logic. The online news articles that form the corpus of research will also be chosen from based on a strategic decision. The objective for choosing news article has been to classify newspapers of local and international influence in each market, that are comparative in size and have a diverse author- and readership. As for France the newspapers Le Figaro and Le Monde were chosen. As for Germany, Frankfurter Allgemeine and Süddeutsche Zeitung. For Spain, the newspapers El País and La Vanguardia were selected. Those newspapers represent a diverse readership from a right-left spectrum and are the most disseminated local newspapers within their respective countries. A selection of 50 articles per media outlet (6) shall be analysed ($N = 300$).

As for the code framework, the earlier developed framework of the first research area will be taken as a starting point to later develop the final framework of this research area. First of all, the existing code framework will be applied on a small sample of the final corpus. Secondly, an analysis of coherence and discrepancies will inform a revision of the code framework for the second research are. Additionally, due to the size of the estimated corpus of this research area ($N = 300$), the codification process will rely on key words, rather than larger structures of text. Each code will be established of a set of specific key words. Since the number or articles is 300, manual coding and computational automated analysis shall be tested. First, over a small set of the corpus, in order to check reliability. Second, in case the computational method chosen proofs to be reliable, over the entire corpus. The corpus of news articles cannot exactly be considered large-scale, but with the size a fully automated (via open source language such as Phyton) or hybrid model could be of interest.

4.3 Code framework research area 1 and 2

Based on the literature review, the categories suggested by van Leeuwen (2007) and a first test analysis of the policy papers that constitute the corpus, specific codes have been extracted. One may add that after a complete application of the categories and in-depth analysis of all policy papers, those codes may shift. However, at this stage of the research, they already give a good orientation of the potential final codes.

Table 2: Presentation of code framework (developed by the author)

CODE FRAMEWORK		
<i>The following code framework seeks to guarantee validity, transparency and coherence in coding.</i>		
Category	Code	Definition
Economic value	Protection of sector	This code refers to the protection of the European audiovisual sector, a sector threatened by any foreign productions (e.g. Hollywood).
	Free market claim	Reference to the neoliberal concept of free market is made and any protectionist attempts cannot go over principles of the free market.
	EU competitiveness	Reference to the strengthening of the overall EU competitiveness is made.
	Obligation of patronage	The quota and/or any policy by the EU or local governments are regarded as force or obligation to pay into EU film funds, meaning foreign production companies need to pay into local funds and companies in order to make content.
	Country of origin principle	Here reference to the country of origin principle as implemented by the EU is made, for instance with regard to the fact that EU content could solely be produced within one EU country and then this content serves as for overall EU content.
Social value	Protection of consumers	This code refers to the need to protect consumers from illegal or just type of content in general.
	Protection of minors	This code refers to the need to protect minors.
	Social impact on audiences	Here reference to the social impact on audience is made with regard to opinion, attitude, identity. It is assumed that a European impact should be safeguarded.
	Protection of EU heritage	This code refers to the assumption that audiovisual material is part of the cultural production of the EU and as such protected by cultural heritage claims
	Responsibility to inform, entertain or educate	Reference to the responsibility of the EU, local member states, the sector and individual broadcaster is made with regard to the principle that audiovisual content needs to be in line legal and needs to inform, entertain or educate the EU public.
	Freedom of expression	This code refers to the freedom of expression claim that understands that the content itself cannot be regulated, freedom of expression needs to be safeguarded as human right and part of EU constitution.

The codes that will be developed can be understood as conceptual codes, in line with this definition and terminology given by Saldaña (2015). In short, one may summarize that conceptual codes constitute a larger picture and stand for a symbolic representation and therefore, can be understood as an idea, rather than a figurative object (Saldaña, 2015, p. 292). Moreover, it is relevant to point out that the final codes that shall be developed will be mutually exclusive.

Despite that fact that the codes developed are mutually exclusive in definition, there may overlap with regard to the analysis stage of the research. This because it is likely, that specific texts layout a narrative structure that suggest the importance and need to e.g. achieve social and economic objectives simultaneously.

After a first systematic literature review, a percentage of text was coded manually and the above-mentioned codes were developed. The second step of the process would encompass a more granular analysis of the entire corpus. Research area one and two will both have a unique process of generating and analysing the codes located. As for research area one, a second step will be to move from manual codification to a computer assisted codification process with the software NVivo. In that way, the reliability is increased and more data can be processed and visually displayed in faster manners. With regard to the second research area, the codes developed under the first research area will be taken as a starting point and applied over a first sample of the corpus. Based on that sample, a second code framework will be established, based on the code framework above, but taken the potential differences into consideration. Since the corpus of the research area two is expected to be rather large, therefore automated computational text analysis will be chosen to analyse the online news articles.

4.4 Methodology research area 3: Algorithm awareness and content diversity

This research area is mainly composed of two dimensions, the algorithm awareness and attitude of European citizens and the content diversity with regard to European versus non-European content. Different subsidiary research questions have been developed in order to be able to respond the main research question. When examining the subsidiary research questions, it becomes clear, that this research area needs to consist of a mixed-method approach compiling quantitative and qualitative data. On the one hand, a survey in order to locate the self-perceived algorithm awareness and attitude towards personalization algorithms is planned, on the other,

a qualitative case study on European content at the platform Netflix with regard to algorithmic personalization and content diversity.

The subsidiary research question 12, 12 and 14 seek to locate if there is evidence of a relationship between self-perceived algorithm awareness and attitude towards personalization algorithms, at the particular case of Netflix. The following hypothesis has been developed that shall be tested with the help of a structured questionnaire.

H1: The more people are aware of algorithms, the more critical their attitude towards personalization algorithms.

With regard to the survey that shall locate the relationship between algorithm awareness and attitude towards personalization algorithms, the following research design and procedure is planned. A structured questionnaire shall be distributed to a representational sample of the three European countries France, Germany and Spain with a targeted amount of 150 contestants per country ($N = 450$). The questionnaire distributed will be composed of the general demographic data such as age, gender and nationality and will assess the frequency of Netflix consumption at introductory level. As for the operationalization of the two variables, 5-point Likert-scales shall measure algorithm awareness (independent variable) and attitude towards algorithmic personalization (dependent variable) (see Appendix). The data collected shall be then processed with the help of SPSS.

With regard to the case study mapping the different aspects of content diversity, the particular case of Netflix was chosen here as well, in order to narrow the subject of investigation. The subsidiary research questions 15 – 22 tackle the relationship between the concepts European content (as defined by the EU for this case and context), algorithmic personalization and content diversity. It is held that the interplay of the three concepts relies on a logic that is elaborated well by theories of social construction of technologies.

The case study approach as an empirical research approach can rely on quantitative and qualitative data likewise. Zainal (2007) closely ties the definition of a case study to the work by Yin (2003) and argues that a case studies mainly “*explore and investigate contemporary real-life phenomenon through detailed contextual analysis of a limited number of events or conditions, and their relationships.*” (p. 2). As outlined under the literature review, an existing

case study on Netflix has been conducted by Wayne (2019), focusing on multi-channel providers in Israel. That case study is mainly based on qualitative in-depth interviews. The case study at hand shall rely on the analysis of information and data deriving from qualitative secondary literature just as small experiments within the platform. Additionally, it is planned to conduct qualitative in-depth interviews with representations of Netflix and the European Union or European Audiovisual Observatory. As for those expert interviews, one can, of course, only hope to find positive response for participation. It is taken into consideration that this third line of information and data is can actually not be planned directly by the researcher.

The case study will focus on the key factors that are shaping algorithmic display and content diversity, its conceptual internal coherence and relationship between and the technical infrastructure of Netflix with regard to algorithmic personalization. The main hypothesis of this research would be, that the recent implementations in form of a VOD quota, implemented within the cultural policies for audiovisual media, constitute as a novel accomplishment within the regulation of the platformization of culture. Under the eye of theories of social construction of technology (SCOT) (Pinch and Bijker, 1987), algorithmic display can be regarded as a new technological artefact that is socially constructed and socially interpreted. In theory the artefact holds interpretative flexibility, but organizations often drive those towards a rhetoric stabilization in order to achieve mechanisms of closure. Within the scope of this research, however, the construction and interpretation of algorithmic display is not finalized. The evidence of discourse within academia and media is testimony of the need for more evidence-based data that could help shaping this technological artefact. On policy level, this discourse is continuing, however, not an easy one to tackle with regard to legal implementations. The case study shall shed some light into the logic of the three main concepts from a sociotechnical perspective.

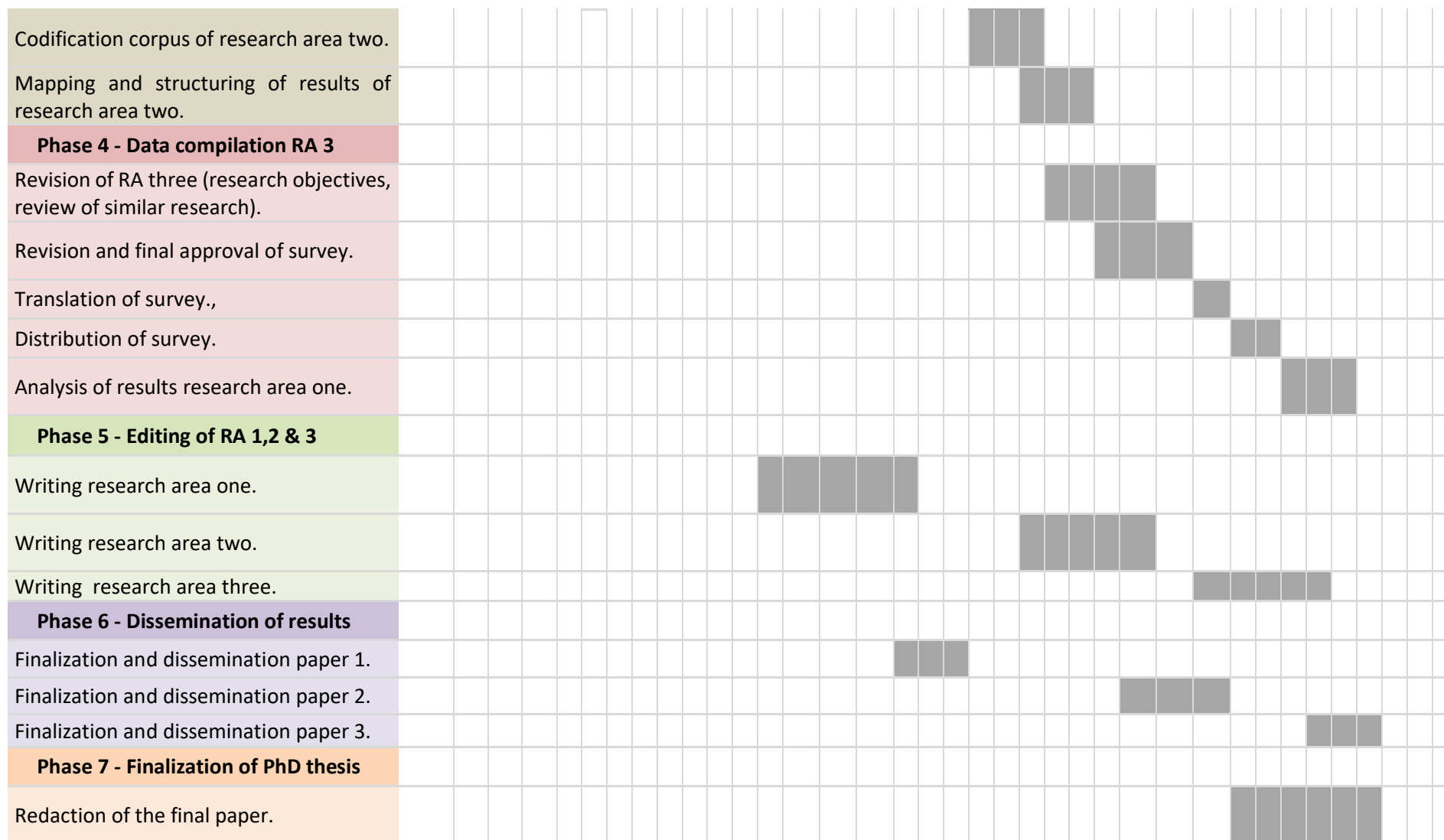
5. Research planning

Since the research project at hand seeks to develop into a PhD period at the Department of Communication at the University Pompeu Fabra, the following section will present the planning of the PhD, the potential dissemination of results and the scientific and societal relevance of the investigation. In order to plan the research project, a Gantt chart containing all the variety of academic activities needed has been produced, encompassing activities from the compilation of data, to the writing and depositing of the final paper. The research project is divided into three principle research areas and in the course of the next years, it shall be evaluated if some of the research areas may qualify as research articles that can be submitted to specific academic journals. The dissemination of the results, findings and conclusion can additionally be done at specialized conferences. Last but not least, a brief statement of the scientific and societal relevance of the research project will be given.

5.1 Three-year planning

The Gantt chart below shall illustrate the three-year timeframe for this research project. In view of the fact that the PhD shall be completed at a maximum length of three years, full-time, the chart will focus on the different academic and organizational activities needed to complete the PhD. The start of the PhD is planned to be the academic semester of 2021/2022 in October and the moment of presenting the PhD would be consecutively three years later in September 2024. The Gantt chart is the current activities plan, which may be concretized in the course of the first semester 2021/2022. The overall objective of the plan is to secure the timely accomplishment of the different milestones of the PhD program and secure the finalization and dissemination of the investigation, to meet the required formative activates established by the university and to ultimately meet the deadline for final submission of the work.

The planning has been organized alongside the three research areas and for the purpose of visualization, the terminology research area has been abbreviated at times with RA.



5.2 Scientific and societal relevance

The quota, even though quite novel, did not become a media event and neither received a lot of scholarly attention in form of research articles published. This project, however, is grounded in the assumption that academia has the responsibility to locate, monitor and critically evaluate any new policy measures or novel social phenomenon, in particular when touching upon consumer impact and rights. From the tracking of consumer choices, the algorithmic display of content and the creation of stories that shape consumers reality, to the content availability according to IP or matters of copyright – there are still plenty of areas that need attention from academia and policy perspective. The market disruption triggered by the emergence of VOD platforms can be considered a novel social phenomenon, that the EU responded to from a policy perspective. As pointed out previously, while the net revenues generated via VOD platforms remain humble in comparison to other sectors, the growth rate is significant, in particular with regard to SVOD platforms. So is the number of European subscribers which has been accounted 140 million in 2020 (based on EU28 data – still including UK) (European Audiovisual Observatory (2021)).

In broad terms, this paper focuses on the content (the rationale of European content) of SVOD platforms (research areas one), and also on the current sociotechnical understanding of SVOD platforms and how they shape content consumption (research area three) and ultimately fostered a redistribution of capital and power. While the exact degree of impact of content exposure is not subject of this research project, the project is grounded on the academic discussion on the relationship between media and audiences.

In view of the above, one may summarize that this project focuses on the logic and construction of SVOD platforms and their content and algorithm from a policy perspective, but also from consumer perspective. It primarily raises the question of whether the legitimization of the quota is grounded in the economic value and attempt to protect the European audiovisual sector, or if the consumer (social value) is at the centre of the rationale. Potentially, the quota may even aim to achieve both dimensions. However, if this is the case, then one needs to evaluate closely if this duality of objectives is possible or potentially only accomplished at the expense of the other. A central question would be if those two objectives mutually exclude each other to some extent, or if they can be achieved in perfect co-existence. First and foremost, this project attempts to focus on the fact that any theoretical attempt to protect the consumer, needs to be

critically analysed and investigated if those hold true in the practice. At a concrete example, this would raise the question of whether the regulation of European content is guaranteed to find entrance into the user experience of consumers or if it can also perfectly be buried in the background of a SVOD catalogue, due to past consumer behaviour (mechanisms of content availability, display, consumption may not be straightforward).

Additionally, this paper seeks to argue that while there are clear policies on consumer protection on platform environment with regard to the protection of minors or illegal content, tackling matters of self-regulation, algorithmic content display or impacts of artificial intelligence have been a challenge for policy makers and academic researchers likewise. This paper therefore seeks to contribute to the research conducted on the logic of platforms and algorithms and the current European policies to tackle those. It is understood, that we are currently at a turning point with a need to re-consider the closing mechanisms of algorithmic impacts (in line with social cognitive theory (SCT) of mass communication). In academic terms, this paper also seeks to make a contribution by bridging two rather novel academic disciplines, cultural policies and the creative industries and the socio-technical study of platforms and algorithms.

5.3 Dissemination of results

The results of the beforementioned three research areas shall be circulated at different times and via various channels. A communication diffusion strategy shall be developed in order to keep track of a) the structure of the results that can be distributed (research article; conference contribution etc.), b) the type of channel and c) the expected outcome. Depending on the continuity and further development of the research project at hand, it shall be considered to produce a research article as for each research area and present the paper to a specific academic journal.

With regard to the three different research areas, the following research journals could be considered:

Table 4: Peer-reviewed journals of interest (developed by the author)

RESEARCH JOURNALS OF INTEREST		
<i>Peer-reviewed journals of interest for the specific research areas.</i>		
Research area	Journal	Journal metrics 2020 (Scopus)
<i>Research area one: EU policy discourse on the VOD quota.</i>	<i>First choice:</i> <i>International Journal of Cultural Policy (Taylor & Francis)</i>	CiteScore: 2.8 SNIP: 2.001 SJR: 0.635
	<i>Second choice:</i> <i>Media, Culture & Society (Sage Journals)</i>	CiteScore: 3.6 SNIP: 1.982 SJR: 1.349
<i>Research area two: Frame analysis on European news articles on EU quota on VOD platforms.</i>	<i>First choice:</i> <i>Global Media and Communication (Sage Journals)</i>	CiteScore: 1.1 SNIP: 0.658 SJR: 0.397
	<i>Second choice:</i> <i>Media, Culture & Society (Sage Journals)</i>	CiteScore: 3.6 SNIP: 1.982 SJR: 1.349
<i>Research area three: Algorithm awareness and content diversity at the case of Netflix</i>	<i>First choice:</i> <i>New Media & Society (Sage Journals)</i>	CiteScore: 8.8 SNIP: 3.187 SJR: 2.964
	<i>Second choice:</i> <i>Information, Communication & Society (Taylor & Francis)</i>	CiteScore: 9.7 SNIP: 3.114 SJR: 2.806

Concerning the channels of dissemination of results, the following shall be considered:

- **Research Journals**

As pointed out above, the research area shall be presented in form of research articles to specific peer-reviewed journals that match with regard to thematic direction.

- **Social Media**

The findings of the research can also be disseminated via social media such as Twitter, which has become the most active social platform for scholars. With the usage of specific hashtags, policy makers, journalists and blogger can be reached.

- **Media Outreach**

In case of publication in a peer-reviews article, a database with French, German and Spanish journalists shall be established, the research findings summarized in form of a brief release and forwarded to the media. Journalists shall be spoon-fed with the most specific findings and critical areas.

- **Event Outreach**

Conferences of relevance such as the International Conference on Creative Industry or the International Communication Association annual conference are excellent places to distribute the main findings in form of an e-paper.

The final dissemination of the investigation may be subject to changes, since the structural emphasis may change in the course of the first semester of the PhD, after consultation with the tutor and other staff and scholars of the university.

6. Conclusion

The final chapter of the research project shall now discuss the project outline critically and will address its current limitations. In broad terms, this section aims to reflect on the progress of the investigation so far, shall summarize milestones achieved and point to potential threats that need to be considered and may require revision and adaptation.

6.1 Discussion

This project focused on three areas of research, all building up to answer one main focal area and objective of locating the policy discourse and underlying ideologies, the different media repercussion within Europe and the logic of algorithm awareness and content diversity with regard to the SVOD quota on European content, implemented in 2018. An ample literature research has been conducted in order to present the findings of a systematic approach that ultimately led to a limitation of relevant investigations already conducted by other scholars. In concrete, the literature review section has covered the most relevant and recent literature with

regard to the three areas of investigation. The review was followed by a brief presentation of the major concepts deriving from the literature review and the main theories informing the project at hand, namely, theories on the effects of mass media, the social construction of technology and theories of ideology and discourse.

While the project outline focused on narrowing down the primary research questions into measurable subsidiary research questions that can be operationalized, the different methodological approaches still require elaboration. There is still considerable ambiguity with regard to the establishment of codes. Attention much be paid to the correct orchestration of subsidiary research question and clear and realistic research activities to be able to answer them relying on evidence-based data. Currently, in particular research area three is showing a lack of reliability of sources (analysing the content catalogue requires to have access and information on the recommendation algorithm is relying on answers from side of Netflix).

Additionally, and with regard to the first codification attempts made concerning research area one, one may mention that the policy documents chosen to build the corpus are written in a particular style, which may not give enough grounds for a thorough discourse analysis. The first research area encompasses the location of legitimization and underlying ideologies of the quota with help of CDA. However, policy documents may not be enough to locate the real legitimization claims made by the EU. This because most policy documents are heavily proofread and written with specific purpose and style. Which is to layout new, already approved, policies, rather than legitimating those policies. There it is needed to evaluate if the corpus shall be extended to other types of official EU texts, such as conference papers, the website and brochures. Within those, additional information and patterns of legitimization claims could be found in more obvious ways.

Another area of consideration would be the fact that the research project in itself is rather broad. Instead of focusing on one particular area alone, e.g. the relationship between algorithmic awareness amongst European population and algorithmic perception alone. The project is certainly looking at a complex topic, that is grounded in the cultural policies and current social construction of technology, and seeks to answer concrete research questions. However, in order to be able to draw evidence-based findings on specific causal relationships, a further narrowing may be needed.

To conclude, the research project at hand has been designed as a project proposal for a PhD research project of three years and presented all aspect needed in order to develop such a long-term investigation. Additional attention must be paid to the variety of limitations, which may give raise to further adjustments of the research areas and that shall be presented in the following section.

6.2 Limitations and outlook

While not completed yet, the research project proposal can already be critically analyzed with regard to specific potential limitations, in particular with regard to the methodological approach chosen. Those limitations may be a direct threat to the validity and reliability of the research and shall inform a revision after close consideration and discussion with experienced faculty staff from University Pompeu Fabra.

One of the main limitations of the research is deriving from the methodological approach chosen for the first and second research area. Different researchers have equally pointed the fact that the establishment of codes or frames is a highly complex process that requires solid consideration. As mentioned previously, Creswell & Poth (2018) clearly point out that codes cannot be chosen arbitrarily. Even though the codes developed up until now are based on the literature review and research conducted by others, there is the risk of bias and opinion towards to selection and definition of codes. As pointed out by Matthes and Kohring (2008), concretizing frame analysis as a solid content analysis approach, most research done by scholars lack a transparent “naming the criteria for the identification of frames” (p. 260). For that reason, and in order to reach the highest possible the degree of validity and transparency, the research project needs to incorporate an outstanding approach to this validity threat. In that way, this investigation can also contribute to raise excellence in media and communication research, not just based on the areas of research, but also by applying excellence with regard to the methodology. To illustrate this aspect further, Matthes and Kohring (2008) rightfully point out, without “*naming the criteria for the identification of frames, their assessment falls into a methodological black box. In other words, one runs the risk of extracting researcher frames, not media frames. This is because the perception and coding of frames strongly depend upon how the researcher perceives the issue.*” (p. 260).

Another potential limitation is deriving from the fact that the research project is examining rather novel areas of investigation with very few definite and evidence-based grounded theories. The field of cultural policies and algorithms and platforms bear both, limitations and opportunities due to the lack of models and theories to draw from. There are certainly relevant investigations by other scholars, however, in particular with regard to persuasive mechanisms and relationship of selective exposure and algorithmic personalization, scholars of the social science generally cannot provide clear direction yet.

Last but not least, one may point out that the research is also threatened by the fact that the entire development of the concept of European content is certainly defined by the EU, but still may bear plenty of room for ambiguity. The content quota on VOD has only recently been implemented. At this point in time, different agents, organizations and countries may define and ultimately operationalize and even meta tag *European content* in many different ways. This idea is a central line of investigation of the third research area and shall be amplified and substantiated in more depth in the course of the development of the project.

To sum up, the research project at hand shall be considered a work in progress rather than a finished business. It can be regarded as a first attempt to narrow and operationalize a rather complex topic of investigation into specific research questions, that demand specific methodologies.

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8. Appendix

Questionnaire draft for RA3	
<p>H1: <i>The more people are aware of algorithms, the more critical their attitude towards personalization algorithms.</i></p>	
Area of question	Specific question
<i>Demographics</i>	1. Please indicate your age. 2. Please indicate your gender (female/male/rather not say/other) 3. Please indicate your nationality. 4. Please indicate how many hours you watch something on Netflix per week.
	The questions below are all 5-point Likert scales, made up of 5 individual items, all in the following format: Disagree strongly – Disagree – Neutral – Agree – Agree strongly
<i>Self-perceived algorithm awareness</i>	5. I have heard about the term “algorithms”. 6. I know well what an algorithm can do. 7. I sometimes wonder how algorithm work exactly. 8. I believe Netflix is applying an algorithm. 9. I believe the entire internet is rules by algorithms. 10. Friends or the internet recommend me new movies and videos on Netflix. 11. I only watch what I want on Netflix. 12. I know what a personalization algorithm does. 13. In order to fill out this questionnaire, I checked some words in Google before giving my answer.
<i>Attitude towards personalization algorithms</i>	14. I am not afraid of algorithms. 16. It is very helpful that Netflix proposes content to me. 17. I do not really have an opinion about algorithms. 18. If I could, I would get rid of all underlying algorithms of websites and platforms. 19. In some areas, the recommendations on Netflix or the internet in general are quite helpful. 20. I do see a lot of danger in algorithms. 21. I tend to always click on the first results Google, Netflix or any other website offers me. 22. I believe algorithms are a big change for humanity. 23. I believe that the internet is manipulating us.

Policy document database as for RA1					
N°	Date	Author	Title	Type & Content	Link
1	25 May 2018	European Commission	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services in view of changing market realities	Policy proposal by the Commission drafting a directive concerning the audiovisual media services	https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52016PC0287&from=EN
2	13 June 2018	EU Council	Audiovisual media services: agreement on a directive to protect minors, boost competitiveness and promote European content	Press release of the Council of the EU on the new agreement.	https://www.consilium.europa.eu/en/press/press-releases/2018/06/13/audiovisual-media-services-agreement-on-a-new-directive-to-boost-competitiveness-and-promote-european-content/
	28 November 2018	EU Parliament and Council	DIRECTIVE (EU) 2018/1808 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities	Policy document containing the Final Audiovisual Media Service Directive (AVMSD).	https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018L1808&from=EN

3	19 December 2018	EU Council	Council conclusions on the strengthening of European content in the digital economy	Policy document that merely invites the member states to comply with specific aspects of the digital sphere. No legally binding articles, but recommendations	https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52018XG1219(01)&from=EN
4	17 May 2019	EU Parliament and Council	DIRECTIVE (EU) 2019/790 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC	Policy document that contains the Digital Single Market Directive (DSMD).	https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L0790&from=EN
5	Retrieved 27 March 2021	EU Council	Audiovisual media services	Official website of EU Council on audiovisual media services	https://www.consilium.europa.eu/en/policies/audiovisual-media/
6	Retrieved 27 March 2021	EU Commission	Revision of the Audiovisual Media Services Directive (AVMSD)	Official website of EU Commission rationale of the Audiovisual Media Services Directive (AVMSD)	https://ec.europa.eu/digital-single-market/en/revision-audiovisual-media-services-directive-avmsd