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Foreword

George A. Bermann

Columbia Law School, gbermann@law.columbia.edu

Anu Bradford

Columbia Law School, abradf@law.columbia.edu

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FOREWORD

European Union (“EU”) law is no more immune than any other functioning body of law to technological innovation, and the European institutions need to adapt to such change. EU law has done so in a wide variety of ways, only a sampling of which can be presented in this issue of the *Columbia Journal of European Law* that we are honored to introduce. The *Journal’s* commission of this Special Issue evidences its keen awareness of both the promises and challenges that technological change presents to Europe and its legal institutions.

We both know how such change has influenced the particular European Union law fields in which we work. In the arbitration of consumer disputes, the EU has taken the lead worldwide in the establishment and regulation of “on-line dispute resolution” (ODR) to capture the economies and informalities that this innovation offers to parties who might otherwise be unable to afford or manage the forms of redress of their grievances traditionally available to them. In competition law, the most controversial and high-profile investigations today involve United States technology giants, including Google, Apple, and Qualcomm. Whether by imposing a \$5 billion fine on Google or ordering Apple to repay \$16 billion in alleged unpaid taxes to Ireland, few would contest that the EU has become the world’s de facto regulator of these companies’ competitive conduct on the marketplace. The EU is also taking a lead globally in regulating areas such as data privacy and online hate speech, further demonstrating its willingness to regulate the digital economy.

As rapid technological change is affecting these and many other areas of European Union law, institutions are adjusting to this change with new regulations and renewed enforcement priorities. While questions may be raised as to whether they are adjusting as swiftly or effectively as they might to any given technological promise or challenge, it is evident that the European Union has been on the front lines of responding to this fundamental change in the digital economy.

Even the brief sampling that the contributions to this issue of the *Journal* present reflects the exceptionally wide scope of regulatory activity that technological change is affecting at the EU level. Most of the contributions examine the impact of technological change in particular fields—from competition law and consumer protection, to e-commerce and data protection, to the protection of cultural heritage—and the responses of the European institutions in those arenas. Others consider the impact on the Union’s central preoccupation with, and commitment to, market integration generally, as well as the institutional aptitude of the institutions at the national and EU level to adapt.

We applaud the editors of the *Journal* for themselves having demonstrated innovation through their dedication of this issue to new and challenging regulatory realities and bringing the highest quality of scholarship to them.

Sincerely,

GEORGE A. BERMAN
Walter Gelhorn Professor of Law
Jean Monnet Professor of European Union Law

Chair of the Executive Editorial Board

ANU BRADFORD
Henry L. Moses Professor of Law and International Organization
Director, European Legal Studies Center

Co-Chair of the Executive Editorial Board