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The conceptual structure of the European Digital Markets Act (DMA) as a tool for updating Chilean Economic Law



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ABSTRACT:

The teaching of economic topics for law students in Chile has more than 160 years. It begins, first, with the establishment of the chair of Political Economy and later, with the configuration of the courses of the discipline called Economic Law. The evolution that both, the contents, and the teaching methodology, in these subjects have undergone constitutes an object of study of singular importance, since the existing relationship between Law and Economics has become progressively closer and influenced, certainly, by technological advancement. Currently, the increasing scrutiny of the regulatory authorities and the defense of competition, both in Europe and in the United States, regarding the operation and performance of large technology companies, has generated important challenges both for these entities, and for the teaching of this field, to strengthen a more thorough and updated understanding of the fundamentals of the digital economy, based on Law. From this point of view, the design of teaching programs in this legal discipline must be adapted to the growing need for study on the various realities generated by the digital economy. This article does not deal with the projection of the enforcement of this legislation, an issue that is typical of Competition Law and studied in other texts, but rather raises reflections about the educational utility that the conceptual infrastructure of this law can present (Digital Markets Act or DMA). The case of this European legislation can be an interesting resource for an updated teaching of Chilean Economic Law.

PALABRAS CLAVES:

Enseñanza del
Derecho, Mercados
Digitales, Chile,
Derecho Económico,
DMA

RESUMEN:

La enseñanza de materias económicas para estudiantes de Derecho en Chile cuenta más de 160 años. Ella comienza, primeramente, con el establecimiento de la cátedra de Economía Política y luego, con la configuración de los cursos de la disciplina llamada Derecho Económico. La evolución que han experimentado, tanto los contenidos como la metodología de la enseñanza en estas materias constituye un objeto de estudio de singular importancia, toda vez que la relación existente entre el Derecho y la Economía se ha vuelto progresivamente más estrecha e influida, ciertamente, por el avance tecnológico. Actualmente, el creciente escrutinio de las autoridades regulatorias y de defensa de la competencia, tanto en Europa como en Estados Unidos, acerca del funcionamiento y performance de las grandes compañías tecnológicas, ha generado importantes desafíos tanto para esas entidades, como para la enseñanza de la disciplina, en orden a fortalecer una comprensión más cabal y actualizada de los fundamentos de la economía digital, a partir del Derecho. Desde ese punto de vista, se aprecia que el diseño de programas de enseñanza de esta disciplina jurídica deben irse adecuando a la creciente necesidad de estudio, sobre las diversas realidades que genera la economía digital. El trabajo no se ocupa de la proyección de la aplicación de esta legislación, cuestión que es propia del derecho de la competencia y estudiada en otros textos, sino que plantea reflexiones acerca de la utilidad docente que puede presentar la infraestructura conceptual de la Ley de Mercados Digitales europea (Digital Markets Act o DMA). El caso de esta legislación europea puede constituir un recurso interesante para una enseñanza actualizada del Derecho Económico chileno.

MOTS CLES :

Formation juridique,
Marchés numériques,
Chili, Droit économique,
DMA

RESUME :

L'enseignement du contenu économique aux étudiants en droit au Chili existe depuis plus de 160 ans. Cela commence, d'abord, par la création de la chaire d'Économie Politique puis, par la configuration des cours de la discipline appelée Droit Économique. L'évolution qu'ont connue tant les contenus que la méthodologie d'enseignement dans ces matières constitue un objet d'étude d'une importance singulière, puisque la relation existante entre le droit et l'économie est devenue progressivement plus étroite et influencée, certainement en raison du progrès technologique. Actuellement, la surveillance croissante des autorités de régulation et de concurrence, tant en Europe qu'aux États-Unis, sur le fonctionnement et les performances des grandes entreprises technologiques, a généré des défis importants tant pour ces entités que pour l'enseignement de la discipline, afin de renforcer une compréhension plus complète et actualisée des fondements de l'économie numérique, basée sur le droit. De ce point de vue, on constate que la conception des programmes d'enseignement de cette discipline juridique doit être adaptée au besoin croissant d'étude des différentes réalités générées par l'économie numérique. L'ouvrage ne traite pas de la projection de l'application de cette législation, problématique typique du droit de la concurrence et étudiée dans d'autres textes, mais soulève plutôt des réflexions sur l'utilité pédagogique que peut présenter l'infrastructure conceptuelle du droit des marchés. (Loi sur les marchés numériques ou DMA). Le cas de cette législation européenne peut constituer une ressource intéressante pour un enseignement actualisé du droit économique chilien.

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1 INTRODUCTION

The teaching of economic aspects, for undergraduate students in Chilean law schools has been going on for around 160 years. It begins, first, with the establishment of the Chair of Political Economy and then, with the configuration of the courses of the discipline called in this environment, Economic Law. The evolution that both - contents and methodology of teaching – regarding these subjects have become an object of study of singular importance, since the relationship between Law and Economics has become progressively more common and closer. The teaching of economic approach to law has certainly varied with the transformations of the markets, and fundamentally with the influence of technology in the development of economic activities. In this way, it can be seen that the teaching of these issues must be updated to the reality of digital markets, given the rapid advance referred to, and also because undergraduate teaching must be oriented towards contents very close to students who, for the most part, are majority, technological natives. Additionally, the market of legal services will seek in the near future for candidates with a more sophisticated training in hi tech industries and a good comprehension of algorithms, AI and, in general, certain skills to combine efficiently the several elements that configure the law and economics of digital markets.

This article is not about the current process of application of the DMA. Neither does deal with a particular teaching methodology through online services, but rather with a substantive issue. This is, teaching key elements of digital economy allow Latin American law students and legal practitioners to get a better knowledge of the legal approach to these markets, with a more adequate and realistic understanding of their regulation. In this sense, the current context of the digital economy can be an opportunity to update the Chilean Economic Law programs, an issue for which the European Digital Markets Act (DMA, Regulation 2022/1925, European Union) can be an interesting input. We use the case of the European DMA as a benchmark, firstly, because of the systematic nature of this body of law, and secondly, regarding the current process of its enforcement, that is generating a lot of challenges for international competition agencies – and, of course, global companies - functional for both universities and professional training. We think that this previous step in the knowledge of the DMA (conceptual focus) allows, in a following phase, once to get the conceptual framework, the chance to learn about the implementation and to pose the critics to the enforcement.

2 AN OVERVIEW OF CHILEAN ECONOMIC LAW

The teaching of Economics in Chilean law schools has a centuries-old history. Since the mid-19th century, formal courses in Political Economy were contemplated, which used some European treaties as a basis for study.¹

The role of French lawyer Gustave Courcelle Seneuil stands out in this founding period of the economy in Chile (Mac-Clure, 2011) and his disciple Zorobabel Rodríguez (Correa, 1997). In the 1950s, already in the 20th century, the teaching of Economics had become almost mandatory in legal studies programs (Carvalho, 1963; Marmolejo, 2022), and in the following decade the notion of Economic Law emerged, whose roots are French and German.

Regarding this discipline, its name is particular. Chilean authors Aimone and Silva (2015) explain that in the 60s, Farjat used the expression “L'ordre public économique”, and in Germany the expression “Verfassung” was coined, and “Wirtschaftsrecht” was created, that is, its “Law of Economy”, or law of war for others. But later this field of law was pacified when it became what we currently know as the economic constitution (“Wirtschaftsverfassung”).

In this way, while France insisted on its “ordre public économique”, Germany for its part – severely damaged around 1945 - reestablished its presence in the concert of nations, establishing its “Economic Constitution” and promoting the market economy model, or social market.” Currently, in Europe, the expression Economic Law is mostly used with an international dimension (for example, International Economic Law) although in some cases it is applied in a more continental perspective, that is, belonging to the Union. (Santa María, 2019). In the Polish legal context, the expression Economic Law is comprehensive of market regulation, competition protection and a series of other matters. (University of Warsaw, n.d)

In Chilean legal literature, it is possible to establish a plurality of definitions about Economic Law. For example, some scholars say that it is “(...) the branch of law that aims to organize and regulate economic activity” (Ruiz-Tagle, 2013). Another sector of Chilean doctrine maintains, in more detail, that “(...) it is considered a non-traditional branch of Law, since it does not exist everywhere. For example, in Spain it does not exist in the curricular structures of Law programs, and in the United States these subjects are related to Administrative Law. In the countries where it exists, a diversity of subjects is contemplated, without there being a real uniformity of content. However, in our environment it is possible to distinguish two notions of Economic Law.

A restricted one, which understands it as Public Law norms that are identified with the national concept of “Public Economic Order” and that has a purpose related to the economic development of the country; and another broader one, which identifies it as a branch of law that is characterized by including norms of Public Law and Private Law, and also by its object, which is the legal organization of economic activities in the markets. (Mardones, 2020, 22)

3 SOME FACTORS THAT SHAPE THE CURRENT TEACHING OF ECONOMIC LAW

As aforementioned, Economic Law is taught, under this name or with similar content, in several Chilean law schools, specifically for undergraduates.² It is a field of legal education

¹ University of Chile (1927) Annals Fourth Quarter, pp. 1158 – 1159. In this document, it is stated that the first Chilean economics course was taught at the National Institute of Chile, in 1813, and it was taught by the priest José María Argandoña. The title of the chair was “Natural Law and People, Political Economy and Moral Philosophy.” That same year, Gustave Courcelle Seneuil was born in France, who was a lawyer who specialized in Economics and traveled to Chile to start that chair at the University of Chile, in 1855. One of Courcelle Seneuil's disciples was Zorobabel Rodríguez, who later taught Economics in the Laws of the Sacred Hearts of Valparaíso course, current Catholic University of Valparaíso.

² Among them: University of Chile, School of Law; Pontifical Catholic University of Chile, School of Law; Pontifical Catholic University of Valparaíso, School of Law; University of Valparaíso, School of Law; University of Concepción, School of Law; Catholic University of Santísima Concepción, School of Law; Austral University of Chile, School of Law; Catholic University of Temuco, School of Law; Universidad Católica del Norte (Antofagasta and Coquimbo Campuses); schools of Law; University of

that analyzes the functioning of markets, studies their regulations, evaluates the effects that these regulations generate on consumers, users, or society in general. It is built on the scrutiny of economic activities and, from said observation, it is possible to establish the failures that these tasks experience, reducing the well-being of their recipients, and that, in many cases, they must be remedied or mitigated through selective intervention in a specific market.

From the perspective of legal services market, Economic Law allows attractive professional opportunities, which are currently manifested in trends towards specialization, and strongly influenced by information technologies, to the point that – as a result of this gradual transformation – the expression “legal technology” (or legal tech) has already been coined. In the literature, this expression can be understood as “(...) the use of digital information and communication technologies to automate all or part of the legal work process, to offer decision-making support to producers of legal services and to provide legal information and advice directly to clients/end users.” It has also been understood as “(...)the use of digital technologies to help identify, interpret and apply the law and, in some cases, also in its creation.” (Whalen, 2022, 49).

Additionally, this leads to “(...) technology-savvy lawyers, willing to adapt to the opening of new or specialized legal markets through technological changes, could also find lucrative market opportunities by pursuing low-level litigation that can be “solve more easily and cheaply through legal technology” (Salmeron - Manzano, 2021).

Along with the influence of technology, the phenomenon of entrepreneurship or the creation of “startups” – which in Spain is regulated in the Law for the Promotion of the Ecosystem of Emerging Companies, December, 13rd, 2022³ - it has generated a favorable context for the teaching of conceptual categories that allow an adequate understanding of these business ecosystems, as well as business models that have been transforming certain legal services into a commodity.

However, despite the benefits from the perspective of integration for legal professionals, some gaps can be detected in teaching, as it is an area that involves the study of contents of economic science. Thus, some law students express fear or concern regarding economic content. These fears may refer to language foreign to the Law, a wide diversity of concepts, a specific type of methodology, ideological reparations, and even an appearance of difficulty given the technical characteristics of that terminology.

This phenomenon has been “(...) widely recognized in the research of economic education, its sources, and the processes by which students achieve conceptual mastery, but with difficulty in understanding them comprehensively.” Introductory courses – both in Economics and Law schools – are characterized by the teaching of a specific conceptual core, in which students are intended to develop the ability to think like economists. (Goebel and Maistry, 2019)

The reality of Chilean legal education shows that a large part of the Economic Law topics are taught by legal professors, with postgraduate training in economics or related sciences. Exceptionally, they are taught by economists, in courses called Macroeconomics

Antofagasta, School of Law; University of Tarapacá (campuses of Arica and Iquique) schools of law; University of Talca (Schools of Law in Talca and Santiago); University of O'Higgins, School of Law. Also, University of the Andes, School of Law; Universidad del Desarrollo, School of Law; Diego Portales University, School of Law; Andrés Bello University, School of Law; Finis Terrae University, Law School; San Sebastián University, School of Law; Alberto Hurtado University, School of Law; Universidad Mayor, Law School; Santo Tomás University, Law School; Bernardo O'Higgins University, Law School; Universidad Autónoma de Chile, Law School; University of Viña del Mar, Law School; Universidad de las Américas, School of Law.

³ Law to promote the Ecosystem of emerging companies, Spain. [Available in: https://www.congreso.es/public_oficiales/L14/CONG/BOCG/A/BOCG-14-A-81-10.PDF#page=1] (Access, March 18th, 2024)

or Microeconomics, an option that is common in courses in Europe (Fiscal Policy, Public Economics) or in Law and Economics courses in the United States. ([Domenech, 2014](#)).

Likewise, the vast majority of manuals that are usually used for disciplinary teaching in Chile are written by jurists. (Ruiz-Tagle, 2013; Zavala and Morales, 2013; Irrarrázaval, 2018; Mardones, 2020)

4 THE REGULATION OF DIGITAL MARKETS IN LEGAL TRAINING

The digital economy, in its various markets, has imposed the need to redesign legal training at both undergraduate and postgraduate levels. The public discussion on GAMAM companies (Google, Amazon, Meta, Apple, Microsoft), as well as the various categories of digital platforms⁴, represents an update of learning in Competition Law, privacy, personal data, Artificial Intelligence and Algorithms.

The European Union has indicated that “(...) the digital transformation of the European economy and European society.is fully underway. New technical and "soft" skills are gaining importance both in the labor market and as an instrument to fully participate in society. As a result, traditional roles, content and methods of education are being challenged; Today's education needs to prepare students for changing tasks and roles both in the labor market and as European citizens. At the same time, today's adults need reskilling and upskilling opportunities to meet the challenges of tomorrow. ([European Parliament, 2020](#)).

An effective study of the legal regulations that govern these markets means that the regulatory study alone is insufficient, without prior comprehensive knowledge of the different business models on which these markets are structured. That is, the effectiveness of legal training in technological markets – in general – depends substantially on how lawyers understand the real functioning of digital markets, in particular. In order to achieve progress in training that aspires to be recognized and valued by the market for legal services related to technology, it is necessary to connect the way of teaching with the results expected to be obtained, such as advisory products, contract design or to face the supervision of regulators.

A first phase in the construction of effective, realistic and functional legal training regarding the development of these markets, involves the understanding of the basic concepts of the digital economy.

This basic conceptual structure constitutes the fundamental training phase on technological issues, which are legally linked to problems of data and privacy, innovation and protection of users and consumers.

For this reason, “(...) the full potential of the data-driven economy, future legislation in this matter must be designed to facilitate technological development, innovation, free access to data, as well as its interoperability, respecting in in any case the fundamental rights of citizens. And, in fact, in the last 15 years the world's leading companies have ceased to be multinational providers of traditional goods and services to give way to companies belonging to the digital world, which are mostly digital platforms. ([Diez Estella, F. and Ribera Martínez, A, 2022](#)).

⁴ Digital platforms, whose concept the DMA addresses, among several types, can be social networks (Facebook and Instagram – Meta -, Twitter, LinkedIn, TikTok); video publishing (Youtube, DailyMotion, Vimeo); Music streaming (Spotify, Apple Music, Tidal, Amazon Music); E commerce (Amazon, Ebay, Alibaba); Collaborative marketplaces (AirBnB, Uber); Information search engines (Google, Bing, Duck Duck Go); Cloud computing (Amazon Web Services, Google Cloud); Travel and hotels (Booking, Expedia)

The benefit that can be obtained from effective conceptual learning about digital markets is the first step in a process of adding professional value for consulting and litigating lawyers. In this sense, the European Digital Markets Law uses a legislative technique for establishing concepts, which can be used as a useful tool to design legal-economic training strategies for Chilean undergraduate and postgraduate courses.

5 THE CONCEPTUAL PROPOSAL OF THE DMA.

The European Digital Markets Act (DMA) is made up of 109 recitals and 54 articles. The Article 2 of this legislative body establishes a list of 33 definitions referring to the scope of development of technological industries.

The DMA has been disseminated with a didactic sense, aimed at different age groups, as is the case of its “Learning Corner”. ([European Union, n.d.](#)) In this article, some aspects of the part related to “recitals” and certain definitions that are developed throughout the normative text have been chosen as a teaching resource.

At the beginning of the text, the DMA explains the motivations that led the European Union to legislate on this matter, incorporating a large part of the reports that were used as input for this initiative.

Regarding the political-economic context in which the DMA was issued, specialized literature has highlighted the assessment of the market power that digital platforms have achieved, and that it constitutes a concern for governments, competition authorities and advocacy groups. reflection from around the world. A relevant milestone in the generation of this standard is the month of June 2019, in which the competition authorities of the so-called “G7” countries and the European Commission published a “Common Agreement on Competition in the Digital Economy” ([G7 Competition Authorities, 2019](#)), a document that emphasized the need for international cooperation and convergence on competition issues, particularly in relation to the digital economy, which, by its nature, has no borders ([Wish and Bailey, 2021](#)).

Based on this agreement, two relevant reports were prepared: one written by Professors [Crémer, de Monjoye and Schweitzer \(2019\)](#) for the European Commission and; another, in the United Kingdom, called the Furman Report ([Furman, 2019](#)). Similarly, two other important documents were produced in the United States of America: the report of the State and the Judiciary Committee of the US House of Representatives, and also, among others, by the Stigler Center for the Study of Economics.

All of these reports argued for the need for improvements to existing Competition Law and practice, in order to address the challenges presented by digital platforms. In addition to the reports already mentioned, the rise of digital platforms has also produced a rich and very abundant harvest of literature on competition law ([Whish and Bailey, 2021](#)).

The text of the DMA is focused on the qualification of companies as “gatekeepers”, for which it establishes substantive standards, many of which are administrative in nature, which has led to difficult implementation.

5.1 SOME RECITALS.

Recital N° 3 of the DMA reaffirms the ideas established by the reports, stating that:

“A small number of large undertakings providing core platform services have emerged with considerable economic power that could qualify them to be designated as gatekeepers pursuant to this Regulation.

These gatekeepers, states the DMA:

“Typically, they feature an ability to connect many business users with many end users through their services, which, in turn, enables them to leverage their advantages, such as their access to large amounts of data, from one area of activity to another.”

This quality of gatekeepers – which, as has been said, is one of the central notions of the DMA – encourages to graphically explain the conditions of access to a specific market, especially the concept of entry barriers.

In a similar logic, considering No. 13 establishes that in these markets:

“Weak contestability and unfair practices in the digital sector are more frequent and pronounced for certain digital services than for others. This is the case in particular for widespread and commonly used digital services that mostly directly intermediate between business users and end users and where features such as extreme scale economies, very strong network effects, an ability to connect many business users with many end users through the multisidedness of these services, lock-in effects, a lack of multi-homing or vertical integration are the most prevalent. Often, there is only one or very few large undertakings providing those digital services.”

The concept of “contestability” is similar to the idea of “capable of being disputed or challenged” and allows competition authorities or other operators to determine the degree of dynamism of the markets. Reading the paragraph requires explaining the expression “economies of scale” and “network effects,” which is one of the distinctive features of the digital platform model. In Recital 36, the DMA explains that these gatekeepers “(...) directly collect personal data from end users in order to provide online advertising services”, expressing the relationship with the value of privacy and the regulation of data, establishing in recital 38 a special concerning for minors.

5.2 SOME CONCEPTS

Article 2, No. 2 of the DMA establishes by enumeration that a “platform service” must be understood and places several names there:

“(a) online intermediation services; (b) online search engines; (c) online social networking services; (d) video-sharing platform services; (e) number-independent interpersonal communications services; (f) operating systems; (g) webbrowsers; (h) virtual assistants; (i) cloud computing services; (j) online advertising services, including any advertising networks, advertising exchanges and any other advertising intermediation services, provided by an undertaking that provides any of the core platform services listed in points (a) to (i)”

In this sense, the conceptual structure announced by art. 2 of the DMA is useful to test the ability to identify some companies included in this clasification. The legal text also refers to information society services, referring to the rule of article 1, paragraph 1, letter B of Directive (EU) 2015/1535.⁵

⁵ “Service”, according to this Directive, means: “(...) any information society service, that is, any service normally provided in exchange for remuneration, at a distance, by electronic means and at the individual request of a recipient of services. For the purposes of this definition, the following will be understood: i) “remotely”, a service provided without the parties being present simultaneously; ii) “electronically” means a service sent from the source and received by the recipient using electronic data processing (including digital compression) and storage equipment and which is transmitted, channeled and received entirely by wire, radio, media optical or any other electromagnetic means; iii) “at the individual request of a service recipient” means a service provided by means of data transmission at the individual request.” Available at: <https://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=CELEX:32015L1535&from=ES>. (Access date: March 18th, 2024)

Number 27th of the same article 2 provides a definition of a “undertaking”, meaning:

“undertaking’ means an entity engaged in an economic activity, regard less of its legal status and the way in which it is financed, including all linked enterprises or connected undertakings that form a group through the direct or indirect control of an enterprise or undertaking by another”

Regarding the definition of “online search engine”, the DMA refers to the rule of article 2, No. 5, of EU Regulation 2019/1150 of the European Parliament and of the Council, of June 20, 2019, on promoting equity. and transparency for professional users of online intermediation services. In this body, the definition is:

“a digital service that allows users to enter queries to search for, in principle, all websites, or websites in a specific language, by means of a query on any topic in the form of a keyword, oral query, phrase or other type of input, and that in response displays results in any format in which information related to the requested content can be found;”

In a similar way, we can find the expression “online social networking service”, that means:

“a platform that enables end users to connect and communicate with each other, share content and discover other users and content across multiple devices and, in particular, via chats, posts, videos and recommendations”.

5.3 HOW TO BENEFIT FROM THIS CONCEPTUAL STRUCTURE?

There are many ways by in which we can approach to the DMA. One can focus the analysis in the enforcement or application of the DMA, and in the current state of the implemenatation process, in which there a huge amount of debate and doctrine discussion, especially from the perspective of Competition Law and Regulatory Law. As we mentioned in the introduction, this is not an article about the enforcement or the application of the DMA.

In a general approach, one can state that the daily use of digital services, electronic devices, platforms and some Artificial Intelligence softwares (such as ChatGPT) constitute the normal dimension of current social activities. However, the status of users – for law students and practitioners - does not necessarily guarantee their conceptual qualification regarding tese services, nor the knowledage of the law and economic foundations that underpin its business model. For this reason, we think that a current design for legal training on digital economy basic structure, both in undergraduate and graduate need to consider these arguments.

- (a) the regulatory design that has been defined to face the behavior of technological undertakings, not only points to the structure of a specific market, but also to the protection of the “user” and the “consumer”, a word that appears at least fifteen times in the DMA text. That means that, at least in the theoretical approach, the DMA has the goal to strengthening a more intense convergence between the issues of market competition and consumer protection.
- (b) Conceptual precision – which appears as a fundamental requirement of professional practice – broadly in Chilean legal context - requires coexisting with an openness to the flexibility that innovation and technological progress brings.
- (c) A closer familiarization of students and practitioners, with specific terminology, in the field of and updated Economic Law, contributes to developing skills that allow for a more fluid interdisciplinary dialogue. Legal advice, for entrepreneurs or potential technological startups, requires basic knowledge of conceptual categories specific to each type of business. Whoever masters this terminology will probably exhibit an attractive advantage in the offer of legal services.
- (d) There are institutional initiatives that have made conceptual analysis an objective of important dissemination, and which can be accessed by students from all over

the world. Such is the case, in Europe, of the [Concurrences \(n.d.\)](#) project, with the Global Dictionary of Competition Law Project which allows kickstart research activities by students and practitioners. The exercise may well be the confrontation of a legal definition – contained in the DMA – with the conceptual entry that is registered in that Dictionary, and its application to a specific company.

6 CONCLUSIONS

The teaching of economic topics in Chilean law schools, has a centuries-old tradition. The advancement of technology, particularly through the growing influence of preponderant companies in the markets, generates effects on the way Law is taught, both in its methodologies and in its contents. In this sense, and as occurs with the evolution of markets, Chilean Economic Law is experiencing a transition of its contents, which translates into the progressive incorporation of regulations on digital markets. Beyond the issues and implications of its implementation or enforcement, which can be the subject of an analysis of Competition Law itself or regulatory law, the European Digital Markets Law (DMA) can constitute a good teaching resource. The analysis of the conceptual framework of the DMA in the Chilean academic context can improve the knowledge for students in practitioners, both undergraduates and graduate level. Among the reasons why this conclusion is reached, it can be noted that the DMA has been prepared on the basis of several prestigious theoretical reports about the evolution of digital markets. Likewise, the DMA establishes in its recitals a comprehensive explanation about the functioning of these markets, and the political reasons for their regulation. And thirdly, because the DMA provides a list of definitions about digital markets, which can help strengthen the conceptual knowledge of students, and support an initial understanding of the regulation of digital markets.

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