CHAPTER 2

From technologies of liberation to democracy-harming platforms

– and why we need better communication structures

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ABSTRACT

In this chapter, we examine the growing concerns surrounding digital platforms' impact on democratic communication and how they have spurred demand for better governance, which has been translated into diverse proposals for regulation. This scenario is presented as a departure from the early belief in the liberatory role of the Internet, as issues such as the spread of misinformation, hate speech, and increasing polarisation gain momentum in the public debate. We consider these speech problems to be much more a consequence, rather than a cause, of the hypercommercialisation of the contemporary digital communication systems. As such, even if speech regulation can play a role in tackling these issues, we argue that effective solutions should focus on structural measures, restructuring communication to prioritise publicly managed content production and distribution over market-driven technologies and companies.

KEYWORDS: Internet, platforms, platform regulation, commercialism, media systems

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Introduction

In August 2024, Elon Musk launched a crusade against "censorship" in Brazil after the country's court system decided to block X, formerly Twitter, for not complying with legal requirements, including the suspension of accounts calling for a coup against Lula's government (Falcão, 2024). This episode drew the ire of far-right supporters around the world who activated their playbook of "free speech" as a safe conduit to spread ressentiment, hate, and lies. Obviously, Musk's position had nothing to do with freedom of expression. He complied with more than 80 per cent of censorship requests by allied governments, such as Erdogan's in Turkey or Modi's in India, and eventually capitulated in Brazil, accepting the country's court decisions (Nicas & Ionova, 2024; Sánchez-Vallejo, 2023). It was, instead, a strategic position to advance far-right coalitions and his own businesses.

Nonetheless, there are serious free speech scholars and activists who are concerned and divided: To what extent can such harsh judicial decisions be justified? This question arises amid a wider debate about the role of digital platforms like X in contemporary democracies, and how governments should respond – the very subject of this book. Far from being an issue only in the Global South or countries like Brazil, Turkey, or India, the convoluted relationship between digital platforms and democracies has become a central concern globally. In the 27 pages of the European Democracy Action Plan, launched by the European Commission in 2020 to strengthen the resilience of EU democracies, digital platforms are mentioned 31 times, most of them as a risk (European Commission, 2020).

Critical communication scholars have long held that an informed citizenry is crucial for democracy to thrive (for an overview of the debate, see Tomaz, 2024). This assumption laid the foundation for a rich normative debate about how to facilitate the formation of this public that democracy requires. While the field of analysis was more or less stable until the 1990s, structural changes have since led to a very different scenario. Rapid developments in digitalisation, coupled with a loss of legitimacy for greater political intervention, have spurred growing uncertainty about what kind of communication governance would lead to a democracy-enhancing outcome. Moreover, much of the imaginary around the issue has been captured by either techno-solutionist or techno-dystopian discourses, two sides of the same coin called techno-determinism. The future of communication seemed to belong to technology, not to bureaucrats in public offices – but also not to journalists or editorial decision-makers.

In this chapter, we aim to contribute to this debate by summarising the main concerns about digital platforms and assessing which of them are far-fetched or based on weak evidence and which are legitimate or genuinely urgent. In doing so, we take risks. Without saving the best for last, we argue that hypercommercialisation is the most important concern about digital platforms for democratic communication. Our societies can manage

technological resources for communication in the public interest, but this requires reining in the commercial incentives behind current platforms. We do not intend to disregard policies that deal with specific problems such as misinformation, hate speech, or polarisation, as well documented in several chapters throughout this book. But politics is about priorities, and we argue that communication in the Digital Age needs, first and foremost, an infrastructure that is clearly separated from commercial imperatives.

Our argument begins with a revision of how digital technologies went from "technologies of liberation" to "democracy-harming platforms" in the public discourse, highlighting some key points that are sometimes overlooked and are important for our overall hypothesis. In the second half of the chapter, we organise these concerns within the "content–structure" duo and discuss the shortcomings and risks of overemphasising content issues. Accordingly, we suggest some policy directions for creating better structures for communication in the Digital Age.

From the hope of digital liberation...

The Internet had a very different reputation in the 1990s, when its commercialisation started to attract the attention of journalists, book authors, and academics. What had been primarily a US defence goal in the 1970s, and later a business application for real-time control of information in the 1980s, suddenly began to be celebrated as major progress for freedom of expression and democracy. Perhaps the manifesto par excellence of this spirit was John Perry Barlow's (1996) declaration of the "independence of cyberspace", celebrating the Internet's ability to spread the "virus of liberty". Musk's recent self-anointed role as a crusader for free speech echoes this founding myth of the Internet.

The basic argument for the "revolutionary" imaginary spreading, then, was that the technical infrastructure of the Internet, engendering a decentralised network, would make it impossible to disrupt communications by taking control of (or destroying) one or several nodes of that network (Galloway, 2004). This would mean that the Internet had "liberal and anti-hierarchical values" baked into its own infrastructure, and that no one would be able to control the flow of information, not even governments or large media corporations (Miller & Vaccari, 2020: 337).

Even if some enthusiasts could envision potential risks such as commercialisation and surveillance (Rheingold, 1993), this narrative saw the Internet mostly as year zero, a radical discontinuity with media, economy, and politics as they had previously functioned. The ossified, highly concentrated legacy media would constrain freedom of expression, while the Internet would allow "everyone to have a voice". There was far less concern about whether it would make a difference which voices could be heard, or more precisely, which rules would henceforth determine the voices to be amplified or demoted.

In the context of the collapse of the Soviet Union and the self-proclaimed victory of the liberal democracy as the only way forward, techno-determinism – or even better, techno-utopianism – proved a useful response. In the late 2000s and early 2010s, many enthusiasts saw their liberating theses confirmed, for example, in the alleged role of online platforms in enabling Obama's campaign in the US to grow from a grassroots organisation into a massive movement, making him the first Black president of a country where racism was explicitly enshrined in law until a few decades ago. The so-called Arab Spring in 2010 and 2011 seemed to prove that these liberating effects were not circumscribed to the Western world (Aouragh & Chakravartty, 2016; Farrell, 2012).

The earlier liberation discourse emphasised dispersal of power – in terms of communication, this meant "everyone's voices" replacing the editorial choices of a handful of media barons. This was also the heyday of bloggers and citizen journalists, the so-called Web 2.0, when new affordances made publication on the Internet easier for the general public, and the idea spread that anyone could become a media producer (Jenkins, 2008). However, the Internet soon showed incredible rates of concentration – with legacy media brands holding astonishing market shares in online content consumption, as Hindman documented as early as 2009. In addition, by that time, a few digital intermediaries were already concentrating much of the activity on the Internet. In 2005, three search engines, including Google, together held almost 80 per cent of the market share in the US (Manning, 2014). Google's growing power allowed it to spend billions of dollars between 2001 and 2010 acquiring smaller companies – for example, the advertising agency DoubleClick and the video-streaming platform YouTube – to expand its business and eliminate competitors. One can also think of the role of Microsoft, which has been integral to almost every personal computer throughout the entire phase of techno-utopianism. These facts are hard to reconcile with any notion of "dispersal" of power.

This suggests a silent shift in the locus of digital liberation, namely from everyone's voices to benevolent corporations. Google's older slogan summed up this spirit: "Don't be evil". While the imaginary of power dispersal remained deeply ingrained in the narrative, the reality revealed large corporations – a fact as old as capitalism itself – carefully rebranding and portraying themselves as disinterested guardians of freedom of expression. Here, too, Musk is an eerie late arrival.

Highlighting this optimism does not obscure the fact that techno-enthusiasm has always been met with critical voices. Miller and Vaccari (2020) have documented very well the criticism that has *always* existed. In any case, the prevailing position among economic, political, and cultural elites, including in Europe, was that this technological development would drive emancipatory effects, more or less independent of politics.

Nonetheless, any discourse of depoliticisation conceals the very politics underlying it. Contrary to the libertarian myth espoused by Barlow and others,

the conflation of military, economic, and political goals was not accidental, but a development actively overseen and guided by the US government, which has shaped the entire governance of the Internet since then and ultimately forged the framework in which the current digital platforms have emerged (Chenou, 2014). The US Department of Commerce took a leading role in promoting the "information superhighway" and supporting the development of the US e-commerce policy. But Chenou (2014) was careful to add that American political and economic interests were supported and endorsed by non-American political elites, such as the European Commission and the Australian government, which also contributed significantly to the liberation myth surrounding the Internet. It is telling that the main European Union regulation on the Internet for years has been the e-Commerce Directive of 2000. Therefore, far from a neutral, apolitical communication tool, the Internet has been actively funded and promoted by elites seeking economic advantages from opening new markets in and beyond their own countries.

...to digital disillusion and techlash

Since then, however, a tide of change has produced a new mood in the public opinion about the Internet. In the Western world, the Brexit campaign and the election of Trump in 2016 became turning points in the reputation of the network (Allcott & Gentzkow, 2017). A wide range of actors, from media professionals to scholars to policymakers, came to believe that the unanticipated outcomes of these events resulted from the manipulation of the masses through *digital* platforms, such as Facebook and Google. The Cambridge Analytica scandal offered a grim scenario in which the Trump campaign was able to advertise perfectly tailored messages to vulnerable target groups, without any external accountability, with the intent of gaining the necessary votes to win elections (Flew et al., 2019).

Misinformation is indeed the most popular and prominent face of this "techlash". The spread of fake news through digital platforms could lead people to make poor decisions, such as electing populists, rejecting health-protective vaccines, or denying human-made climate change. Early research suggests that falsehood spreads faster than truth on digital platforms, increasing the severity of the problem (Vosoughi et al., 2018). A 2021 study from the Oxford Internet Institute found evidence of organised social media manipulation campaigns in elections in more than 80 countries in the Global North and Global South, growing in professionalisation over time and contributing to the "decline of democracy" (Bradshaw et al., 2021: 21). Automated accounts, popularly called bots, spread and amplified conspiracy theories about Covid-19 on Twitter, polluting the public debate on the platform and raising concerns about how governments will handle public health campaigns in future emergencies like a pandemic (Ferrara, 2020). Deepfakes and the most recent hype of AI-generated content have caused

even more anxiety, raising the risk of complete erosion of trust in media and undermining journalists' capacity to counter misinformation (Lundberg & Mozelius, 2025).

In addition to misinformation, hate speech has become an issue especially for more vulnerable groups such as women, people of colour, queer people, and migrants. In an episode that was revealed only a few years later, Facebook deliberately manipulated its algorithm to push more emotional and provocative content, "including content likely to make [people] angry" (Merrill & Oremus, 2021: para. 2). Violence and conflict in several poor countries have been attributed to social media's inadequate policies against hate speech, dramatically illustrated by the massacre of the Rohingya minority in Myanmar (Sánchez-Vallejo, 2023).

Social media platforms are also blamed for causing or increasing polarisation. While still in the techno-utopian phase of the network, researchers such as Eli Pariser (2011) and Cass Sunstein (2009) began to raise concerns about the emergence of filter bubbles and echo chambers that isolate people from different perspectives and alienate them from outgroup members. More recently, research has suggested that the contrary can also be true: Platforms increased exposure to content with opposing views, leading to more radicalisation and, as such, polarisation (Tóth et al., 2023). During the campaign for the 2016 US election, the Internet Research Agency in Russia appears to have created Facebook pages impersonating nativist Americans, reaching over a hundred million users and fomenting division. McKay and Tenove (2021: 709) have concluded that, even if these people were already polarised, it is reasonable to speak of "mutually reinforcing interactions between affective polarization and social media behaviour".

In addition to content issues such as misinformation and hate speech, it has become clear that – against the original openness and generativity of the Internet – now a few corporations dominate the online sphere. Digital intermediaries were able to create "walled gardens" on the network to encourage user interactions *within* their boundaries. They control the data generated by their users' interactions and hand it over to advertisers (Poell et al., 2019). However, unlike traditional forms of advertising, such as newspapers or television, the granular user data that these platforms possess enable advertisers to place targeted ads according to individuals' interests, preferences, and attitudes, which has increased the value of this service to sellers.

This business model is a powerful incentive for companies to grow as big as possible, amassing a very large user base, and to use nearly any method to provoke interaction, for which outrageous content can be instrumental. After all, when confronted with misinformation, polarising content, or hate speech, people are prompted to interact even more with the platform, generating even more data. The risk for digital platforms is that their users will leave these spaces out of disgust; however, in doing so they would lose some benefits, such as staying easily connected to family and friends, being

exposed to useful new products, or receiving relevant information. All in all, platforms have succeeded in offering this trade-off, which creates the perfect environment for speech such as misinformation and hate speech to flourish at large scale (Rahman & Teachout, 2020). This does not seem to be a development conducive to an "informed citizenry".

The business models of digital platforms also represent a privacy violation. Ordinary people, and even experts, have little understanding of how their data are produced, combined, and manipulated by platforms. As the privacy paradox has extensively shown, most people would never consent to their data being used in this way, but they feel unable to prevent it due to asymmetric information about the phenomenon and asymmetric bargaining power between them and the platforms (Kokolakis, 2017).

These surveillance capacities have made the fortune of digital platforms. They have become the main destination for advertising and account for more than 70 per cent of all global spending, an industry of roughly 1 trillion US dollars. In 2023, Alphabet, Meta, and Amazon alone attracted 60 per cent of the whole advertising market excluding China (Magna, 2024). The GAFAM tech companies (Google, Amazon, Facebook, Apple, and Microsoft) have occupied for 15 years five of ten positions in the global rank of companies with the highest market capitalisation. They also have a strong record of revenues, even if the figures are more modest. Only Amazon and Apple retain a position among the biggest ten, but even Meta, which has the worst performance among digital platforms, has more than 160 billion US dollars in annual revenues. Some scholars have gone so far as to see a new form of capitalism based on platform surveillance (Zuboff, 2019).

Big Tech's market power has been reinforced by aggressive merger and acquisition strategies, translating into political power in practices such as lobbying. Tech companies dominate lobby expenses in the EU with four companies among the six biggest players (Meta, Apple, Google, and Microsoft, with the other two being Bayer and Shell). Considering a conservative calculation, digital technology companies are spending at least 113 million euros every year, more than any other industry sector (Leyendecker, 2023). Their lobbying is not restricted to politicians but also reaches journalists and academics. Big Tech rarely attempts direct manipulation in the sense of silencing "dangerous research" or buying "favourable views", but their power manifests in the amplification of work and voices that can be instrumental for entrenching their power (Kayser-Bril, 2021).

Taking the lion's share of ad revenues, digital platforms have also created a problem for journalism, undermining a powerful resource for democracy. Historically, the main business model of professional journalism in many parts of the world has been based on advertising. As early as 2011, Curran (2011: 4) argued that the Internet was "contributing to the decline and increased uniformity of old media journalism" because it was "being partly

decoupled from advertising". Platformisation increased the woes. While non-digital media was the destination of less than 30 per cent of global advertising in 2024, the ratio was still 50/50 five years earlier, signalling the trend (Magna, 2024).

It is true that advertising was never exactly the best friend of the public interest, with ad-based media tending to favour advertisers, business owners, and wealthy consumers (Baker, 2004). But at least the monopoly that editorial media had on advertising gave them a certain bargaining power against single advertisers, allowing even private news media to pursue some expensive fact reporting and investigation in the public interest (Woodcock, 2024). With the concurrence of platforms, the media are a much less valuable venue for advertising. In addition, the negative effects of advertisement become even worse, as platforms deliver tools that increase advertisers' control over content. For this reason, advertisers increasingly shape the content that will be amplified and the content that will be forgotten on digital platforms, undermining "the ability of marginalised groups to participate in public debate" (Griffin, 2023: 71).

News media have gone digital, but they are unable to earn enough revenues independently. In fact, in many cases, especially for the least established brands, news media organisations depend on platforms (e.g., referral traffic, ad infrastructure). Under fire from the media, Google and Facebook have launched initiatives to improve the conditions for digital journalism, but the results have never met news organisations' expectations or led to any structural improvements in the industry (Poell et al., 2023).

Online news media have experimented with alternatives like paywalls or subscription programmes. Again, these solutions have worked for a handful of organisations, especially large national media, partisan outlets offering cheap opinion-based reporting, and niche media covering highly marketable topics. But local news outlets dedicated to cross-ideological fact reporting are struggling to find a stable footing, and there are no good signs on the horizon (Myllylahti, 2024; Woodcock, 2024). The shock has been greater in highly commercialised news media systems, such as the US, but signs of deterioration are everywhere.

This non-exhaustive list of concerns depicts how the Internet evolved along very different lines from the initial "hope of digital liberation". The new perception triggered a revival of policy debates and concrete governance measures in Western countries, ranging from changes in the liability regime of platforms to attempts at breaking up tech companies to mandatory negotiations between platforms and news outlets. From the perspective of communication policy studies, these debates express a tension between *content* and *structural* measures. In the second half of this chapter, we provide an overview of these two major groups of reactions and why democratic societies should go beyond content regulation towards stronger structural intervention.

Content regulation and its discontents

Content regulation focuses on direct measures against illegal and/or harmful speech on digital platforms. The regulations develop along a spectrum with two extremes: 1) strengthening the liability regime under which these platforms operate, making them liable for the content they disseminate (as editorial media outlets have always been), or 2) increasing the accountability of their moderation choices.

These models of speech regulation can be illustrated by two attempts in Europe. In 2017, Germany pioneered the legal developments to curb harmful content on platforms by passing the Network Enforcement Law (NetzDG), a hate speech law that requires social media companies to resolve user complaints related to existing categories of the German speech law within 24 hours. The law attracted attention as "the first major law to fine American-based social media companies for not adhering to national statutes" (Tworek, 2021: 106). This is a typical example of legal development that increases the liability of platforms with respect to their content.

The other model can be exemplified by the Digital Services Act (DSA). In force in the EU since 2023, it offers a more comprehensive approach to platform regulation, focusing on accountability and transparency in platforms' speech procedures. It introduces due diligence obligations that make platforms responsible not for monitoring content, but for putting in place systems that reduce the risk of abuse (Husovec & Roche Laguna, 2022). This is intended to encourage platforms to make sound choices, like designing algorithms that do not amplify misinformation, since they would be held accountable for such a system.

Content regulation can be well or poorly designed, and it is not the purpose of this chapter to assess the quality of these specific measures. We want to address a more fundamental question about some weak premises on which the content approach rests and the risks it entails. The main premises are 1) we now face a unique situation of poor quality content, 2) it is caused or exacerbated by digital platforms, 3) this communicational disorder is at the root of many poor decisions in Western societies in recent years, and 4) speech law can solve these problems. Yet, these are highly controversial statements.

The issue with misinformation

Consider the issue of misinformation. Platforms have surely made it more visible and documented than ever before. However, there are good reasons to believe that it is not as prevalent in our communication systems as is often assumed, even considering only the Internet or platforms. Trustworthy content is accessed much more frequently than fake news, and the spread of information from unreliable sources remains extremely concentrated among a small minority of the population – people who are already inclined towards

the political positions of that ideological camp (Altay et al., 2023). As an example, Grinberg and colleagues (2019) have conducted an analysis of fake news exposure and sharing on Twitter during the 2016 US presidential election and found that only 1 per cent of users were exposed to 80 per cent of fake news. This small minority consisted almost entirely of people who were conservative, older, and highly engaged with political news, and therefore likely to vote for Trump anyway.

Furthermore, there is no strong evidence that misinformation translates into changes in attitudes or behaviour, particularly in terms of political outcomes. Persuasion is tough (Coppock et al., 2020). This does not rule out other effects of misinformation, like overall decline in trust in media actors, but acknowledging this effect should actually lead to other kinds of policies rather than speech regulation, for example, measures to increase the reach of and trust in reliable sources (Acerbi et al., 2022; van der Meer et al., 2023). Often, studies that have found evidence of misinformation on social media have been conducted with weak methodologies, lacking definitions (e.g., what exactly can be regarded as "fake news"?), relying on more convenient data sources (e.g., Twitter has long been over-researched, even if marginal in people's use, only because its data was easier to extract), or employing inadequate data collection tools for the stated goals (e.g., surveys to infer misperceptions, leading to high positive bias) (Altay et al., 2023). Policy debate focused on speech regulation may therefore have an exaggerated view of the problem and its effects.

Moreover, where these problems are indeed widespread, they can have other causes that the content regulation perspective – fixated *only* on platforms – does not grasp. Digital platforms are not actors isolated from the broader communication environment and, more importantly, from social, political, and economic contexts. It is possible that the problems encountered on and exacerbated by digital platforms come from elsewhere. This observation matches with the point made by Humprecht and colleagues (2020), whereby a politically and economically fraught society and a highly commercialised communication system are the main structural conditions for the spread of misinformation. The US, the source of most of the scare about harmful speech, features both a uniquely commercial media system (Pickard, 2020) and an extremely divided society, with "a historically constituted political (and often racial/ethnic) problem" precipitating into "conflicts over social status, power, capital, and identity that drive electoral outcomes" (Kreiss, 2021: 507).

Benkler, Faris, and Roberts (2018) have noted that only the active role of the television channel Fox News was able to bring fringe topics and misinformation from the Internet to the centre of the American public debate. But even non-aligned media can inadvertently play a role in disseminating misinformation by relying on standard journalistic practices such as elite institutional focus ("if the President says, it's news"), headline seeking ("if it bleeds, it leads"), and norms such as balance and neutrality, which risk

actually creating a *false* balance (Benkler et al., 2020; Nerone, 2013). In Germany, "media coverage itself may have helped the AfD and far-right extremists to prominence, even more than social media", with the tabloid *Bild* playing a role similar to that of Fox News in the US (Tworek, 2021: 120).

This is a good time to reflect on the role of traditional media. In the fight against the evils of contemporary communication systems, it is important not to idealise a past of well-functioning mass media and well-informed citizens. It is not so long ago that mainstream media in Western democracies were heavily criticised by communication scholars for various reasons, especially for the influence of commercial interests in their coverage. Hypercommercialised media systems have been considered a major threat to democracy (Murdock, 2008; Pickard, 2020). Among other pernicious consequences, they systematically end up in monopoly industries, entrenching opinion power (Trappel, 2024). Moreover, while the advertising-based system may provide some independence from governments, it ties the content production sphere to the wishes of powerful corporations and thus to a particular model of society that favours privileged groups, as anticipated above. There is no evidence that any of these problems in the editorial media have disappeared, so there is no reason to dream of a return to an idyllic past.

When traditional media have worked, this has been due to several conditions in place. Century-long development of professional standards and norms helped to limit harmful practices stimulated by the profit motive. Competition laws – where sufficiently enacted and enforced – have kept opinion and political power in check. The strong presence of public and non-profit media has helped to raise quality standards, as non-commercial media organisations tend to outperform their commercial counterparts in quality reporting, news, and current affairs provision (Aalberg et al., 2010; Cushion, 2022). These facts should not be forgotten in a general idealisation of legacy media; actually, they may shed more light on where the problem with digital platforms actually lies.

Other types of harmful content

In this discussion about the actual relations between digital platforms and harmful content, we have focused on misinformation, but a similar story can be told about other speech problems. It has been difficult to definitively prove a causal relationship between platforms and polarisation as well, with conflicting results: Some authors have indeed found a strong link between platforms and political polarisation (Allcott et al., 2020), but in some cases, social media have even been found to "depolarise" users (Beam et al., 2018). When there is polarisation, many experts point to other causes – like already existing historical divides – or argue that radicalisation of conservatism has been the actual reason why it is difficult to manage cross-party conversation (Benkler et al., 2018; Kreiss, 2021). While most people

do seek out information that supports their beliefs, Hutchens and colleagues (2019) have argued that interpersonal communication has an even greater power in polarising discussants than any media-related content.

In terms of effectiveness of content regulation, the German hate speech law (NetzDG) is probably the only example that could be fairly assessed so far, as it has been in place for a few years. However, without independent research into the social media figures, it is difficult to gain meaningful insights about the positive impacts of such a law: Companies boast about the number of content removals, but these figures are often flawed, lacking transparency about how the decisions were made and what kind of content was indeed affected (Tworek, 2021). In any case, only a small minority of the expected societal actors are making use of the possibilities offered by the NetzDG, and most of them prefer other strategies against hate speech that they consider more effective (Stockmann et al., 2023).

In addition to relying on contested premises, content-focused solutions may also carry some unintended risks. By going down this road, policymakers and platforms themselves become more vulnerable to accusations of "censorship", a strategy that free speech absolutists like Elon Musk eagerly use to avoid any constraints on discourse, but also on market-driven communication structures.

Indeed, the principle of free speech has been hijacked by libertarians and the far right in this first quarter of the twenty-first century, but freedom of expression is not enshrined in the idea of human rights by accident. This liberal approach to speech has shaped Western societies, and it is difficult to justify to an increasingly disaffected section of the population that measures that restrict discourse are the best way to protect freedom of expression and democracy. Even leftists who are highly critical of liberal values should fear becoming unable to criticise oppression that is accepted by the status quo, such as wars waged by allies of the Western powers.

In fact, attempts to tackle the problem with speech laws like Germany's NetzDG can backfire, increasing authoritarianism. This law has inspired several nation states, most notably and explicitly Russia, to pass their own bills to combat false information and hate speech, actually curtailing freedom of expression and increasing the power of ruling elites (Tworek, 2021).

Another risk of pursuing this path – expecting platforms to play a central role in curating speech – is the platforms' poor track record in their moderation efforts. These companies systematically fail to follow their own speech policies. In 2020, Facebook introduced several new rules to improve discourse on the platform, but when *The Wall Street Journal* reported over 150 examples of content that violated these rules (which were later confirmed by the company), Facebook failed to take down more than 75 per cent of them (Horwitz, 2020). On the other hand, social media frequently overreact and threaten freedom of expression in topics ranging from sex education to political opposition to genocide (Amarasingam & Nandakumar, 2021;

Madison, 2015; Norton, 2020). Cotter and colleagues (2021: 12) have argued that Facebook's classification system for ad targeting actually reflects the company's commercial interests and, as such, favours the powerful:

> As a result of human choices embedded in datafication processes, the system represents those who have been historically marginalized not on their own terms, but on the terms of those occupying more privileged positions.

The question is whether our societies want to delegate even more of the task of curating the public debate to these companies.

It can be argued that this poor performance is due to the platforms' over-reliance on automation, implying that investing in the human workforce would solve moderation problems. However, this solution is unrealistic, given the scale at which major commercial platforms operate and the demand for ever quicker reaction towards harmful or illegal content (Gorwa et al., 2020). Moreover, while more human moderation would certainly improve the quality of the decisions and make them more accountable, it is unlikely that all users would be happy with them. In fact, without the fallacy of algorithmic neutrality, many users could be even more outraged by moderation decisions, leading to more fragmentation and polarisation.

Once again, this is not to say that content moderation is useless or that we should give up on requiring platforms to improve the quality of the content they manage. Nor does it mean that platforms are innocent in the woes of current communication problems. This is rather to argue that, if we expect a real game changer in the quality of the public debate in the Digital Age, we must look beyond specific platform content measures towards the root causes of the disorder. This brings us back to the discussion of structural features.

Time to change the structures

There are many ideas on how to create better structural conditions for communication in the Digital Age. Not all structural proposals are well designed and adequate to address the situation, but they often rely on a deeper understanding of the real problems and deserve more attention so they can mature in the policy debate.

An increasingly popular idea has been to enforce pro-competition policy on platforms. After decades of minimal intervention in digital markets, antitrust measures against Big Tech companies are on the rise. The EU has sued platforms like Google and Apple for abusing their market power, crushing competition, and avoiding taxation (Espinoza et al., 2024). In the US, the Federal Trade Commission (FTC) has also become active in the attempt to enforce antitrust law against digital platforms, particularly under the administration of Lina Khan. A court case against Meta for monopoly power and anti-competitive mergers is ongoing since 2020 (Emmanuel, 2025).

Such efforts in the US are facing a setback under the Trump administration, though. In addition, it is unlikely that pro-competition policy alone would improve the communication ecosystem. If the business model of platforms is not challenged at all – namely advertising provided by surveillance – this approach can lead to a race to the bottom, with more digital actors encouraged to collect as much data as possible from people or promote any other harmful practice that increases profitability (Pickard, 2020: 132). At a bare minimum, competition policy must be driven alongside regulation on the ways platforms make money.

Hence the need of better regulation of how platforms deal with personal data and of their advertising practices. Indeed, the EU pioneered the fight for privacy in the Digital Age with the approval of the General Data Protection Regulation (GDPR), which since then has been copied by various countries. The DSA and its twin sibling the Digital Markets Act (DMA) establish some limitations to targeted advertising, prohibiting the targeting of minors and the use of sensitive data such as race, ethnic origin, and political opinions as categories for personalised advertising. Finally, the Regulation on the Targeting and Transparency of Political Advertising (TTPA), whose provisions have been in force since October 2025, adds specific transparency requirements and restrictions to advertising related to politics, although there has been controversy regarding the extent to which civic campaigns could be harmed (Civil Liberties Union for Europe, 2025).

These are developments in the right direction. Here, the main problem is effectiveness. The GDPR has suffered for years from lack of enforceability; the DSA and the DMA provisions are limited in scope and do not capture more subtle forms of advertising that are increasing, such as hybrid ads promoted by influencers (Duivenvoorde & Goanta, 2023). A complete ban on surveillance advertising, in turn, would be more effective in disabling the main mechanism whereby platforms harm democratic discourse. This has been considered in platform regulation in Europe and beyond, but has never made it to the final texts, facing strong lobbying from the tech sector (EDPS, 2021; Leyendecker, 2023; Tomaz, 2023).

Nonetheless, even privacy regulation has its limits. At the end of the day, platforms are companies that, in the current capitalist structure, will seek profit by either abusing personal data or in other forms. As explained above, there is no reason to believe that market-driven communication will meet the public interest. This was true in the era of mass media communication and remains true now. Without challenging the commercial ownership and governance models of communication companies, we are doomed to see the increase of private political power (platforms shaping regulation and politics) and opinion power (business interests deciding which content gets amplified or not) (Griffin, 2023; Helberger, 2020).

Accordingly, a bolder approach would be a concerted effort to reduce commercialisation across the whole communication ecosystem, including

digital platforms. This would not be an entire novelty in the media and communication industries, as already indicated. In the twentieth century, Europe has pioneered the idea of public service broadcasting. By removing the production of content from commercial interests and, at the same time, creating governance structures that protected them from government interference, most public service broadcasters have been able to improve the quality of their national media system. We should remember that countries with strong public service media have also been more resilient to misinformation in the time of digital platforms (Humprecht et al., 2020).

Acknowledging the potential of non-commercial communication, it is possible to envisage at least two further developments. The first would be to strengthen the production of non-commercial content. Whereas many policy ideas solely address platforms, whose main role in today's communication systems has been to *distribute* content, we have seen that content *production* by editorial media remains crucial. Therefore, it is necessary to provide good conditions for the creation of content in the public interest.

Funding can come from the digital platforms themselves. In this sense, the Australian News Media Bargaining Code has attracted much attention by requiring platforms to strike financial agreements with news publishers for the right to distribute their content (Bossio & Barnet, 2023). The code aims to support the production of journalistic content, but there are no provisions for prioritising non-commercial or local media, which have been hit hardest by the decline in advertising revenues. Eventually, only major news brands were able to negotiate their positions with Alphabet and Meta. But even their prospects under the code are uncertain: Meta has not renewed these deals, dropping news publishers' content altogether, as it makes up a relatively small part of their content, and now the government feels the pressure to amend the code (Edwards, 2025).

A better alternative could be to channel taxes on digital platforms into dedicated funds for content creation. Administered by independent governance bodies, with representatives from different sectors of civil society, such funds could elaborate their own criteria for supporting certain types of content producers (e.g., being non-profit or focusing on local content).

The complex and transnational operations of digital platforms have made their taxation a challenge. Since the techlash, however, some initiatives show that it is possible. Austria has introduced a digital sales tax of 5 per cent on advertising services paid to platforms; part of the annual revenues of 120 million euros goes into a digital transformation fund, which supports dozens of projects, including the creation of journalistic content (Szigetvari, 2025). At the international level, the introduction of a global minimum tax of 15 per cent on corporate profits will reduce tax competition between countries and generate significant revenues from digital platforms (Torkington, 2024). Again, at least some of this revenue could be channelled back into national content funds.

Finally, the second possible development is the transformation of digital platforms into public service companies themselves, following the logic of public service media. This is, to be sure, the boldest structural change that policymakers could dare. The global nature of these companies and how they operate across so many different market sectors complicates the design of such a measure, but there are already some attempts at specific models (D'Arma et al., 2021; Rahman & Teachout, 2020).

Conclusions

The main point to recognise is that digital platforms are first and foremost companies (Gorwa, 2019). As such, they operate within the rules and frameworks decided by policymakers, and publicly-driven models of ownership and governance can be imagined and executed to ensure that the rules governing public discourse are also publicly decided. Much of the reluctance to interfere with their structures derives from the techno-determinism that captured our imaginary and somehow obscured the nature of these tech companies, as if digital platforms would be special entities that demand a unique, "softer" treatment.

It is also important to stress that we are focusing here on the reality of the EU, which is a player with significant power in the current geopolitics and governance of technology and communications. Such a privileged position is shared by only a few international actors, such as the US and China. On the other hand, most countries in the Global South have much less room for manoeuvre, possessing less capital for promoting their own industries and being more constrained by international rules shaped by richer nations (Griffin, 2023; Tomaz, 2023). For example, African states tried for years to shift decisions on global tax policy to the United Nations, where poorer countries have a greater say, but the US lobbied hard to keep this discussion within the OECD, a body dominated by rich countries, to avoid greater competitive losses to their digital giants (Isaac, 2022). Eventually, the global minimum tax was designed and enforced by the OECD. The EU can play a leading role by using its relevant position and promoting public digital communication infrastructure.

In a nutshell, our argument is that there are many legitimate concerns about the impact of digital platforms on democracy, but while all of them deserve serious scrutiny and appropriate remedies, we believe that the biggest problem is the commercial imperative that underpins digital platforms in particular and the whole communication ecosystem in general. This must be reined in if we are serious about making communication more democratic. Only a digital communication ecosystem that is firmly structured against commercial influence can guarantee protection from the private interests of a few, who are hiding behind a narrative of "free speech" to steer huge communication industries and advance their own agenda against the public interest.

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