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45

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Regulating Digital Platforms in Times of Democratic Crisis – What is Next for Germany and the EU?

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Weizenbaum Discussion Paper

Regulating Digital Platforms in Times of Democratic Crisis – What is Next for Germany and the EU?

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\\ Abstract

This paper examines recent changes in the content moderation practices of major social media companies. Digital platforms have become a defining feature of contemporary societies. As their infrastructures increasingly mediate commercial activity, political organization, cultural life, and more, the retraction of measures meant to uphold standards and trust in their influence over online speech raises significant concerns. This paper briefly analyzes these developments in the context of ongoing processes of democratic erosion, particularly in the U.S. The goal is to foster future research and public debate by offering key insights into the implications of the current scenario for Germany and the European Union.

I. A Brief Analysis: Power, Democracy, and Digital Communications

1. Meta's CEO Mark Zuckerberg recently announced significant changes in its content moderation practices in the United States. These changes include the termination of partnerships with fact-checking organizations, replaced by community notes like those implemented on the platform X (formerly Twitter); the relaxation of restrictions on topics such as immigration and gender; the narrowing of automated filter applications; and a commitment to collaborate closely with President Trump to oppose against international social media regulations. This shift in internal policies mirrors the approach taken by X under Elon Musk's leadership. Among other changes, the new administration dissolved the Trust and Safety Council, reinstated accounts belonging to far-right figures, suspended journalists, and introduced charges for verification badges (in a move that compromises information indicators meant to increase trust) (Zuckerberg, 2025).
2. The expression "platform power" (van Dijck, Nieborg, and Poell, 2019) aptly captures how digital platforms like Meta's or X have become increasingly influential economic and political actors. Researchers apply this idea to the different dimensions through which this power is exercised. "Market power," for instance, is expressed in their relevance as dominant economic actors in nearly oligopolistic markets (Wu, 2018). The idea of "structural power," in turn, refers to their capacity to influence the structures that define how people and institutions relate to one another (Belli, 2022).
3. Particularly relevant to the present context is the idea of "systemic power over opinion" (Helberger, 2020; Jungherr et al., 2019; Neuberger, 2018), a comparison to how traditional media vehicles exert influence over public opinion. Legacy media's power over opinion lies in how they make editorial decisions about what topics to present and how to present them in public discourse. While digital platforms do not make these decisions in the same terms, they highly influence information and attention fluxes online, e.g., through algorithm design and content filters operated both by humans and automated tools. Governance over their own infrastructures gives them systemic power over public opinion, as platforms determine, according to their own commercial interests, what and whose speech should be blocked, allowed, or promoted.
4. Platforms' standards and procedures for influencing speech online—like the Community Guidelines of big platforms—can be viewed as a continuation of the longstanding debate over how to steer interference in online speech toward public values. Whether to advance this goal or to preempt state regulation, these companies have developed internal mechanisms that introduce some level of safeguards to their decisions, albeit while preserving the concentration of power allowed by their business model.

5. The recent developments herein described represent a shift in these efforts to improve the governance of speech online, with their consequences still uncertain. For instance, while partnerships with fact-checkers play a role in promoting pluralist information in digital communications, this arrangement has been criticized as a “distribution of responsibility” (Caplan, 2023) that improved the perception, but not the actual realization, of accountability. Moreover, empirical studies have demonstrated the limited effectiveness of fact-checking in reducing the acceptance of disinformation, as political preferences remain the primary determinant (Pereira et al., 2018; Mourão and Robertson, 2019). Similarly, the criteria underpinning automated filters have long been a source of concern, owing to their opacity and technical inaccuracies.
6. But the ideological orientation of these changes is evident. Both the form and content of the announcement resonate with themes and worldviews particularly popular within far-right politics. Zuckerberg’s rhetoric antagonized professional journalism and legacy media, which he blamed for allegedly promoting censorship. Contrary to previous announcements, Meta also vowed to increase rather than reduce the amount of political content (Booth, 2025) while simultaneously revising its community guidelines (Schneider, 2025). Whereas previous standards were founded on the importance of countering hate speech and protecting minorities, the latest revision explicitly allows “room for [...] types of speech” that “call for exclusion or use insulting language in the context of discussing political or religious topics, such as when discussing transgender rights, immigration, or homosexuality.” Examples include the “allegations of mental illness or abnormality when based on gender or sexual orientation” or the comparison of people to “certain objects (women as household objects or property or objects in general; Black people as farm equipment; transgender or non-binary people as ‘it’)” (Schneider, 2025).
7. These shifts in platform policy go hand in hand with organizational changes in the company, as Meta dissolved its diversity and inclusion program. Altogether, these management decisions signal a potential facilitation of the spread of far-right content on its platforms, which could well be followed by an increase in online violence toward marginalized groups. Ultimately, we are looking at the possibility of Meta’s platforms turning into spaces defined by the promotion of alt-right ideologies.
8. The political context of these developments is the second Trump presidency, a project of government openly aligned with illiberal goals. In recent years, researchers have used existing and introduced new terminologies to describe contexts in which political processes have visibly disrupted the norms of liberal democracy (the first Trump presidency being an outstanding example). Among these terms, “illiberalism” captures ideological and institutional shifts characterized by a fundamental contradiction: illiberal actors undermine liberal values—like freedom of speech and democratic participation—while relying precisely on these institutions (Štětka and Mihelj, 2024). Meta’s recent policy changes borrowed directly from the illiberal playbook, particularly regarding its narrative of halting censorship

and promoting free speech while retracting institutional advancements originally meant to allow for safe and plural debate. The leadership of other relevant tech companies, like X, Google, Amazon, Apple, OpenAI, and TikTok, has also fallen in line with the American president, either through sizable campaign contributions or explicit statements.

9. This close collaboration with the Trump presidency reflects an entanglement of state and platform power with great potential to undermine democratic checks. Within the United States this collaboration may provide the new government with a robust communications infrastructure to mobilize followers and influence public debate to consolidate and maintain political power.
10. Possible implications also extend to global geopolitics. Following Zuckerberg's announcement, Meta clarified that it would not change its content moderation policies in Europe. However, the original statement explicitly highlighted an intention to "work with President Trump to push back on governments around the world that are going after American companies and pushing to censor more," naming "an ever-increasing number of laws institutionalizing censorship" in Europe straight afterward. This suggests that digital platforms' alignment with illiberal ideologies is intertwined with their desire to avoid regulation. As a result, social media platforms may end up supporting politicians that side with their commercial interests—whether through discourse, financial contributions, or exerting "power over opinion" to favor their political projects (Zuckerberg, 2025).
11. In Germany, we have a clear example of how this dynamic might unfold outside of the U.S., since Elon Musk explicitly used his platform X to call for Germans to vote for the AfD. Tech elites explicitly favoring candidates in foreign countries shows how platforms are strengthening their political stances and using their power to change political reality to their favor. Ultimately, social networks might not only be used to influence public debate in favor of a specific radical political project, but also that their power will potentially unfold over the elected politicians interested in leveraging their digital infrastructure for political gains.

II. Our Considerations: What is Next for Germany and the EU?

12. This raises the crucial question of what lies ahead for Europe and Germany, where halting the advancement of far-right politics is a pressing agenda. The sort of democratic crisis that enables the acceptance of extreme politics by global corporations extends beyond the dynamics of digital communications. Nevertheless, aligning online business models closer to public values is a fundamental task for contemporary democracies, one which Europe is recognized for having pioneered.

13. This raises the crucial question of what lies ahead for Europe and Germany, where halting the advancement of far-right politics is a pressing agenda. The sort of democratic crisis that enables the acceptance of extreme politics by global corporations extends beyond the dynamics of digital communications. Nevertheless, aligning online business models closer to public values is a fundamental task for contemporary democracies, one which Europe is recognized for having pioneered.
14. Since November 2022, the Digital Services Act (DSA) has been in force, with a binding regulatory framework that imposes obligations on digital platforms aimed at improving transparency and fairness within their operations. Preventing illegal and harmful activities online, including the spread of disinformation, were key rationales for its adoption. Compliance with the DSA is intended to support the development of governance structures akin to those Meta is now retracting. But its effectiveness largely depends on successful enforcement, particularly given that many of its provisions allow room for private companies to interpret and determine how to implement them.
15. For instance, Article 22 provides for “trusted flaggers,” i.e., certified entities that detect potentially illegal or harmful content and alert platforms, who are obligated to prioritize processing of their notifications. The ultimate decision over taking down content remains with the providers.
16. Article 34 mandates platforms to produce reports assessing the severity and probability of systemic risks once a year. Among the risks that these reports should include are topics precisely related to Meta’s illiberal stance. This includes risks related to the dissemination of illegal content, civil discourse, elections, fundamental rights, and gender-based violence. However, these legal categories are also open to interpretation. They do not bind platforms to specific forms of content moderation (i.e., they are free to adopt community notes or not), meaning that the decision on what content imposes systemic risk (or even, what systemic risk means) and what to do about it (e.g., which recommendation systems should be reviewed or not) once again falls into the hands of the companies themselves.
17. Article 40 requires platforms to provide data access to researchers investigating systemic risks. This is a relevant aspect of European systemic risk governance (Seiling, Ohme and Klinger, 2024), with research data access being part of all formal proceedings the European Commission has thus far launched against Very Large Online Platforms (European Commission, 2025). Once again, however, implementation is challenging, as researchers encounter issues with opaque and seemingly arbitrary decisions by platforms vetting their access to data, as well as data quality issues (Jaurisch, Ohme, and Klinger, 2024).
18. These provisions take an important step towards understanding and mitigating platforms’ systemic power over opinion, a regulatory agenda that now, more than ever, needs continued discussion. Notably, as the owner of a major social platform (Elon Musk) is openly using it (X)

to disseminate his own (radical) political opinions to a large audience, thereby elevating the power to influence information flows to novel levels. In Germany, power over opinion is directly regulated in the Media State Treaty, where it applies to the national broadcasting market. Expanding this regulatory framework to integrate the digital public sphere and impose rules restricting undue influence over opinion is an urgent matter at both the German and European levels.

- 19.** In the meantime, it is fundamental to demand and closely monitor the full enforcement of the DSA. Independent auditors are part of the DSA's enforcement structure and will annually verify compliance. Ultimately, their reports, together with those of platforms, will reach enforcement bodies like the European Board for Digital Services and the German digital services coordinator, the Bundesnetzagentur. While these institutions face significant challenges ahead, research scrutiny, practical implementation, and secondary regulations—where public bodies interpret and apply the legislation—will be crucial to ensuring the DSA achieves its goals. This means that despite the challenging task ahead of these institutions, practice and secondary regulations—the ones where public bodies interpret legislation—will be fundamental to ensuring that the European DSA reaches its goal.
- 20.** The DSA is a step towards conforming digital business models to public values, and does not, in principle, provide for the possibility of bans. But if platforms continuously violate the DSA (for instance, by not complying with Articles 22 and 40), the possibility of suspension could amount to a ban in practice. The recent example of the TikTok ban in the U.S., however, shows that an ultimate showdown between the EU regulators and platforms might be challenging, especially given the legitimacy threshold involved, as communities can be highly resistant to the banning of a popular platform.
- 21.** Finally, the conversation about what a democratic digital public sphere should look like includes envisioning an information ecosystem with alternatives to the current dominant models. Developing platforms oriented towards the common good is an urgent challenge. In the past, similar demands have inspired frameworks for public service media, a model that provides interesting insights on how public value-oriented communications can be adapted to the digital realm. Freedom, equality, diversity, and the other founding values of liberal democracy remain non-negotiable benchmarks for this endeavor.

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