

Research Article

Cyber Law and Social Control in Digital Societies: Analyzing Regulatory Responses to Online Misinformation and Platform Governance Challenges

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Abstract: The rapid proliferation of misinformation across digital platforms has emerged as a critical challenge, undermining public trust, shaping opinion, and eroding the quality of democratic discourse. As reliance on digital platforms for information dissemination intensifies, the regulation of online content has become a focal issue for scholars, policymakers, and platform operators. This study examines the intersection of cyber law, platform governance, and content moderation, analyzing how platforms manage misinformation while balancing freedom of expression. Employing a normative and socio-legal approach, the research utilizes comparative methodology to assess national and international cyber law frameworks, alongside case studies of platforms such as Facebook, YouTube, and Twitter. Public policy analysis is conducted to evaluate the effectiveness of current governance models. Findings reveal significant variation in regulatory responses, with the European Union's Digital Services Act offering a robust framework but facing enforcement challenges. Platforms, acting as non-state regulators, are criticized for inconsistent moderation and limited transparency. The study concludes that hybrid regulatory models combining state intervention with platform self-regulation hold promise for addressing misinformation effectively while safeguarding digital rights. This research contributes to ongoing debates on balancing free speech, accountability, and social control in the digital age.

Keywords: Content Moderation; Digital Regulation; Freedom Expression; Misinformation Governance; Platform Accountability.

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1. Introduction

Misinformation has become a critical challenge in digital societies, significantly affecting communication, public knowledge, and societal cohesion. The rapid spread of false information through digital platforms has far-reaching consequences, including undermining trust in institutions, influencing public opinion, and distorting perceptions of reality (Braithwaite, Braithwaite, and Burford 2019; Wright 2025). Digital platforms, such as social media and online networks, play a central role in the dissemination of information, amplifying both its benefits and risks (Gonçalves and Oliveira 2021). These platforms enable rapid information sharing but also facilitate the spread of misinformation and disinformation, often driven by algorithmic amplification and user-generated content (Omezi, Kendzierskyj, and Jahankhani 2022). The COVID-19 pandemic highlighted the dual nature of these platforms, as they were used to share critical health information but also became conduits for misinformation with significant public health implications (Smart and McManus 2022). In response to these challenges, cyber law regulations are evolving to control digital content, with frameworks such as the European Union's Digital Services Act seeking to enhance

transparency and accountability in content moderation (Mezei and Träger 2025). However, these regulations face significant challenges, particularly in balancing the need for social control with the protection of freedom of expression (Gleiss, Degen, and Pousttchi 2023).

The rapid proliferation of misinformation in the digital age has raised critical questions about its regulation and the balance between combating false information and preserving digital freedoms. While previous research has explored various aspects of cyber law and social control, there remains a significant gap in understanding how misinformation regulation impacts digital freedom and the role of non-state actors, such as digital platforms, in this process (Girardi 2024; Gsenger 2025). Efforts to regulate misinformation intersect with concerns about freedom of expression, with frameworks like the European Union's Digital Services Act (DSA) aiming to curb misinformation but facing challenges due to definitional ambiguities and risks of overreach, which could undermine freedom of expression and democratic principles (Davis and Molitorisz 2024; Marecos et al. 2023). Digital platforms have been acting as *de facto* regulators, implementing self-regulation and content moderation strategies, though these measures are often criticized for their lack of transparency, consistency, and accountability (Busch 2020; Warnke, Maier, and Gilbert 2024). Governments and platforms are exploring different regulatory approaches, but self-regulation and co-regulation models have faced criticism for being insufficient in addressing the root causes of misinformation (López-García, Vizoso, and Pérez-Seijo 2019). This growing need for collaboration among governments, platforms, and other stakeholders is essential for enhancing the accountability and effectiveness of misinformation regulation (Tsang and Zhou 2025).

The rapid proliferation of misinformation on digital platforms has emerged as a critical challenge, necessitating robust regulatory frameworks to mitigate its societal impacts. This article explores how regulations address misinformation, the role of platforms in content moderation, and the implications for freedom of expression and digital rights. Regulatory models addressing misinformation can be broadly categorized into self-regulation, external regulation, and co-regulation. Self-regulation relies on platforms to moderate content, while external regulation involves government oversight. Co-regulation combines both, often seen in frameworks like the EU's Digital Services Act (DSA), which mandates transparency and accountability in content moderation (Gsenger 2025; Marecos et al. 2023). Despite these efforts, challenges remain in balancing misinformation regulation with protecting freedom of expression, as evidenced by Australia's failed Combating Misinformation and Disinformation Bill (Davis and Molitorisz 2024). Platforms, acting as *de facto* regulators, often face criticism for their lack of transparency and consistency in content moderation practices (Khurana et al. 2025). Moreover, concerns about private censorship and the concentration of power among platforms further complicate the regulatory landscape (Papadopoulou, Kartsounidou, and Papadopoulos 2022). Educational initiatives like media literacy programs are increasingly recognized as a less intrusive solution to misinformation, complementing regulatory approaches without stifling free speech (Canela, Claesson, and Pollack 2023).

The rapid proliferation of misinformation on digital platforms has emerged as a critical challenge, necessitating regulatory frameworks that balance social control with the preservation of digital freedom. This dual imperative is particularly complex given the central role of platforms as non-state regulators in the digital ecosystem. Platforms are not only intermediaries but also key actors in content governance, tasked with managing risks while upholding democratic values (Gsenger 2025; Jovanić 2024). Efforts to regulate misinformation often risk infringing on freedom of expression, a fundamental human right, requiring innovative approaches that respect democratic principles (Davis and Molitorisz 2024; Hueso 2022). Moreover, platforms frequently act as *de facto* regulators, yet their content moderation practices often lack transparency and consistency, leading to concerns about arbitrary censorship and unaccountable power (Busch 2020; Popiel and Sang 2021). As digital platforms continue to evolve, adaptive regulatory models are necessary to address the dynamic and complex nature of the digital ecosystem and the challenges posed by misinformation (Giest 2025; Zhu 2025).

2. Literature Review

Cyber Law and Internet Regulation

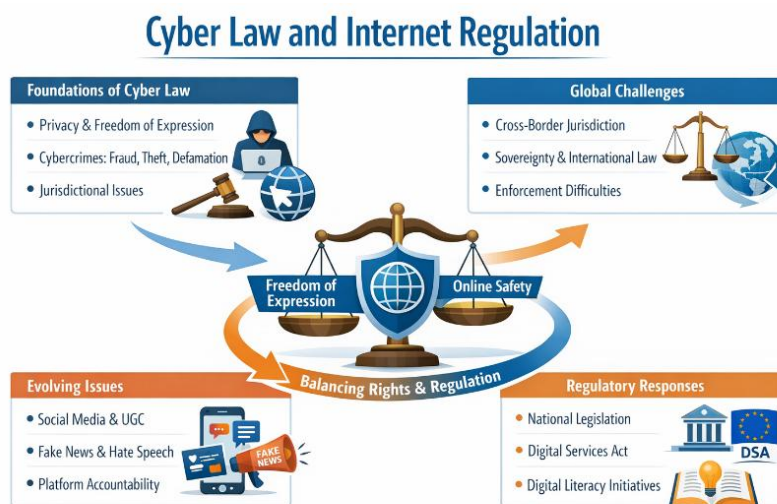


Figure 1. Cyber Law and Internet Regulation.

Cyber law, or Internet law, refers to the legal frameworks that govern digital content, online activities, and cyberspace at large. It encompasses various legal aspects such as internet access, privacy rights, information security, and jurisdictional issues related to digital spaces (Cremone 2025; Umadevi, Amali, and Subramanian 2019). A core objective of cyber law is to protect individuals and organizations from illegal activities occurring within cyberspace, such as cybercrimes including fraud, theft, and defamation, while ensuring the security of digital communications and e-commerce transactions (Cremone 2025). However, the jurisdictional complexities of cyberspace remain unresolved, as the internet transcends geographical borders, making the application of international law to cyberspace a challenging task (Corn and Taylor 2017). This conflict of jurisdictions can lead to situations where users face legal repercussions in foreign jurisdictions for actions that may be lawful in their home countries.

The evolution of cyber law is shaped by emerging issues such as user-generated content (UGC) and the rise of social media platforms, which have introduced new challenges like fake news, hate speech, and private censorship (Mehta et al. 2022). To regulate online content effectively, countries have implemented varying frameworks, with the European Union's Digital Services Act (DSA) providing a systemic approach to content moderation. In India, the Information Technology Rules, 2021, represent a significant shift in regulating digital content, though concerns about overreach and privacy violations persist (Shankar and Ahmad 2021). Meanwhile, in East Africa, countries such as Kenya, Uganda, and Tanzania are addressing the regulatory challenges posed by harmful online content, with proposals to integrate digital literacy into cyber laws to empower users in navigating these issues (Mutua and Yanqiu 2020). The evolving nature of cyber law reflects a need for adaptive models that balance freedom of expression with the protection of individual rights and address harmful online behaviors (Cremone 2025; Mehta et al. 2022).

Social Control in Digital Societies



Figure 2. Social Control in Digital Societies.

In digital societies, social control is maintained through a complex interaction of self-regulation, private regulation, and formal legal frameworks. Private regulation is primarily implemented by digital platforms such as social media, which create autonomous normative orders by controlling access to information and shaping online social interactions. These platforms enforce their rules through terms of use and algorithmic governance, which act as a form of private regulation. This approach raises concerns regarding accountability, transparency, and fairness in platform operations, which could be addressed through private law mechanisms, acting as a "constitutional law" for digital spaces (Wielsch n.d.). Additionally, the concept of "code is law" highlights how software design in digital platforms influences user behavior and ethical norms, emphasizing the regulatory power inherent in technological architecture (McMenemy 2023). These mechanisms, though effective in some contexts, often require external legal interventions to ensure fairness and address serious abuses.

The role of law in regulating digital spaces is critical for balancing freedom of expression with public safety. Legal frameworks must address the challenges of regulating harmful behaviors like hate speech, fake news, and online abuse while safeguarding individual rights, such as freedom of expression. This balance is particularly challenging in the anonymous and global nature of the internet (Cremone 2025). A collaborative regulatory model, involving governments, platforms, and users, is increasingly being advocated to ensure transparency, accountability, and fairness in content moderation and dispute resolution (Tičar and Primec 2024). For example, the European Union's Digital Services Act (DSA) represents a proactive approach to ensuring platform accountability in managing content, aiming to create a safer and more transparent digital environment (Pokrovskaja 2022). However, the rise of surveillance technologies and the concentration of power in the hands of digital platforms also present ethical dilemmas about privacy and autonomy in digital spaces (Cremone 2025). These issues necessitate a continuous reassessment of regulatory frameworks to balance ethical concerns and effective governance.

Platform Governance and Content Moderation



Figure 3. Platform Governance and Content Moderation.

The governance of misinformation on digital platforms is a crucial area of concern, especially as these platforms become primary spaces for public discourse and information dissemination. The challenges in managing misinformation are multifaceted, with platforms facing the task of balancing free speech and the regulation of harmful content. Digital platforms, such as social media, act as private regulators, creating their own systems for content moderation through terms of service and algorithmic governance. These platforms' algorithms play a key role in amplifying content, often prioritizing engagement over fairness, which distorts public discourse (Singhal et al. 2023). While platforms like Facebook and Twitter have introduced moderation policies, concerns remain regarding the transparency, consistency, and fairness of these measures. This lack of transparency has raised ethical concerns about the potential for censorship and the centralization of power in the hands of a few private entities (Riemer and Peter 2021). Moreover, platforms' reliance on temporary measures during crises like the COVID-19 pandemic underscores the need for more sustainable and robust long-term governance strategies (Linnenluecke 2025).

Misinformation regulation requires platforms to navigate complex ethical and legal landscapes, balancing freedom of expression with the need to curb the spread of harmful content. Platform governance and content moderation are regulated through various policies, such as the EU's Code of Practice, which focuses on limiting the circulation of misinformation and ensuring greater accountability (Medeiros and Singh 2021). However, the regulatory landscape is complicated by the varying definitions of misinformation across jurisdictions and the lack of consistent enforcement mechanisms (Santos, Cazzamatta, and Napolitano 2025). Additionally, algorithmic auditing and "algorithmic audiencing," where algorithms determine the visibility of content, pose new challenges for ensuring equitable access to information while maintaining freedom of speech (Riemer and Peter 2021). As platforms like WhatsApp and Twitter have demonstrated, addressing misinformation effectively requires a combination of intermediary liability policies, platform design adjustments, and media literacy initiatives (Medeiros and Singh 2021). These measures, however, must be carefully balanced to avoid overreach that could stifle public debate and hinder access to diverse viewpoints (Pokrovskaja 2022).

Freedom of Expression and Digital Rights



Figure 4. Freedom of Expression and Digital Rights.

The tension between regulating misinformation and protecting free speech is a central issue in digital societies, influenced by legal, technological, and societal factors. Digital platforms play a dual role, acting as both enablers of free speech and regulators of online content. These platforms often moderate content using algorithms, which can inadvertently lead to over-censorship or allow harmful content to thrive. The privatization of content moderation, with platforms holding significant power over public discourse, has shifted the regulatory burden from public authorities to private entities, further complicating the balance between regulation and freedom. While platforms like Meta and YouTube are responsible for enforcing policies to curb harmful content, they face criticism for lack of transparency and fairness, making the governance of free speech a challenging and contentious issue (Moustapha 2025).

A key challenge in managing freedom of expression online is the risk of algorithmic bias and the creation of echo chambers. Algorithms that prioritize engagement often reinforce users' pre-existing views, limiting exposure to diverse perspectives and undermining democratic discourse (Rovinskaya 2022). Furthermore, regulatory gaps exacerbate this issue, particularly in the Global South, where weak legal frameworks and state monopolies over information further hinder the protection of free speech (Abraham 2018). Jurisdictions like the EU have implemented regulations such as the Digital Services Act (DSA) to balance free speech with other rights, including privacy and security. However, these frameworks are often criticized for either over-regulating or under-regulating powerful digital platforms (Capuozzo and Tacente 2025). Moreover, the increasing influence of self-regulatory bodies, such as Meta's Oversight Board, underscores the need for a collaborative approach to content moderation that respects both democratic principles and individual rights (Martín 2023).

3. Materials and Method

This research applies a comprehensive approach to studying the regulation of misinformation in digital societies. It combines a socio-legal framework to understand the implications of cyber law on digital behavior, focusing on balancing individual rights with content regulation. By analyzing national and international regulations, the study compares how various countries address misinformation, such as the EU's Digital Services Act, which promotes platform accountability. Case studies on digital platforms like Facebook and YouTube are used to explore their role in content moderation, revealing the complexities of their self-regulation practices. The research also evaluates public policy efforts, examining the effectiveness and challenges of existing digital governance frameworks, particularly in balancing free speech with public safety concerns. Finally, a cross-country comparative approach is used to assess regulatory strategies in different regions, identifying the strengths and weaknesses of various systems and providing insights into how global cooperation can improve the regulation of misinformation. This approach provides a holistic view of how law and policy can address the challenges posed by misinformation in the digital age.

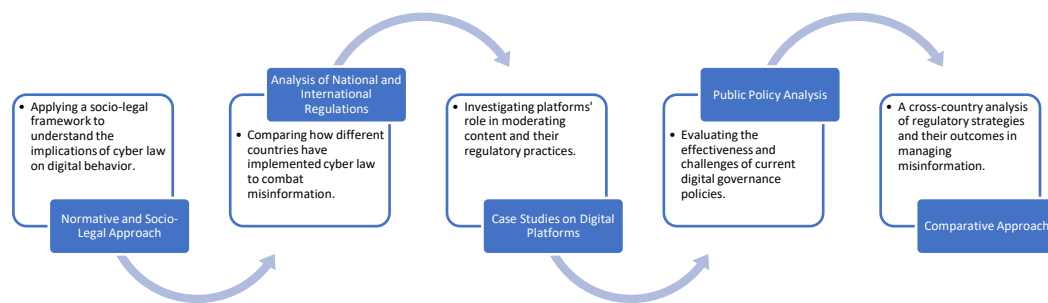


Figure 6. Research Methodology Flowchart Structure.

Normative and Socio-Legal Approach

The research adopts a socio-legal framework to examine the implications of cyber law on digital behavior, focusing on the interaction between legal systems and social structures in the context of cyberspace. This approach helps understand how digital laws shape and are shaped by societal norms, technology, and governance. A normative perspective is applied to explore how digital laws balance individual rights, such as freedom of expression, with the regulation of harmful content. The socio-legal approach allows the study to examine how these frameworks evolve, particularly as new challenges, such as misinformation, emerge. By considering the broader social and legal implications, this method enables an exploration of how legal principles are implemented and interpreted in a rapidly changing technological landscape. It also allows for the examination of how laws can ensure protection while respecting users' rights and freedoms, especially as private platforms play an increasingly prominent role in regulating content.

Analysis of National and International Regulations

The analysis of national and international regulations focuses on comparing how different countries have adopted cyber laws to combat misinformation. With misinformation becoming a global challenge, various nations have developed distinct legal frameworks to regulate content online. The study examines how these frameworks vary in terms of scope, enforcement, and effectiveness, identifying the key legal provisions aimed at mitigating misinformation. For example, the European Union's Digital Services Act (DSA) represents a comprehensive attempt to regulate digital platforms, providing a framework for content moderation, transparency, and accountability. In contrast, other countries, such as the United States, have focused more on self-regulation by platforms, resulting in a fragmented regulatory landscape. This comparative approach allows the study to assess how differing legal systems and regulatory philosophies influence the effectiveness of misinformation regulation, as well as the potential challenges faced by governments in managing digital content on a global scale.

Case Studies on Digital Platforms

This section focuses on investigating the role of digital platforms in moderating content and their regulatory practices. Platforms like Facebook, Twitter, and YouTube have become critical actors in content governance, as they control much of the information shared online. Through case studies, the research examines how these platforms implement content moderation policies, including automated systems, fact-checking, and user reporting mechanisms. These platforms often face criticism for their lack of transparency in decision-making processes, which can lead to inconsistent or biased content regulation. The case studies aim to highlight how these platforms navigate the complex task of managing misinformation while balancing the preservation of freedom of expression. Additionally, the study explores the evolving role of private companies in regulating online content, particularly as these platforms become more involved in global governance discussions regarding the control of digital content and misinformation.

Public Policy Analysis

This section evaluates the effectiveness and challenges of current public policy approaches to digital governance and misinformation regulation. Governments worldwide have been crafting policies to address the spread of misinformation, but these policies often face significant challenges in terms of scope, enforcement, and balancing competing interests such as privacy, freedom of expression, and security. For instance, laws such as the European Union's General Data Protection Regulation (GDPR) aim to regulate data privacy but also have indirect implications for content moderation. The study assesses how well these policies have worked in practice and identifies gaps in enforcement, particularly in cases where platforms are unwilling or unable to comply with regulatory demands. The analysis also considers emerging policy approaches, such as those advocating for a hybrid regulatory model involving collaboration between governments, platforms, and other stakeholders. Through this evaluation, the research aims to provide recommendations for improving the effectiveness of digital governance frameworks.

Comparative Approach

The comparative approach involves a cross-country analysis of regulatory strategies and their outcomes in managing misinformation. By comparing legal frameworks and regulatory practices across different regions, the study aims to understand how varying cultural, political, and legal contexts influence the regulation of misinformation. This approach looks at how countries in the Global South, such as those in East Africa, differ in their regulatory strategies compared to Western countries like those in the EU or the United States. For instance, while the EU has adopted the DSA, countries in the Global South often face challenges in implementing effective regulation due to weaker legal frameworks and the monopolistic control of information by state-run media. The study highlights these regional differences and explores how international cooperation can help address the transnational nature of misinformation. It also looks at the effectiveness of regulatory approaches in terms of their outcomes, such as the reduction in misinformation spread and the protection of digital rights.

4. Results and Discussion

The regulation of misinformation across digital platforms reveals significant global variation in approaches. Countries like those in the European Union have implemented comprehensive frameworks, such as the Digital Services Act (DSA), which hold platforms accountable for content moderation. In contrast, nations in the Global South face challenges due to weaker regulatory frameworks and governmental control over information. Digital platforms, including Facebook and YouTube, serve as private regulators by controlling content through self-regulatory mechanisms like algorithms and fact-checking. However, these platforms are often criticized for lack of transparency, inconsistent enforcement, and algorithmic bias, raising concerns about the concentration of power in private hands. The tension between protecting freedom of speech and regulating harmful content remains central to the debate, with legal frameworks struggling to balance these competing interests. The findings highlight the need for adaptive and proportional regulations that can evolve with technology and societal changes, ensuring effective governance without stifling innovation or undermining digital rights.

Results

The findings from the study reveal notable variation in how different countries approach misinformation regulation. Nations with more developed legal systems, such as those in the European Union, have established comprehensive frameworks, like the Digital Services Act (DSA), that aim to hold platforms accountable for the spread of misinformation. The DSA mandates transparency in content moderation and emphasizes platform responsibility for content that is shared by users. In contrast, countries in the Global South often face significant challenges due to weaker regulatory frameworks and government control over information. For example, countries like India and Brazil have implemented national laws to regulate misinformation but still struggle with enforcement and gaps in the legal framework. These differences in regulatory approaches highlight the complexities of implementing effective global standards for managing misinformation, particularly when different countries have varying political, economic, and cultural contexts.

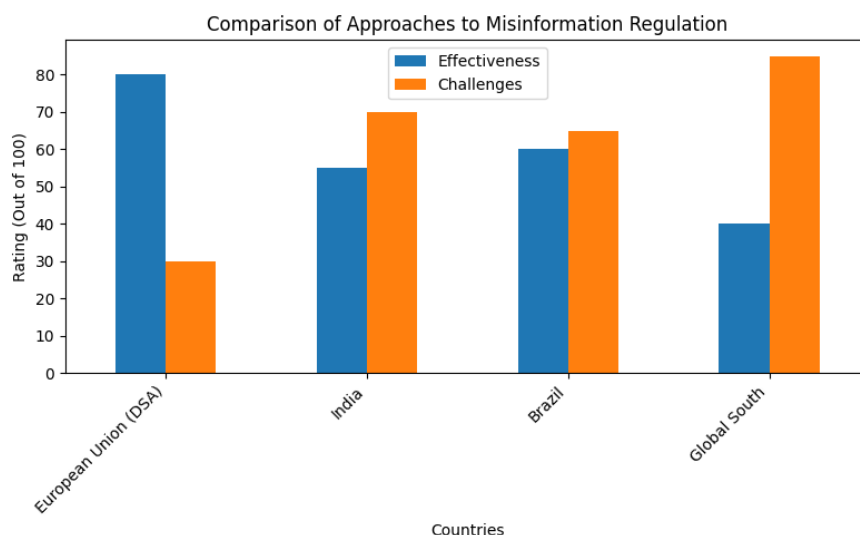


Figure 7. Comparison of Approaches to Misinformation Regulation.

The comparison of approaches to misinformation regulation reveals significant regional differences in legal frameworks and enforcement. The European Union's Digital Services Act (DSA) stands out for its structured and transparent content moderation policies, aiming to hold platforms accountable while balancing free speech. In contrast, countries like India and Brazil have made strides but face challenges in enforcement and the clarity of legal definitions. In the Global South, the lack of robust legal frameworks and infrastructure exacerbates misinformation regulation, with state monopolies over information further complicating efforts to protect free speech and ensure digital rights.

Another key finding is the role of digital platforms as de facto regulators in the online space. Platforms such as Facebook, Twitter, and YouTube not only provide the infrastructure for communication but also govern content through their policies and algorithms. These platforms have developed their own content moderation practices, including automated filtering, fact-checking, and community reporting mechanisms, to control the spread of harmful content. However, the study found that these platforms face significant criticism for lack of transparency, inconsistent enforcement, and bias in content moderation. This privatization of regulation raises concerns about accountability, as platforms have the power to shape public discourse without sufficient oversight or standardization of practices. The increasing reliance on platforms for content governance underscores the need for regulatory frameworks that ensure accountability while respecting the principles of free speech.

Discussion

The tension between freedom of speech and the regulation of misinformation continues to be a central challenge in the digital age. As seen in the findings, legal frameworks like the EU's Digital Services Act attempt to address this by establishing clear guidelines for content moderation. However, balancing the need to prevent harmful content while safeguarding freedom of expression remains difficult. Regulatory measures, especially those that involve algorithmic content moderation, risk over-censorship, limiting the diversity of viewpoints and marginalizing certain voices. The ability of platforms to restrict content without sufficient accountability mechanisms raises critical concerns about freedom of speech. This complexity is amplified by the lack of consistent global standards, making it increasingly difficult for countries to address misinformation effectively without infringing on individual rights.

The findings also highlight the critical role digital platforms play as non-state regulators. While platforms have taken steps to moderate content, such as through the implementation of self-regulation mechanisms and algorithmic governance, their actions are often criticized for lack of transparency and consistency. The absence of standardized global regulations means platforms are left to create their own rules, leading to disparities in content moderation practices. Some platforms prioritize profitability over fairness, as engagement-driven algorithms often amplify controversial content, including misinformation. As these platforms act as gatekeepers of information, there is an increasing need for regulations that not only hold platforms accountable but also ensure that their content moderation processes are transparent, consistent, and unbiased.

One of the key implications of these findings is the need for adaptive and proportional regulations that can evolve with the technology and societal changes in the digital realm. The rapidly changing nature of the internet and the increasing complexity of misinformation necessitate regulatory frameworks that are flexible and responsive. A rigid regulatory framework may fail to address emerging challenges effectively. The study found that while the EU's Digital Services Act and other national laws represent significant steps toward digital regulation, these frameworks must continue to adapt as new technologies and platforms emerge. Additionally, regulatory bodies must be empowered to address new issues, such as algorithmic bias and the role of artificial intelligence in content moderation. The development of adaptive regulations will be essential in ensuring that misinformation is managed effectively without stifling innovation or freedom of expression.

5. Comparison

The regulation of misinformation across different platforms and countries reveals substantial variations in approaches and effectiveness. In the European Union, regulations like the Digital Services Act (DSA) provide a comprehensive framework aimed at ensuring transparency, accountability, and fairness in content moderation. This model offers significant benefits in terms of legal structure, holding platforms accountable for the spread of misinformation. However, the DSA's success hinges on consistent enforcement across member states and the cooperation of private platforms, which may vary in their compliance. In contrast, countries in the Global South, such as India and Brazil, face challenges due to weaker regulatory frameworks and political control over information. These nations struggle to implement and enforce laws that effectively address misinformation, which is exacerbated by the lack of adequate infrastructure for digital governance.

Evaluating the effectiveness of various regulatory models reveals that while some countries have made strides in addressing misinformation, the balance between social control and freedom of expression remains difficult to achieve. The European model of regulation, particularly the DSA, emphasizes platform accountability and user protection but faces criticism for potentially infringing on free speech. In the United States, self-regulation by platforms is more prevalent, leading to inconsistent content moderation practices. This model allows for greater freedom of speech but risks permitting harmful content to proliferate, especially as platforms prioritize user engagement over fairness. Countries like Australia, which adopt co-regulatory approaches, find themselves in a similar dilemma—trying to balance the need for control with the protection of free expression. Each model offers lessons on the complexities of creating effective and equitable misinformation regulations, underscoring the need for adaptive approaches that can be tailored to local contexts.

Global case studies on misinformation regulation provide valuable insights into the challenges and successes of various regulatory strategies. For instance, the EU's DSA serves as a robust example of a regulatory model that combines legal standards with platform responsibility, setting a precedent for how digital platforms can be held accountable. In comparison, countries in the Global South, such as Kenya and Uganda, have proposed integrating digital literacy into their legal frameworks to help users critically engage with online content. While such initiatives may be beneficial, they face significant hurdles due to weak legal infrastructure and state monopolies on information. The experience of platforms like Meta and YouTube, which have expanded content moderation policies in response to the COVID-19 pandemic, further demonstrates the limitations of platform-driven governance. These cases illustrate that while national and international regulatory frameworks can guide misinformation management, the success of these efforts ultimately depends on the ability of platforms, governments, and users to collaborate in creating a fair and transparent digital space.

6. Conclusion

Cyber law must strike a careful balance between social control and the protection of freedom of expression. As digital content regulation becomes more complex, it is essential for legal frameworks to prevent the spread of harmful misinformation while preserving individuals' rights to freely express themselves. Striking this balance is especially challenging given the scale and speed of information dissemination on digital platforms. The issue is further compounded by the privatization of content moderation, as platforms like Facebook,

YouTube, and Twitter are tasked with managing content on a global scale. Although these platforms have a responsibility to curb harmful content, their moderation practices must not undermine free speech or suppress legitimate discourse. The growing role of platforms in regulating online content calls for a legal framework that clearly defines the boundaries of content moderation while protecting fundamental freedoms. Cyber law, therefore, must evolve to ensure that regulation does not disproportionately restrict individuals' rights or stifle diverse perspectives in digital spaces.

Collaborative regulation of platform governance is necessary to ensure fairness and transparency in the digital ecosystem. Digital platforms, as primary actors in the dissemination and moderation of content, have immense influence over public discourse. However, the decentralized and uncoordinated nature of digital regulation often leads to inconsistent enforcement and opaque practices. To address this, collaborative regulation that involves both public and private sectors is crucial. Governments, platforms, and users must work together to create transparent and accountable regulatory frameworks that ensure content moderation practices are consistent, fair, and respectful of free speech. Such collaborative frameworks would allow for the harmonization of global digital policies, reducing jurisdictional conflicts while providing clearer guidelines for content governance. By working together, stakeholders can ensure that digital platforms operate in a way that benefits society, upholds democratic values, and prevents the spread of harmful misinformation. This approach emphasizes the need for ongoing dialogue and cooperation to develop more comprehensive digital governance strategies.

This study contributes to the development of more equitable digital regulations and provides a framework for future research in cyber law and platform governance. By examining the complexities of misinformation regulation and the role of digital platforms as non-state regulators, the research underscores the importance of adaptable legal frameworks that evolve with technological advancements. Future research should build on the findings of this study by exploring the practical implications of hybrid regulatory models, where both government and platform responsibilities are clearly defined. As misinformation continues to pose a global challenge, further investigation into the effectiveness of current regulations, such as the EU's Digital Services Act, will be essential to identifying best practices and areas for improvement. Additionally, future research should focus on how international collaboration can help create standardized regulatory measures, ensuring consistency across borders. By improving digital regulations, this study contributes to the ongoing effort to safeguard free speech while addressing the harmful effects of misinformation in digital societies.

References

- Abraham, Sunil. 2018. *First among Equals? The Role of the State in Facilitating Internet: Access and Protecting the Freedom of Expression Online in the Global South*.
- Braithwaite, John, Valerie Braithwaite, and Gale Burford. 2019. *BROADENING THE APPLICATIONS OF RESPONSIVE REGULATION*.
- Busch, Christoph. 2020. *Self-Regulation and Regulatory Intermediation in the Platform Economy*.
- Canela, Guilherme, Annina Claesson, and Rachel Pollack. 2023. *Addressing Mis- and Disinformation on Social Media*.
- Capuzzo, Valentina, and Alessandro Tacente. 2025. "THE EUROPEAN AND CONVENTIONAL APPROACH TO DIGITAL SOVEREIGNTY AND FREEDOM OF EXPRESSION ONLINE; [EL ENFOQUE EUROPEO Y CONVENCIONAL ACERCA DE LA SOBERANÍA DIGITAL Y LA LIBERTAD DE EXPRESIÓN EN LÍNEA]." *Revista General de Derecho Constitucional* 2025(43):261 – 298. <https://www.scopus.com/inward/record.uri?eid=2-s2.0-105022799623&partnerID=40&cmd5=6475904a94fef5f1516a0dbc21e6560b>.
- Corn, Gary P., and Robert Taylor. 2017. "Symposium on Sovereignty, Cyberspace, and Tallinn Manual 2.0 Sovereignty in the Age of Cyber." *AJIL Unbound* 111:207 – 212. doi:10.1017/aju.2017.57.
- Cremone, Antonio. 2025. "Freedom of Expression and New Technologies: A Complicated Relationship; [Libertà Di Espressione e Nuove Tecnologie: A Complicated Relationship]." *Rivista Italiana Di Informatica e Diritto* 7(1). doi:10.32091/RIID0217.
- Davis, Michael, and Sacha Molitorisz. 2024. "Promoting Rights and Accountability in the Regulation of Misinformation." *Australian*

- Journal of Human Rights* 30(2):251 – 278. doi:10.1080/1323238X.2025.2466862.
- Giest, Sarah. 2025. “The Intersection of Digital and Social Infrastructures in (a)Spatial Policymaking.” *Policy Sciences* 58(2):369 – 384. doi:10.1007/s11077-025-09569-6.
- Girardi, Maria Chiara. 2024. “Title: Freedom and Limitations of Communication in the Digital Public Sphere; [Libertà e Limiti Della Comunicazione Nello Spazio Pubblico Digitale*].” *Federalismi.It* 2024(17):150 – 182. <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85200990110&partnerID=40&md5=e9f416452aa1584f3008eec4ab582260>.
- Glæss, Alexander, Konrad Degen, and Key Pousttchi. 2023. “Identifying the Patterns: Towards a Systematic Approach to Digital Platform Regulation.” *Journal of Information Technology* 38(2):180 – 201. doi:10.1177/02683962221146803.
- Gonçalves, Lílana, and Lídia Oliveira. 2021. “When Knowledge Meets Digital: A Systematic Literature Review About Digital Platforms and Knowledge Flow.” *Springer Series in Design and Innovation* 8:35 – 48. doi:10.1007/978-3-030-49647-0_3.
- Gsenger, Rita. 2025. “Platform Governance under the Digital Services Act: A Perspective on Disinformation.” *Information Communication and Society*. doi:10.1080/1369118X.2025.2590561.
- Hueso, Lorenzo Cotino. 2022. “Who, How and What to Regulate (or Not Regulate) against Disinformation; [QUIÉN, CÓMO Y QUÉ REGULAR (O NO REGULAR) FRENTEA LA DESINFORMACIÓN].” *Teoría y Realidad Constitucional* (49):199 – 238. doi:10.5944/TRC.49.2022.33849.
- Jovanić, Tatjana. 2024. “Platform Regulation: Ex Ante Tools and Strategies in the Regulatory Toolkit.” *European Union and Its Neighbours in a Globalized World* 15:1 – 34. doi:10.1007/978-3-031-69678-7_1.
- Khurana, Namit, Mohammad Majid Akhtar, Rahat Masood, Salil S. Kanhere, and Benjamin Turnbull. 2025. “Navigating the Gray Interventions: The Impact of Soft Moderation Techniques Across Social Media Platforms.” Pp. 1067 – 1071 in *WWW Companion 2025 - Companion Proceedings of the ACM Web Conference 2025*.
- Linnenluecke, Martina. 2025. *Privatized Governance: Social Media Organizations’ Approach to the COVID-19 Infodemic*.
- López-García, Xosé, Ángel Vizoso, and Sara Pérez-Seijo. 2019. “Verification Initiatives in the Scenario of Misinformation: Actants for Integrated Plans with Multi-Level Strategies; [Iniciativas de Verificação No Cenário Da Desinformação. Actantes Em Planos Integrados Com Estratégias Multiníveis].” *Brazilian Journalism Research* 15(3):614 – 635. doi:10.25200/BJR.v15n3.2019.1215.
- Marecos, João, Ethan Shattock, Oliver Bartlett, Francisco Goiana-Da-Silva, Hendramoorthy Maheswaran, Hutan Ashrafian, and Ara Darzi. 2023. “Health Misinformation and Freedom of Expression: Considerations for Policymakers.” *Health Economics, Policy and Law* 18(2):204 – 217. doi:10.1017/S1744133122000263.
- Martín, Pamela San. 2023. “Meta’s Oversight Board: Challenges of Content Moderation on the Internet.” *Erasmus Law Review* 2023(2):124 – 139. doi:10.5553/ELR.000253.
- McMenemy, David. 2023. “Lex Informatica and Freedom of Expression: Reflections on the Regulation of Internet Trolling Behaviors.” Pp. 242–55 in *Lecture Notes in Computer Science*. Vol. 13971 LNCS.
- Medeiros, Ben, and Pawan Singh. 2021. “Addressing Misinformation on Whatsapp in India through Intermediary Liability Policy, Platform Design Modification, and Media Literacy.” *Journal of Information Policy* 10:276 – 298. doi:10.5325/JINFOPOLI.10.2020.0276.
- Mehta, Nisarg, Priyansh Sanghavi, Manish Paliwal, and Madhu Shukla. 2022. “A Comprehensive Study on Cyber Legislation in G20 Countries.” *Communications in Computer and Information Science* 1760 CCIS:3 – 23. doi:10.1007/978-3-031-23095-0_1.
- Mezei, Kitti, and Anikó Träger. 2025. “Risks and Resilience in the European Union’s Regulation of Online Platforms and Artificial Intelligence: Hungary in Digital Europe.” *European Union and Its Neighbours in a Globalized World* 16:143 – 158. doi:10.1007/978-3-031-70451-2_9.
- Moustapha, Ahmad. 2025. “The Challenges of Digital Platforms’ Algorithms and Their Impact on the Freedom of Expression – A Normative Assessment of the Digital Services Act.” *Erasmus Law Review* 18(1). doi:10.5553/ELR.000291.
- Mutua, Sylvia Ndanu, and Zhang Yanqiu. 2020. “Regulating Online Content in East Africa: Potential Challenges and Possible Solutions.” *Journal of African Media Studies* 12(3):319 – 334. doi:10.1386/jams_00027_1.

- Omezi, Natasha, Stefan Kendzierskyj, and Hamid Jahankhani. 2022. *The Forensic Investigation of Misinformation on Social Media*.
- Papadopoulou, Olga, Evangelia Kartsounidou, and Symeon Papadopoulos. 2022. "COVID-Related Misinformation Migration to BitChute and Odysee." *Future Internet* 14(12). doi:10.3390/fi14120350.
- Pokrovskaia, Nadezhda N. 2022. "Digital Regulation of Online Communication: Privacy and Oblivion versus Publicity and Trust." Pp. 74–78 in *Proceedings of the 2022 Communication Strategies in Digital Society Seminar 2022, ComSDS 2022*.
- Popiel, Pawel, and Yoonmo Sang. 2021. "Platforms' Governance: Analyzing Digital Platforms' Policy Preferences." *Global Perspectives* 2(1). doi:10.1525/gp.2021.19094.
- Riemer, Kai, and Sandra Peter. 2021. "Algorithmic Audiencing: Why We Need to Rethink Free Speech on Social Media." *Journal of Information Technology* 36(4):409 – 426. doi:10.1177/02683962211013358.
- Rovinskaya, T. L. 2022. "FREEDOM OF SPEECH AMID THE DIGITAL DICTATORSHIP OF IT CORPORATIONS; [СВОБОДА СЛОВА В УСЛОВИЯХ ЦИФРОВОЙ ДИКТАТУРЫ ИТ-КОРПОРАЦИЙ]." *Polis. Political Studies* (2):22 – 36. doi:10.17976/jpps/2022.02.03.
- Santos, Augusto, Regina Cazzamatta, and Carlo José Napolitano. 2025. "Holding Platforms Accountable in the Fight against Misinformation: A Cross-National Analysis of State-Established Content Moderation Regulations." *International Communication Gazette* 87(8):729 – 750. doi:10.1177/17480485251348550.
- Shankar, Ravi, and Tabrez Ahmad. 2021. "Information Technology Laws: Mapping the Evolution and Impact of Social Media Regulation in India." *DESIDOC Journal of Library and Information Technology* 41(4):295 – 301. doi:10.14429/DJLIT.41.4.16966.
- Singhal, Mohit, Chen Ling, Pujan Paudel, Poojitha Thota, Nihal Kumarswamy, Gianluca Stringhini, and Shirin Nilizadeh. 2023. "SoK: Content Moderation in Social Media, from Guidelines to Enforcement, and Research to Practice." Pp. 868 – 895 in *Proceedings - 8th IEEE European Symposium on Security and Privacy, Euro S and P 2023*.
- Smart, Sebastian, and Alberto Coddou McManus. 2022. "Closing the Gap between UNGPs and Content Regulation/Moderation Practices; [Fechando a Lacuna Entre o UNGPS e as Práticas de Regulação/Moderação de Conteúdo]." *Brazilian Journal of International Law* 19(2):269 – 293. doi:10.5102/RDI.V19I2.8380.
- Tičar, Bojan, and Andreja Primec. 2024. "Ethical Aspects of Minor Offenses Committed against Public Order on the Internet: Case Study of Slovenian Court Decisions." Pp. 219–33 in *Challenges for Digital Citizenship and Ethics: Social Media, Deep Fakes, and Virtual Communities*.
- Tsang, Stephanie Jean, and Lin Zhou. 2025. "Understanding Public Preference for Misinformation Interventions: Support for Digital Platform Monitoring, Media Literacy Education and Legislation." *Online Information Review* 49(4):791 – 807. doi:10.1108/OIR-07-2024-0454.
- Umadevi, K. S., Geraldine Bessie Amali, and Latha Subramanian. 2019. *Digital Forensics and Cyber Law Enforcement*.
- Warnke, Lina, Anna-Lena Maier, and Dirk Ulrich Gilbert. 2024. "Social Media Platforms' Responses to COVID-19-Related Mis- and Disinformation: The Insufficiency of Self-Governance." *Journal of Management and Governance* 28(4):1079 – 1115. doi:10.1007/s10997-023-09694-5.
- Wielsch, Dan. n.d. "Private Law Regulation of Digital Intermediaries." *European Review of Private Law* 27(2):197–220. doi:10.54648/erpl2019013.
- Wright, Michelle F. 2025. *Misinformation, Disinformation, and Fake News*.
- Zhu, Can. 2025. "The Role of AI in International Communication: Cross-Cultural Implications of Automated Translation and Content Curation." *Convergence*. doi:10.1177/13548565251403582.