FROM PRIVATE REGULATION TO PUBLIC IMPACT: RETHINKING PLATFORM GOVERNANCE THROUGH DIGITAL CONSTITUTIONALISM

OD SÚKROMNEJ REGULÁCIE K VEREJNÉMU VPLYVU: PREHODNOTENIE SPRÁVY PLATFORIEM CEZ PRIZMU DIGITÁLNEHO KONŠTITUCIONALIZMU

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ABSTRACT

This paper explores the growing regulatory role of very large online platforms (VLOPs) through the lens of digital constitutionalism. It argues that while these platforms operate under private legal frameworks, their governance functions—especially content moderation and algorithmic decision-making—closely resemble public regulatory authority. As platforms increasingly shape the terms of civic participation, public discourse, and access to information, a normative gap has emerged between the private character of their power and its public consequences. The study identifies three core questions: what motivates platform self-regulation, whether platforms exercise public-like functions, and whether digital constitutionalism provides a viable framework for constraining their power. Drawing primarily on a comprehensive literature review, the analysis confirms that platform self-regulation is strategically motivated, that platforms exercise quasi-public authority, and that digital constitutionalism offers a promising—though still evolving—response. The findings suggest that constitutional values such as transparency, due process, and the protection of fundamental rights must increasingly be applied to powerful private actors in the digital environment to uphold rule-of-law standards and democratic legitimacy.

ABSTRAKT

Tento článok skúma rastúcu regulačnú úlohu veľmi veľkých online platforiem (VLOPs) z pohľadu digitálneho konštitucionalizmu. Tvrdí, že hoci tieto platformy fungujú v rámci súkromných právnych režimov, ich riadiace funkcie – najmä moderovanie obsahu a algoritmické rozhodovanie – sa svojou povahou čoraz viac približujú výkonu verejnej regulačnej moci. Keďže platformy čoraz výraznejšie formujú podmienky občianskej participácie, verejného diskurzu a prístupu k informáciám, vzniká normatívna medzera medzi súkromným charakterom ich moci a verejnými dôsledkami, ktoré vyvolávajú. Štúdia identifikuje tri kľúčové otázky: čo motivuje samoreguláciu platforiem, či platformy vykonávajú funkcie podobné verejnej moci a či digitálny konštitucionalizmus poskytuje životaschopný rámec na obmedzenie ich moci. Analýza, založená predovšetkým na komplexnom prehľade odbornej literatúry, potvrdzuje, že samoregulácia platforiem je strategicky motivovaná, že platformy

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vykonávajú kvázi verejnú autoritu a že digitálny konštitucionalizmus predstavuje sľubnú – hoci stále sa rozvíjajúcu – odpoveď. Zistenia naznačujú, že ústavné hodnoty, ako sú transparentnosť, riadny proces a ochrana základných práv, musia byť čoraz viac uplatňované aj voči mocným súkromným subjektom v digitálnom prostredí, aby sa zachovali štandardy právneho štátu a demokratická legitimita.

I. INTRODUCTION

In recent years, digital platforms have emerged as powerful gatekeepers of public discourse, social participation, and access to information. Services such as Facebook, YouTube, and TikTok are no longer merely intermediaries between users, but key actors in shaping the communicative architecture of democratic societies. These platforms define the rules of acceptable speech, regulate the visibility of content, and increasingly rely on algorithmic systems to enforce their standards. As a result, their decisions can profoundly affect individuals' rights—especially freedom of expression—without being subject to the same legal and procedural safeguards that constrain state action.

This evolution challenges the traditional liberal-democratic assumption that the protection of fundamental rights is primarily a matter of constraining public power. While public law has historically focused on preventing state overreach, today much of the coercive, normative, and organizational authority that affects fundamental rights is exercised by private actors. The governance models of large digital platforms embody this shift: they engage in unilateral rulemaking through community guidelines, adjudicate disputes internally without external oversight, and enforce their rules through opaque and often automated procedures. Despite operating within a framework of private law—most notably through general terms and conditions—platforms exert a form of authority that is public in function and effect.

This conceptual tension has drawn considerable scholarly attention, most notably through the framework of digital constitutionalism, a theoretical and normative project aimed at reinterpreting constitutional principles for the digital age. Its core premise is that certain private actors—particularly very large online platforms (VLOPs)—have attained such structural significance that their governance practices should be subject to procedural and transparency requirements traditionally reserved for public authorities.[4] While constitutional norms do not provide an exhaustive list of procedural obligations, the rule of law implies principles such as predictability, legality, due exercise of rights, and timely decision-making, while the principle of democracy entails democratic legitimacy, majority decision-making, and transparency.[5] Historically, these procedural safeguards emerged to protect the rights and legitimate interests of individuals in their interactions with public institutions.[6] Digital constitutionalism extends this rationale to the governance of digital platforms, obliging them not only to refrain from unjustified interferences but also to actively implement measures that protect users' rights. In doing so, it seeks to close the widening gap between the vast regulatory power these platforms exercise and the limited legal frameworks currently available to constrain them, embedding constitutional values directly into private digital governance structures.[7]

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4 CELESTE, E. : Digital constitutionalism: a new systematic theorization. In: *International Review of Law, Computers and Technology*, 2023, Vol. 33., I. 1. pp. 76-99. https://doi.org/10.1080/13600869.2019.1562604.

5 PATYI, A.: Issues of fundamental procedural rights and procedural constitutionality in the Fundamental Law. In: *Institutiones Administrationis Journal of Administrative Sciences*, 2022, Vol. 2., No. 1, pp. 6-23. https://doi.org/10.54201/iajas.v2i1.27.

6 VÁCZI, P. : Fair and effective public administration. In: *Institutiones Administrationis Journal of Administrative Sciences*, 2022, Vol. 2., No. 1, pp. 161-170. https://doi.org/10.2139/ssrn.4217563.

7 AYTAC, U. : Digital Domination: Social Media and Contestatory Democracy. In: *Political Studies*, 2024, Vol. 72, I. 1., pp. 6-25. https://doi.org/10.1177/00323217221096564.

The academic and regulatory relevance of this topic is further underscored by contemporary developments such as the European Union's Digital Services Act (DSA), which introduces horizontal obligations for platforms to improve transparency, accountability, and user rights protection. At the same time, however, many platform practices remain self-regulatory in nature, driven by business interests, risk management strategies, and the desire to preserve autonomy in the face of increasing public scrutiny. As such, self-regulation occupies a complex and often ambiguous role in the digital governance landscape: it promises flexibility and scalability but may also lack legal clarity, democratic legitimacy, and enforceable guarantees.

This paper aims to contribute to this ongoing discourse by offering a comprehensive literature-based overview of platform self-regulation and the emerging paradigm of digital constitutionalism. Rather than conducting empirical research, the primary objective is to synthesize and critically engage with the existing academic and regulatory literature in order to clarify conceptual foundations, identify key normative tensions, and explore possible future directions for legal development.

The central research questions guiding this study are as follows:

- What motivates platforms to adopt self-regulatory governance, and how do these motivations relate to legal and economic theories of private regulation?
- In what ways do platform content moderation practices resemble public regulatory functions, and what are the legal consequences of this resemblance?
- Can digital constitutionalism provide a viable normative framework for constraining platform power and ensuring accountability in the absence of direct state oversight?

To address these questions, the paper formulates three hypotheses:

1. Platform self-regulation is primarily motivated by strategic considerations aimed at pre-empting public regulation reducing legal exposure.
2. The regulatory functions exercised by platforms qualify as quasi-public in nature and thus necessitate the application of public law principles, despite being grounded in private law instruments.
3. Digital constitutionalism can offer a conceptual and normative foundation for rethinking platform accountability, but only if its principles are embedded into enforceable legal and institutional mechanisms.

The methodology employed in this study is primarily based on qualitative doctrinal analysis and interdisciplinary literature review. The paper draws on a broad corpus of academic writings in constitutional law, legal theory, platform governance, and digital rights, as well as selected regulatory documents, case law, and public policy reports. This approach allows for the identification of recurring patterns, normative tensions, and conceptual innovations in the literature. While empirical references and illustrative examples are occasionally used—for instance, to demonstrate the operation of algorithmic content moderation or the practical effects of community guideline enforcement—the overall goal is not to conduct an empirical case study, but to map the evolving academic discourse and to clarify its implications for legal and institutional design.

By situating platform self-regulation within the broader theoretical context of digital constitutionalism, this paper aims to contribute to a more principled understanding of how law should respond to the privatization of regulatory authority in the digital age. The normative ambition is not only to describe existing practices, but to critically assess whether they meet the standards of legitimacy, fairness, and accountability expected in a democratic constitutional order.

II. SELF-REGULATION IN THE SHADOW OF PUBLIC LAW: MOTIVATIONS AND CONSEQUENCES

One of defining characteristics of platform governance is a reliance on self-regulation—an approach situated between formal state control and unregulated market freedom. In this hybrid model, platforms - either individually, collaboratively with industry peers, or in coordination with public authorities - develop and enforce the rules that shape user behavior and online discourse. Understanding the motivations behind this model is therefore essential, as it reveals both the strategic calculations underlying platform conduct and the broader structural and institutional logics that drive private regulatory governance in the digital environment. The following analysis explores these drivers and theoretical frameworks to clarify why self-regulation has become the dominant mode of rule-setting in the platform economy.

Social media platforms often frame their self-regulatory practices as pragmatic responses to the complex and rapidly evolving digital environment. According to Beaumier and Newman these practices are commonly justified through three main rationales: preserving institutional autonomy, enhancing operational efficiency, and strengthening market position. However, these justifications are not merely ad hoc; they are underpinned by deeper theoretical logics that illuminate why private regulatory governance has become so prevalent—and so powerful—in the platform economy.

One of the primary incentives for platforms to adopt self-regulatory mechanisms is the anticipation of formal state intervention. When political actors begin discussing regulatory reforms, or when public scrutiny intensifies—especially in the wake of crises such as data breaches, disinformation campaigns, or harmful content proliferation—platforms may strategically introduce internal rules, codes of conduct, or ethical guidelines to stave off more intrusive government regulation. This anticipatory behavior allows platforms to control not only the content of governance (i.e., which values are protected and how) but also its timing and enforcement. By being “first movers” in the regulatory domain, platforms can influence or even co-opt public debate, presenting themselves as responsible actors already addressing the issues at hand. This strategy - often referred to as operating in the “shadow of hierarchy” - does not necessarily indicate a commitment to fundamental rights or democratic values; rather, it reflects a pragmatic effort to protect institutional autonomy and limit legal constraints.

A second rationale for self-regulation emphasizes functionality. In the absence of comprehensive public regulation, platforms may engage in self-regulation to resolve coordination problems, reduce legal and reputational risks, and enhance operational efficiency. From this perspective, self-regulation serves a quasi-infrastructural function: it allows platforms to standardize practices across a global user base, create predictable expectations for advertisers, and minimize public controversies that could trigger costly litigation or reputational damage. These privately set standards also act as club goods, signaling legitimacy to external stakeholders, attracting risk-averse investors, and facilitating smoother collaboration with governmental and civil society actors. Moreover, by shaping soft norms, platforms can forestall inconsistent regulatory responses from different jurisdictions and maintain a unified governance approach across borders, preserving the integrity of their global service models. Also, they are able to limit adaptation costs by not having to conform to multiple standards at once or to change their production standards in the future, if more businesses adopt the same standards.

The third rationale is rooted in the economic logic of two-sided markets, where platforms act as intermediaries between distinct user groups—typically, consumers on one side and advertisers, developers, or sellers on the other. In this setting, self-regulation is not merely a defensive or normative exercise; it becomes a strategic instrument for shaping market dependencies. Platforms can use their control over rules and technical infrastructure to create environments that are more attractive to advertisers (e.g., safer, more predictable, or more

aligned with brand values), even at the cost of limiting user autonomy. Importantly, this governance is embedded into the architecture of the platform itself, through algorithmic ranking, content prioritization, or the design of reporting systems.

Apple's 2021 implementation of the App Tracking Transparency (ATT) feature on iOS devices significantly limited third-party tracking and data collection, enhancing privacy protections for over a billion users. While framed as a user-centric privacy measure, the policy simultaneously reshaped the advertising ecosystem in Apple's favor by restricting competitors' data access, contributing to billions in lost revenue for rival platforms like Meta, Snapchat, and Pinterest, and illustrating how dominant actors can leverage self-regulatory design choices to consolidate market power and disadvantage competing services.

Taken together, these three rationales demonstrate that the self-regulatory practices of social media platforms are rarely altruistic or purely normative. Rather, they emerge at the intersection of public pressure, economic logic, and strategic market positioning—often blurring the boundaries between public interest and private power.[8]

According to Grabs, Auld and Cashore Private regulatory governance can been explained through distinct theoretical logics, each offering different insights into why such systems emerge and how they function. In the following we would like to highlight these:

The calculated strategic behavior perspective, grounded primarily in economics and management theory, views private regulatory governance as the product of rational, utility-maximizing behavior by firms. Companies adopt self-regulatory mechanisms or industry standards strategically to secure market advantages, preempt public regulation, or build reputational capital. Regulation here is instrumental: a means to manage legal risk, shape consumer trust, or respond to activist pressure. The public-private divide is conceptualized as largely functional. The state is seen either as a background actor or a potential threat to firm autonomy, prompting private regulation as a shield against stricter public oversight. In the context of social media platforms, such strategies include the adoption of content moderation policies or transparency reports aimed at avoiding legislative intervention or reputational damage.

The idea of the learning and experimentalist governance, emerging from economics, legal pragmatism, and democratic theory, emphasizes the iterative, adaptive nature of governance. Regulation is not a one-off imposition but a continuous process of learning, monitoring, and revision. Private actors—especially those with complex operational environments like platforms—engage in experimentalist governance to address novel problems more quickly than bureaucratic states can. From this perspective, private and public regulation are not in opposition but are part of a polycentric governance system, where diverse actors collaboratively generate and refine norms. In the platform economy, this can be seen in ongoing adaptations to community guidelines, transparency regimes, and co-regulatory initiatives with public authorities or civil society.

The political institutionalism theory rooted in political science, focuses on how private governance structures are embedded within and shaped by existing political institutions. Rather than arising ex nihilo, private regulation reflects institutional legacies, power relations, and governance logics internal to specific state formations. Private regulation is therefore neither fully autonomous nor universally substitutive—it co-evolves with public authority. In platform governance, this can be seen in how content moderation practices are influenced by national legal traditions (e.g. data protection law in the EU, or First Amendment constraints in the U.S.) and the extent to which states provide or restrict regulatory space. Platforms may adopt different

[8] BEAUMIER, G. – NEWMAN, A.: When Serving the Public Interest Generates Private Gains: Private Actor Governance and Two-Sided Digital Markets. In: *Perspectives on Politics*. 2024, Vol. 23, I. 3. https://doi.org/10.1017/S15375 92724001099.

regulatory postures in different jurisdictions depending on the institutional incentives and pressures they face.

The global value chain and convention theory, emerging from economic sociology and global production network studies, sees private regulatory governance as a function of structural market power and coordination across transnational economic chains. Lead firms—such as digital platforms—set de facto standards for compliance, content acceptability, and commercial practices, thereby shaping the conduct of other actors in the ecosystem. Regulation in this context is performative: it organizes how actors relate to each other within a value chain. The state is often sidelined, intervening only intermittently or reactively. Public and private regulation are thus not dichotomous but exist in a dynamic of displacement and rearticulation. In the digital context, major platforms impose rules not only on users but also on advertisers, developers, and content creators, often without direct public oversight. Their regulatory reach rivals or exceeds that of public law, particularly in areas like speech governance or online labor.

The neo-gramscian and critical views, drawing from critical theory, are focusing on structural and diachronic elements, this approach interrogates the ideological and material foundations of private regulatory governance. Rather than seeing it as filling gaps left by the state, it views private regulation as embedded within broader structures of capitalism. Legal frameworks—especially those concerning property, contracts, and intellectual rights—constitute the very possibility of private governance, which is exercised in ways that reinforce corporate hegemony and social inequalities. Public regulation is not absent, but complicit, as it legitimizes private authority while masking its coercive dimensions. In the case of platform governance, this view highlights how content moderation, data extraction, and algorithmic control serve the interests of dominant firms under the guise of neutrality or community norms. The rule of law, under this paradigm, is often subordinated to market logics unless actively reclaimed through democratic contestation.

Taken together, these five approaches offer a nuanced, interdisciplinary understanding of private regulatory governance. Rather than treating public and private regulation as mutually exclusive spheres, they emphasize their interdependence, co-evolution, and contestation. In the context of social media platforms, this suggests that content moderation and platform rules cannot be viewed as isolated corporate practices but as part of complex, overlapping regulatory regimes that blur traditional distinctions between state and market, law and code, public power and private authority.[9] Recognizing this hybridity is essential for any meaningful inquiry into the legitimacy, accountability, and legal limits of private governance in the digital sphere.

According to Newman and Bach there are two distinct models of self-regulation that are particularly relevant to understanding its application in digital contexts. The legalistic model, typified by the United States, arises in environments where the public sector lacks strong central regulatory authority. In such settings, firms are motivated to adopt self-regulatory measures as a preemptive strategy, aiming to reduce exposure to litigation or fragmented regulatory pressures. Conversely, the coordinated model, more characteristic of the European Union, features stronger public-private cooperation, wherein the state plays a facilitating and incentivizing role, often supporting industry-led initiatives through funding, soft law instruments, or formal recognition.

These arrangements offer tangible advantages in fast-moving sectors like the digital economy, where state regulation may lag behind technological innovation. Self-regulation can enhance flexibility, reduce compliance burdens, and facilitate innovation. Yet its legitimacy remains deeply contested. Critics argue that self-regulation often serves symbolic purposes, as it only deflects public scrutiny without delivering meaningful accountability. More seriously, it

[9] GRABS, J. – AULD, G.–CASHORE, B.: Private regulation, public policy, and the perils of adverse ontological selection. In: *Regulation & Governance*, 2023, Vol. 15., I. 4., pp. 1183-1208. https://doi.org/10.1111/rego.12354.

may enable industry capture: when dominant actors co-opt regulatory processes to entrench their own interests, marginalize competitors, and resist external oversight.[10] Without transparency, independent enforcement, and procedural safeguards, self-regulation may reinforce power asymmetries and generate outcomes that diverge from the public interest.[11]

Self-regulation presents clear advantages in highly dynamic sectors such as digital platforms, where the pace of technological development often outstrips the state's regulatory capacity. By allowing for greater flexibility, speed, and adaptability, it can reduce compliance burdens and foster innovation.[12] However, the effectiveness and legitimacy of self-regulation are far from guaranteed. One major critique is that it may serve a primarily symbolic function, used by dominant firms to enhance public legitimacy while avoiding substantive accountability. A further concern is the risk of industry capture, whereby the regulatory process is effectively controlled by the very actors it is meant to constrain, leading to rules that primarily reflect industry interests. In the absence of robust monitoring, enforcement mechanisms, and external oversight, self-regulation may exacerbate power asymmetries and produce outcomes misaligned with the public interest.

In the context of social media platforms—such as Facebook, YouTube, and TikTok—self-regulation takes the form of internal content governance mechanisms, including terms of service, community guidelines, and algorithmic moderation practices. These instruments not only delineate acceptable behavior but also determine the visibility and reach of speech online, effectively regulating the digital public sphere. While platforms present these mechanisms as evidence of responsible governance, they often operate without meaningful transparency, external review, or procedural safeguards. This raises concerns about quasi-public power being exercised by private entities through opaque and unaccountable procedures.[13]

III. MODERATION PROCEDURES AND DECISIONS OF THE PLATFORMS

In this section, we will examine the content moderation procedures of online platforms, and the remedies against their decisions.

The primary regulatory instruments of social media platforms – as already mentioned - are their community guidelines. (We examined Facebook's, TikToks and Youtube's community guidelines for this section.) These general terms and conditions define the contractual relationship between the platform and the user under private law.[14] Although unilaterally determined by platforms and required for access, their impact often extends beyond a typical private contract. They form the basis for decisions - such as content removal or account suspension - that directly affect fundamental rights, especially freedom of expression and equal treatment.[15]

This dual character illustrates the broader challenge of internet governance, which operates through a mix of self-regulation, corporate policy, national and international legal norms. Platforms' rules function within this hybrid framework, that blurs the conventional distinction

[10] NEWMAN, A.L. – BACH, D.: Self-regulatory trajectories in the shadow of public power: Resolving digital dilemmas in Europe and the United States. In: *Governance*, Vol. 17., I. 3., 2004, pp. 387-413. https://doi.org/10.1111/j.0952-1895.2004.00251.x.

[11] LAPSÁNSZKY, A.: A médiaigazgatás eljárásrendje, szankciórendszer, társszabályozás. In: KOLTAY, ANDRÁS (ed.): *Magyar és európai médiajog.* Budapest: Wolters Kluwer, 2025. pp. 371.392.

[12] BENYUSZ, M.–HULKÓ, G.: Regulation of social media's public law liability in the Visegrad States. In: *Institutiones Administrationis Journal of Administrative Sciences*, 2023, Vol. 1., No. 1, pp. 6-16. https://doi.org/10.54201/iajas.v1i1.3.

[13] NEWMAN, A.L.–BACH, D.: Self-regulatory trajectories in the shadow of public power: Resolving digital dilemmas in Europe and the United States. In: *Governance*, Vol. 17., I. 3., 2004, pp. 387-413. https://doi.org/10.1111/j.0952-1895.2004.00251.x.

[14] BALOGH, V.: Digitalization and consumer protection enforcement. In: *Institutiones Administrationis Journal of Administrative Sciences*, 2022, Vol. 2., No. 1, pp. 85-99.

[15] SUZOR, N.: A constitutional moment: How we might reimagine platform governance. In: Computer Law and Security Review, 2020, Vol. 36., Article No. 105381, pp. 1-4. https://doi.org/10.1016/j.clsr.2019.105381.

between public and private authority, lacking the force of state law yet profoundly influencing users' rights and obligations.[16]

Content moderation serves both a gatekeeping and an organizing function: it determines what content is permissible and how it is ranked or promoted.[17] It is a socio-technical process involving both human and automated actors, shaped by legal norms, corporate interests, and user agency, through which platforms decide and filter what is appropriate according to policies, legal requirements and cultural norms.[18]

Moderation typically begins with automated detection systems, offering speed and scale but limited contextual sensitivity. These opaque "black box" algorithms often lack transparency, and their decisions are difficult to externally review.[19] User reporting complements automation, enabling contextual assessment, though it may be biased by personal or political views. Final decisions may rest with AI or human moderators, whose capacity, workload, and training influence outcomes. Independent fact-checkers may also contribute, but their role is advisory, and their assessments are often too slow to prevent viral spread. Courts and public authorities provide legal oversight but are comparatively slow and limited in scope. While state processes ensure strong procedural safeguards, platform processes offer efficiency, often at the cost of legal guarantees.

These mechanisms rarely operate in isolation. In practice, the above moderation tools do not operate in isolation but rather in combination. The procedures themselves may be initiated - using classical administrative law terminology - ex officio (by algorithms or moderators) or upon request (i.e., based on user reports). Ultimately, decisions are made either by algorithms or by humans. In the latter case, the decision-makers may be the platform's own internal moderators or external partners. Remedies against these decisions include recourse to the platform's internal complaint-handling system as well as to external bodies (state authorities, courts, dispute resolution bodies).

The guidelines of the three platforms examined cover similar sensitive content areas, yet differ in emphasis and interpretation. This can lead to inconsistent enforcement across platforms, undermining legal certainty. Platforms often err on the side of over-removal to reduce liability, especially in legally ambiguous contexts.[20]

But what about remedies against platform decisions? First, it is important to clarify that platforms often use the terms "complaint" and "complaints process" not to refer to an appeal of a decision affecting the user, but rather to the process by which a user reports content they believe to be unlawful, and which the platform then reviews. Notably, these complaints are often handled by algorithms rather than by a human reviewer (basically using the aforementioned content moderation methods). The complaints process is thus essentially a user-initiated procedure against another user's content, not an appeal of a decision concerning the user themselves.

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16 KETTEMANN, M. C.: *The normative order of the internet: A theory of rule and regulation online*. Oxford: Oxford University Press, 2020. https://doi.org/10.1093/oso/9780198865995.003.0006.

17 SANDER, B.: Democratic Disruption in the Age of Social Media: Between Marketized and Structural Conceptions of Human Rights Law. In: *European Journal of International Law*, 2021, Vol. 32, I. 1, pp. 159-193. https://doi.org/10.1093/ejil/chab022.

18 ZENG, J.–KAYE, D. B.: From content moderation to visibility moderation: A case study of platform governance on TikTok. In: *Policy and Internet*, 2022, Vol. 14., I. 1, pp. 79-95. https://doi.org/10.1002/poi3.287.

19 SÍTHIGH, D. M.: The mass age of internet law. In: *Information and Communications Technology Law*, 2008, Vol. 17, I. 2, pp. 79-94. https://doi.org/10.1080/13600830802204187.

20 FISCHMAN A.O.: Regulating online content moderation: Taking stock and moving ahead with procedural justice and due process rights. In: JENS SCHOVSBO (eds.): *The Exploitation of Intellectual Property Rights - In Search of the Right Balance.* ATRIP Intellectual Property series, Edward Elgar Publishing, 2023. pp. 5-27. https://doi.org/10.4337/9781035311460.00006.

Turning to procedures that genuinely qualify as redress, we can distinguish between the internal and external remedies available to users. Internal remedies are referred to by various names across different platforms (e.g., "appeal," "internal review," etc.), but their essence is the same, i.e. they allow users to challenge decisions that directly affect them, such as account suspensions, content removals, or demonetization. Also, these are processes in which the platform itself reviews its own previous decision at the user's request. From the perspective of the right to due process, the internal appeal mechanisms of the platforms cannot be considered genuine remedies, as they are not conducted by a body independent of the platform, such as a court.[21]

Similarly reactive, but externally administered, are the official state-based redress mechanisms—appeals to courts or administrative authorities—which provide a higher level of procedural guarantees. Also falling under external remedies are procedures administered by independent dispute resolution bodies, which can offer oversight of platform decisions without being directly tied to the platform.

Ultimately, there is a structural tension between the decentralized, algorithmically-driven logic of platform moderation and the slow but legally robust mechanisms of state oversight. The central challenge lies in ensuring that efficiency does not come at the expense of procedural fairness and rights protection.

IV. PRIVATE POWER, PUBLIC FUNCTIONS: RETHINKING LEGAL ACCOUNTABILITY IN PLATFORM GOVERNANCE

4.1 Platforms as Quasi-Public Authorities: The Blurring of Public and Private Power

Based on what we gathered so far on platform governance, self-regulation and content moderation so far, in this section, we explore how the distinction between public and private power has become increasingly blurred in recent years, particularly in the context of digital platforms.

Max Weber famously defined power as "the probability that one actor within a social relationship will be in a position to carry out his own will despite resistance, regardless of the basis on which this probability rests".[22] Traditionally, power has been classified into two basic categories: public and private. Private power arises in interpersonal contexts—for instance, between a parent and child or a teacher and student—while public power is closely linked to the state, which is regarded as the supreme authority capable of enforcing its will through institutionalized coercion over all other actors within its territory. In this classical conception, public power is legitimate force used to serve both collective and individual interests.[23]

However, public authority as an impersonal, institutional force is a relatively recent historical development. In earlier political orders, the state itself was often indistinguishable from the private will of the sovereign. The well-known dictum attributed to Louis XIV, "L'état, c'est moi,"—though likely apocryphal—captures the essence of this period, when power rested with the monarch personally rather than with a neutral state apparatus. Even then, rulers were often constrained by parallel political structures and power centers. Beginning in the fifteenth century, the idea of public power gradually shifted from personal rule and the will of individual leaders to a system of impersonal authority exercised through state organs. In modern democracies, public power is meant to be distinct from private interests and is exercised through transparent and accountable institutions. Nevertheless, large private actors such as multinational

[21] SAPUTRA, R.– ZAID M.– EMOVWODO, S. O.: The Court Online Content Moderation: A Constitutional Framework. In: *Journal of Human Rights, Culture and Legal System*, 2022, Vol. 2, I. 3, pp. 139-148. https://doi.org/10.53955/jhcls.v2i3.54.

[22] WEBER, M.: *Gazdaság és társadalom. A megértő szociológia alapvonalai*. Budapest, Közgazdasági és Jogi Könyvkiadó, 1987.

[23] PETTIT, P.: *On the People's Terms*. Cambridge University Press, 2012. https://doi.org/10.1017/cbo9781139017428.

corporations have continued to wield significant influence—formally distinct from public power, yet indirectly shaping political and social life.[24]

Given that history has known periods in which public authority was not separated from private dominance, it is worth asking whether, in our contemporary context, a non-state actor—such as a social media platform—might exercise a comparable form of public power. In today's digitized world, the classical dichotomy between public and private is becoming untenable. Certain forms of private power increasingly perform public functions and directly affect core domains of social and political agency. As a result, contemporary theorists argue that the classification of power should not be based solely on its source (state or private), but on its effects—specifically, the kinds of choices it limits and the societal roles it shapes.[25]

Social media platforms like Facebook, TikTok, and YouTube now exert considerable influence over who can speak, what can be said, and how content is prioritized or suppressed. These platforms regulate access to the digital public sphere through private legal instruments, such as community guidelines, which from a private law perspective are considered general terms and conditions, and algorithmic curation. Although these instruments are unilaterally determined by the platform and acceptance is required for access to the service, their impact extends far beyond a typical private contract. These rules can lead to content removal, account suspension, or visibility restrictions—measures that significantly affect users' fundamental rights, including freedom of expression and equal treatment.

Platforms thus enjoy broad discretion to define acceptable behavior, based not only on legal compliance but also on commercial interests, business models, and reputational considerations.[26] This practice fits within what regulatory theory terms "self-regulation": a hybrid form of governance that exists between formal state regulation and market freedom. Self-regulatory frameworks are developed by social media platforms to govern their own behavior or the behavior of those who use their services and, increasingly, to shape public discourse.[27] In this light, platform rules take on a quasi-public character—they are not merely private arrangements, but powerful governance mechanisms whose societal reach rivals that of public law.[28]

This functional sovereignty, exercised through algorithmic tools and internal policies, brings with it significant normative concerns. While offering speed and scalability, platform governance often lacks transparency, legal clarity, procedural fairness, and effective remedies. Users are frequently subjected to opaque decisions with limited avenues for contesting them. In some instances, self-regulation even enables industry capture, allowing dominant actors to entrench their influence while escaping democratic scrutiny.

In response to this accountability gap, legal scholars have advanced the framework of digital constitutionalism, which aims to extend core constitutional principles—such as transparency, fundamental rights protection, and procedural accountability—to powerful private actors whose decisions have public consequences. Platforms that define rules, resolve disputes, and mediate participation in public discourse are effectively assuming quasi-legislative and adjudicative functions. In the absence of democratic legitimacy or institutional oversight, this transfer of

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[24] TEMESI, I.: Közigazgatás és közhatalom. In: JAKAB, ANDRÁS (et. al.) (Eds.): *Internetes Jogtudományi Enciklopédia*. 2022. http://ijoten.hu/szocikk/kozigazgatas-es-kozhatalom.

[25] AYTAC, U.: Digital Domination: Social Media and Contestatory Democracy. In: *Political Studies*, 2024, Vol. 72, I. 1., pp. 6-25. https://doi.org/10.1177/00323217221096564.

[26] SUZOR, N.: A constitutional moment: How we might reimagine platform governance. In: Computer Law and Security Review, 2020, Vol. 36., Article No. 105381, pp. 1-4. https://doi.org/10.1016/j.clsr.2019.105381.

[27] NEWMAN, A. L. – BACH, D.: Self-regulatory trajectories in the shadow of public power: Resolving digital dilemmas in Europe and the United States. In: *Governance*, Vol. 17., I. 3., 2004, pp. 387-413. https://doi.org/10.1111/j.0952-1895.2004.00251.x.

[28] KETTEMANN, M. C.: *The normative order of the internet: A theory of rule and regulation online*. Oxford: Oxford University Press, 2020. https://doi.org/10.1093/oso/9780198865995.003.0006.

authority raises serious concerns about the erosion of individual autonomy, the distortion of public debate, and the weakening of legal certainty.[29]

In conclusion, platforms are increasingly performing regulatory functions once reserved for the state, thereby blurring the boundaries between private enterprise and public authority. This development has led to the rise of quasi-public domination—a form of private power that governs public domains without being subjected to public accountability. As platforms influence political participation and shape the architecture of public communication, they operate as de facto public authorities or functional sovereigns. For this reason, their governance practices must be assessed not only through the lens of private law, but also against the normative standards traditionally applied to public power under the rule of law.

4.2. Digital Constitutionalism: Towards a Normative Framework for Platform Accountability

While platforms often defend self-regulation as a pragmatic response to the demands of complexity, speed, and global scalability, the implications of these practices extend far beyond operational efficiency. The content moderation systems, community guidelines, and algorithmic tools employed by social media platforms govern not only private interactions but also shape the architecture of public discourse. In doing so, they expose a growing normative gap between the private power platforms wield and the legal frameworks available to constrain it. As a result, legal scholars increasingly argue that core rule of law principles—such as transparency, public justification, proportionality, and access to effective remedies—should be extended to private actors when their decisions significantly affect fundamental rights. From this perspective, the legitimacy of platform governance is no longer determined solely by contractual compliance, but by its alignment with broader constitutional and ethical standards.

This development has given rise to theoretical frameworks that seek to conceptualize the unique nature of platform power. A growing body of literature suggests that the digital environment fosters new forms of "functional sovereignty" or "quasi-public domination," where private actors exercise powers traditionally associated with the state, yet without being subject to equivalent public obligations. These analyses question whether constitutional principles—historically developed to restrain public authority—should now be applied horizontally to regulate powerful non-state actors whose decisions bear public consequences.

Traditionally, the rule of law has functioned as a safeguard against arbitrary public authority, requiring that state power be exercised through general, predictable, and non-discriminatory norms. Yet in today's globalized and digital context, private actors—particularly large technology platforms—can wield similarly far-reaching power over individuals' rights and freedoms. Platforms such as Facebook, TikTok, and YouTube increasingly engage in unilateral rule-making, content moderation, and enforcement decisions that resemble the actions of public regulators, but without being subject to equivalent constitutional constraints. Their governance structures are typically grounded in private legal instruments—most notably terms of service—which nonetheless regulate essential domains of social, economic, and political participation. These decisions are often rendered through opaque algorithmic processes, internal codes of conduct, and AI-driven moderation systems that operate as "black boxes," concealing the rationale behind platform actions and frustrating users' efforts to understand, contest, or appeal them. The lack of transparency and procedural safeguards entrenches structural power asymmetries and undermines accountability.

This transformation reveals a deeper paradox within the modern rule of law: while it aspires to restrain arbitrary authority, the very legal constructs that legitimize corporate autonomy—

[29] AYTAC, U.: Digital Domination: Social Media and Contestatory Democracy. In: *Political Studies*, 2024, Vol. 72, I. 1., pp. 6-25. https://doi.org/10.1177/00323217221096564.

such as property rights and contractual freedom—can also shield powerful private actors from democratic oversight. In this sense, legality does not necessarily equate to legitimacy or justice; rather, it may serve to entrench private domination under the guise of legal formality. As platforms assume quasi-public roles without corresponding public obligations, a normative gap emerges between their societal influence and the legal mechanisms available to constrain it—prompting legal scholars to explore new paradigms, such as digital constitutionalism, to recalibrate the relationship between private governance and fundamental rights.[30]

In response to this growing legitimacy gap, legal scholars have increasingly turned to the framework of *digital constitutionalism*—a normative project aimed at extending core constitutional principles to the governance structures of digital platforms. As Celeste explains, digital constitutionalism aspires to protect fundamental rights and rebalance power in the digital environment by embedding transparency, due process, and enforceable safeguards into platform regulation. It represents "an ideology that aims to establish and guarantee the existence of a normative framework for the protection of fundamental rights and the balancing of powers in the digital environment".[31] Similarly, De Gregorio argues that as platforms exercise state-like regulatory powers over speech, data, and user interactions—without corresponding democratic legitimacy—constitutional limits must be imposed to protect individuals and preserve the integrity of the public sphere.[32]

This call for constitutional oversight arises from the recognition that private regulatory governance poses serious rule of law concerns. Platforms unilaterally create and enforce rules that shape users' access to information, participation in public discourse, and even opportunities for social and political engagement. However, these terms of service are not subject to democratic negotiation and often allow for arbitrary, opaque, and non-reviewable decisions. As a result, key rule of law principles—such as legal clarity, non-arbitrariness, and the right to an effective remedy—are frequently absent from platform governance. From a constitutional perspective, the core danger lies in the privatization of functions traditionally carried out by the state, without the corresponding procedural guarantees that ensure transparency, justification, and accountability. Platforms now act as de facto governors of the digital public sphere, yet their authority remains largely unchecked, creating a structural legitimacy deficit.

Addressing this deficit is the central challenge of digital constitutionalism. While platforms may not need to replicate the full institutional machinery of constitutional democracies, their regulatory influence over key aspects of public life demands legal frameworks that reflect their quasi-public status. As Suzor underscores, voluntary commitments to ethics and transparency are not sufficient. To ensure that digital governance respects individual rights and adheres to principles of justice, platforms must be subject to enforceable procedural safeguards, institutional oversight, and substantive constitutional values. Embedding these principles into private regulatory systems is not merely aspirational—it is essential to restoring legitimacy, trust, and fairness in the digital environment.[33]

While this study primarily provides a theoretical and conceptual mapping of these governance dynamics, it is important to acknowledge that the European Union's (DSA) has already taken concrete steps toward addressing several of the deficits identified above. The DSA introduces harmonized transparency obligations, requires reasoned decision-making in

[30] KAMPOURAKIS, I.–TAEKEMA, S. – ARCURI, A.: Reappropriating the rule of law: between constituting and limiting private power. In: *Jurisprudence*, 2023, Vol. 14., No. 1., pp. 76-94. https://doi.org/10.1080/20403313.2022.2119016.

[31] CELESTE, E.: Digital constitutionalism: a new systematic theorization. In: *International Review of Law, Computers and Technology*, 2023, Vol. 33., I. 1. pp. 76-99. https://doi.org/10.1080/13600869.2019.1562604.

[32] DE GREGORIO, G.: The rise of digital constitutionalism in the European Union. In: *International Journal of Constitutional Law*, 2021, Vol. 19., No. 1., pp. 41-70. https://doi.org/10.1093/icon/moab001.

[33] SUZOR, N.: Digital Constitutionalism: Using the Rule of Law to Evaluate the Legitimacy of Governance by Platforms. In: *Social Media and Society*, July-September 2018, pp. 1-11. https://doi.org/10.2139/ssrn.2909889.

content moderation, and mandates internal complaint-handling as well as out-of-court dispute settlement mechanisms. It also restricts the exclusive reliance on automated systems and emphasizes human oversight and accountability in moderation processes. These innovations represent an important step toward aligning platform governance with rule-of-law principles and procedural fairness. Nonetheless, the practical effectiveness and enforceability of these mechanisms remain open questions—particularly in light of the asymmetry between public regulators and global platforms. As the present article serves as a theoretical foundation for understanding these normative challenges, a subsequent study will undertake a detailed legal and empirical analysis of the DSA's implementation and its capacity to remedy the structural deficits of platform governance.[34]

V. CONCLUSION

This paper has examined the phenomenon of platform self-regulation through the theoretical lens of digital constitutionalism. Our starting premise was that digital platforms—particularly very large online platforms (VLOPs)—increasingly exercise normative and adjudicative powers that were once the exclusive domain of the state. Despite formally operating under private law, their governance practices have significant public effects, especially in relation to fundamental rights and democratic participation. This evolution necessitates a reevaluation of how constitutional principles and the rule of law should be applied in the digital age.

In response to the first research question—namely, what motivates platforms to engage in self-regulation—we found support for the first hypothesis: platform self-regulation is not merely a technical response to scale or complexity, but a strategic tool to preserve autonomy, minimize legal risk, and strengthen market position. Community guidelines and algorithmic enforcement mechanisms allow platforms to retain control over the boundaries of discourse while projecting an image of responsibility and responsiveness.

Regarding the second research question, which explored the quasi-public nature of platform governance, our analysis confirmed the second hypothesis: while these regulatory functions are rooted in private legal instruments, they increasingly resemble public forms of authority in both scope and effect. Platforms shape access to the digital public sphere, adjudicate disputes, and influence users' rights and freedoms—often without the procedural guarantees or accountability mechanisms required of public actors. As such, they operate as functional sovereigns whose power transcends the traditional public-private divide.

Finally, in addressing the third research question—whether digital constitutionalism offers a viable normative framework—we partially confirmed the third hypothesis. Digital constitutionalism does provide a compelling conceptual foundation for extending rule of law values to private governance regimes. However, its success ultimately depends on whether these values—such as transparency, due process, and rights protection—can be translated into binding, enforceable standards through legal and institutional reform. Voluntary ethical commitments or soft law initiatives are unlikely to suffice in addressing the legitimacy gap created by privatized rule-making and enforcement.

In sum, this study has argued that platform governance cannot be adequately understood through the lens of private law alone. The powers exercised by online platforms increasingly resemble those of public institutions, particularly in their capacity to structure public discourse, adjudicate rights, and enforce normative boundaries. While platform self-regulation may appear efficient and flexible, it raises serious concerns regarding legitimacy, fairness, and the protection of fundamental rights.

[34] Regulation (EU) 2022/2065 of the European Parliament and of the Council (DSA).

The broader implication is that constitutional values must evolve in response to the shifting locus of power in digital societies. If platforms act as de facto public authorities, they must be held to standards befitting that role. This does not necessarily mean replicating state structures or imposing identical legal obligations. Rather, it entails reimagining governance in a way that reflects the public significance of platform power, and that upholds the core values of the rule of law—transparency, accountability, fairness, and fundamental rights—in the digital environment.

Ultimately, digital constitutionalism should be seen not as a fixed solution, but as a normative horizon: a framework that helps guide legal reform, policy innovation, and public deliberation in the face of unprecedented transformations in how power is organized and exercised online.

KEYWORDS
digital constitutionalism; platform governance; content moderation; rule of law; quasi-public power

KĽÚČOVÉ SLOVÁ
digitálny konštitucionalizmus; správa digitálnych platforiem; moderovanie obsahu; právny štát; kvázi-verejná moc

BIBLIOGRAPHY

1. Regulation (EU) 2022/2065 of the European Parliament and of the Council (DSA)
2. FACEBOOK'S COMMUNITY GUIDELINE: https://transparency.meta.com/hu-hu/policies/community-standards/
3. TITKTOK'S COMMUNITY PRINCIPLES: https://www.tiktok.com/community-guidelines/en/community-principles
4. YOUTUBE'S COMMUNITY GUIDELINES: https://www.youtube.com/intl/ALL_hu/howyoutubeworks/policies/community-guidelines/
5. AYTAC, UGUR: Digital Domination: Social Media and Contestatory Democracy. In: *Political Studies*, 2024, Vol. 72, I. 1., pp. 6-25. https://doi.org/10.1177/00323217221096564
6. BALOGH, VIRÁG: Digitalization and consumer protection enforcement. In: *Institutiones Administrationis Journal of Administrative Sciences*, 2022, Vol. 2., No. 1, pp. 85-99.
7. BEAUMIER, GUILLAUME - NEWMAN, ABRAHAM: When Serving the Public Interest Generates Private Gains: Private Actor Governance and Two-Sided Digital Markets. In: *Perspectives on Politics*. 2024, Vol. 23, I. 3. https://doi.org/10.1017/S1537592724001099
8. BENYUSZ, MÁRTA - HULKÓ, GÁBOR: Regulation of social media's public law liability in the Visegrad States. In: *Institutiones Administrationis Journal of Administrative Sciences*, 2023, Vol. 1., No. 1, pp. 6-16. https://doi.org/10.54201/iajas.v1i1.3
9. CELESTE, EDOARDO: Digital constitutionalism: a new systematic theorization. In: *International Review of Law, Computers and Technology*, 2023, Vol. 33., I. 1. pp. 76-99. https://doi.org/10.1080/13600869.2019.1562604
10. DE GREGORIO, GIOVANNI: The rise of digital constitutionalism in the European Union. In: *International Journal of Constitutional Law*, 2021, Vol. 19., No. 1., pp. 41-70. https://doi.org/10.1093/icon/moab001

11. FISCHMAN-AFORI, ORIT: Regulating online content moderation: Taking stock and moving ahead with procedural justice and due process rights. In: JENS SCHOVSBO (eds.): *The Exploitation of Intellectual Property Rights - In Search of the Right Balance.* ATRIP Intellectual Property series, Edward Elgar Publishing, 2023. pp. 5-27. https://doi.org/10.4337/9781035311460.00006
12. GRABS, JANINA - AULD, GRAEME – CASHORE, BENJAMIN: Private regulation, public policy, and the perils of adverse ontological selection. In: *Regulation & Governance*, 2023, Vol. 15., I. 4., pp. 1183-1208. https://doi.org/10.1111/rego.12354
13. KAMPOURAKIS, IOANNIS - TAEKEMA, SANNE – ARCURI, ALESSANDRA: Reappropriating the rule of law: between constituting and limiting private power. In: *Jurisprudence*, 2023, Vol. 14., No. 1., pp. 76-94. https://doi.org/10.1080/20403313.2022.2119016
14. KETTEMANN, MATTHIAS C.: *The normative order of the internet: A theory of rule and regulation online*. Oxford: Oxford University Press, 2020. https://doi.org/10.1093/oso/9780198865995.003.0006
15. LAPSÁNSZKY, ANDRÁS: A médiaigazgatás eljárásrendje, szankciórendszer, társszabályozás. In: KOLTAY, ANDRÁS (ed.): *Magyar és európai médiajog.* Budapest: Wolters Kluwer, 2025. pp. 371.392.
16. NEWMAN, ABRAHAM L. – BACH, DAVID: Self-regulatory trajectories in the shadow of public power: Resolving digital dilemmas in Europe and the United States. In: *Governance*, Vol. 17., I. 3., 2004, pp. 387-413. https://doi.org/10.1111/j.0952-1895.2004.00251.x
17. PATYI, ANDRÁS: Issues of fundamental procedural rights and procedural constitutionality in the Fundamental Law. In: *Institutiones Administrationis Journal of Administrative Sciences*, 2022, Vol. 2., No. 1, pp. 6-23. https://doi.org/10.54201/iajas.v2i1.27
18. PETTIT, PHILIP: *On the People's Terms*. Cambridge University Press, 2012. https://doi.org/10.1017/cbo9781139017428
19. SANDER, BARRIE: Democratic Disruption in the Age of Social Media: Between Marketized and Structural Conceptions of Human Rights Law. In: *European Journal of International Law*, 2021, Vol. 32, I. 1, pp. 159-193. https://doi.org/10.1093/ejil/chab022
20. SAPUTRA, RIAN - ZAID M. - EMOVWODO, SILAAS OGHENEMARO: The Court Online Content Moderation: A Constitutional Framework. In: *Journal of Human Rights, Culture and Legal System*, 2022, Vol. 2, I. 3, pp. 139-148. https://doi.org/10.53955/jhcls.v2i3.54
21. SÍTHIGH, DAITHÍ MAC: The mass age of internet law. In: *Information and Communications Technology Law*, 2008, Vol. 17, I. 2, pp. 79-94. https://doi.org/10.1080/ 13600830802204187
22. SUZOR, NICOLAS: Digital Constitutionalism: Using the Rule of Law to Evaluate the Legitimacy of Governance by Platforms. In: *Social Media and Society*, July-September 2018, pp. 1-11. https://doi.org/10.2139/ssrn.2909889
23. SUZOR, NICOLAS: A constitutional moment: How we might reimagine platform governance. In: Computer Law and Security Review, 2020, Vol. 36., Article No. 105381, pp. 1-4. https://doi.org/10.1016/j.clsr.2019.105381
24. TEMESI, ISTVÁN: Közigazgatás és közhatalom. In: JAKAB, ANDRÁS (et. al.) (Eds.): *Internetes Jogtudományi Enciklopédia*. 2022. http://ijoten.hu/szocikk/kozigazgatas-es-kozhatalom

25. VÁCZI, PÉTER: Fair and effective public administration. In: *Institutiones Administrationis Journal of Administrative Sciences*, 2022, Vol. 2., No. 1, pp. 161-170. https://doi.org/10.2139/ssrn.4217563
26. WEBER, MAX: *Gazdaság és társadalom. A megértő szociológia alapvonalai*. Budapest, Közgazdasági és Jogi Könyvkiadó, 1987.
27. ZENG, JING - KAYE, D. BONDY VALDOVINOS: From content moderation to visibility moderation: A case study of platform governance on TikTok. In: *Policy and Internet*, 2022, Vol. 14., I. 1, pp. 79-95. https://doi.org/10.1002/poi3.287

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