

EU Court Opens Door to Worldwide Social Media Censorship

Michael Rectenwald is quoted extensively in this article by Petre Svab in the [social media](#) companies to remove content globally, raising a concern that one country can force removal even in countries where said content is legal.

The decision may have broad implications for freedom of expression, especially in the United States, where the Constitution guarantees extensive free-speech protections.

In the United States, caps on free speech are limited to actions such as [some experts](#) say.

[Facebook](#) user posted a news article from Austrian news site oe24.at headlined, "Greens: Guaranteed Minimum Income for Refugees Should Stay."

"Lousy traitor," the person commented in the post, according to an Austrian court document ([Austria](#), but, on appeal, an Austrian court ruled against such a measure.

When the Austrian Supreme Court asked the EU court whether global removal is permissible under European law, the EU court concluded that it is, as long as the local law is "consistent with the rules applicable at international level."

"It is up to Member States to ensure that the measures which they adopt and which produce effects worldwide take due account of those rules," the judgment stated.

Glawischnig-Piesczek also wanted any "equivalent" content to get deleted, which the judgment also green-lighted, as long as "differences in the wording of that equivalent content" wouldn't require the social media company "to carry out an

independent assessment of that content.”

The judgment “dealt a major blow to free speech, paving the way for a single nation to act as a global censor and require that online platforms act as its minions in doing so,” wrote Jennifer Daskal, American University law professor, [censorship](#) in recent years, according to a 2018 [he said in a Sept. 28 talk](#) at the Libertarian Scholars Conference at King’s College in New York.

“As such, big digital may be a means by which the oversight and control functions that were formerly the province of national governments have been delegated to the market.”

While the companies claim to be politically neutral in their content policing, Rectenwald argues otherwise.

“Political ideology is coded into the very DNA of big digital,” [he said](#). “While the crimes of the political left, despite its much larger numbers, are swept under the carpet, ignored, or justified, YouTube regards leftist ideology not merely as obviously benign, but on the right side of history, even though their historical crimes are unparalleled.”

‘Corporate Leftism’

Rectenwald called the ideology practiced by big digital “[according to Sen. Josh Hawley](#) (R-Mo.), who spoke to Zuckerberg on Capitol Hill behind closed doors on Sept. 19.

Zuckerberg’s comments would be the closest any of the tech giants have come to acknowledging the issue. Facebook, however, didn’t respond to a request for comment on Hawley’s remarks.