



COPYRIGHT CONTENT MODERATION POLICIES

**Complexification and Concentration in Platform
Governance**

OUTLINE

- ❑ Context + research question
- ❑ Method
- ❑ Findings (empirical, conceptual, contributions)
- ❑ Puzzling thoughts

THE (RE)BIRTH OF CONTENT MODERATION

Platforms

+

**Politicization
of the online
sphere**

+

Political crisis

THE (RE)BIRTH OF CONTENT MODERATION

What about
copyright?

ONLINE COPYRIGHT AS A DRIVER OF CHANGE

Powerful
actors

- ❑ Legislation (DMCA, European Directive on Copyright)
- ❑ Automated blocking / filtering (encryption, YouTube's Content ID)
- ❑ Online free speech activism ('Pirate Parties', SOPA Bill etc)

COPYRIGHT X PLATFORMS

- ❑ Rich legal scholarship
- ❑ Fascinating theoretical essays
- ❑ Consistent empirical work on over-blocking

Which copyright content moderation rules do different platforms employ, and how have they changed over time?

METHODS (DATA COLLECTION)

- ❑ Sample: Facebook (mainstream), PornHub (specialised), Diaspora (alternative)
 - ❑ Original Horizon 2020 project: 15 platforms
- ❑ Wayback Machine + sites of platforms
- ❑ Two versions per year, per kind of document, per platform, since 2004

	TERMS SERVICE		OF COMMUNITY GUIDELINES		COPYRIGHT POLICY		HELP PAGES		PRINCIPLES		MUSIC GUIDELINE		TOTAL
	C	A	C	A	C	A	C	A	C	A	C	A	
Facebook	27	21	47	16	8	8	13	13	3	3	1	1	
Diaspora	1	1	1	1	NA	NA	NA	NA	1	1	NA	NA	
Pornhub	6	5	NA	NA	6	6	NA	NA	1	1	NA	NA	
Total collected	34		48		14		13		4		1		113
Total analysed		27		17		14		13		4		1	76

METHODS (DATA ANALYSIS)

Thematic analysis

Normative types

	Rule addressee(s)	Prescriptive intensity	Typical verb
Rights	Platform users or	High	Can / Might
Obligations	Platform users or	High	Must / Will
Expectations	Users	Low	Should
Principles	Platform	Low	Aspire
Procedures	Platform, users or both	Highest	None

METHODS (DATA ANALYSIS)

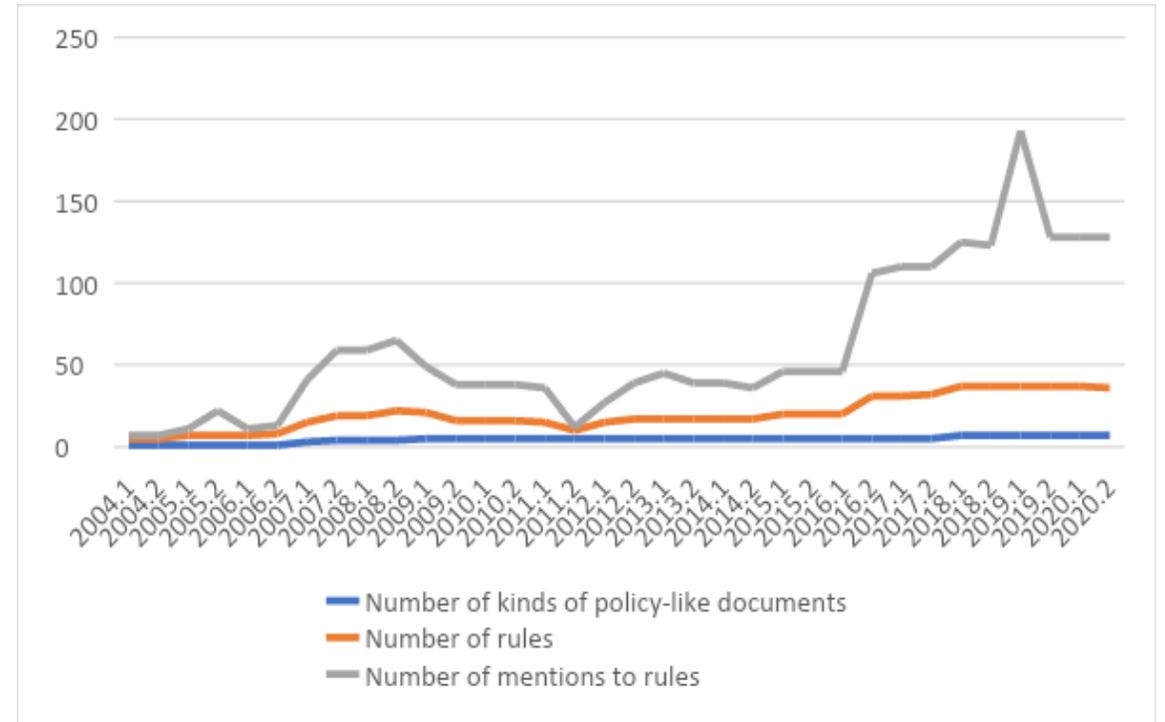
Thematic analysis

Subjects

Macro Subjects	Specific Subjects
Copyright enforcement	Infringement avoidance
	Manual content removal
	Automated moderation
	Disputes
	Penalties
	Exceptions
Transparency	
Monetisation	

FINDINGS: FACEBOOK

More rules, more kinds of policies, more mentions

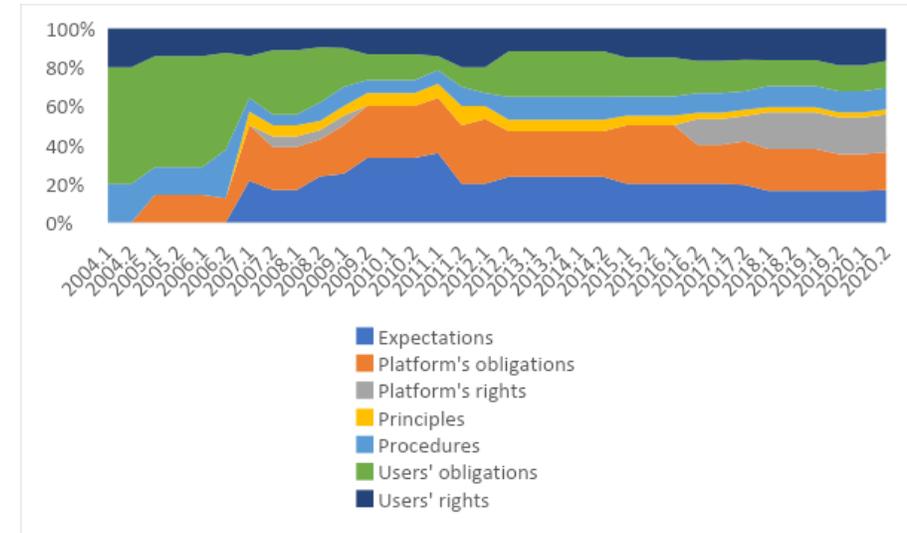


FINDINGS: FACEBOOK

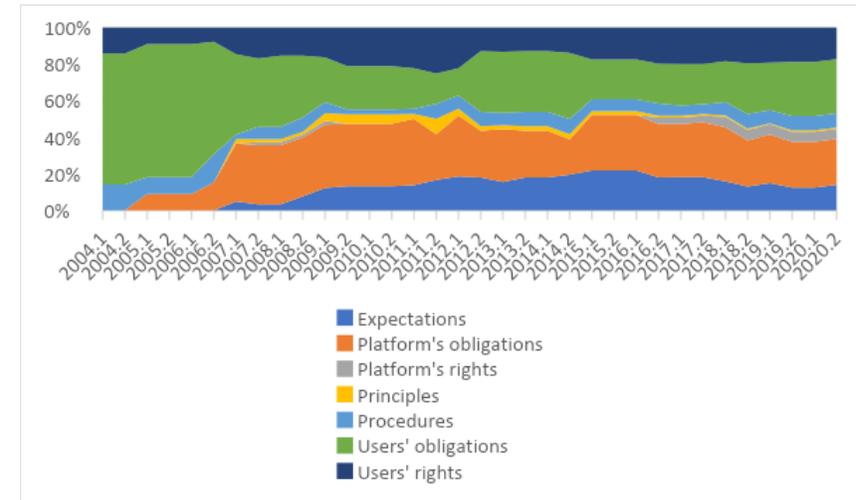
Fragmentation of normative types

Increase of platform-centred rules, decrease of user-centred rules

Mentions: different trajectory



Normative types



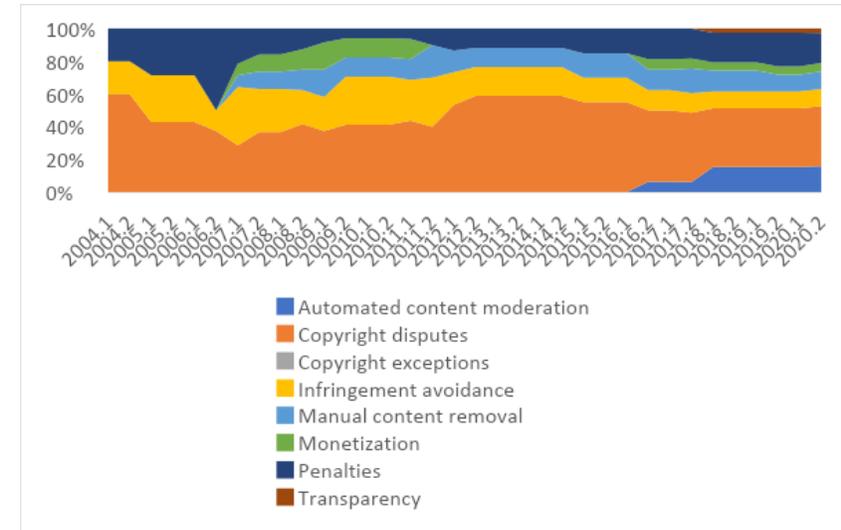
Mentions to normative types

FINDINGS: FACEBOOK

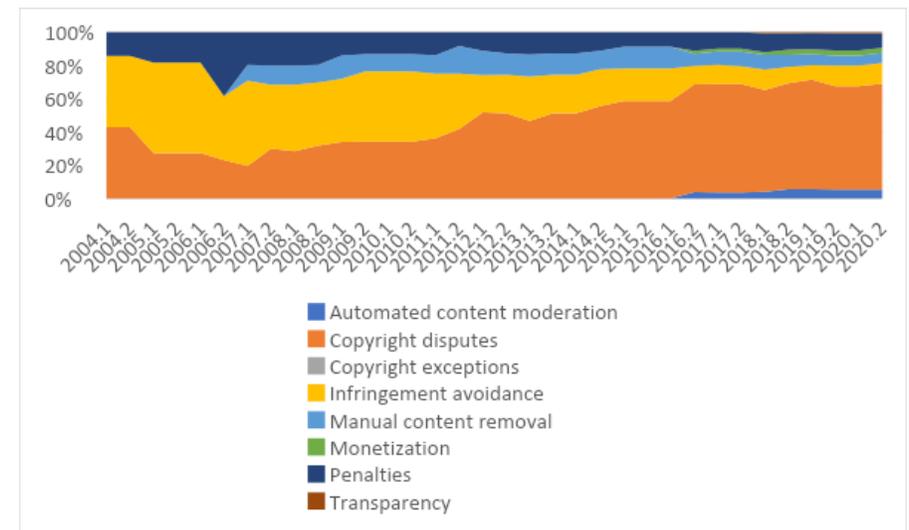
Fragmentation of subjects

Increase of platform-centred
rules, decrease of user-centred
rules

Mentions: slightly different
trajectory



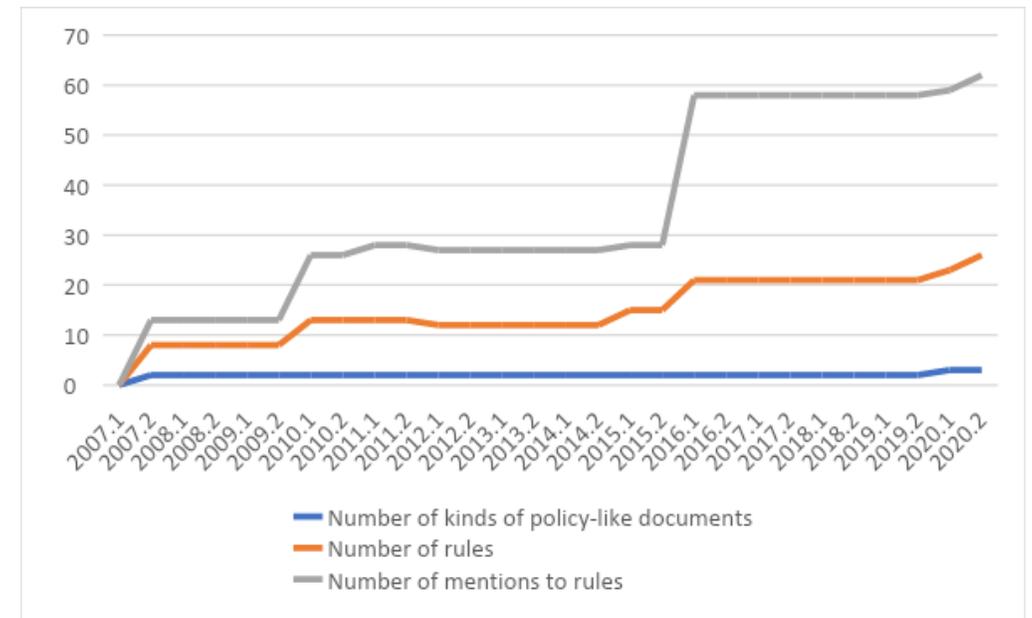
Subjects

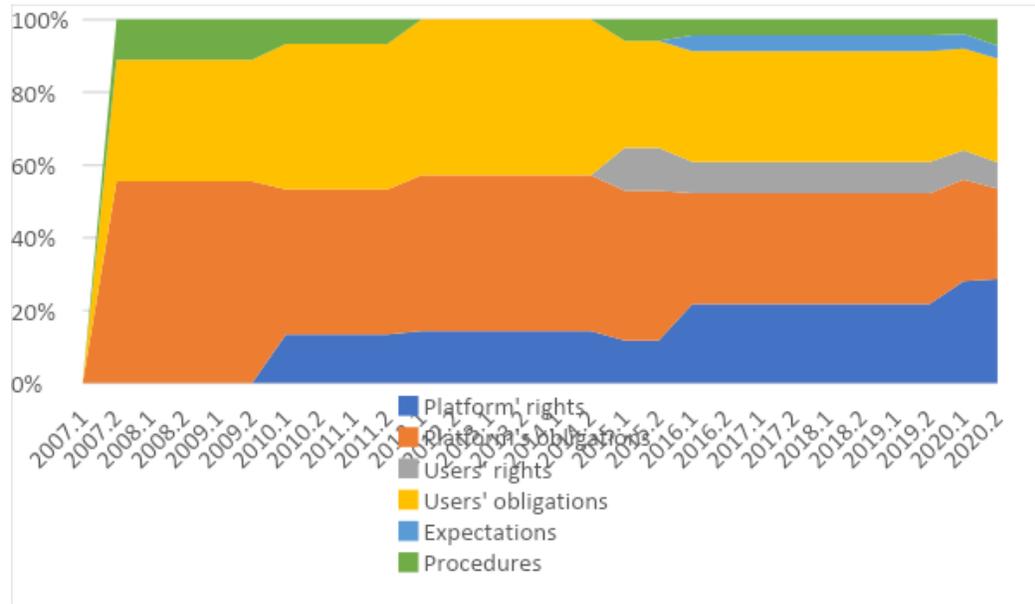


Mentions to subjects

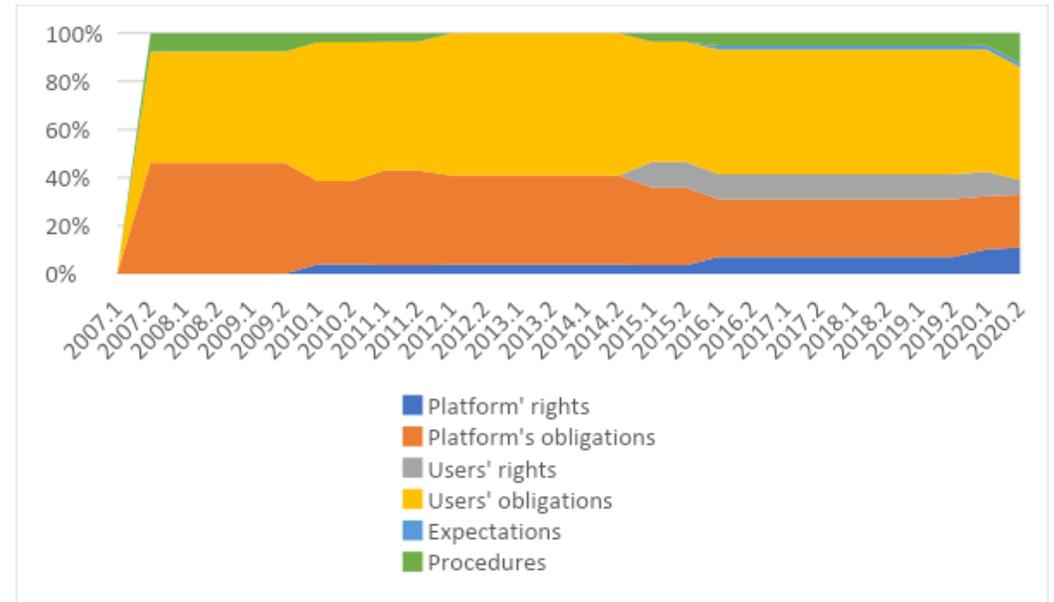
FINDINGS: PORNHUB

More rules, more kinds of policies,
more mentions





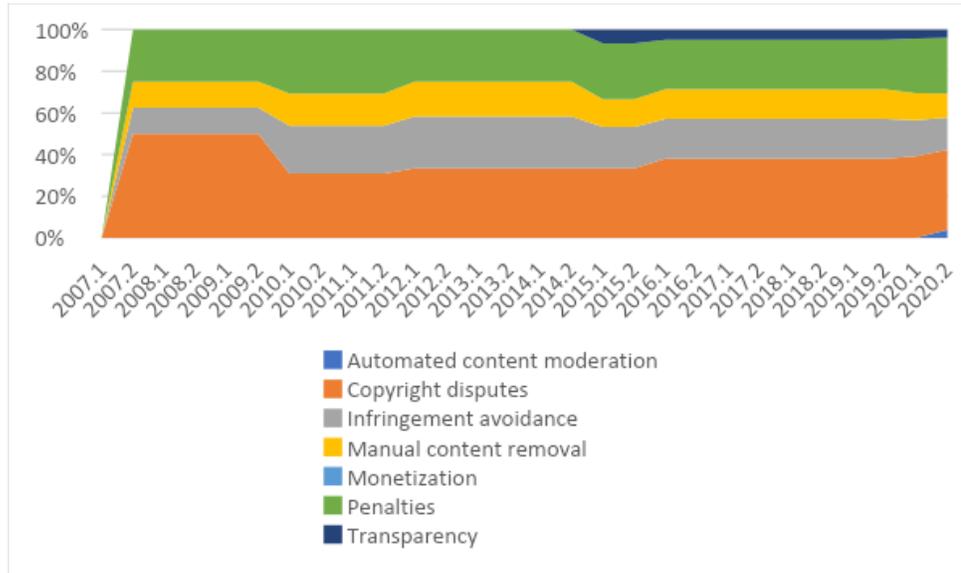
Normative types



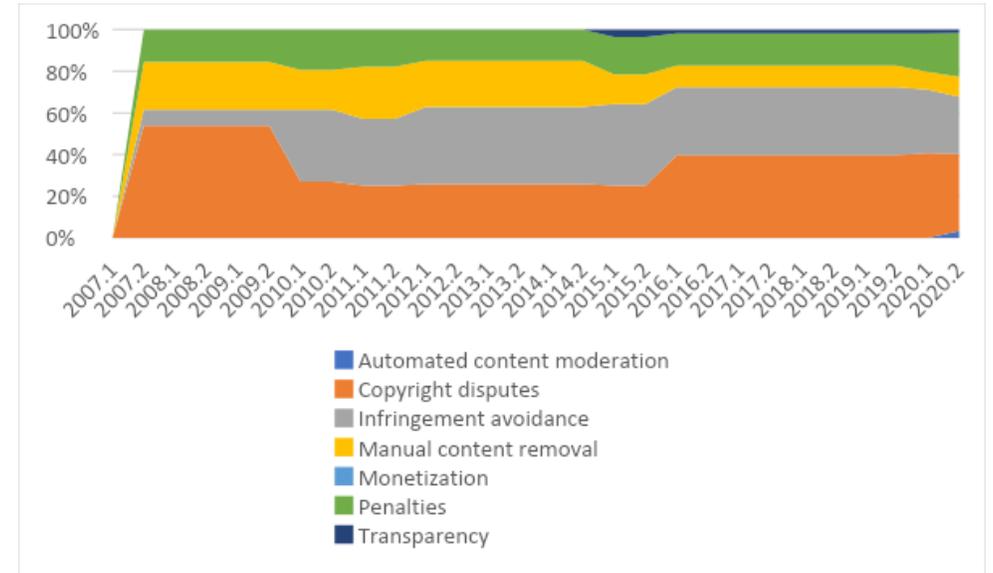
Mentions to normative types

FINDINGS: PORNHUB

Fragmentation of normative types; more platform rights; mentions: focus on users not platforms



Subjects



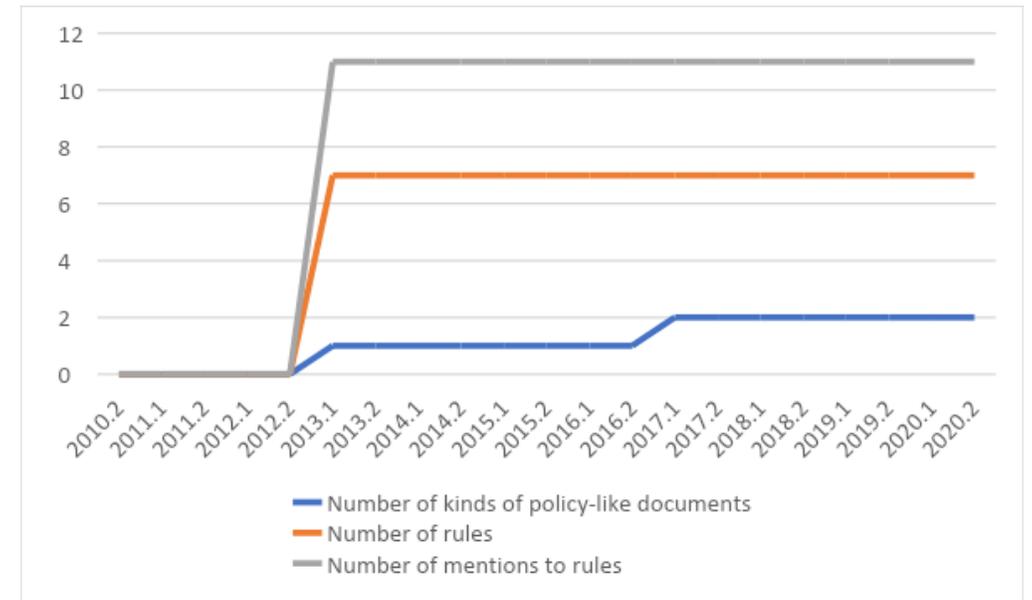
Mentions to subjects

FINDINGS: PORNHUB

Also fragmentation, more subjects concerning the platform; focus on infringement avoidance (users)

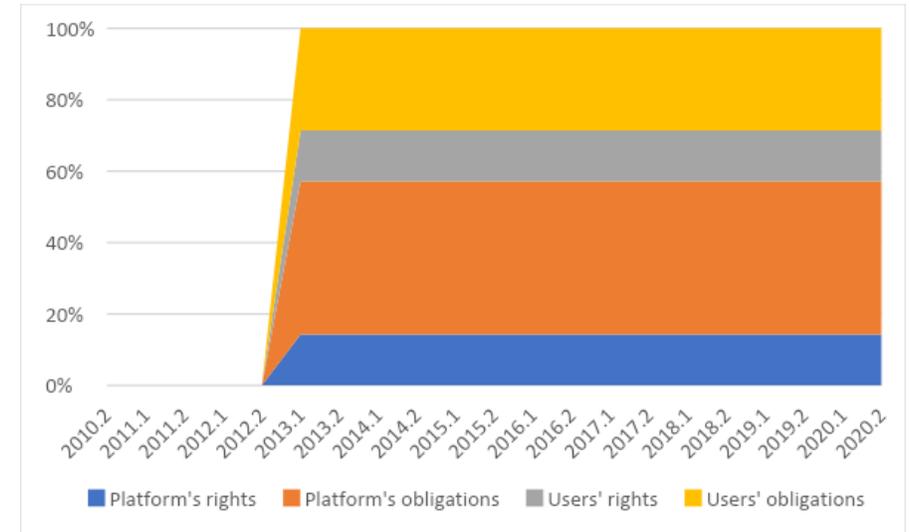
FINDINGS: DIASPORA

Sudden increase of docs,
rules, and mentions
(publication), then stability
(mostly)

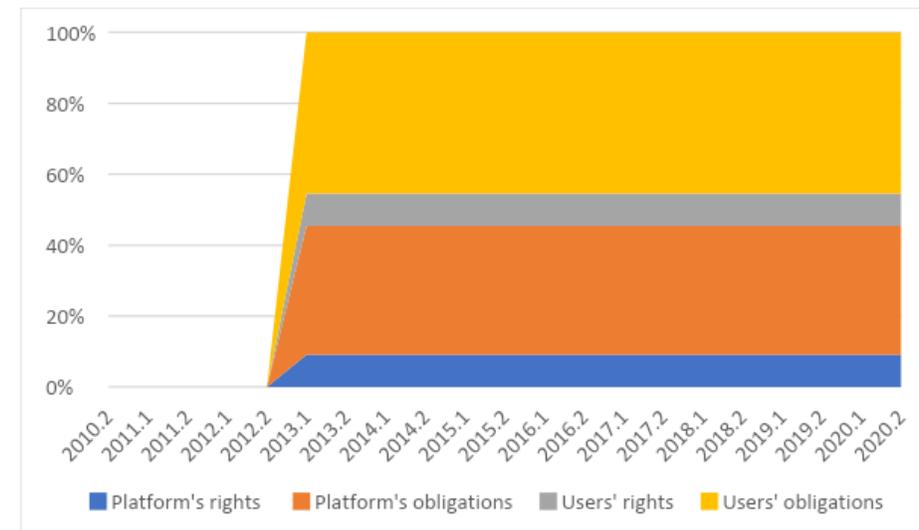


FINDINGS: DIASPORA

Some fragmentation; same
discrepancy re mentions



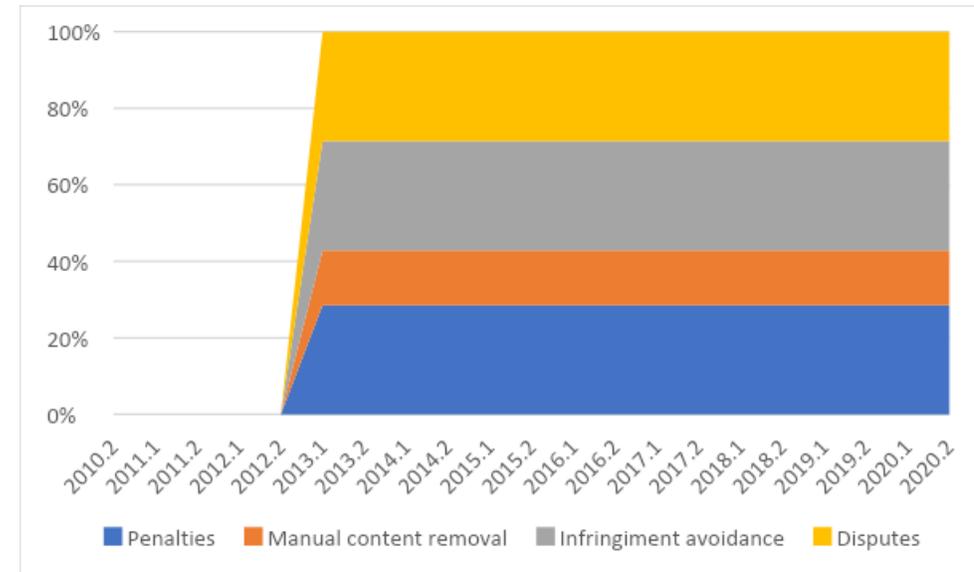
Normative types



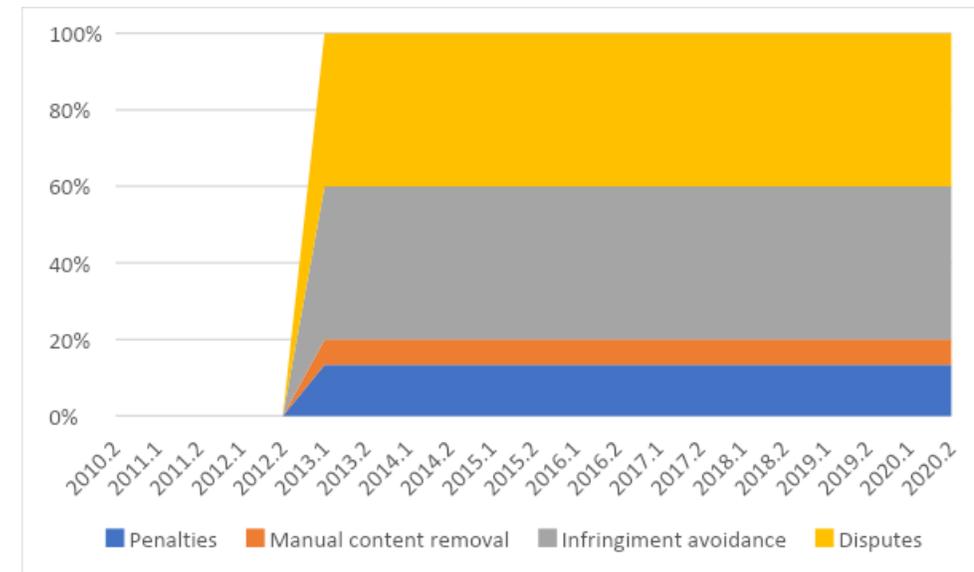
Mentions to normative types

FINDINGS: DIASPORA

Some fragmentation;
discursive focus on
infringement avoidance
(users) and disputes



Subjects



Mentions to subjects

COMPLEXIFICATION

- +Policy-like documents
- +Normative types / subjects
- +Mentions to rules
- +Automation
- +Consistent but not exactly the same across platforms

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+Opacity

CONCENTRATION

+Power to platforms
(less to users)

+Responsibility

+Discourse on users'
obligations

+Automation

+Consistent but not
exactly the same
across platforms

+Almost nothing on
exceptions

CONCENTRATION

+Power to platforms
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+Responsibility

+Discourse on users'
obligations

+Automation

+Consistent but not
exactly the same
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+Almost nothing on
exceptions

+Inequality

CONTRIBUTIONS & FUTURE RESEARCH

- History of content moderation / platform power
- Empirical documentation of complex processes
- What has driven platforms' actions? **Not (only) the law**

PUZZLING THOUGHTS

- How to enforce transparency? How much transparency is needed?
- Isn't good that platforms are taking responsibility?
- Why does the history of platform content matter for policymakers?

THANKS!

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