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Publication Date

2025-05-06

Peer reviewed

IGCC ESSAY

In the West, Rival Networks are Contesting the Meaning of Liberalism

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May 2025

About the Authors

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Suggested Citation

Bob, Clifford. 2025. *In the West, Rival Networks are Contesting the Meaning of Liberalism*. IGCC Essay. escholarship.org/uc/item/8dj1779b

In this essay, Clifford Bob critiques academic research programs premised on a dichotomy between liberal and illiberal regimes. Bob cites both the European Union’s Digital Services Act regulating online speech and Biden and Trump administration moves to control speech as evidence of “liberal” institutions behaving in “illiberal” ways. Bob suggests that rather than viewing the international system as a contest between liberal and illiberal regimes, it should be viewed as a battle between rival networks within and across states and international institutions.

Is the United States picking a fight with the European Union (EU)? Its foreign policy chief, Kaja Kallas, [recently suggested so](#). Certainly, Vice President JD Vance sounded forceful, [telling](#) Europe’s leaders at the Munich Security Conference in February that the biggest threat they faced came not from Russia, China, or home-grown populists—but rather from “the retreat of Europe from some of its most fundamental values,” including freedom of expression and respect for the outcomes of democratic elections.

This high-profile debate reflects a deep divide over the meaning of liberalism. Does the EU itself now promote illiberal norms, as the U.S. vice president suggested?

For students of international organizations (IOs), this possibility raises important analytic problems—particularly for those in the [Illiberal Regimes and Global Governance](#) initiative and for other scholars who organize their research around the question of how “liberal” IOs such as the EU should deal with “illiberal” member states or “illiberal” movements within liberal states. If the liberal-illiberal dichotomy is unclear and politically contested—if “liberal” IOs and states are arguably adopting illiberal policies, even while justifying them as necessary to fight illiberalism—should that dichotomy be used in research?

This essay outlines the empirical controversy and argues that scholars should drop the politically charged labels. Instead, they should use more neutral terminology and study competing sides to controversial policies on a more equal and objective basis, following a “rival networks” methodology.

Contesting the Meaning of Liberalism

Vance condemned European policies that limit freedom of speech, which national governments and the EU have justified as necessary for protecting society from “hate” and “disinformation.” Among recent cases that Vance deplored are Britain’s prosecution of silent anti-abortion protesters, Sweden’s jailing of Quran burners, and Germany’s crackdown on misogynistic posts online. In addition, Vance denounced the judicial annulment of the first round of Romania’s 2024 presidential election after a “right-wing populist” unexpectedly won. According to Vance, the annulment was “based on the flimsy suspicions of an intelligence agency and enormous pressure from its continental neighbors” concerning the influence on the election of a TikTok campaign allegedly tied to Russia (later [reports](#) have called the allegations into question). Weeks later in March 2025, Romania’s Central Electoral Bureau and Constitutional Court barred the winner of the first round from running in the postponed election. The prohibition, which sparked street protests, was based in part on a [criminal investigation](#) opened against him earlier that month for alleged “incitement to actions against the constitutional order,” “communication of false information,” and formation of an organization “with a fascist, racist, or xenophobic character.”

Unsurprisingly, European officials reject Vance’s criticisms. German Chancellor Olaf Scholz [lectured Vance that](#) “free speech in Europe means that you are not attacking others in ways that are against legislation and laws we have in our country.”

The EU and Free Speech

The EU, one of the world’s most powerful multilateral institutions, is often assumed to be an exemplar of liberal values against “illiberal” threats both without and within. The EU has long portrayed itself as a defender of the liberal international order.

Yet analysis of key EU policies challenges this assumption. The Digital Services Act (DSA) of 2022, which includes many provisions regulating online speech, is an example. To tout these sections as liberal is debatable. Beyond semantics, the possible erosion of liberal values in Europe is of great significance for democratic politics globally.

Consider EU policy about a bedrock liberal principle: freedom of speech. The DSA directly affects the speech rights of hundreds of millions of Europeans and exerts influence beyond the continent. The act, [proposed](#) by the European Commission in 2020, is a complex law covering many aspects of online communication. Relevant here, the DSA builds on recent EU policies, such as the [Code of Practice on Disinformation](#) and the [Code of Conduct on Countering Illegal Hate Speech Online](#). The act prohibits illegal content online and holds providers of most types of Internet-based services—the DSA

uses the term “intermediary services”—liable for failing to remove it. Those who post such content are subject primarily to national laws. Illegal content includes vague concepts, such as “hate” and “disinformation,” whose definitions and applications are controversial, [hinging on](#) subjective feelings or political beliefs. The DSA does not define the terms but uses other EU law and member state law to do so.

Under the DSA, governments may order intermediary services to remove illegal content (Art. 9) and disclose all content recipients (Art. 10). Intermediary services companies, particularly “very large online platforms” (VLOPs) and “very large online search engines” (VLOSEs) (Art. 33), have strict “notice and action” obligations—to investigate and remove allegedly illegal content reported to them by “trusted flaggers.” The latter are appointed by the act’s digital services coordinators in member states, based on the flaggers’ expertise in identifying illegal content. Trusted flaggers must be independent of Internet companies—but not of governments, to whom they report at least annually and upon whom the flaggers depend for their positions. In addition to trusted flaggers, Article 16 requires providers to allow recipients of their services to report on one another’s allegedly illegal online content, in turn triggering investigation, possible removal of posts and users, and potential criminal prosecution through national courts. For violations of the DSA, intermediary services may face penalties of up to 6 percent of the previous year’s “worldwide turnover” (essentially, their total global revenue).

The EU has not been shy about enforcing the act since it came into effect. Cases include probes of Meta for, among other things, [failing](#) to meet DSA obligations to prevent spread of electoral disinformation, and X (formerly Twitter) concerning, *inter alia*, the effectiveness of its Community Notes system at reducing manipulation of information. In August 2024, European Commission member Thierry Breton [warned](#) X owner Elon Musk about an upcoming interview with then-U.S. presidential candidate Donald Trump. In a personal letter to Musk, he asserted that the DSA imposed a “legal obligation” on Musk as an “individual entity” because of the interview’s availability on X in Europe. He called on Musk to mitigate “harmful content” that “might generate detrimental effects on civic discourse and public security”—a call that Musk [sharply rebuked](#). In another example, the European Commission opened an investigation of TikTok for failure to mitigate risks of election interference days after the controversial annulment of Romania’s 2024 election. European Commission President Ursula von der Leyen took the unusual step of publicly [welcoming](#) the case because it would “thoroughly investigat[e] whether TikTok has violated the [Digital Services Act](#) by failing to tackle such risks.”

As these cases suggest, the European Commission seems to be turning the DSA into an all-purpose tool for controlling what Europeans may state and read—and therefore think. Arguably, it is using the DSA to help narrow the choice of candidates in national elections. In addition, the Commission could seemingly interfere in a vast range of social, economic, and political matters, given the centrality of online communication to modern life.

It therefore seems fair to ask: are the EU and the DSA really “liberal” institutions?

Conflict over the DSA

The DSA’s passage and implementation sparked great controversy. As noted, the European Commission and government officials were primary proponents. For them, the DSA was essential to protect their societies from broadly defined “systemic risks” posed by certain rhetoric and ideas (Art. 34). Although the DSA’s wide-ranging provisions created multiple overlapping conflicts—over issues such as online privacy, extraterritorial enforcement, and regulatory burdens—a row between two loose-knit networks of civil society organizations concerning freedom of speech and content regulation is particularly relevant.

One network generally allied itself with governments in support of the DSA’s curtailment of “disinformation” and “hate” online. I call this grouping the “speech control network.” It included organizations such as [Amnesty International](#), the Institute for Strategic Dialogue, Avaaz, and Demos. As one example of joint activities, over 50 nongovernmental organizations (NGOs) co-signed the “[Open Letter to EU Policy-Makers: How the Digital Services Act \(DSA\) Can Tackle Disinformation](#)” in 2021. Each organization’s position on these complex issues differed somewhat and typically included avowals of support for free speech and transparency, but on balance they supported strong DSA content regulation. In addition, the Biden administration, although not endorsing the DSA as a whole, [praised](#) “transatlantic cooperation regarding platform policies that focus on disinformation ... and other harmful content.” This statement aligns with the administration’s vigorous and possibly unconstitutional efforts to control hate and disinformation in the United States. In 2023, a federal [district court judge](#) and a unanimous panel of three [court of appeals judges](#) stated that the Biden administration had “orchestrated” a “coordinated campaign” that “arguably involves the most massive attack against free speech in United States’ history.” In 2024, the Supreme Court sent the case back to the lower courts on procedural grounds.

Opposing the speech control network was another loose-knit grouping that I call the “speech rights network.” It includes European and international NGOs critical of the DSA’s hate and disinformation control provisions, despite differences among them on specifics. The speech rights network includes such NGOs as the Electronic Frontier Foundation, European Digital Rights, and many more, as indicated by the 60 signatories to an open letter demanding clarification of [statements](#) by EU Commissioner Thierry Breton that the DSA might permit shutdowns of whole Internet platforms for failure to remove “hateful content.” “Intermediary service” corporations, most prominently X, have also become prominent critics.

In addition, the Trump administration has reversed U.S. policy and now criticizes key aspects of the DSA. In Munich, Vance denounced “EU commissars [who] warn citizens that they intend to shut down social media during times of civil unrest ... the moment they spot what they’ve judged to be hateful content.” Turning to the DSA’s American defenders, Vance condemned the Biden administration for “threaten[ing] and bull[y]ing social media companies to censor so-called misinformation [such as] the idea that coronavirus had likely leaked from a laboratory in China [that] turned out to be an obvious truth.”

On the other hand, the Trump administration has taken its own strong stand against speech rights in key areas. For instance, in policies that may violate the First Amendment, it has repeatedly threatened to cut federal funding to universities that have not done enough to fight antisemitism on campus, doing so already in the case of Columbia and other universities. Of course, violence, as well as narrowly defined legal constructs such as incitement to violence and harassment against Jews or others, are illegal under American law. But the broad definition of [antisemitism](#) adopted by the Trump administration also appears to cover political speech, some of which may admittedly be offensive, but which American courts have long held to be constitutionally protected.

The Rival Networks Approach to Political Conflict in IOs and Beyond

Conflict over the DSA shows that there are vast differences over free expression among and within societies that conceive of themselves as “liberal.” Because this is the case, it makes little sense for scholars to view the speech issue at the EU—or numerous other contentious issues less fundamental to liberalism—as pitting liberals against illiberals. Even terming the EU a liberal IO is debatable, given restrictions on speech in the DSA. Worse, doing so—and tarring member state governments or political movements within them as illiberal—undermines the scholarly ideal of objectivity, without adding weight to the analysis.

Of course, the parties to conflict can and will label one another to advance themselves and undermine their foes. But it is not necessary for scholars of IOs to do so in their scholarly work. A better way to address contestation around controversial issues such as free speech is a “rival networks” approach that I developed in my 2012 book, *The Global Right Wing and the Clash of World Politics*, and applied in my 2019 book, *Rights as Weapons: Instruments of Conflict, Tools of Power*. This approach analyzes the broad-based if loosely organized political networks that come into conflict over any number of controversial national and international issues, while trying to minimize normative judgments (admittedly a difficult task). It focuses on the strategies opposing sides use to advance their political goals and undermine their foes. It seeks to explain the laws, policies, nonpolicies, and “zombie policies” (symbolic statements with no enforcement mechanisms) that states and IOs develop, implement, and change as a result of long-term, often ongoing, political struggles.

The rival networks approach does not assume that IOs are neutral arenas within which conflict occurs. In most cases, IOs are parties to conflict and will uphold their own institutional interests in “global governance.” Still, at least in theory, IOs could align with different sides on specific issues, depending on the IO’s internal power structure. The latter hinges in part on the power and partisan composition of its member states. Even the EU, which has gained significant autonomy from states, enjoys it only because of state acquiescence which can be removed—as was the case with Brexit.

The latter point illustrates two further aspects of the rival networks approach. First, it highlights the transnational nature of networks, as shown in the battle over the DSA. Civil society members of a network based in one state often work directly or through intermediaries in other states and IOs. States do so as well, as Vance’s speech shows.

Second, the rival networks approach places greater emphasis on conflict within states rather than within international organizations, given the continuing power of sovereignty. It recognizes that a democratic state’s position on controversial issues may change radically, primarily because of internal political contestation. Such switching occurs when one or another rival network gains control of government and then shifts direction on key policies—as has happened with regard to U.S. policies on disinformation control in the Biden-Trump transition. To take another of many possible examples, for decades there have been sharp reversals in U.S. policies toward international abortion programs, based on the success of pro-life or pro-choice networks and their chosen U.S. presidential candidates. Such shifts in national politics, in turn, can strongly affect the programs of international organizations, even if the organization’s bureaucracy may remain committed to a different policy direction and to the broader goal of increasing global—relative to national—governance.

The Implications for IO Scholars

The Illiberal Regimes and Global Governance initiative proposes that the regime type of member states strongly influences IOs, and it has opened a new research program based on this insight. The initiative makes sense but should be supplemented and adapted based on the rival networks approach. One reason, as this essay suggests, is that those who focus on regime type would seem likely to predict that IOs such as the EU—most of whose members are typically classified as liberal democracies and which touts its own liberalism—should be expected to promote liberal values. However, the EU has recently adopted the DSA, impinging on free speech, one of the most basic of liberal principles. The act gives EU bureaucrats, member state governments, and state-appointed “flaggers” major and widely contested power over content that millions of Europeans may post and read online. DSA supporters, including a transnational network of governments and civil society groups, see it as a policy to protect liberal societies from “systemic risks.” Europe’s 20th century history of democratic regimes falling into authoritarianism may explain these views, and they are likely to have support from a substantial number of citizens of European countries.

But other civil society groups, Internet companies, and governments have mobilized in opposition to the DSA. This rival transnational network, which no doubt represents the views of many other Europeans, argues that the DSA vests too much power in the hands of fallible and biased governmental decisionmakers who will inevitably define “disinformation” and “hate” in partisan ways. Instead, it argues that the citizens of liberal democratic countries should have the freedom to make up their own minds about controversial issues, rather than having governments do so for them. The outcome of the 2024 U.S. election campaign, in which Donald Trump and JD Vance frequently attacked Biden administration “censorship” of online content, suggests that American citizens rejected the Biden policies. Polling [data](#) supports this hypothesis.

Important normative questions remain about whether the DSA and similar policies limiting expression online represent legitimate limitations of “dangerous” ideas in defense of democracy—or partisan self-dealing aimed at preserving the power of ideologically narrow if sometimes multiparty ruling elites. Wherever one stands politically, the debate suggests that scholarly labeling of IOs, states, movements, or networks as “liberal” or “illiberal” impedes analysis. By contrast, a rival networks approach, which avoids such labeling, can help advance it by striving for greater scholarly objectivity. From an empirical standpoint, the approach promotes equal analytic attention to rival networks contending over policy issues. It recognizes the transnational aspects of many such conflicts, and it highlights the role of domestic politics, albeit influenced by transnational networks, in determining the policies adopted by IOs.