Internet and Self-Regulation: Media Councils as Models for Social Media Councils?

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Introduction

The big tech giants have faced increased public scrutiny and public hearings during the last years. The reason for this scrutiny is their transformative impacts on businesses, social connections and media use in everyday life. Social media platforms have been especially criticised for not taking seriously their position as crucial nodes of public life. Privately owned platforms' growing role and wide range of social functions have created regulatory problems. The business goals of such platforms have been colliding with common values underlying the public good. However, responses to these global problems have either been regional or national in scope.

Social Media Councils (SMCs) are one of the proposals for solving the problems caused by social media. The definition of SMCs is quite vague, however. In this paper, SMCs are defined the same way as in the proposal made by ARTICLE 19. SMCs are compared to contemporary media/press councils, which are part of the self-regulation of heritage media. The media (press) councils are analysed at a general level and focus is placed on how media councils in three selected countries (the UK, Sweden and Finland) differ at a more historical and detailed level.

First, I describe briefly why a growing need exists for solutions like SMCs to (self-)regulate platforms. Second, I briefly introduce the proposal for SMCs made by ARTICLE 19. Third, I provide a summary of media councils and focus in more detail on three selected countries to highlight how various media council models differ and to compare such media councils to SMC proposals.

Why Are SMCs Needed?

Problems with Platform Moderation

The concept of moderation is old. Its former definition stressed the need to eliminate or at least reduce the extremes between ancient philosophy and early Christianity. In the context of the internet, moderation means removing unsuitable content that violates rules. In the internet's early days, a bulletin board System (BBS) and discussion boards were moderated by administrators and trusted users. Gradually, media companies established discussion forums, and moderation became more professional in some cases. A platform's business model involves gathering information, which requires keeping users engaged with the platform as long as possible. Therefore, platforms have an incentive to curate content to lure and keep users, whereas harsh moderation measures would drive away such users. From the viewpoint of public good, moderation is needed to protect human rights and minimise harms.

In the beginning of the 1990s, most major internet companies were US-based companies. Kate Klonick (2018) has thus argued that the rules for these types of proto-platforms and moderators were strongly influenced by and sometimes even actively guided by US lawyers specialising in free speech. The First Amendment of the US constitution is more liberal in its guarantees and individualistic in nature than equivalent European doctrines or other free speech theories. Hence, the ethos and practices of many internet companies are heavily influenced by strict US interpretations of free speech and the liberal, individual vision of a free internet (Suzor, 2019).

Moderation practices vary. The first approach is manual content moderation. Tarleton Gillespie (2018) distinguishes between the work of internal teams, crowd workers, community managers, flaggers, super flaggers, peer support, external efforts and everyone else. Moderation is one aspect of platform administration, wherein the platform administrator (owner) can select users and edit content. Currently, large platforms are professionally moderated, with the work often outsourced and delegated to algorithms. Additionally, platforms can allow users to flag content and inform administrators and moderators.

Automated or algorithmic content moderation entails the use of automated detection, filtering and moderation tools to flag, separate and remove content. Hybrid content moderation is another approach, which incorporates elements of both manual and automated approaches (Singh, 2019, p. 7). Typically, this approach involves using automated tools to flag and prioritise specific content cases for human reviewers, who then make final judgements on a case-by-case basis. Both smaller and larger platforms are increasingly adopting hybrid content moderation because it helps reduce the initial workload for human reviewers.

Content can be moderated before or after publication. Ex ante content moderation means that content is screened before it is published. Ex post reactive content moderation takes place after a post has been published on a platform and subsequently flagged or reported for review by a user or entity, such as an internet referral unit or trusted flagger (Singh, 2019, pp. 7–8).

Despite recent pressures, the present state of moderation on social media platforms is largely inadequate. The billions of messages spreading globally create a huge challenge for reviewers. Automated, algorithmic tools have created problems because of their inability to detect and identify illegal or harmful content and/or expressions based on the specific context. The pressure to remove illegal or harmful content has compelled platforms to remove even slightly suspicious content that might harm rule-abiding users' freedom of speech. Users also constantly criticise the fact that appeal processes are slow and haphazard, if they are available at all.

On the other hand, some harmful or even illegal content has been maintained on platforms. A recent report by the Soufan Center (2021) elucidated the present state of content moderation problems. Though social media platforms promised to adopt measures that prevent false information during the 2020 US presidential election, the report claims that the Russia-driven amplification of QAnon-related narratives predominated in 2020 and that China continued to promote QAnon conspiracies toward the end of 2020, outpacing Russia-related amplifications in 2021.

Moreover, moderation is only part of a platform's content management operations – curation as plays a role (Klonick, 2018; Gillespie, 2018). Curated content helps keep users engaged on platforms. Platforms are, thus, incentivised to keep as much content available as possible. Especially controversial content, such as QAnon-related narratives, create debates and keep users engaged. Essentially, the incentive for platforms to manage content differs radically from that of users or the requirements of the public good. Therefore, moderation must be monitored.

The Problems with Regulation

In the beginning, the internet was considered a vehicle for new technological inventions and a place for freedom of speech. Developments can be divided into two periods. First, regulators as well as existing literature focused on the liability of intermediaries. Second, human rights were introduced in the form of different principles and declarations. Contemporary research increasingly focuses on how to protect human rights on the internet. Meanwhile, NGOs and other groups are presenting models for ensuring digital rights, and digital constitutionalism is a frequently used catchphrase when introducing a more rights-based approach to regulations (Pollicino, 2021). Altogether, a shift has occurred from promoting freedom to creating regulatory models based on a notion of rights that originate from basic human rights.

The ethos of freedom in the early days of the internet has also affected regulations. In the United States, Section 230 of the Information Technology Act of 2000 guarantees a liability exemption to intermediaries for third-party content if the intermediary has acted in good faith. In the European Union, Article 14 of the E-Commerce Directive of 2000 (ECD) states that intermediaries, or digital or online platforms, are not legally responsible for hosting illegal content – although they are required to remove such material once it has been flagged. This obligation only applies to certain content, though. Article 15 of the ECD prohibits the general monitoring of content, but it allows the monitoring of specific content as well as voluntary monitoring by platforms. Only courts can order intermediaries to remove illegal content; however, the circumstances under which social media platforms are considered intermediaries are unclear.

Similarly, social media is also on the fringes of media regulation. The word 'media' is a questionable component of the social media concept. From the perspective of traditional media regulation, social media is not media because social media companies have no editorial responsibility. Phil M. Napoli (2019) has argued that in some situations, social media companies have even tried to take advantage of media privileges without committing to any obligations. Social media platforms are too active to count as intermediaries, but they do not operate like traditional media.

The growing significance of platforms has increased the pressure to address unclear regulations. Solutions in Europe have been national and regional in scope. One of the first national laws regarding such platforms was Sweden's Electronic Bulletin Boards Responsibility Act of 1998, which applies to platforms other than internet bulletin boards (BBs). A more recent example of such national laws is Germany's Network Enforcement Act (Netzwerkdurchsetzungsgesetz) of 2018, which targets especially large social media platforms with German users. Both national laws reference criminal law and oblige platforms to moderate and remove content.

The European Commission has provided the impetus for the voluntary removal of content through, for example, the 2016 Code of Conduct on Hate Speech, the 2017 Communication on Tackling Illegal Content and the 2018 Recommendation on Measures to Effectively Tackle Illegal Content Online. In 2019, the European Parliament also adopted a report pushing for content monitoring to be outsourced to hosting services under the pretext of the fight against terrorism. EU initiatives have included a desire for legal safeguards that do not require practical measures. In 2018, the renewed Audiovisual Media Service Directive (AVMSD) began requiring video-sharing platforms to take appropriate measures to protect minors and the public from specific harmful content. These new obligations have been effectively executed by monitoring and removing content. As a directive, the AVMSD is more binding than previous recommendations, representing a change from the previous soft regulation. The Digital Service Act and the Digital Market

Act are the next steps in the move from soft regulation via communication or codes to harder regulation via more binding measures.

At the global level, human rights treaties by the UN and regional entities guarantee freedom of speech and privacy, which are the most crucial human rights for platform users. The UN human right treaties have steered development of a regulatory framework for the internet. The special advisors in particular have given statements on how the internet should be governed. Human rights are not only global but also regional. The European Convention on Human Rights (ECHR, drafted in 1950) is one of oldest regional treaties, and the European Court of Human Rights (ECtHR) interprets its provisions in various cases. All members of the European Council are committed to following the rules of the ECHR and practice of the ECtHR. Other regional human rights organisations and treaties also exist. The Organization of American States has established the Inter-American Court of Human Rights to interpret the provisions of the American Convention on Human Rights (ACHR). The role of the Inter-American court is more adjudicatory and advisory. The US and Canada are not members of the ACHR or the Inter-American court. The third regional human rights body to be mentioned is the African Court on Human and Peoples' Rights, which complements and reinforces the functions of the African Commission on Human and Peoples' Rights. Additionally, the EU Charter of Fundamental Rights of the European Union and the European Court of Justice (ECJ) have played a role in setting human rights standards in Europe, with both the EU and ECJ being quite active in cases related to the internet and platforms.

Another issue concerns the concurrence (or competing/conflicting role) of freedom of speech and other communication-related rights (freedom of art, freedom of assembly, freedom of science and access to information). The traditional conflict has been between freedom of speech and the right to privacy, but the current situation is more complex. Various treaties, courts and entities are creating multipolar fundamental/human rights situations. This problem is more severe in a digital environment because different actors regulate different factors, such as global self-regulation (e.g. ICANN), the domestic regulation of companies, the regulation of supranational competition, administrative regulation and the limitations laid down in law, both in a company's home country and in its country of operation. Human rights, fundamental rights and different principles are all sources of tension that steer regulatory choices in different directions.

However, these regional human rights treaties have little effect on the global internet. Human rights should be protected on the internet, but the UN represents soft law and more effective human rights watchdogs are in scope regionally. All global regulatory bodies, such as the ICANN, are focused on infrastructure, and expanding their competence to regulate content is politically impossible. Therefore, forms of regulation other than traditional state-based or organisation-based regulation are needed.

Social Media Councils in Nutshell

Altogether, there is a need for a global mechanism to make platform moderation more transparent and more accountable. There is not much academic discussion or other sources on social media councils. Therefore, this paper focuses on the ARTICLE 19 (from 12.10.2021) proposal as a model for such transparency and accountability. The initial proposal was made in 2018, and it has subsequently been updated based on consultations and different situations. Soon after, the idea for SMCs was endorsed by then UN Special Rapporteur on freedom of expression David Kaye. The current plan is to establish a pilot SMC in Ireland in the near future.

According to the proposal, the key objectives for the SMCs include reviewing individual content moderation decisions made by social media platforms on the basis of international standards on freedom of expression and other fundamental rights, providing general guidance on content moderation practices to ensure they follow international standards on freedom of expression and other fundamental rights, acting as a forum where stakeholders can discuss recommendations and using a voluntary-compliance approach to the oversight of content moderation that does not create legal obligations.

The model is therefore self-regulatory and contains very little legal precedent or other hard normative power. While SMCs' sources of power vary, they are based mostly on international standards on freedom of expression and other fundamental rights. It is interesting whether that will entail interpreting UN treaties or some regional human rights instruments or even fundamental rights guaranteed in national constitutions (or, e.g. the EU Charter) as the basis for SMC decisions. References to international standard are problematic because of multipolar fundamental rights situations and the co-existence of different rights or normative documents. The lack of consensus on human rights is one of the key reasons why the SMCs are needed, but at the moment the sources buttressing the decision-making power of SMCs are still quite fragmented.

The actions of SMCs are based on the Charter of Ethics. They gather information from social media platforms; the platforms are committed to following the decisions made by the SMCs. The main difficulty with SMCs is funding and the commitments required from social media companies. Interestingly, the Article19 proposal promotes freedom of speech more than other rights.

One section of the proposal describes the finds and prior experiences of SMCs. On this basis, it suggests that SMCs should be independent of government, commercial and special interests. The SMCs should be established via a fully inclusive and transparent process that includes broad and inclusive representation and they must be transparent. While these are all quite commendable goals, SMCs have existed for some time and were established in various ways, as we see in the next section. Based on workshops conducted in 2019, experts proposed creating SMCs at the national level and that they should resemble media councils.

The Oversight Board of Facebook

The Oversight Board (OB) is an articulation of Facebook's intentions to meet its claims of accountability through self-regulation. It was launched with a relatively high level of media attention in 2020, and it includes several well-known politicians, journalists and experts in international law, such as former Prime Minister of Denmark Helle Thorning-Schmidt, former *Guardian* Editor-in-Chief Alan Rusbridger, PEN America Chief Executive Officer Suzanne Nossel and Nobel Peace Prize Laureate Tawakkol Karman.

The rules of Facebook – 'Lex Facebook', as Lee A. Bygrave (2015) has termed them – form a hierarchically structured normative system. Their principles comprise Facebook Values at the top tier, Community Standards at the second tier and Internal Implementation Standards and AI Protocols as the interpretation of these abstract rules. The Standards and Protocols are specific, non-public instructions for moderators and protocols of algorithms. Facebook Values and Community Standards are public documents.

The Oversight Board's core function is to review content enforcement decisions, determine whether they were consistent with Facebook's content policies and values, and interpret decisions vis-à-vis Facebook's articulated values (OB Charter, 1.4.2). Therefore, all decisions must be based on Lex Facebook. The board has the option of offering advice on how Lex Facebook should be developed, but the company has no obligation to follow this advice. Lex Facebook constitutes the core structure of the norms upon which the

board bases its decisions. After its establishment, the board announced that it also considered international human rights norms and standards (Gradoni, 2021). The Rulebook for Case Review and Policy Guidance is a framework for the board, and it reportedly is in alignment with the UN Guiding Principles on Business and Human Rights (UNGP). The UNGP guidelines address how companies and states should prevent and remedy human rights abuses in a business context. It comprises three pillars and 31 principles. The UNGP pillars include the stated duty to protect human rights, corporate responsibility to respect human rights and individual access to a remedy if human rights are not respected or protected. However, the UNGP is a soft law by nature, lacking an enforcement mechanism.

Lex Facebook is an idiosyncratic system of standards, some of which are not public. One criterion for appeal to the OB is when content is not removed on the basis of its illegality. The OB decides solely on the basis of Lex Facebook and the board's bylaws. In its first decisions, the OB referred to the ICCPR and the UNGP, but what is the added value of these references? The OB does not interpret laws or human rights treaties; rather, it picks one guideline (UNGP) and one treaty (ICCPR) to give its decisions juridical camouflage. Its decisions thus far represent a very liberal and US-based interpretation of freedom of speech, with a hint of the European preference for proportionality (Pollicino et al., 2021). However, its fundamental problem is not whether platforms remove certain content, but rather, that users depend on these platforms and it is almost impossible for them to appeal the removal of such content (Ghosh & Hendrix, 2020).

The OB is not an SMC in the sense of the ARTICLE 19 proposal. It is more like a platform council, i.e. a council that monitors only one platform (or platforms owned by the same company) (Fertmann & Kettemann, 2021). The OB is an interesting experiment in that sense, and only the future will show whether Facebook and Instagram follow its guidance or whether the OB only creates conflict with Meta, which will lead to the bitter end of this experiment. One key test is the recent hearing for the whistleblower and leaker of the so-called Facebook Papers, Frances Haugen. The revelations regarding how the moderation efforts of Facebook focus only on the English-speaking world are especially significant. The controversy highlights the fact that such issues are global and that even global companies are not able to moderate content in every country and in different languages. Therefore, there is a need for regional or national SMCs, as ARTICLE 19 proposes.

Lessons from Media Councils

Media Councils in a Nutshell

The Alliance of Independent Press Councils of Europe (AIPCE) describes press (media) council functions as monitoring codes of ethics/practice and defending press freedom. The AIPCE defines councils as self-regulating bodies set up by the media. AIPCE is the most important union for press councils. For example, the World Association of Press Councils (WAPC) describes itself as a defender of free speech, but none of the members of the AIPCE members are members of the WAPC; instead, members include, for example, Turkey, Kenya, Zimbabwe and other councils from countries not known for free media. Therefore, a media council can also be part of an authoritarian state.

The media councils can serve as potential benchmarks for social media councils (Tambini, Danilo, & Marsden 2008). Therefore, it is essential to focus on the media councils in democratic states, i.e. members of the AIPCE. Most media councils are only established as a result of regulatory pressure from regulators (state) and public. The pressure is often driven by the growing importance of privacy and questionable

practices by the press. When media councils first adopted self-regulatory measures, the key issue was the publication of a person's name.

Recent research (Neuvonen, 2005) has claimed that self-regulation began in the year 1900, when Svensk Publicisklubben made recommendations regarding the publication of names. The impact of the recommendations remained limited, though (Weibull & Börjesson, 1995, pp. 58–60). However, the first ethical code of rules were published in the US by the Kansas Editorial Association in 1910 and in France by the Syndicat National des Journalistes in 1918. The problem with the first codes is that their scope and efficiency varied. Still, more codes were issued after the First World War, and after the Second World War almost all Western European countries had a code of practices/ethics (Laitila, 1995; Thorgeirsdottir, 2002, p. 460).

The first media council, the Swedish Pressens Opinionsnämd, was established in 1916. Some sources claim that some kind of council was already established in Norway in 1915, but this claim remains questionable (Heinonen, 1995, p. 72). Claims have likewise been made that a council was established in Croatia in 1910; this may have been the year when the Croatian Journalists' Association was founded, which is similar to ones founded in Slovenia and Norway. Therefore, in some cases it is difficult to distinguish self-regulation from general journalistic associations. It should be mentioned that in the US, the National News Council was active in the years 1973–1984 but was dissolved due to resistance from journalists who opposed any kind of media regulation. However, in 1971 the Minnesota News Council was still active. Nonetheless, the US is almost the only Western nation that actually opposes self-regulation.

The AIPCE has compiled a data bank on media councils and this introduction is based on that data. It collected this data via interviews mostly with members of European councils as well as Canadian councils. Seventy-five per cent of the councils focus on television and radio as well. The interviews also accounted for weblogs produced by a media outlet. It is interesting that 50% of the council reportedly did not include media outlets owned by individuals as members and 53% did not include media outlets owned by organizations as members. That indicates that structures and the level of inclusiveness vary. In some countries, council is a synonym for an association of journalists while in others the competence of the council is based on law.

From the viewpoint of SMCs, it is interesting that 66% of councils reportedly cover user comments on media outlet websites, while 47% of councils cover user comments on the social media page of media outlets. Furthermore, 91% of councils cover posts by media outlets on social media platforms, while 47% cover posts by individual journalists on social media platforms. Therefore, the media councils already have in some countries the competence to monitor third-party posts and posts by journalists. However, this also depends on how media outlets and journalists are defined.

Altogether, this databank, developed by Vereniging van de Raad voor de Journalistiek Belgium, is impressive. However, the interview approach has given rise to a few discrepancies in relation to academic studies on media self-regulation, but not to any significant degree. The main issue from the standpoint of SMCs is that media councils are products of the media environment of each country. Therefore, media councils can be models for SMCs, with the caveat that some media councils are controlled by governments.

Tale of the Three Councils

The Finnish Council for Mass Media (FCMM) is one of the few councils that has not undergone a major reorganization and that still plays a significant role in the media sphere. The FCMM was founded 1968 and

has existed largely unchanged since then. The biggest change is that since 2016, the position of chairperson has been made a full-time position. In comparison with some councils, the FCMM regulates practically all media from newspapers to celebrity (gossip) magazines, radio, children's magazines, political party newspapers, television and internet publications.

In addition, the FCMM was founded by both publishers and journalists. It consists of a chairperson and thirteen members. Eight members represent the media and eight members represent the general public. Therefore, the FCMM is not just a press club or a society merely owned by journalists.

Studies have shown that Finnish journalists are extremely committed to their ethical guidelines and to decisions made by the FCMM. Similarly, different studies have shown that most people in Finland have a high level of trust in the country's traditional news media. The FCMM was founded at a time when there were no restrictions on publishing news about a person's private life, aside from libel (Neuvonen, 2005). This led to several instances of journalistic overreach and prompted parliament to consider instituting regulations. The idea of self-regulation was to keep the state at arm's length from directly regulating content. Despite the establishment of the FCMM, new laws were enacted in 1973 even as self-regulation was widely adopted by the Finnish media.

The FCMM interprets the guidelines for journalists. It can also issue policy statements regarding questions of professional ethics and handles complaint investigations free of charge. The framework for the FCMM's operations are stipulated in its charter, which all media organizations have signed, committing themselves to self-regulation and accepting its objectives.

The key word accounting for the longevity of the FCMM is trust: journalists trust self-regulation, the public trusts journalism, media companies are committed to self-regulation and the state trusts self-regulation. Another key issue is coverage, with the FCMM covering practically all Finnish media and including members from outside the media.

However, the history of Finnish self-regulation is not just a straightforward success story. The first council, Suomen Sanomalehdistön Kunniaoikeusto, was established 1927 to settle disputes between journalists. It was a complete failure (Vuortama, 1984). The first code was drawn up in 1958 by Finnish media associations. The effort did not prevent the press from publishing scandalous news and, after the death of the famous writer Timo K. Mukka, attitudes towards the press became more judgmental. The public blamed a few scandalous publications for contributing to the writer's death. The JSN was established out of fear of government regulation, but it did not prevent stricter laws from being passed in 1973 (Neuvonen, 2005).

In April of 1916, the Swedish newspaper *Ny Dagligt* published a private letter, causing a scandal in that country. The scandal led to calls for greater regulation of the press. As a result, the first modern press council, Pressens Opinionsnämnd (PON), was established in Sweden in 1916. It only covered the press and suffered from a lack of funding in the early years, leaving 70% of complaints unresolved (Weibull & Börjessön, 1995, pp. 67–70). Sweden is in many ways similar to Finland, but the press council was in crisis in the 1960s due to more scandalous press reporting. The solution was to remodel the system and establish a new position of authority called the Pressombudsmannen in 1969.

The PON adheres to a strict publication code (publitetsregel). In addition, professional issues are regulated via a professional code (yrkesregel), which is interpreted by Council of Professional Ethics, the Yrkesetiska nämden, part of the Swedish Union of Journalists (Journalistförbundet). Television and radio are self-

regulated by the Swedish Press and Broadcasting Authority (Granskningsnämnden för radio och tv), while magazines are regulated by the Swedish Media Publishers' Association (Tidningsutgivarna).

The English Press Council (PC) was long considered an example of media councils. The first Royal Commission on the Press recommended in 1949 that a General Council of the Press should be formed to govern the behaviour of print media publishers (Frost, 2000, p. 177). The PC was criticized during its first decades of operation. The Second Royal Commission on the Press recommended that some council members should be members of the general public without any connections to the press. The press and PC were extensively criticized in the 1973 Younger Committee Report on Privacy, prompting the third Royal Commission on the Press to suggest the adoption of a written code of conduct for the press.

During the 1980s, the PC lost the confidence of journalists and publishers. As a result, in 1991 the Press Complaints Commission (PCC) replaced the PC based on findings reported in the Calcutt Report (Shannon, 2001). The PCC also drafted a code of conduct. However, the PCC was later dissolved after a phone hacking scandal in the early 2010s, uncovered by the Leveson Inquiry, which was a judicial public inquiry into the culture, practices and ethics of the British press. The resulting Leveson Report argued that the PCC could not efficiently regulate the press and recommended a new voluntary regulatory body. The new system does not involve self-regulation in its purest form, though it is based on the 2013 Royal Charter on self-regulation of the press (hereinafter the Charter). The Charter created a Press Recognition Panel to ensure that regulators of the press and other news publishers are independent, properly funded and able to protect the public. The first regulator recognized by the PRB was the Independent Monitor for the Press (IMPRESS). However, none of the large national publishers are not member of IMPRESS. Instead, most national publications are members of the Independent Press Standards Organisation (IPSO), which the PRB does not recognise. In addition, several prestigious newspapers (e.g. *The Guardian*, *Financial Times*) have established their own independent complaint systems. Therefore, the current status of media self-regulation in the UK seems quite complicated.

What Can Social Media Councils Learn from Media Councils?

The focus of the article has been on three media councils. Two of the three councils have been considered positive examples for decades, but both have had difficult times. In contrast, the Finnish Council for Mass Media has been quite stable for more than 50 years. The same applies to a few other councils. However, the basis for a council's competence varies, as does other aspects of how councils operate. Media councils have largely followed the example of other councils, but still no single prototype exists for a media council. In addition, in some countries the council is controlled by the government or else it is completely neglected.

As we have seen especially with respect to the UK regulators, the key issue is trust between stakeholders. The regulator (the state) must trust that publishers and journalists follow the rules set by the council. The public must trust that publishers and journalists will act ethically and follow the rules. Therefore, all participants must trust that the council tries its best and is impartial. At the beginning of media self-regulation, neither the state nor the general public trusted journalists and publishers. As a result, demands for stricter media regulation intensified. In Sweden in the 1960s, journalists and publishers lost faith that the council benefited the entire press. In the UK, the press has always been sceptical of self-regulation because self-regulatory bodies have appeared biased. Thus, the system has faltered and stumbled from crisis to crisis.

The case of the FCMM indicates that a few key elements are essential to earning the trust of the state and general public. First, the scope of the council must be as wide as possible. Second, regulation must be based on rules. Third, the council must represent all sectors, not just publishers or journalists. Fourth, some members of the council must be members of the general public. Fifth, self-regulation must be open and transparent.

However, the Nordic countries rank highly in their guarantees of freedom of speech, and each country has also developed an exemplary self-regulatory system, the so-called Nordic welfare state model (Syvertsen et al., 2014). It should be noted that all the Nordic countries have strong public service media outlets as well as strong national and independent, family-owned media. In comparison to the UK, the Nordic countries do not contain global media giants on the same scale. Therefore, the media owners tend to know their country and its culture quite well, and usually family-owned businesses have some added value other than just making a profit, especially in the media business, even though they are listed companies. The situation with social media is completely different. Almost all major social media companies are in the US and are listed on the stock exchange. The major competitors are found in China, and, for example, one of the most noteworthy regional companies is the Russian firm vKontakte. If it is difficult to regulate American companies, it is much harder to influence Chinese companies. Therefore, two of the examples were from Nordic countries, which represent exceptions in many ways in comparison to larger, more global social media companies. So, the SMCs could follow the path of self-regulators in Sweden and Finland and have a significant impact on UK regulators, which may cause problems and result in the need for constant remodifications. But numerous alternatives exist.

How can the lessons be applied to social media? First, SMCs cannot focus on just one platform; they must regulate all platforms that meet certain criteria. Second, SMCs must have their own ethical rules for regulating the activities of platforms at a higher level of scrutiny. Platforms have their own rules, both general public rules and secret detailed rules, but these rules need to be based on rules set by SMCs. Third, SMCs must include members who are not connected to the platforms. Fourth, the main asset of SMCs is the level of trust between different stakeholders, and that trust must be earned; there are no instant recipe for success. Fifth, the whole idea of SMCs is utopian, so the first step must be both realistic and credible.

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