



# ONLINE PLATFORMS

## Private Actors with State-like Power?

A two-day conference on platforms exercising traditionally public powers—rule-making, enforcement, adjudication—and what it means for how this power is governed



further information  
and registration

**21–22 MAY 2026**

SEMINAR ROOM

FÜRSTENBERGSTR. 19

79102 FREIBURG



## Day 1, 21 May 2026

- 09:00 – 09:15     **Introduction**  
Ralf Poscher (Director, Department of Public Law, Max Planck Institute for the Study of Crime, Security and Law, Freiburg, Germany)
- 09:15 – 10:45     **Keynote**  
**Platform Rule: Corporate Sovereignty through Immunities**  
Uta Kohl (University of Southampton, UK)
- 10:45 – 11:00     ☕ Coffee Break
- 11:00 – 13:00     **Panel 1: Conceptualising Platform Power**  
  
Moderator: Elisa Orrú (Max Planck Institute for the Study of Crime, Security and Law, Freiburg, Germany)  
  
**Beyond the State Metaphor: Digital Landlordism and the ‘Constitutionalization’ of Private Power**  
Alessandro Billi (University of Perugia, Italy)  
  
**The Economic Structure of Platform Power: A Structural Approach to Regulation**  
Noa Efroni (Hebrew University of Jerusalem, Israel)  
  
**What we can and cannot expect from the exercise of public functions by private platforms: lessons from content moderation**  
Agustina Del Campo, Matías González Mama, Nicolás Zara, Ramiro Álvarez Ugarte (Centro de Estudios en Libertad de Expresión, Universidad de Palermo, Buenos Aires, Argentina)
- 13:00 – 14:00     🍽️ Lunch
- 14:00 – 16:00     **Panel 2: Legal Frameworks and Their Limits**  
  
Moderator: Erik Tuchtfield (Max Planck Institute for Comparative Public Law and International Law, Heidelberg, Germany)  
  
**Intensified Third-Party Effect in Digital Spaces: Deducting “the Social Obligation” of Platformers from the Law of Freedom of Assembly**  
Miki Kadota (University of Tsukuba, Ibaraki, Japan)  
  
**Act like a State, be regulated like a State?**  
Justine Haekens, Emma Dewulf (KU Leuven, Belgium)  
  
**Treating Social Media Corporations as Quasi-State Actors to Address the Use of Artificial Intelligence in Content Moderation**  
Michael T. Tiu, Jr. (University of Michigan, Ann Arbor, USA)



16:00 – 16:20 ☕ Coffee Break

16:20 – 17:40 **Panel 3: The DSA and its Discontents**

Moderator: Simon Palmer (Max Planck Institute for the Study of Crime, Security and Law, Freiburg, Germany)

**House of cards – How the DSA stretches the boundaries of contract law and what to do about it**

Charlotte Ducuing (KU Leuven, Belgium) — online

**The Regulatory Paradox: How Indonesia's DSA Adoption Legitimizes Platform Power**

Ardianto Budi Rahmawan (University of Pécs, Hungary; Universitas Gadjah Mada, Yogyakarta, Indonesia)

17:40 *Group Photo* in the courtyard

19:00 🍷 Working Dinner

**Day 2, 22 May 2026**

09:00 – 10:30 **Keynote**  
**The Missing Link: Trusted Content Creators and the Future of Online Curation**

Martin Husovec (London School of Economics and Political Science, UK)

10:30 – 10:45 ☕ Coffee Break

10:45 – 12:45 **Panel 4: Proceduralism, Constitutionalism, and the Paradox of Legitimation**

Moderator: Christian Thönnies (Max Planck Institute for the Study of Crime, Security and Law, Freiburg, Germany)

**Courts as Joins: Rethinking the Judicial Role in Online Content Moderation Under Digital Constitutionalism**

Luz Helena Orozco y Villa (University of Oxford, UK)

**The Bureaucratization of Truth: Procedural Fetishism, Private Administrative Law, and the Erosion of Substantive Rights in the Digital Constitutional Order**


E Prema (Vellore Institute of Technology, Chennai, India), Ragul OV (Madras High Court, Chennai, India) — online



**Procedural Legitimation: How India's IT Rules Transform Private Platform Power into Quasi-Governmental Authority**

Gaurav Pathak (Jindal Global Law School, Sonipat, India)

12:45 – 13:45

 Lunch

13:45 – 15:05

**Panel 5: To Regulate or Not to Regulate?**

Moderator: Johanna Rinceanu (Max Planck Institute for the Study of Crime, Security and Law, Freiburg, Germany)

**Platform Governance in the Illiberal State**

Jenny Domino (Harvard University, Cambridge, MA, USA; Meta Oversight Board)

**Digital Militant Democracy: The Paradox of Democratic Self-Defence in the EU Digital Services Act**

Michalina Marcia (Polish Academy of Science, Warsaw, Poland)

15:05 – 15:25

 Coffee Break

15:25 – 16:55

**Keynote**

**The End of New Governance: Platform Power, Preventive Moderation, and the Geopolitical Turn**

Kate Klonick (St. John's University, New York, USA)

16:55 – 17:10

**Closing Remarks**

*Organizers*

Marc Bovermann

Daniel Buchmann

Maria Diory F. Rabajante

(Max Planck Institute for the Study of Crime, Security and Law, Freiburg, Germany)