

References

- ADER, B., "Premier référé «fake news» un coup d'épée dans l'eau," *Légipresse* (371), 2019.
- ALLCOTT, H., GENTZKOW, M., "Social Media and Fake News in the 2016 Election," *Journal of Economic Perspectives*, 31(2), 2017.
- ALLEGRI, M.R., *Ubi Social, Ibi Ius. Fondamenti costituzionali dei social network e profili giuridici della responsabilità dei provider*, FrancoAngeli, Milano, 2018.
- BALDWIN-PHILIPPI, J., *Using Technology, Building Democracy. Digital Campaign and the Construction of Citizenship*, Oxford University Press, New York, 2015.
- BALKIN, J.M., "Free speech and Hostile Environments", *Columbia Law Review*, 99(8), 1999
- BALKIN, J.M., *Old School/New School Speech Regulation*, Yale Law School, Public Law Research Paper No. 491, May 6, 2014.
- BARILE, P., *Libertà di manifestazione del pensiero*, Giuffrè, Milano, 1975.
- BASSINI, M., VIGEVANI, G.E., "Primi appunti su fake news e dintorni," *Medialaws – Rivista di diritto dei media* (1), 2017.
- BAYER, J., et al., *Disinformation and Propaganda – Impact on the Functioning of the Rule of Law in the EU and its Member States*, Study for the LIBE Committee, European Parliament, 2019.
- BENKLER, Y., *The Wealth of Networks. How Social Production Transforms Markets and Freedom*, Yale University Press, Yale, 2006.
- BLACK, J., "Decentring Regulation: Understanding the Role of Regulation and Self-Regulation in a 'Post-Regulatory' World," *Current Legal Problems*, 54(1), 2001.
- BOBBIO, N., *Il futuro della democrazia*, Einaudi, Turin, 1984.
- BRADSHAW, S., NEUDERT, L., HOWARD, P., *Government Responses to Malicious Use of Social Media*, NATO Stratcom COE, November, 2018.
- BUNTING, M., *Keeping Consumers Safe Online: Legislating for Platform Accountability for Online Content*, July 2018.
- CANNIE, H., VOOHROOHF, D., "The Abuse Clause and Freedom of Expression in the European Human Rights Convention: An Added Value for Democracy and Human Rights Protection?," *Netherlands Quarterly of Human Rights*, 29(1), 2011.
- CARDON, D., *A quoi rêvent les algorithmes*, Seuil, Paris, 2015.
- CENSIS, *I media tra élite e popolo. XIII rapporto Censis sulla comunicazione*, FrancoAngeli, Milan, 2016.
- COSTA, P., "Motori di ricerca e social media: i nuovi filtri nell'ecosistema dell'informazione online e il potere occulto degli algoritmi," in G. AVANZINI, G. MATUCCI,

(eds), *L'informazione e le sue regole. Libertà, pluralismo e trasparenza*, Editoriale Scientifica, Naples, 2016.

DE GREGORIO, G., "From Constitutional Freedoms to the Power of the Platforms: Protecting Fundamental Rights Online in the Algorithmic Society," *European Journal of Legal Studies*, 11(2), 2019.

DE GREGORIO, G., "Democratising Online Content Moderation: A Constitutional Framework," *Computer Law and Security Review*, 2019.

DE GREGORIO, G., PEROTTI, E., *Tackling Disinformation Around the World*, Public Affairs Media Policy, WAN-IFRA, 2019.

DE MINICO, G., *Antiche libertà e nuova frontiera digitale*, Giappichelli, Turin, 2017

ECHIKSON, W., KNODT, O., *Germany's NetzDG: A key test for combatting online hate*, CEPS Research Report No. 2018/09, 2018.

ESPINOZA, J., FLEMING, S., "EU rejects Facebook's Proposals for Online Regulation," *Financial Times*, February 17, 2020.

ESPOSITO, C., *La libertà di manifestazione del pensiero nell'ordinamento italiano*, Giuffrè, Milano, 1958.

FINCK, M., "Digital co-regulation: Designing a supranational legal framework for the platform economy," *European Law Review*, 43(1), 2018.

FLAUSS, J.F., "The European Court of Human Rights and the Freedom of Expression", in *Indiana Law Journal*, 84(3), 2009.

FOSTER, R., *News Plurality in a Digital World*, University of Oxford/Reuters Institute for the Study of Journalism, 2012.

FRIED, D., POLYAKOVA, A., *Democratic Defense against Disinformation*, Atlantic Council Eurasia Center, February 2018.

GALL, M.S., RUBINFELD, D.L., *The Hidden Costs of Free Goods: Implications for Antitrust Enforcement*, New York University Law and Economic Working Papers, 2015.

GHIDINI, G., MANCA, D., "Cose semplici da fare per tutelare la privacy," in *Corriere della Sera*, December 28, 2019.

HÄBERLE, P., *Wahrheitsprobleme im Wefassungsstaat*, Nomos, Baden Baden, 1995.

HAGGART, B., TUSIKOV N., *What the U.K.'s Online Harms white Paper Teaches us about Internet Regulation*, LSE Media Policy Project Blog, 29 April 2019.

HAN, B.C., *Nello sciame. Visioni del digitale*, Nottetempo, Rome, 2015.

HELDT, A., "Reading between the lines and the numbers: an analysis of the first NetzDG reports," *Internet Policy Review*, 8(2), 2019.

HERRMAN, J., "Inside Facebook's (Totally Insane, Unintentionally, Gigantic, Hyperpartisan) Political-Media Machine," *The New York Times Magazine*, August 24, 2016.

HINDMAN, M., *The Internet Trap. How the Digital Economy Builds Monopoly and Undermines Democracy*, Princeton University Press, Princeton, 2018.

HOCHMANN, T., *Shedding Light or Shooting in the Dark – How to Define Fake News?*, Verfassungsblog, September 5, 2018.

HOUSE OF COMMONS, *Disinformation and "fake news": Final Report*, February 18, 2019.

HUBBARD, S., "Why Fake News Is An Antitrust Problem," *Forbes*, January 10, 2017.

KAYE, D., *Speech Police: The Global Struggle to Govern the Internet*, Columbia Global Reports, 2019.

KELLER, D., "Making Google The Censor," in *The New York Times*, June 12, 2017.

KOLTAY, A., *New Media and Freedom of Expression. Rethinking the Constitutional Foundations of the Public Sphere*, Hart, Oxford, 2019.

- KOWALIK-BANCZYK, K., POLLICINO, O., "Migration of European Judicial Ideas Concerning Jurisdiction Over Google on Withdrawal of Information," *German Law Journal*, 2016.
- LAIDLAW, E.B., *Regulating Speech in Cyberspace*, Cambridge University Press, Cambridge, 2015.
- LEHNER, E., "Fake news e democrazia", *Medialaws – Rivista di diritto dei media*, 2019(1), 2019.
- LESSIG, L., *Code 2.0*, Basic Books, New York, 2006.
- LESSIG, L., "Reading the Constitution in Cyberspace", *Emory Law Journal*, 45(3), 1996.
- LESSIG, L., RESNICK, P., *Zoning Speech on Internet: A Legal and Technical Model*, The Berkman Center for Internet & Society Research Publication No. 1999-06 12/1999.
- LOEWENSTEIN, K., "Militant Democracy and Fundamental Rights", in *American Political Science Review*, 1937, 31.
- LYNSKEY, O., *Regulating 'Platform Power'*, LSE Law, Society and Economy Working Papers 1, 2017.
- MAGNANI, C., "Libertà d'informazione online e fake news: vera emergenza? Apunti sul contrasto alla disinformazione tra legislatori statali e politiche europee," *Forum di Quaderni Costituzionali*, 2019(4), 2019.
- MCNAMEE, R., *Facebook. La catastrophe annoncée* [Zucked: Waking Up to the Facebook Catastrophe], Quanto, Lausanne, 2019.
- MELONI, V., *Il crepuscolo dei media. Informazione, tecnologia, mercato*, Laterza, Rome-Bari, 2017.
- MILL, J.S., *On Liberty*, John W. Parker and Son, London, 1859.
- MILTON, J., *Areopagitica: A Speech of Mr. John Milton for the Liberty of Unlicensed Printing, to the Parliament of England*, London, 1644.
- MOAZED, A., JOHNSON, N.L., *Modern Monopolies. What It Takes to Dominate the 21st Century Economy*, St. Martin's Press, New York, 2016.
- MONTI, M., *La proposta del ddl Zanda-Filippin sul contrasto alle fake news sui social network: profili problematici*, Diritti Comparati, December 7, 2017.
- MOURON, P., "Du Sénat au Conseil constitutionnel: adoption des lois de lutte contre la manipulation de l'information," *Revue Européenne des Médias et du Numérique*, IREC, 2019.
- OCDE, *Data-Driven Innovation. Big Data for Growth and Well-Being*, 2015.
- OHLHEISER, A., "The dangerous cycle that keeps conspiracy theories in the news and Trump's tweets," in *The Washington Post*, October 11, 2019.
- OROFINO, M., *La libertà di espressione tra Costituzione e Carte europee dei diritti. Il dinamismo dei diritti in una società in continua trasformazione*, Giappichelli, Turin, 2014.
- PACE, A., MANETTI, M., "Art. 21. La libertà di manifestazione del proprio pensiero," in BRANCA G. (a cura di), *Commentario della Costituzione*, Zanichelli, Bologna, 2006.
- PAGLIARO, P., *Fermiamo il declino dell'informazione*, Il Mulino, Bologna, 2017.
- PALANO, D., "La bolla mortale della nuova democrazia", *Il Foglio*, April 28, 2017.
- PARISER, E., *Filter Bubble: How the New Personalized Web Is Changing What We Read and how We Think*, Penguin Books, New York, 2011.
- PASQUALE, F., *The Black Box Society. The Secret Algorithms That Control Money and Information*, Harvard University Press, Cambridge (Mass.), 2015.
- PINELLI, C., "Postverità, verità e libertà di manifestazione del pensiero," *Rivista di diritto dei media*, 2017.

- PISAPIA, G., "Un arbitro contro le bugie della rete," *La Repubblica*, February 2, 2017.
- POLLICINO, O., "Fake News, Internet and Metaphors (to be handled carefully)," *Rivista di diritto dei media*, 2017.
- POLLICINO, O., *Fundamental rights as bycatch – Russia's anti-fake news legislation*, Verfassungsblog, March 28, 2019.
- POLLICINO, O., BASSINI, M. (a cura di), *Verso un Internet bill of rights?*, Aracne editrice, Rome, 2015.
- POLLICINO, O., BIETTI, E., "Truth and deception across the atlantic: a roadmap of disinformation in the US and Europe," *Italian Journal of Public Law*, 11(1), 2019.
- POLLICINO, O., DE GREGORIO, G., "Hate speech: una prospettiva di diritto comparato," *Giornale di diritto amministrativo*, 2019(4), 2019.
- POLLICINO, O., SOMAINI, L., "Online disinformation and freedom of expression in the electoral context: the European and Italian responses," in S. BAUME, V. BOILLET, V. MARTENET (eds), *Misinformation in Referenda*, Routledge, New York, 2020.
- POSETTI, J., MATTHEWS, A., *A short guide to the history of 'fake news' and disinformation*, International Center for Journalists, 2018.
- RAZZANTE, R., *Manuale di diritto dell'informazione e della comunicazione*, Wolters Kluwer, Milan, 2016.
- REDEKER, D., GILL, L., GASSER, U., "Towards digital constitutionalism? Mapping attempts to craft an Internet Bill of Rights," *International Communication Gazette*, 80(4), 2008.
- REIDENBERG, J.R., "Yahoo and Democracy on Internet," *Jurimetrics*, 42(261), 2001.
- RENDA, A., "The legal framework to address 'fake news': possible policy actions at the EU level", *Policy Department for Economic, Scientific and Quality of Life Policies*, June, 2018.
- RICHTER, A., *Disinformation in the Media under Russian law*, European Audiovisual Observatory, Strasbourg, 2019.
- ROSENFELD, M., SAJO, A., "Spreading Liberal Constitutionalism: An Inquiry into the Fate of Free Speech Rights in New Democracies", in S. CHOUDRY, *The Migration of Constitutional Ideas*, Cambridge University Press, Cambridge, 2007.
- SCHAUER, F., *Facts and the First Amendment*, University of Virginia School of Law, Public Law and Legal Theory Research Paper Series, October 2009.
- SCHMITZ, S., BERNDT, C., *The German Act on Improving Law Enforcement on Social Networks (NetzDG): A Blunt Sword?* December 14, 2018.
- SCHULDT, L., *A Look behind the Fake News Laws of Southeast Asia*, Verfassungsblog, December 16, 2018.
- SCHULDT, L., *A ministry of truth in Singapore? Reflections on the anti-fake news bill*, Verfassungsblog, April 20, 2019.
- SCHULZ, W., *Regulating Intermediaries to Protect Privacy Online – the Case of the German NetzDG*, HIIG Discussion Paper Series 2018-01, 2018.
- SCHWAB, K., *The Fourth Industrial Revolution*, World Economic Forum, Geneva, 2016.
- SHASHI, J., "Germany's NetzDG: Template for Dealing with Fake News?," *RSIS Commentaries*, 41, 2018.
- SIYUAN, C., WEI CHEN, C., *Singapore's Latest Efforts at Regulating Online Hate Speech: A Perspective From International Law and International Practices*, May 22, 2019.
- STARR, P., "The New Masters of the Universe. Big Tech and the Business of Surveillance," *Foreign Affairs*, November/December 2019.
- SULLIVAN, M., "Call it a crazy idea, Facebook, but you need an executive editor," *The Washington Post*, November 20, 2016.

- SUNSTEIN, C.R., *Republic.com 2.0*, Princeton University Press, Princeton, 2007.
- SUNSTEIN, C.R., *On Rumors*, Princeton University Press, Princeton, 2014.
- SUNSTEIN, C.R., *#Republic: Divided Democracy in the Age of Social Media*, Princeton University Press, Princeton, 2017.
- TWOREK, H., LEERSSEN, P., *An Analysis of Germany's NetzDG Law*, Working Paper, Transatlantic High Level Working Group on Content Moderation Online and Freedom of Expression, April 15, 2019.
- VAN DIJCK, J., *The Culture of Connectivity*, Oxford University Press, Oxford, 2013.
- VAN LOO, R., "The Corporation as Courthouse," *Yale Journal on Regulation*, 33(547), 2016.
- VIOLANTE, L., *Politica e menzogna*, Einaudi, Turin, 2013.
- VON BOGDANDY, A., *Principles and Challenges of a European Doctrine of Systemic Deficiencies*, Max Planck Institute for Comparative Public Law & International Law (MPIL) Research Paper No. 2019-14, 2019.
- VON DER LEYEN, U., *A Union that strives for more. My agenda for Europe*, Political Guidelines for the Next European Commission 2019-2024, 2019.
- WINTER, S.L., *A Clearing in the Forest: Law, Life, and Mind*, University of Chicago Press, Chicago-London, 2001.
- WOODS, L., "Duty of Care," *InterMedia*, 46(4), 2018/2019.
- YI, N., "A comparative study on the Anti-Fake News Act 2018," *University of Malaya Law Review*, May 20, 2018.
- ZACCARIA, R., VALASTRO, A., ALBANESI, E., *Diritto dell'informazione e della comunicazione*, CEDAM, Padua, 2013.
- ZUBOFF, S., *The Age of Surveillance Capitalism: The Fight for a Human Future at the New Frontier of Power*, PublicAffairs, New York, 2019.
- ZUCKERBERG, M., "Mark Zuckerberg: Big Tech needs more regulation," *Financial Times*, February 16, 2020.