

Soft Regulation vs. Hard Manipulative Technologies – Conceptual Foundations in Informational Governance

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	<p>Abstract</p> <p>In the digital era, public stability is increasingly linked to the integrity and governance of the information environment. This article examines the dichotomy between “hard” manipulative technologies—such as censorship, surveillance, and disinformation—and “soft” regulation based on media literacy, transparency, and self-regulation. While hard methods may provide immediate control, they risk undermining public trust and democratic values. By contrast, soft regulation seeks to build resilient societies by empowering citizens to critically engage with information and resist manipulative content. Through a political-cultural and ideological lens, the article argues that soft informational governance not only enhances information security but also reinforces democratic legitimacy and pluralism.</p>
<p>Keywords: Soft regulation; information security; disinformation; political culture; censorship; media literacy; democratic governance; hard regulation; digital authoritarianism; public trust.</p>	

Introduction

Ensuring public stability in the digital age requires careful governance of the information space. Governments and societies face a strategic choice between “hard” manipulative technologies – coercive tools such as pervasive censorship, surveillance, and propaganda – and “soft” regulation – cooperative, normative approaches like self-regulation, media literacy, and transparent policy frameworks. Hard manipulative measures (for example, internet firewalls or coordinated disinformation campaigns) can yield short-term control but often at the cost of public trust and fundamental freedoms.¹ By contrast, soft regulation aims to strengthen stability by empowering society: enhancing information security while upholding democratic values. This article explores the conceptual underpinnings of soft regulation and hard informational

¹ Freedom House. Freedom on the Net 2023: The Repressive Power of Artificial Intelligence. – Washington, D.C.: Freedom House, 2023. – URL: <https://freedomhouse.org/report/freedom-net/2023/repressive-power-artificial-intelligence> (дата обращения: 16.05.2025).

governance, highlighting how a soft approach can bolster information security and democratic balance in political culture and ideology.

Public stability is closely tied to the integrity of the information environment. Modern societies are vulnerable to “information disorder” – the spread of misinformation, disinformation, and hate speech – which can erode social cohesion and trust.² Authoritarian regimes have often resorted to hard, manipulative technologies to manage this threat, using advanced censorship and psychological influence tactics to stifle dissent and shape public opinion. However, such hard-handed approaches risk undermining the very stability they seek to ensure by violating human rights and fueling public cynicism. Democratic societies and forward-looking governments increasingly recognize that soft regulation – grounded in voluntary norms, stakeholder cooperation, and education – can provide a more sustainable alternative that maintains order without oppressive control.³ In the context of political culture and ideology, this represents a shift from coercive power to consensual governance of the information space. The sections below delineate these concepts, discuss methodological approaches to studying them, and present the results of a comparative analysis of their effectiveness in promoting stability.

Methods

This study employs a qualitative comparative analysis of policy frameworks, international norms, and scholarly literature to distinguish between soft and hard approaches to informational governance. We reviewed documents and reports from reputable sources – including the United Nations, UNESCO, OSCE, and other international organizations – as well as academic research on media regulation and political stability. Key texts such as UN General Assembly resolutions on countering disinformation, UNESCO guidelines on internet platform regulation, and OSCE guidebooks on media self-regulation were examined to identify the principles and assumed outcomes of soft versus hard regulatory strategies.⁴ We also analyzed case examples referenced in global reports (e.g. Freedom House assessments) to illustrate real-world manifestations of these approaches.

The comparative framework considered several dimensions: **legal-institutional** (laws and regulations vs. voluntary codes), **technological** (use of censoring/filtering tech vs. open platforms), **socio-cultural** (impact on trust and political culture), and **ideological** (alignment with democratic vs. authoritarian values). The methods involve content analysis of policy documents and secondary data on country cases, alongside a conceptual analysis grounded in political culture theory. Notably, we adopt a constructive perspective – focusing on how soft regulation can positively strengthen information security and democratic balance. The evidence gathered is cited from international best practices and Uzbekistan’s national initiatives, given that country’s relevant reforms in media and information policy. By triangulating these sources, the analysis

² UNESCO. Addressing Hate Speech and Disinformation in the Digital Age: UNESCO Guidelines. – Paris: UNESCO, 2023. – URL: <https://unesdoc.unesco.org/ark:/48223/pf0000386138> (дата обращения: 16.05.2025).

³ OSCE Representative on Freedom of the Media. Guidelines on the Responsibilities of Internet Intermediaries. – Vienna: OSCE, 2020. – URL: <https://www.osce.org/fom/460466> (дата обращения: 16.05.2025).

⁴ United Nations General Assembly. Resolution A/RES/76/227: Countering Disinformation and the Promotion and Protection of Human Rights and Fundamental Freedoms. – New York: UN, 2021. – URL: <https://documents.un.org> (дата обращения: 16.05.2025).

derives theoretical distinctions and practical insights into how soft regulation and hard manipulative technologies differently affect public stability.

Results

Our analysis first clarified the conceptual distinctions. Soft regulation refers to non-coercive, often non-binding, measures to guide behavior in the information sphere. It encompasses “**soft law**” instruments like codes of ethics, guidelines, industry self-regulation, co-regulatory frameworks, and educational initiatives, rather than strictly enforceable statutes.⁵ The OSCE’s Media Self-Regulation Guidebook defines “soft law” as “recommended norms” – essentially a code of practice that is not compulsory law – created to foster self-regulation among internet users, companies, and civil society. The purpose of soft law in internet governance is explicitly “the wish not to harm the possibilities of the Internet,” instead creating conditions for its free and dynamic development so that more people can benefit from the information society.⁶ Soft regulation mechanisms aim to avoid heavy-handed restrictions; they promote **voluntary compliance, capacity-building, and norm creation** to maintain a healthy information environment.

In contrast, hard manipulative technologies denote coercive techniques and tools deployed to control or influence information flows without consent. This category includes state-imposed **censorship regimes** (e.g. aggressive filtering or site blocking), mass **surveillance systems** that monitor communications, and orchestrated **propaganda operations** that spread misleading narratives. Such approaches are “hard” in the sense of being forceful and top-down, and “manipulative” because they often covertly distort public perceptions. A prominent example is China’s Great Firewall and high-tech censorship apparatus – described as an “alarmingly effective” system of surveillance and information control that the authorities even seek to export abroad. Hard measures may also involve the use of automated **bots and algorithms** to amplify certain content or suppress others, effectively manipulating the online discourse. Table 1 summarizes key differences:

- **Legal Form:** Hard approaches rely on strict laws (e.g. criminalizing online speech, mandatory content takedowns) and punitive enforcement. Soft regulation relies on policies like guidelines or “best practice” codes, often implemented by independent bodies or the industry itself;
- **Instruments:** Hard tools include content filters, firewalls, data interception, and manipulative technologies such as deepfakes or micro-targeted propaganda. Soft tools include educational campaigns, media and information literacy programs, fact-checking networks, and transparent moderation policies;
- **Participation:** Hard governance is typically **state-centric**, with decisions made by government agencies (often secretly). Soft governance is **multi-stakeholder**, engaging civil society, media, tech platforms, and citizens in formulating norms;

⁵ OSCE Representative on Freedom of the Media. The Media Self-Regulation Guidebook. – Vienna: OSCE, 2020. – URL: <https://www.osce.org/fom/138443> (дата обращения: 16.05.2025).

⁶ Same.

- **Ideological Basis:** Hard methods align with authoritarian ideology, prioritizing order and control over individual rights. Soft methods align with democratic ideals, valuing pluralism, accountability, and the informed consent of the governed;

- **Outcome Focus:** Hard strategies seek immediate stability by silencing “undesirable” information. Soft strategies seek resilience – a society’s internal strength to withstand false or harmful information without heavy external restriction.

A core finding is that soft regulation tends to strengthen long-term information security and public trust, whereas hard manipulative tactics often undermine them. **Information security**, in a broad sense, means protecting the public from dangerous misinformation, hate speech, or malicious cyber influence, thereby maintaining social order. Hard approaches achieve this by removing content or deterring expression – for example, blocking websites or punishing journalists. While this can quell immediate unrest, it frequently drives undesirable content underground and creates a “chilling effect” in society. People may fear sharing information at all, which stifles healthy discourse and innovation.⁷ Moreover, overreliance on censorship can backfire: it often encourages rumor-mongering and reduces the credibility of all information (since citizens cannot trust what they see, suspecting it is curated by authorities).

By contrast, soft regulation seeks to **empower society** to deal with problematic information. For instance, UNESCO emphasizes that media and information literacy (MIL) is the first line of defense against disinformation. By educating citizens to critically evaluate content, societies can combat falsehoods without resorting to blanket bans. UNESCO experts describe MIL as “empowering individuals to be critical users and producers of content,” making people more discerning about what they consume.⁸ This approach does not eliminate misinformation entirely, but it builds **societal resilience** – the ability of the public to collectively identify and reject false or extremist narratives. According to recent research, a society’s information resilience is a combination of trustworthy institutions, media that citizens find credible, and an educated, media-literate populace. Central to this is a **healthy level of trust** between the public, media, and government.⁹ Hard tactics erode such trust (citizens come to distrust state media or even true information, assuming manipulation), whereas soft measures help **preserve trust** by being transparent and rights-respecting.

Empirical observations support these assertions. The UN General Assembly, in Resolution 76/227 (2021), “underlines that countering disinformation requires multidimensional and multi-stakeholder responses” – specifically highlighting education, capacity-building, and media literacy, within the bounds of human rights law. Rather than advocating heavy censorship, the UN calls on states to involve civil society and media in addressing false news, and to “empower all people... through digital inclusion and global connectivity” as part of the solution. This aligns with soft regulatory philosophy: **inclusion** and **education** over coercion. Similarly, UNESCO’s recent action plan on online disinformation insists that “freedom of expression must be protected” in any

⁷ OSCE Representative on Freedom of the Media. Freedom of Expression and the Internet: OSCE Guidebook. – Vienna: OSCE, 2016. – URL: <https://www.osce.org/fom/135081> (дата обращения: 16.05.2025).

⁸ UNESCO. Global Media and Information Literacy Week 2022: Feature Events and Resources. – Paris: UNESCO, 2022. – URL: <https://www.unesco.org/en/days/media-information-literacy> (дата обращения: 16.05.2025).

⁹ Nature Editorial. Restoring Trust in Science Must Be a Top Priority. // Nature. – 2021. – Vol. 595. – P. 7. – DOI: 10.1038/d41586-021-01790-5

regulation; the Director-General cautioned that “restricting or limiting speech would be a terrible solution” to the disinformation crisis, and that supporting independent, quality media is the best long-term response. These high-level norms reflect a growing consensus that public stability is better served by upholding open information ecosystems with guided, collaborative measures, rather than by erecting digital iron curtains.

From a political culture perspective, the choice of soft vs. hard approaches is deeply ideological. Societies with a democratic political culture prize open debate, pluralism, and the rule of law. In such contexts, soft regulation is not just a technique but a reflection of ideological commitment to persuasion over coercion. It resonates with the concept of **soft power** in governance – shaping behaviors through attraction, shared values, and legitimacy, rather than raw force.¹⁰ In contrast, regimes with authoritarian or ultra-conservative ideologies may view information as something to be tightly controlled in service of an official narrative or social order, hence gravitating to manipulative tech to enforce conformity.

Our analysis of best practices found that even in security-focused documents, there is recognition that legitimacy is key to stability. For example, an OSCE guide notes that any restrictions on online expression must be narrowly tailored and not serve as a tool for political persecution or suppressing criticism.¹¹ Democratic norms require that even national security measures in the information domain protect fundamental rights – a standard that hard manipulation often fails to meet. Indeed, the OSCE framework promotes that a **democratic state should facilitate internet development and literacy**, not engage in broad censorship or cut off its citizens from global knowledge. The principle of maintaining the “existing Internet architecture” – which is decentralized and open – is highlighted as a shared norm arising from soft law traditions. This principle rejects the idea of a centralized “information control center” or a “secret department” dictating content; instead it envisions an internet where no authority censors information or interferes with competition, and users communicate freely without interference. Such vision is ideological, rooted in liberal values of openness.

By contrast, hard manipulative approaches are often justified by ideologies of stability that mistrust the public’s ability to handle freedom. Authoritarian leaders may claim that **censorship = stability**, but this is increasingly challenged. As one democracy advocacy report notes, “Democracy relies on robust freedom of expression, independent media, and fact-based civic discourse to ensure accountability... and empower citizens.” Undermining these through censorship and manipulation can “jeopardize the integrity of the media” and hinder the public’s access to reliable information.¹² In the long run, that weakens the very fabric of public life. On the other hand, supporting independent journalism and pluralistic discourse (a hallmark of soft regulation) fortifies the democratic information ecosystem against authoritarian threats. Stability

¹⁰ Nye, J. S. Soft Power and Public Diplomacy. – USC Center on Public Diplomacy, 2004. – URL: <https://uscpublicdiplomacy.org/story/soft-power-and-public-diplomacy> (дата обращения: 16.05.2025).

¹¹ OSCE. Joint Declaration on Freedom of Expression and “Fake News”, Disinformation and Propaganda. – Vienna: OSCE, 2017. – URL: <https://www.osce.org/fom/302796> (дата обращения: 16.05.2025).

¹² National Endowment for Democracy. Information Integrity in the Digital Age: Safeguarding Democracy Against Disinformation and Censorship. – Washington, D.C.: NED, 2022. – URL: <https://www.ned.org/information-integrity-in-the-digital-age> (дата обращения: 16.05.2025).

achieved through genuine public buy-in and informed consensus is more resilient than the brittle stability of fear-induced silence.

Discussion

The comparative findings indicate that **soft regulation provides a constructive alternative to hard manipulative technologies, one that can ensure public stability while reinforcing political legitimacy and trust.** In discussing these results, it is important to acknowledge potential challenges and nuances, as well as examine how these concepts play out in practice (a task continued in Article 2 focusing on case studies, including Uzbekistan).

One key insight is the **sustainability of stability** under soft vs. hard regimes. Hard manipulative tactics may yield rapid “peace” in the public sphere – for example, by shutting down social media during protests or imprisoning vocal critics, a government can momentarily prevent unrest. However, such peace is often superficial. Repression tends to breed resentment and erode trust in institutions, creating a latent instability. An information environment shaped by fear and deception is prone to sudden crises, as public grievances find other outlets. Furthermore, manipulative technologies are not foolproof; tech-savvy citizens find ways to bypass censorship (using VPNs, etc.), and state propaganda can be discredited, especially if external information finds its way in. The Chinese model of a tightly controlled internet – frequently cited as an exemplar of hard governance – has indeed been effective in many respects, but it requires enormous resources and continuous tightening to plug leaks, and it inspires pushback (both domestically and internationally) as people chafe at restrictions.

In contrast, **soft regulation’s stability is more enduring** because it is built on consent and awareness. Instead of hiding problems, soft approaches address root causes (e.g. lack of media literacy, absence of trusted information outlets) that make societies vulnerable to chaos. This article’s conceptual analysis suggests that when citizens are treated as partners in securing the information space – through inclusive policy-making, transparency, and education – they are more likely to cooperate with authorities in isolating harmful actors (such as violent extremists or malicious disinformation agents). The UN’s call for multi-stakeholder engagement in fighting disinformation embodies this: it “welcomes civil society and media efforts” in exposing falsehoods and urges states to pursue responses that involve all stakeholders and respect rights. This collaborative ethos can create a virtuous cycle: the government demonstrates trust in its people by refraining from blunt censorship, and the people in turn are more inclined to trust government guidance in times of crises, because they do not see it as propaganda but as information shared in good faith.

The **political culture and ideological implications** are also noteworthy. Soft regulation can be seen as an instrument of political modernization in transitioning societies. For instance, many countries that moved away from authoritarian rule experienced improvements in stability through openness. Freedom House noted that Armenia’s Velvet Revolution in 2018 was facilitated by unfettered social media use, and after the change, Armenia moved from “Partly Free” to “Free” in internet freedom status. The Gambia similarly saw an easing of restrictions and greater online freedom after its longtime dictator fell, without descending into instability. Ethiopia’s new leadership in 2018 lifted some internet controls and freed bloggers, leading citizens to feel freer to speak – an opening associated with hopes of a transition from authoritarian rule. These examples

show that loosening hard controls did not result in anarchic chaos; rather, it coincided with political revitalization. Of course, each context is unique, but the trend undermines the idea that only iron-fisted info control can keep a society stable. Stability can be maintained, even enhanced, by giving people a lawful voice.

That said, **soft regulation is not a panacea**. Its success depends on the broader environment: rule of law, independent judiciary, public education levels, and the presence of a relatively independent media. Soft approaches can struggle if key institutions are weak or if there is rampant polarization. In such cases, purely voluntary codes might be ignored by bad actors, and without any enforcement, harmful content can proliferate. This is why many recommend a “balanced approach” – sometimes termed **co-regulation** – where soft measures are coupled with carefully bounded legal measures. For example, the European Union’s response to disinformation uses a voluntary Code of Practice for social media companies (a soft measure), alongside potential regulatory backstops if companies fail to curb egregious abuse.¹³ The EU’s approach still prioritizes human rights and transparency (e.g. requiring platforms to report on content moderation and algorithmic impacts) rather than imposing direct state censorship. This illustrates that soft regulation can exist within a framework that includes **accountability** – independent oversight bodies and law as a last resort – to ensure it is effective.

Traditional authoritarian ideology saw information as something to be controlled from above to maintain a singular “ideological purity” and thereby stability. Contemporary thinking, informed by both democratic theory and practical outcomes, suggests that pluralism and resilience form a more secure foundation for stability. A politically stable society in the 21st century is one where citizens are informed, engaged, and trust that their voices are heard – not one where they are simply quiet because they are afraid. Soft regulation contributes to building that kind of society by reinforcing a **culture of dialogue and critical thinking**. It treats citizens not as passive recipients of propaganda but as active participants in shaping the public narrative (within the bounds of truth and law). This participatory ethos aligns with the concept of a robust political culture in which stability is maintained through a continuously negotiated consensus, rather than imposed unanimity.

To conclude this conceptual exploration: soft regulation emerges as a compelling alternative to hard manipulative technologies for ensuring public stability. By aligning information governance with democratic values and human rights, it strengthens the legitimacy of stability measures. Public order achieved through engagement and education tends to be more durable and ethically sound than order achieved through coercion. In the next article, we will delve into concrete case studies and comparative experiences – particularly highlighting Uzbekistan’s policy choices – to see how these conceptual distinctions play out in practice, and what lessons can be learned for information resilience and societal trust in a real-world context.

¹³ European Commission. Code of Practice on Disinformation (2022 Strengthened Version). – Brussels: EU Publications, 2022. – URL: <https://digital-strategy.ec.europa.eu/en/policies/code-practice-disinformation> (дата обращения: 16.05.2025).

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