

State Digital Sovereignty in the Regulation of Global Social Media Platforms

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Abstract. The globalization of digital space and the dominance of global social media platforms have created new challenges for states in maintaining sovereignty in cyberspace. Communication activities, information distribution, and the management of citizens' data now largely take place on cross-border platforms controlled by global corporations. This situation raises questions regarding the limits of state authority in regulating social media platforms and its implications for freedom of expression, data protection, and national interests. This study employs a normative juridical approach by examining Indonesian legislation, principles of international law, and the doctrine of digital sovereignty. The findings show that state digital sovereignty represents an adaptation of the classical concept of sovereignty, emphasizing the state's authority to regulate digital activities that affect its citizens and the public interest. The regulation of global social media platforms has a dual implication: it strengthens the protection of national interests while at the same time potentially restricting freedom of expression if not implemented proportionally. In addition, the strengthening of digital sovereignty poses the risk of internet fragmentation if it is not accompanied by a harmonious approach aligned with the principles of global openness. Therefore, a model of digital sovereignty regulation is required that balances state authority, the protection of human rights, and the need for international cooperation in order to build a fair and sustainable digital governance framework.

Keywords: Digital Sovereignty, Global Social Media Platforms, Digital Regulation, Cyber Law, State

INTRODUCTION

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The globalization of digital space has transformed the way society communicates, interacts, and shapes public opinion. Social media platforms have developed into the main infrastructure for cross-border information exchange¹. The dominance of several global platforms places digital corporations as central actors in managing the flow of global information². This condition presents new challenges for states in safeguarding national interests and maintaining control over their digital space.

Social media no longer functions merely as a medium for personal communication, but has evolved into a new public sphere where social, political, and cultural discourse takes place³. The shift of the public sphere from physical territory to digital space blurs the boundaries of state jurisdiction⁴. Citizens' activities now largely occur on digital platforms that are not physically located within state territory, thereby challenging conventional concepts of public-space regulation based on territorial boundaries⁵.

Global social media platforms are transnational in nature and operate on an international scale. Platform governance is generally centralized under global corporations domiciled in particular countries, while their services reach users across multiple jurisdictions⁶. This structure creates a power imbalance between states and platforms, as decision-making related to content policy, data management, and algorithms lies in the hands of large private entities⁷.

The dominance of global social media platforms creates a power asymmetry between states and digital corporations. Platforms hold control over algorithms, content policies, and user-data management, while states often occupy a reactive position⁸. This imbalance complicates the enforcement of national law because strategic decisions concerning digital space are beyond the direct control of state authorities⁹.

¹ Petrenj, B., Piraina, M., Feletti, G., & Trucco, P. (2023). Information-Sharing in Cross-border Critical Infrastructure Resilience: evaluating the benefits of a digital platform.

² Loonam, J., & O'Regan, N. (2022). Global value chains and digital platforms: Implications for strategy. *Strategic Change*, 31(1), 161-177.

³ Staab, P., & Thiel, T. (2022). Social media and the digital structural transformation of the public sphere. *Theory, Culture & Society*, 39(4), 129-143.

⁴ Cohen, J. E. (2023). Infrastructuring the digital public sphere. *Yale JL & Tech.*, 25, 1.

⁵ Eren, İ., Aktuğlu Aktan, E. Ö., & Altanlar, A. (2024). Redefining public space: The evolution of meaning in the digital era. In *Proceedings of The International Conference on Research in Social Sciences* (Vol. 1, No. 1, pp. 1-13).

⁶ Jhaver, S., Frey, S., & Zhang, A. X. (2023). Decentralizing platform power: A design space of multi-level governance in online social platforms. *Social Media+ Society*, 9(4), 20563051231207857.

⁷ Nitzberg, M., & Zysman, J. (2022). Algorithms, data, and platforms: the diverse challenges of governing AI. *Journal of European Public Policy*, 29(11), 1753-1778.

⁸ Yu, K., Malik, N. S., & Yang, T. (2023). The legal issue of deterrence of algorithmic control of digital platforms: the experience of China, the European union, Russia and India. *Brics Law Journal*, 10(1), 147-170.

⁹ Afzal, J. (2024). Digital Law Enforcement Challenges and Improvement. In *Implementation of Digital Law as a Legal Tool in the Current Digital Era* (pp. 47-78). Singapore: Springer Nature Singapore.

From a legal perspective, state sovereignty has traditionally been associated with full authority over territorial jurisdiction and its population¹⁰. This concept forms the basis for the state's ability to enact and enforce laws without external interference. However, in the context of borderless digital space, territorial sovereignty faces challenges because digital activities are not entirely bound to a state's geographical boundaries¹¹.

The borderless nature of digital space poses serious challenges to the exercise of state sovereignty. Cross-border information flows, offshore data storage, and platform governance by global corporations limit the ability of states to control digital activities¹². These challenges encourage the need to redefine state sovereignty in order to respond to the dynamics of regulating global social media platforms.¹³

Within the global social media ecosystem, data and algorithms serve as the primary instruments of digital power. Platforms control the collection, processing, and utilization of user data to determine information distribution and content visibility¹⁴. Control over algorithms allows platforms to shape public opinion flows and user behavior¹⁵. This condition places the state in a limited position in overseeing the process of information formation in digital space¹⁶.

The dominance of global social media platforms has the potential to generate risks to national interests. The spread of disinformation, manipulation of public opinion, and violations of national law may occur through digital platforms¹⁷. Moreover, the management of citizens' data by foreign corporations raises concerns regarding national security and data protection¹⁸. These risks reinforce the urgency of the state's role in regulating digital space effectively.

¹⁰ Núñez, J. E. (2024). State sovereignty: Concept and conceptions. *International Journal for the Semiotics of Law-Revue internationale de Sémiotique juridique*, 37(7), 2131-2150.

¹¹ Pierucci, F. (2025). Sovereignty in the Digital Era: Rethinking Territoriality and Governance in Cyberspace. *Digital Society*, 4(1), 1-19.

¹² Kaya, M., & Shahid, H. (2025). Cross-Border Data Flows and Digital Sovereignty: Legal Dilemmas in Transnational Governance. *Interdisciplinary Studies in Society, Law, and Politics*, 4(2), 219-233.

¹³ Chander, A., & Sun, H. (2022). Sovereignty 2.0. *Vand. J. Transnat'l L.*, 55, 283.

¹⁴ Rahman, H. A., Karunakaran, A., & Cameron, L. D. (2024). Taming platform power: Taking accountability into account in the management of platforms. *Academy of Management Annals*, 18(1), 251-294.

¹⁵ Gandini, A., Keeling, S., & Reviglio, U. (2025). Conceptualising the 'algorithmic public opinion': Public opinion formation in the digital age. *Dialogues on Digital Society*, 29768640251323147.

¹⁶ Gu, H. (2024). Data, big tech, and the new concept of sovereignty. *Journal of Chinese political science*, 29(4), 591-612.

¹⁷ Chen, L., Chen, J., & Xia, C. (2022). Social network behavior and public opinion manipulation. *Journal of Information Security and Applications*, 64, 103060.

¹⁸ Khadzhiradieva, S., Bezverkhniuk, B., Nazarenko, O., Bazyka, S., & Dotsenko, T. (2024). Personal data protection: Between human rights protection and national security. *Social and Legal Studios*, 3(7), 245-256.

Various countries have attempted to regulate global social media platforms through national policies¹⁹. These regulations include legal-compliance obligations, content moderation, and user-data protection²⁰. However, the effectiveness of such regulation is often limited by the transnational nature of the platforms. This situation reflects the ongoing tension between state sovereignty interests and the globalized character of digital space.

The regulation of global social media platforms frequently gives rise to cross-jurisdictional conflicts. Platforms operate in multiple countries but are primarily subject to the laws of the country in which they are domiciled. This condition complicates the enforcement of national laws when violations occur in digital space. States encounter limitations in compelling compliance from global platforms, making conflicts between national law and transnational corporate interests inevitable.

Indonesia's national legal framework for regulating global social media platforms is based on several statutory instruments. Law Number 11 of 2008 on Electronic Information and Transactions, as last amended by Law Number 1 of 2024, establishes the legal basis for digital activities and the responsibilities of electronic system providers. In addition, Law Number 27 of 2022 on Personal Data Protection strengthens the state's authority in safeguarding citizens' data. Technical regulation is further supported by government and ministerial regulations requiring global platforms to comply with Indonesian law when operating their services.

Although Indonesia has developed a legal framework governing social media platforms, its implementation still faces various limitations. Existing laws tend to be general in nature and have not fully addressed the operational complexity of global platforms. Furthermore, differing interests between the state and digital corporations often affect the effectiveness of law enforcement. As a result, the exercise of digital sovereignty has not yet been fully optimized.

These limitations highlight the urgency of strengthening state digital sovereignty in the regulation of global social media platforms. The state must ensure that digital space remains within the framework of national interests without disregarding the principles of openness and freedom of expression. Strengthening digital sovereignty is essential to safeguarding national security, protecting citizens' data, and ensuring platform compliance with national law.

Based on this background, this study examines the following issues: how the concept of state digital sovereignty operates in the context of global social media platforms; the extent of state authority in regulating and supervising

¹⁹ Common, M. F. (2023). Beyond the usual suspects: a taxonomy of social media regulations in countries with human rights issues. *International Review of Law, Computers & Technology*, 37(1), 1-28.

²⁰ Ayansola, P. O. (2024). The Permissibility of Restriction of Access to Social Media Platforms: A Study of States' Regulatory Control over Social Media Platforms in Africa.

such platforms under national law; and the implications of regulating global social media platforms for state digital sovereignty.

RESEARCH METHODOLOGY

A normative juridical approach is employed by focusing on the analysis of legal norms regulating state digital sovereignty and the governance of global social media platforms. This approach is selected to examine the concept of state sovereignty in the digital sphere and the extent of state authority in establishing and enforcing laws on social media platforms operating across national borders.

The sources analyzed include Indonesian legislation regulating information technology, electronic system providers, and personal data protection as the primary legal references. The study is also supported by secondary sources such as legal textbooks, scientific journals, research findings, and scholarly views on digital sovereignty, cyber law, and the regulation of global social media platforms.

The analytical technique is carried out in a prescriptive and systematic manner. Prescriptive analysis is used to formulate normative perspectives on the limits of state authority in regulating global social media platforms. Systematic analysis examines the interrelation among legal norms to assess the consistency of existing regulations and to formulate the direction for strengthening state digital sovereignty.

RESULTS AND DISCUSSION

A. The Concept and Legal Meaning of State Digital Sovereignty

Digital sovereignty has developed as a contemporary legal concept that responds to the transformation of social space into the digital sphere. This concept refers to the authority of the state to regulate, supervise, and enforce the law over digital activities that affect national interests. In the Indonesian context, the notion of digital sovereignty is reflected in policies on electronic-system management, data regulation, and legal-compliance obligations for digital platform providers operating within Indonesia's jurisdiction.

Territorial sovereignty is based on clear geographical boundaries and the exclusive authority of the state over its territory. By contrast, digital sovereignty operates in cyberspace, which is cross-border in nature and not physically bound. This difference gives rise to legal challenges, as digital activities may occur outside the territorial boundaries of the state while still having a direct impact on its citizens. Therefore, digital sovereignty requires a more functional legal approach rather than a purely territorial one.

Within the framework of digital sovereignty, the state holds a strategic position as the protector of the public interest in digital space. This role is manifested through the regulation of electronic-system providers, obligations for personal-data protection, and supervision over the distribution of digital content. Law Number 11 of 2008 on Electronic Information and Transactions, as last amended by Law Number 1 of 2024, affirms the role of the state in maintaining order and security in digital space for the sake of the public interest.

Digital sovereignty cannot be separated from a human-rights perspective. State regulation of digital space must take into account the protection of the right to freedom of expression, the right to privacy, and the right to personal-data protection. Law Number 27 of 2022 on Personal Data Protection reflects the state's effort to balance regulatory authority with respect for individual rights. Thus, digital sovereignty should ideally be exercised not only as an instrument of control, but also as a means to protect citizens' rights in the digital sphere.

B. The Authority of the State in Regulating Global Social Media Platforms

State authority in regulating global social media platforms is grounded in the principle of state sovereignty and the obligation to protect the public interest. In Indonesia, this legal basis is reflected in Law Number 11 of 2008 on Electronic Information and Transactions, as amended by Law Number 1 of 2024, which grants the state authority to regulate the operation of electronic systems. This principle is in line with the doctrine of state sovereignty, which recognizes the right of the state to regulate activities that affect public order and national interests.

Although the state possesses regulatory authority, jurisdictional boundaries become a crucial issue in governing cross-border platforms. Global social media platforms are generally domiciled outside Indonesia's territory, creating limitations in direct law enforcement. However, the effects doctrine allows the state to apply national law to digital activities that give rise to legal consequences within its territory. This approach is used to extend the reach of state jurisdiction in digital space without disregarding the principles of international law.

Global social media platforms that operate and provide services to users in Indonesia are obliged to comply with national law. These obligations include registration as electronic-system providers, compliance with personal-data protection regulations, and the fulfillment of content-moderation obligations in accordance with statutory provisions. Law Number 27 of 2022 on Personal Data Protection affirms the obligations of data controllers, including global platforms, to protect the personal data of Indonesian citizens.

The state plays an active role in supervising content and data management by global social media platforms in order to safeguard the public interest. This supervision includes handling unlawful content, protecting personal data, and preventing the misuse of platforms for activities that may harm society. Through administrative and regulatory authority, the state seeks to ensure that content and data management are carried out responsibly and in accordance with national legal values.

Law enforcement against global social media platforms faces various challenges, ranging from differences in legal systems and the economic power of platforms to limitations in cross-border enforcement mechanisms. Platforms often possess stronger bargaining positions than states, particularly developing countries. These challenges indicate the need for law-enforcement strategies that do not rely solely on national approaches, but also involve international cooperation and the strengthening of state institutional capacity in managing digital space.

C. The Implications of Regulating Social Media Platforms for Digital Sovereignty

State regulation of global social media platforms has direct implications for freedom of expression. On the one hand, regulation is necessary to prevent the dissemination of unlawful content, content that harms the public interest, or content that threatens public order. On the other hand, overly restrictive regulation has the potential to limit citizens' space for expression in the digital sphere. Therefore, digital sovereignty must be exercised based on the principle of proportionality so that the protection of the public interest does not come at the expense of freedom of expression.

The regulation of social media platforms also has an impact on personal-data protection and national security. The management of citizens' data by global platforms creates risks of data breaches and the misuse of strategic information. Through the strengthening of personal-data protection regulations and the imposition of obligations to store and process data securely, the state seeks to safeguard sovereignty over national data. Data protection thus becomes an essential component of national security strategy in the digital era.

The strengthening of state digital sovereignty has the potential to generate the risk of internet fragmentation, namely the division of the global internet into isolated digital spheres. An overly protective approach to digital sovereignty may conflict with the principles of an open and free internet. The tension between the concepts of internet sovereignty and the open internet requires states to balance sovereign interests with the need to maintain global connectivity and cross-border information flows.

The regulation of global social media platforms also affects the relationship between the state and digital corporations. The state seeks to assert its authority through regulation, while digital corporations attempt to maintain operational flexibility and business interests. This interaction creates a new dynamic characterized by negotiation, conditional compliance, and potential conflict. Achieving balance in this relationship is essential to building a fair and sustainable digital governance framework.

D. Direction for Strengthening State Digital Sovereignty

Strengthening state digital sovereignty requires harmonization between national regulations and global legal frameworks. Regulatory arrangements for global social media platforms that rely solely on national law risk becoming ineffective in addressing the cross-border nature of digital platforms. Therefore, national regulations need to be aligned with international principles and standards so that law enforcement remains effective without generating excessive jurisdictional conflicts.

International and regional cooperation also becomes a crucial element in reinforcing digital sovereignty. Through such cooperation, states can develop joint mechanisms for overseeing global platforms, exchanging information, and enforcing cross-border legal actions. This collective approach enables states to gain stronger bargaining power against global digital corporations while maintaining stability within the international digital space.

An ideal model for regulating digital sovereignty positions the state as a firm yet proportionate regulator. Regulation must ensure the protection of national interests, human rights, and legal certainty for digital platforms. A principle-based, transparent, and accountable approach is necessary so that digital sovereignty is not interpreted as excessive control, but rather as a governance framework that promotes a fair and sustainable digital environment.

CONCLUSION AND RECOMMENDATIONS

Digital sovereignty has emerged as a developing legal concept aimed at responding to the challenges of digital globalization and the dominance of global social media platforms. Digital sovereignty can no longer be understood solely in terms of territorial boundaries, but rather as encompassing the authority of the state to regulate digital activities that affect national interests and its citizens. However, the exercise of digital sovereignty is not without limits; it must remain consistent with the principles of international law, freedom of expression, and the protection of human rights.

The regulation of global social media platforms carries significant legal and policy implications. On the one hand, regulation is necessary to safeguard the

public interest, national security, and the personal data of citizens. On the other hand, disproportionate regulation risks restricting freedom of expression and contributing to the fragmentation of the global digital space. States are therefore required to formulate policies that strike a balance between the enforcement of digital sovereignty and the preservation of an open digital environment.

A number of normative recommendations may be proposed. First, there is a need to strengthen national regulations that are adaptive and aligned with international standards. Policymakers and regulators should promote legal harmonization, enhance international cooperation, and reinforce institutional capacity in the supervision of digital platforms. Furthermore, a human-rights-based, transparent, and accountable regulatory approach must serve as a fundamental principle in building a sustainable framework for the implementation of national digital sovereignty.

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