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A Cumulative Report on Expression Laws: Understanding the Legal Architectures that Govern Freedom of Expression

—A FREEDOM OF EXPRESSION REPORT—

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Executive Summary

The Laws of Expression (LEX) dataset provides a coherent framework to measure how countries regulate freedom of expression. By coding laws regulating freedom of expression into institutional statements, LEX makes it possible to comparatively assess who is regulated, what forms of expression are targeted, under what conditions rules apply, and how formal legal frameworks change over time. This report uses LEX to showcase the formal legal architecture of expression across countries and to demonstrate how these computed *de jure* measures can be used alongside *de facto* indicators of freedom of expression.

The data show that expression law is expanding and becoming more institutionally complex. Across the sample, the number of active expression-related rules has grown substantially since the 2000s. States are building denser legal frameworks that regulate the broader information environment, including citizens, the press, digital intermediaries, regulators, courts, and appeal mechanisms.

We observe a shift from traditional speech and press regulation toward platform and intermediary governance. Press laws remain important, but digital platforms and internet service providers have become increasingly central targets of expression law. Beyond direct speech restrictions, many contemporary laws impose obligations on intermediaries and create regulatory bodies to monitor, report, or remove the dissemination of certain content.

LEX highlights several areas where expression governance is rapidly developing. Mis- and disinformation rules have expanded across legal systems, raising difficult questions about how governments distinguish genuine information harms from dissent, criticism, or political opposition. Crisis-conditioned rules became more visible during the COVID-19 period, and some remain active after the emergencies that justified them. Emerging rules on generative artificial intelligence suggest that future expression law will increasingly address synthetic media, automated content production, and the role of private technology providers in shaping public discourse.

Country trajectories show that similar formal legal commitments can produce different outcomes in practice depending on their institutional context, including executive enforcement, political will, judicial independence, regulator autonomy, and media freedom. Venezuela, El Salvador, Algeria, Hungary, and Poland showcase different ways that *de jure* and *de facto* freedom of expression can diverge. We demonstrate through the LEX dataset why formal legal frameworks matter, but their effects depend on the institutions and political conditions through which they are implemented.

LEX can support comparative research with expression law as data. The dataset helps identify, across jurisdictions and over time, where legal rules are concentrated, which actors are targeted, how regulatory strategies evolve, and where formal protections may coexist with restrictive enforcement. Through LEX we provide a foundation for studying how freedom of expression is governed in an increasingly complex information environment.

Table of Contents

1	Introduction	1
2	Freedom of Expression, International Standards, and Democratic Backsliding	4
2.1	Freedom of Expression as a Democratic Right	4
2.2	ICCPR Sets the Baseline	5
2.3	Expression as a Target in Democratic Backsliding	5
2.4	Why De Jure Expression Law Needs Measurement	7
3	Mapping the Regulation of Freedom of Expression	9
3.1	Turning Laws into Data	10
3.1.1	From Legal Text to Institutional Statements	10
3.1.2	Measuring the De Jure Expression Environment	13
3.1.3	Sparse Rules, Recurring Legal Tools	14
3.1.4	Expression Law has Grown on All Fronts	15
3.2	Topical Trends in Expression Governance	18
3.2.1	From Press Regulation to Platform Governance	18
3.2.2	Mis- and Disinformation Rules are Expanding	19
3.2.3	Crisis Rules Outlast Emergencies	20
3.2.4	Generative AI Is the Next Intermediary Challenge	21
4	Institutional Design	25
4.1	Expression Law is Highly Dimensional	25
4.2	Legal Rules Cluster into Recurring Bundles	27
4.3	Three Types of Governance Define Expression Law	31
5	Country Trajectories and the Gap Between Law and Practice	34
5.1	Implementation and Enforcement	35
5.1.1	Venezuela and El Salvador: Two Pathways of De facto Erosion	36
5.1.2	Algeria: Political Will and Selective Enforcement	37

5.1.3	Hungary, Poland, and EU Regulation: Compliance without Independence	38
5.2	Civil Society and Media Respond to Enforcement Risks	40
6	Conclusion and Reflection	42
6.1	Main Patterns and Challenges	42
6.2	Opportunities for Reform	43
6.3	Opportunities for Future Work	43
A	Creating De Jure Measures	51
A.1	Converting Data from Law to Provision-level	51
A.2	Weighing of Institutional Statements	53
A.3	Creating Institutional Measures	54
B	Supplementary Data	59

Chapter 1

Introduction

Freedom of expression is a central pillar of democracy, yet its regulation is changing. States no longer govern speech only through traditional censorship or press laws. Contemporary expression law increasingly operates through dense legal frameworks that regulate not only citizens and journalists, but also digital intermediaries, regulators, courts, and administrative agencies. Some rules directly restrict what people may say or publish; others impose obligations on platforms, media organizations, or state institutions to monitor, license, or enforce decisions related to expression. The legal governance of expression now extends beyond speech itself to the broader infrastructure through which information circulates.

This report showcases original data from the Laws of Expression (LEX) dataset (Adams, Xu and DeMattee, 2026) to examine this formal legal environment. LEX measures the *de jure* regulation of freedom of expression by coding expression-related laws into institutional statements (Crawford and Ostrom, 1995; Ostrom, 2005). The current dataset covers 164 laws across 62 countries and six continents, spanning from 1894 to 2025. It contains 722 institutional statements organized by actor, expression type, topic, and condition. These data allow us to compare how countries regulate expression on paper, how legal frameworks change over time, and how formal law relates to freedom of expression in practice. Figure 1.1 visualizes a single year of these data, plotting each country’s weighted *de jure* score against V-Dem’s *de facto* freedom of expression index for 2025. The dispersion is the critical takeaway: formal protections on paper frequently diverge from expression as it is actually practiced, and the widest gaps fall among countries that pair normatively democratic legal rules with repressive enforcement environments.

Our work identifies evidence of at least two global trends. First, we find that across the sample, the number of active rules has increased sharply, especially after the 2010s, indicating legal environments are becoming denser and more institutionally complex rather than simply more or less permissive. At the same time, the weighted *de jure* scores trend upward

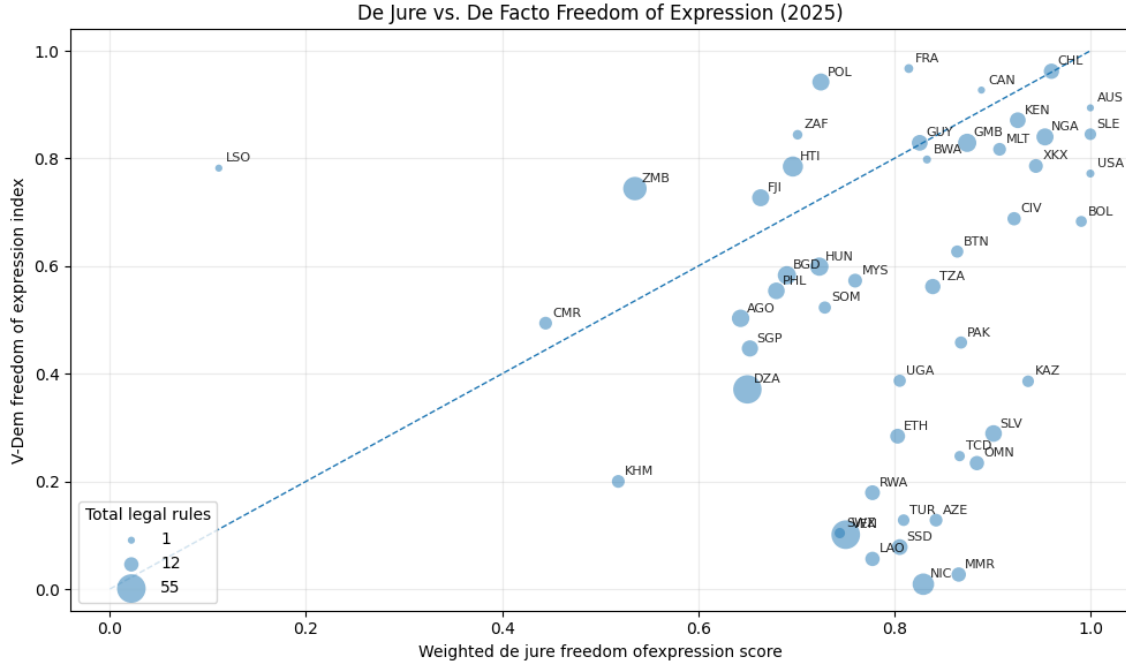


Figure 1.1: *LEX* weighted score and V-Dem’s FOE index, comparing formal *de jure* expression law environments with observed *de facto* freedom of expression in practice.

on average, suggesting legal frameworks add more legal rules that align with international standards.

The rest of this report proceeds as follows. Chapter 2 establishes the normative and conceptual foundations for the analysis. Freedom of expression is a cornerstone of democratic governance, yet it is also among the first targets of governments seeking to consolidate power. We review how international standards, particularly ICCPR Article 19, set the baseline against which legal frameworks can be evaluated, how contemporary democratic backsliding increasingly operates through legal rather than overtly coercive means, and why measuring the *de jure* environment is essential for understanding how democratization and autocratization unfold.

The need for systematic measurement of *de jure* expression law motivates Chapter 3, where we introduce and explain the LEX dataset and map global and topical trends. We find that legal frameworks are not simply becoming more or less restrictive; but they are accreting more legal rules, becoming more actor-specific, and increasingly organized around platform governance as digital intermediaries displace the press as the central institutional targets of expression law. We also identify emerging trends, including mis- and disinformation regulation, emergency governance, and innovative technologies like generative AI. These trends, however, also reveal striking variation across countries, as similar legal volumes can

reflect very different forms of governance.

Chapter 4 turns to institutional design to ask whether that variation follows recognizable patterns, using dimensionality reduction and network analysis to show that expression rules cluster into three governance bundles—regulatory oversight, political-security restrictions, and social-order protections—that recur across legal systems. These bundles reveal not just which regulatory types tend to travel together, but how countries combine them into recognizable configurations. Yet even shared governance structures do not guarantee similar outcomes in practice.

Given this discrepancy between formal legal design and real-world outcomes, Chapter 5 examines country trajectories to show how enforcement, political will, and state capacity shape whether legal frameworks protect or constrain expression in practice. In Venezuela and El Salvador, similar *de facto* erosion unfolds through opposite *de jure* mechanisms. In Algeria, formal legislation has been selectively weaponized across different administrations, with the same laws protecting expression under one regime and suppressing it under another. Hungary and Poland, meanwhile, reveal a regional-bloc paradox, where both countries formally comply with EU regulatory frameworks, yet their media independence diverges sharply in practice.

Taken together, these cases demonstrate that *de jure* measurement cannot capture the full picture on its own, but is essential for understanding the structure through which expression is governed and manipulated. Chapter 6 reflects on the limitations of *de jure* measurement, and outlines the future of the LEX dataset and the directions for future work.

Chapter 2

Freedom of Expression, International Standards, and Democratic Backsliding

This chapter explores the role of the right to freedom of expression in international law, while outlining some of the existing literature on freedom of expression. We focus on how expression and democratic backsliding intersect: governments intent on consolidating power restrict speech to secure that end. We then turn to the internet and social media, platforms used both to suppress and to amplify expression.

2.1 Freedom of Expression as a Democratic Right

Freedom of expression is a fundamental human right. Article 19 of the Universal Declaration of Human Rights (1948) recognizes the “freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”. Beyond being a right in itself, expression is “essential to the good working of the entire human rights system” (O’Flaherty, 2012): it sustains freedoms such as religion and association, and it anchors a free press that enables journalists to document abuses and bring other violations to light (Amnesty International, 2025).

International Covenant on Civil and Political Rights Article 19

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) For respect of the rights or reputations of others;
 - (b) For the protection of national security or of public order (ordre public), or of public health or morals.

2.2 ICCPR Sets the Baseline

Where the Universal Declaration proclaims, the International Covenant on Civil and Political Rights binds. Article 19 of the ICCPR also protects freedom of expression, but as treaty law it obligates the states that ratify it (United Nations, 1966). The right is not absolute. A restriction is permissible only when it is both provided by law and necessary, and only on two grounds: “for respect of the rights or reputations of others” and “for the protection of national security or of public order . . . or of public health or morals” (United Nations, 1966). These grounds are narrow by design, yet states routinely stretch them well past their intended scope. As that pressure mounts, international human rights bodies have repeatedly reaffirmed the right’s centrality.

2.3 Expression as a Target in Democratic Backsliding

Freedom of expression is foundational to democratic life. Mill (1859) offers the canonical defense: a society that silences opinion forfeits its means of correcting error, and liberty must be shielded from coercion by the state and by the majority alike. His reasoning turns on human fallibility. To silence an opinion is to assume we cannot be wrong, even though that opinion may be true, or may hold part of the truth the dominant view lacks. Suppression thus denies society the debate through which truth is tested. On Mill’s account, expression warrants protection up to the point at which it directly incites harm to others. That same centrality, however, makes expression a prime target for governments bent on consolidating

power and hollowing out democratic norms (Haggard and Kaufman, 2021). Democratic backsliding is, in their terms, “the incremental erosion of democratic institutions, rules and norms that results from the actions of duly elected governments, typically driven by an autocratic leader” (Haggard and Kaufman, 2021, p.1). Three pillars are vulnerable to this erosion: free and fair elections, horizontal checks on executive discretion, and the protection of basic political rights and liberties, expression chief among them (Haggard and Kaufman, 2021). V-Dem’s “Democracy Report 2026” confirms the threat. Almost every component of democracy has declined over the past decade, and freedom of expression has been the most “hard-hit” all (Nord et al., 2026, p.12). Expression deteriorated in 44 countries in 2025—the steepest decline of any democratic right—and media censorship remains the most common tool of backsliding governments (Nord et al., 2026, p.4). Freedom-of-expression measures account for nine of the twenty fastest-declining indicators, led by government censorship of the media, restrictions on academic and cultural expression, and media self-censorship (Nord et al., 2026, p.13). The logic is straightforward. Silencing dissent clears the path for those in power to advance their agenda unchecked; when that agenda is autocratic, censorship strips away one of the few remaining constraints on the government.

The internet has reshaped political discourse, and our analysis of the laws governing online information sits at the center of that shift. Digital platforms cut both ways. They enable mobilization and activism even as they fragment debate and accelerate the spread of false information. Habermas warned that mass media, commercialization, and state intervention had “re-feudalized” the public sphere, allowing corporate and political interests to manage public opinion rather than foster genuine debate (Habermas, 1991). Sunstein extends the concern to the digital age: the internet breeds “information cocoons” and “echo chambers” in which people consume only what confirms their existing beliefs, narrowing the range of views any citizen encounters (Sunstein, 2007). Yet the same tools that fragment discourse also empower it. Activists use digital platforms to coordinate protests, share information, and confront authoritarian regimes (Norris, 2012). The decisive factor is context: polarized societies and those with weak media literacy prove most vulnerable to manipulation (Humprecht, Esser and Van Aelst, 2020). Sustaining democracy therefore demands stronger media literacy, a wider field of political debate, and robust protection for speech. It also demands vigilance of a second kind, because efforts to police online misinformation can themselves become a pretext for curbing legitimate expression.

Contemporary democratic erosion is, above all, an institutional process. It advances through incremental legal change and bureaucratic restructuring rather than through force (Haggard and Kaufman, 2021). The abrupt collapses of an earlier era—military coups, brazen election fraud—have grown rare. In their place, elected leaders dismantle democracy

from within, rewriting rules and weakening institutions behind a facade of legal legitimacy (Bermeo, 2016; Levitsky and Ziblatt, 2018; Haggard and Kaufman, 2021). The drivers are now insiders rather than outside forces, and they wield democratic mechanisms to entrench their authority while draining elections of real competition (Bermeo, 2016). As they reshape courts, electoral administration, and the media, democratic institutions weaken—often before the public registers the loss. Recognizing this slow transformation is essential to defending democratic resilience against executive overreach, and protecting freedom of expression is central to that defense.

2.4 Why De Jure Expression Law Needs Measurement

Existing scholarship has concentrated on one side of the problem: how freedom of expression is exercised, suppressed, and experienced in practice. That work is indispensable, and ours builds directly on it. Yet it leaves the other side of the comparison unmeasured. If contemporary backsliding advances through statutes that lend repression a veneer of legality, or what Scheppele (2018) refers to as “autocratic legalism,” then the law itself is where much of the action now lies, and a field that measures only outcomes cannot see it. We cannot distinguish a repressive statute from the selective enforcement of a permissive one, nor a government that censors openly from one that hides behind legal cover, unless we measure the *de jure* environment with the rigor long applied to the *de facto* one.

LEX in Numbers

- 164 Laws
- 62 Countries across 6 continents
- Coverage spans 1894 to 2025
- 722 Institutional Statements
- Four actors: Citizens, Press, Digital Intermediaries, Government
- Three types: Expression, Misinformation, Disinformation
- Three conditions: General, Crisis, Digital

The Laws of Expression (LEX) dataset supplies that missing measure (Adams, Xu and

DeMattee, 2026). LEX codes the legal frameworks governing expression across countries and benchmarks them against international human rights standards—chief among them the express protection for freedom of expression in Article 19 of the International Covenant on Civil and Political Rights (United Nations, 1966). The formal architecture of expression law thus becomes comparable across countries, across time, and against the lived freedom that V-Dem and kindred projects record. The gap between the two, already visible in Figure 1.1, turns into a quantity that researchers can measure, explain, and track rather than merely assert.

That gap is also where the practical payoff lies. Organizations such as the Committee to Protect Journalists and the World Justice Project work to defend expression and strengthen the rule of law; pairing their on-the-ground evidence with a systematic record of what the law actually says sharpens both diagnosis and response. By joining *de jure* rules to *de facto* practice, LEX makes visible—in country after country—how law is wielded both to protect freedom of expression and to extinguish it.

Chapter 3

Mapping the Regulation of Freedom of Expression

This chapter outlines the major trends in how states have regulated freedom of expression in the past and today. We use the Laws of Expression (LEX) dataset from Adams, Xu and DeMattee (2026), which catalogs and measures the legal rules that regulate freedom of expression, to measure the *de jure* expression environment across countries and over time.

Our sample spans countries on six continents. Figure 3.1 maps each one’s average weighted *de jure* score across the full 1976–2025 period, with higher (redder) values marking legal corpora that sit, on average, toward the protective end of the LEX scale. Most covered countries fall in a narrow band of moderate scores, while the highest values belong to an unlikely few—Poland, Chile, Algeria, Myanmar among them—that cut across regions and regime types. Formal expression law, it appears, does not map onto democracy the way lived freedom does. Visualizing our data as a map has two other limitations. First, an averaged surface flattens the data, hiding when, how, and why a country rewrites its expression law. Collapsing a 50-year period into a single image misses important moments. Second, laws do not enforce themselves: a permissive statute is no guarantee of permissive practice, which is exactly why the *de jure* record must be read alongside the *de facto* one.

This chapters starts by describing how we identify institutional statements in legal texts and aggregate them into *de jure* indices. Second, we describe broad patterns in the data, the sparsity of possible legal rules, and the growth of contemporary expression law. Finally, we examine topical trends, including the shift from press regulation to platform governance, the growth of mis- and disinformation rules, the emergence of crisis-conditioned rules, and the new regulatory challenges posed by generative AI.

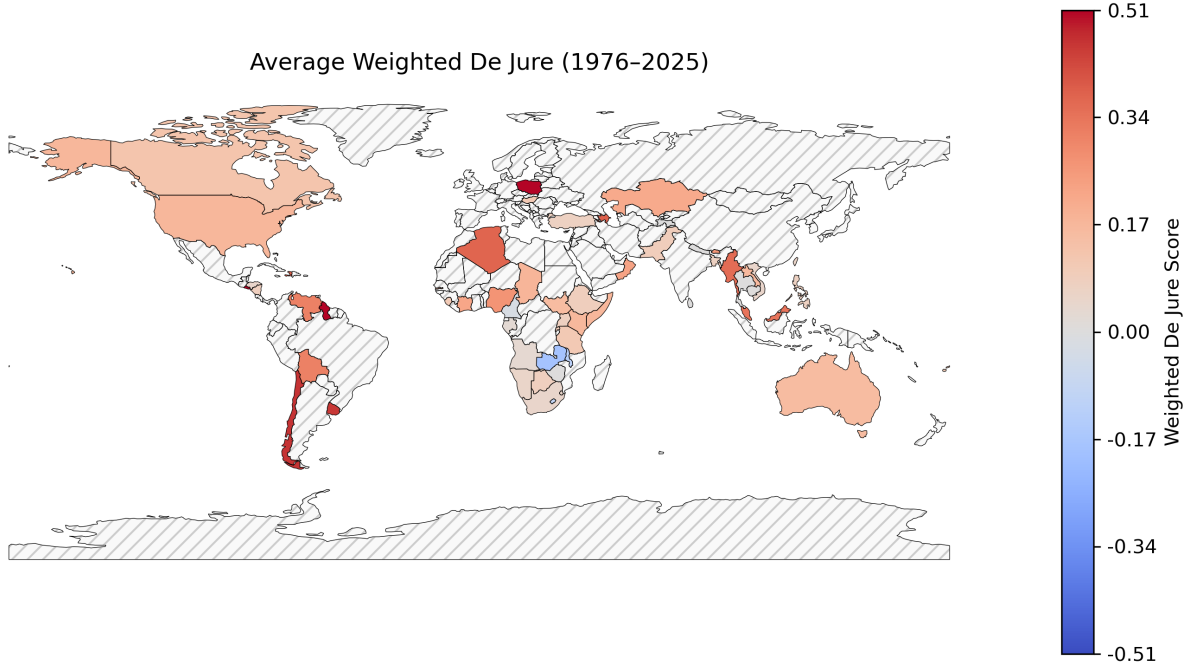


Figure 3.1: *Global distribution of average LEX weighted de jure freedom of expression across countries in the sample.*

3.1 Turning Laws into Data

Using institutional grammar (Crawford and Ostrom, 1995; Ostrom, 2005), LEX systematically codes each law using a 722-item coding protocol grounded in international human rights standards. The protocol accounts for different actors, types of expression, and topics. LEX (2026, pp. 9-15) takes a two-step approach modified from DeMattee (2023b) to create country-year measures and several different *de jure* freedom of expression indexes ranging from normatively undemocratic to normatively democratic. This process is outlined in more detail in the sections below. We use the LEX dataset to compare legal institutions across countries over time.

3.1.1 From Legal Text to Institutional Statements

We start the law labeling process by identifying relevant laws, and then using online and library resources to build a legal corpus of the PDFs of the laws. Next, following a similar approach used to analyze the politics of laws restricting associational rights (DeMattee, 2019, 2020, 2023a) we code these primary documents using institutional grammar (IG) (Crawford and Ostrom, 1995; Ostrom, 2005) to increase the comparability of laws across countries and time.

Known in institutional analysis as the **ADICO** syntax, IG uses five components to identify whom the institutional statement applies (**A**tttribute), denotes expected behavior (**D**eontic), prescribes particular action (**I**m), specifies the circumstances under which it applies (**C**ondition), and provides the institutionally assigned sanction for noncompliance (**O**r else). IG transforms natural legal language into an institutional statement and facilitates comparison to similar institutional statements in use in a variety of contexts. By facilitating a rigorous comparison of legal texts from different countries over time, IG moves beyond legal summaries and allows us to systematically code legal rules and rigorously compare one legal institution to another.

Example: Singapore 2019 Protection from Online Falsehoods and Manipulation Act

Text: 7. (1) A person must not do any act in or outside Singapore in order to communicate in Singapore a statement knowing or having reason to believe that (a) it is a false statement of fact; and (b) the communication of the statement in Singapore is likely to (i) be prejudicial to the security of Singapore or any part of Singapore;

ADICO: [Citizens][may not][exercise (or automate) disinformation that threatens national security][at all times and under all conditions][or else institutional sanction]

Any global analysis of expression law needs a common baseline that is comparable across contexts. We take that baseline from Article 19 of the ICCPR, which establishes universal freedom of expression while permitting states to restrict it on defined grounds: protecting others’ rights and reputations, national security, public order, public health, and public morals. That framework anchors a codebook of 722 institutional statements covering 5 actor types, 3 speech types, 48 topics, and 3 conditions under which these laws arise and apply.

From these institutional statements, we have created several index measures of *de jure* freedom of expression at the country year level. More about that process can be found in the appendix and the codebook for the data (Adams, Xu and DeMattee, 2026). These indices capture the overall *de jure* environment, as well as for specific actors and types of legal rules.

Actors that appear in our data include “citizens,” which incorporates legal rules that apply to all people to whom the law applies. We also code legal rules that apply to the “press,” which we define as traditional media sources including journalists and media organizations who report and create information. By contrast, we define “intermediaries” to

be internet service providers and social media companies who act as platforms or intermediate steps in relaying information to the public, but do not primarily report information themselves. We also code legal rules that stipulate a role for the “government”—such as regulatory agencies—in the information environment. Finally, we consider laws that create “protections” for citizens against wrong decisions, in the form of legal action or right to appeal. These protections play an important role in offering a path for judicial review to the legal rules.

We define “disinformation” as inaccurate or misleading expression that spreads information with the intent to cause others harm, or unfairly gain political power or profit. By contrast, we define misinformation as inaccurate information expressed or spread without the intent to cause harm, gain power, or make profit. Further, if the information is accurate but spread with the intent to cause others harm or unfairly gain political power or profit, we define it as malinformation. In this framework, intent is the conceptual key that separates disinformation and malinformation, from misinformation.

- **Disinformation:** sharing inaccurate or misleading information with the intent to cause others harm or unfairly gain political power or profit.
- **Malinformation:** sharing facts and accurate information with the intent to cause others harm or unfairly gain political power or profit.
- **Misinformation:** sharing inaccurate or misleading information without the intent to cause others harm, gain political power, or make profit.

We also distinguish between restrictions and obligations. Restriction rules directly regulate expression by specifying what citizens, intermediaries, or the press may not say or publish. These rules have the actor prefixes **C_**, **I_**, or **P_**, and include expression, misinformation, disinformation, and malinformation rules. On the other hand, obligation rules relate to the institutional architecture surrounding expression. They establish procedural or institutional requirements, such as monitoring and licensing powers often regarding governing bodies related to expression. Obligation rules include prefixes such as **IM_**, **GOV_**, **PRESS_**, **APPEAL_**, **EXEMPTION_**, **LAWSUIT**, and **REG_**.

Finally, institutional statements vary by conditions under which they apply. General rules apply at all times and under all conditions. Crisis-conditioned rules apply only during emergencies, such as public health crises or national security threats. Digital-conditioned rules are specific to speech disseminated online through digital platforms. For example, this means that forbidding people to yell “FIRE!” in a crowded theater at all times and under all conditions is one institutional statement and would be one item in our codebook, and

forbidding them to yell “FIRE!” only during periods of national emergency is another item in our codebook.

3.1.2 Measuring the De Jure Expression Environment

We create *de jure* indices that summarize the formal legal environment governing freedom of expression in a country-year. Our approach begins with a broadly applicable international human rights standard, which we combine with the Institutional Grammar framework to create a comprehensive codebook. We then use that codebook to systematically inventory the individual legal rules present in each statute.

Then, we assign valence to each legal rule in the codebook. This operationalizes the complex data and allows us to aggregate the detailed data into an overall *de jure* freedom of expression score. We assign the “normatively democratic” (+1) valence to legal rules that restrict expression in order to respect the rights or reputations of others; or protect national security, public order, public health, or morals, as provided for by the ICCPR Article 19. Additionally, we assign the “normatively democratic” (+1) valence to rules that restrict expression that spreads information with the intent to cause others harm or unfairly gain political power or profit, defined as disinformation and malinformation.

We assign the “normatively undemocratic” (-1) valence to legal rules that unconditionally restrict expression other than those listed in ICCPR Article 19. Additionally, we assign the “normatively undemocratic” (-1) valence to rules that restrict expression that shares inaccurate information without the intent to cause harm, gain power, or make profit.

We aggregate all active rules at the country-year level. For each, the *de jure* index summarizes the balance of protective and restrictive legal rules across the active legal framework. Higher values indicate a more normatively democratic environment for freedom of expression, while lower values indicate a more restrictive one. Values near zero may indicate ambiguity: either a mixed legal framework, where protective and restrictive rules coexist, or a sparse framework where few relevant rules are present.

Of course, not all legal rules are equally important, and different rules may have an unequal impact on the *de facto* expression environment. To account for this, we use three-part weighting scheme that adjusts each institutional statement’s value according to key components in the legal rule: to whom the legal rule applies (Citizens/Intermediaries/Press/Government), the issue the legal rule applies to (General expression/Misinformation/Disinformation), and the condition under which the legal rule is active (General/Crisis/Digital).

Rules affecting citizens receive greater weight because they directly shape the broader legal environment, press-related rules receive an intermediate weight because of traditional

media’s central role in the circulation of information, and internet service and/or social media providers receive a lower weight in their role as intermediaries. The weighting scheme also gives greater weight to general expression rules than to misinformation or disinformation rules, and greater weight to rules that apply at all times and under all conditions than to rules limited to crisis or digital contexts.¹

3.1.3 Sparse Rules, Recurring Legal Tools

The LEX data are highly sparse at the level of individual legal rules. This is unsurprising because the codebook spans 722 institutional statements, and no single legal institution includes all of them.

The weighted *de jure* indices have positive means across all actor groups (Table 3.1), suggesting a greater balance of normatively democratic rules on average across the coded legal frameworks. The high variance of certain scores (e.g., Government Protections has a standard deviation 0.262) shows that the formal legal environment differs substantially across countries and over time.

Table 3.1: Descriptive statistics for the Weighted De Jure indices.

	Mean	Std	Min	Mdn	Max
Overall Expression	0.079	0.247	-0.778	0.000	1.000
Citizen	0.051	0.212	-1.000	0.000	1.000
Intermediaries	0.038	0.154	-0.667	0.000	0.778
Press	0.029	0.162	-0.889	0.000	0.889
Government Protection	0.070	0.262	-1.000	0.000	1.000

Most rule variables are centered near zero (Appendix Figure B.1a), with a small number of outliers. Furthermore, a total 501 variables exhibit no variation in the sample (Appendix Figure B.1b). This pattern shows that many rules in the codebook are not widely adopted. Instead, we observe a smaller set of recurring legal topics and many more specific institutional statements that appear in a limited number of countries or periods.

Rules restricting citizens’ expression when it threatens public order or safety are the most frequently observed in the data (`C_EXPRESS_ORDER`), followed by rules targeting obscenity (`C_EXPRESS_OBSCENE`). Other common citizen-focused rules address criticism of government (`C_EXPRESS_GOVCRITIC`), the property or privacy of others (`C_EXPRESS_PROPERTY`), and others’ reputations (`C_EXPRESS_REPUTATION`).

¹See Adams, Xu and DeMattee (2026, pp. 10-12) for additional discussion on weighting of actor, expression type, and condition.

Many common rules do not directly restrict speech. Several create the institutional architecture through which expression is governed, including rules creating regulators (GOV_REGULATOR), allowing appeals to regulators or courts (APPEAL_NONREG and APPEAL_REG), and establishing oversight, reporting, or licensing systems for intermediaries and the press (IM_OVERSIGHT, IM_REPORT, IM_LICENSE, PRESS_LICENSE, PRESS_REPORT, and PRESS_OVERSIGHT). Regulating who monitors, authorizes, reviews, and enforces over the information environment is an important dimension of freedom of expression beyond speech restrictions (Appendix Table B.2).

3.1.4 Expression Law has Grown on All Fronts

The overall quantity of expression law has grown substantially over time. The number of active rules has increased from 255 in 2000 to 706 in 2025, roughly a 2.8-fold increase (Figure 3.2). This growth is especially visible after the 2010s.

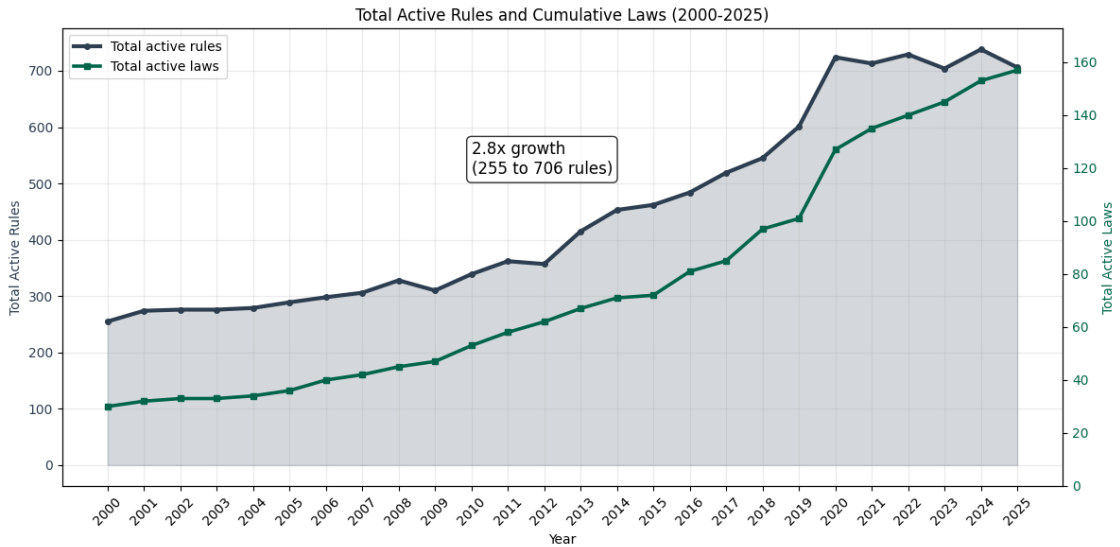


Figure 3.2: *Total active expression-related rules, 2000–2025. The number of active rules increased from 255 in 2000 to 706 in 2025.*

Moving beyond general patterns of law adoption, we next examine the institutional statements that are most commonly adopted. As Figure 3.3 shows, this growth has varied across actors. Rules restricting or protecting citizens’ expression remain the largest category and increase especially rapidly after 2000. Press-related rules appear earlier and grow more gradually. Internet and social media rules appear later, but accelerate sharply in the 2010s. Government rules and legal protections remain fewer in total, but have also grown substantially. Thus, the expansion of expression law has moved beyond direct restrictions on speech

by a small number of broad provisions to encompass a broader legal architecture governing different actors and topics under varying conditions.

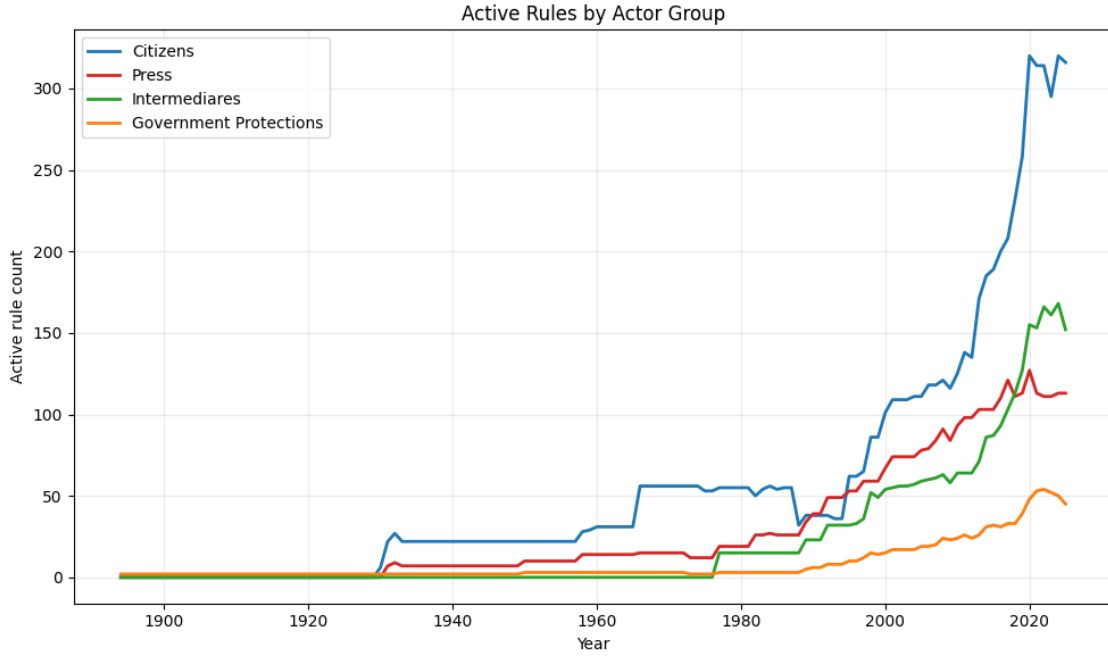


Figure 3.3: *Total active expression-related rules by actor group, 1894–2025. Citizen-focused rules remain the largest category, while intermediary and government/protection rules expand sharply in the digital era.*

Legal institutions are bundles of normatively democratic and normatively undemocratic rules that change over time, and together they shape, at least in part, the *de facto* information environment. Figure 3.4a sorts those rules by the actor they govern, and one pattern holds across every actor: permissive provisions far outnumber restrictive ones. Citizens are the most regulated actor by a wide margin, carrying nearly twice as many provisions as the press, the next most frequent. We see that intermediaries are restricted far less often; their newer entrance into the information environment helps situate the lower observation of legal rules regulating them. Importantly, while citizens have the highest number of legal protections, they also absorb most of the restrictive rules—more undemocratic provisions fall on citizens than on all other actors combined—so the group with the most protections under the law is, at the same time, the one most often singled out for regulation.

We also observe in Figure 3.4b that, by topic, there are differences in the relative adoption of normatively democratic and undemocratic legal rules. While topics protected under ICCPR are normatively democratic according to our coding protocol, non-ICCPR legal rules can align as either normatively democratic or undemocratic. Legal rules that govern speech that criticizes the government (GOVCRIT) and that could harm the economy (ECON) or the

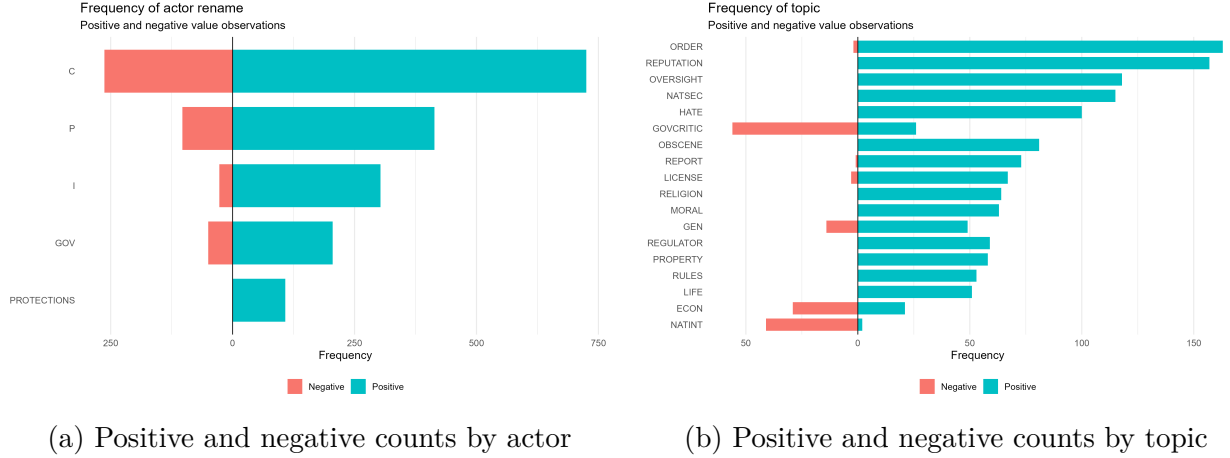


Figure 3.4: *Observed normatively democratic and undemocratic rule counts by actor and topic. Positive rules outnumber negative rules across most actor groups, while normatively undemocratic rules are concentrated in a smaller set of non-ICCPR topics.*

national interest (NATINT) are the most frequently restricted in normatively undemocratic ways. Additionally, there are a significant number that restrict expression broadly (GEN). Altogether, we see the normatively undemocratic provisions are much less common and concentrated in a few legal provisions.

Actor-specific legal environments differ substantially, as Figure 3.5 shows, and the gaps must be read with care. Two patterns repeat across much of the sample: citizen scores sit high and positive, and press scores fall at or near zero, with intermediaries more variable: strongly positive in some countries and ambiguous in others. The temptation is to read citizens-high, press-low as a ranking of protection, with citizens most shielded and the press least. But a score near zero is ambiguous. It can mark a genuine balance of protective and restrictive rules, but more often it reflects sparse regulation of that actor type. And a lightly legislated press is frequently a free one, though explicit permissive protections would be preferred over no protections. Placing a heavily legislated actor and a barely legislated one on a single signed scale can therefore invert real-world freedom: the highest score may belong to the most regulated actor, not the freest. This is precisely why we disaggregate the *de jure* index by actor. The legal environment for expression turns on whom the law holds responsible and whom it protects, and an actor-level view brings that division into greater clarity.

The figure's greater contribution is what no single index can show: how sharply the law can diverge across actor types within a single country. Poland (POL), listed first in the figures, is the extreme case: citizen and press scores both near the restrictive floor while intermediary law stays positive. Lesotho (LSO) tells a similar story, its citizen score

falling well below zero while press and intermediary provisions sit at zero. Such internal contradictions, one actor sharply restricted while others are left untouched, vanish in any aggregate score, yet they are frequently where the politically consequential action lies. A second feature is structural. Where intermediary provisions appear at all, they cluster tightly at a common value rather than spreading across the range. Set against the citizen-heavy weight of most national corpora, the figure suggests that expression law in 2025 still centers on the citizen, with platform-facing law thinner, newer, and more uniform. That asymmetry is one of the key takeaways we identify: regulation moving outward from the individual speaker toward the information environment as a whole.

3.2 Topical Trends in Expression Governance

This section explores expression governance as it is used in different fields and mechanisms, using the LEX data to shed light on the different ways that the expression environment is shaped through laws. We focus first on the differences in regulation between traditional information actors like journalists and new age information actors such as social media companies. Next, we look at the ways laws are used to address the mis- and disinformation crisis. We also look at how laws were used during the COVID-19 pandemic to respond to panic but also introduce lasting legal changes. Finally, we look towards the future at generative AI and the attempts that are being made to put legislative guardrails on its use.

3.2.1 From Press Regulation to Platform Governance

The regulation of media is shifting from a focus on the press toward platform and intermediary governance. Historically, newspapers and broadcasters served as the main institutions through which information reached the public, so many states developed legal frameworks regulating what the press could publish and under which conditions.

Today, however, many more actors channel information, from social media platforms to messaging applications and internet providers, and they have become central targets of expression law. These actors usually do not produce news in the same way journalists do, but still have a large influence in the information that circulates, how content is amplified, and more recently, what speech is removed (Nielsen and Ganter, 2018; Newman et al., 2024).

Press-related legal rules appear much earlier and grow gradually across the twentieth century. Internet and social media rules appear later, but increase rapidly beginning in the late twentieth century and especially after 2015. By the early 2020s, rules targeting internet intermediaries reach levels comparable to, and in some years higher than, rules targeting the

press. States are no longer relying only on conventional media law; instead, they are building legal frameworks that treat digital platforms and intermediaries as central institutions in the governance of expression.

Press laws often regulate expression directly by restricting what journalists or media organizations may publish (e.g., public order, national security), but internet and social media laws are more focused on establishing obligations for platforms to manage the expression of others. They may require platforms to prevent dissemination of certain topics, comply with takedown orders, monitor users, or enforce state-defined limits on expression.

In some cases, intermediary obligations may respond to genuine harms in the digital environment, including harassment, hate speech, or coordinated disinformation campaigns. However, broad or vague obligations can also censor valid speech. When platforms face punishment for failing to remove illegal content, but little consequence for removing lawful speech, they may censor more than the law strictly requires. This means that restrictions on expression can occur indirectly through private enforcement, even when the state does not punish speakers directly (Keller, 2018; Husovec, 2021).

Press regulation has not disappeared, journalists remain central targets of expression law; but digital intermediaries have become increasingly important regulatory chokepoints.

3.2.2 Mis- and Disinformation Rules are Expanding

The impact of “fake news” has been intensely discussed in the past decade, used by politicians to criticize the validity of reporters and sowing distrust in new and longstanding news sources. While misinformation is nothing new, today we observe that restrictions on misinformation have broadened to address many different topics and include conditions like solely focusing on online content. Figure 3.7 shows that laws governing mis- and disinformation were in place in the 1920’s, but jumped in prevalence after 1990. The last 15 years, from 2010-2025, have seen the number of legal rules governing misinformation and disinformation more than tripled.

In democracies, mis- and disinformation laws are primarily introduced to combat the spread of false information that undermines public trust and threatens broad civic engagement. These laws aim to protect citizens from being misled by false narratives, thus supporting informed decision-making in democratic processes. At the same time, in non-democratic regimes, mis- and disinformation laws can serve as tools for repression rather than protection. Authoritarian governments can exploit these laws to silence dissent and suppress political opposition. By labeling dissenting voices and critical journalism as “disinformation” or “fake news,” these regimes can justify censorship and crackdowns on free speech under the guise

of protecting public order and national security. Research has highlighted preliminary findings about how sanctions have had especially negative impacts on journalistic freedom, with over 200 journalists having been jailed since 2016 on mis- and disinformation related charges (Lim and Bradshaw, 2023). This misuse of mis- and disinformation laws not only stifles legitimate political discourse but also undermines the fundamental human rights of freedom of expression and access to information.

Additionally, the laws today often regulate the information environment in other ways, imposing obligations on press and social media companies to mark or take down harmful information:

- In the European Union, the 2022 Digital Services Act requires “very large online platforms” to create clear markings on generated or misleading images and videos.
- The Philippines Election Management Body issued similar restrictions in 2025 that requires candidates, political parties, and supporters to disclose when AI technology is used in campaign materials.

This regulation also allows government agencies to mark and coordinate the takedown of unlawful or misleading posts. While seemingly well intentioned, giving government content removal powers over social media during elections has the potential to be misused by incumbents to influence the information environment in their favor.

Beyond the traditional actors, social media has reshaped the information environment. Today, social media is increasingly accepted as a credible news source by many people. While most mis- and disinformation regulation targets the speaker, more and more countries are calling on media platforms to self-regulate mis- and disinformation. At the same time, open-access social media monitoring tools such as CrowdTangle and Tweetdeck are being taken down. The combination of overly broad obligations on social media companies and proprietary algorithms are shaping the information environment without being well understood.

3.2.3 Crisis Rules Outlast Emergencies

Crisis-related expression rules remain relatively limited compared to general rules, but their adoption becomes much more visible during 2020. These rules became especially important during the COVID-19 pandemic. Addressing the pandemic required a lot of new things including reducing the sizes of gatherings, introducing curfews, and limiting movement. In order to institute this, many countries had to adopt new laws. Simultaneously, there was an onslaught of mis- and disinformation about the virus, treatments, the vaccine, and government responses among other things. To address this, many countries included legal

provisions aimed at reducing the spread and impact of this mis and disinformation. In fact 62 countries adopted laws to address the COVID-19 pandemic that impacted freedom of expression (International Center for Not-for-Profit Law and European Center for Not-for-Profit Law, 2022).

However, lawmakers also used this time to adopt laws that may otherwise receive backlash or that could be misused to extend the reign of the incumbent, consolidate power, or reduce individual freedoms. For instance, in Hong Kong protesting was halted by COVID, which gave elites the opportunity to enact many illiberal laws without push-back (Sadowski, 2022). Country leaders including in Chad and Ethiopia were criticized for using the pandemic as an excuse to extend their term, change election date in their favor, or enact laws that are overly broad and could be misused like in Central African Republic, where a bill allowing extension of presidential term in the case of a ‘force majeure’ (James, Clark and Asplund, 2023; Vohito, 2020). Laws that were adopted quickly to respond to a crisis were then also used for political actions and gains.

Additionally, although they were implemented as necessary emergency measures for the time, some laws have remained active as of 2025, becoming legally binding elements of the legal framework that outlasted the crisis that prompted them. Table 3.2 shows legal rules that have been persistent in multiple countries through 2025. The top three of these we define as normatively democratic, however the bottom three we define as normatively undemocratic.

Table 3.2: Crisis rules active in 2+ countries (2025)

Type	Rule	Active countries
Normatively Democratic	C_DISINFO_PUBHEALTH_CRISIS	Botswana, Eswatini
	C_MISINFO_PUBHEALTH_CRISIS	Eswatini, South Africa
	C_MISINFO_HEALTHOFF_CRISIS	Philippines, Zimbabwe
Normatively Undemocratic	C_MISINFO_GOVAFFAIRS_CRISIS	South Africa, Zimbabwe
	GOV_NOWARRANT_CRISIS	Cambodia, Malaysia
	GOV_CENSOR_CRISIS	Cambodia, Malaysia

3.2.4 Generative AI Is the Next Intermediary Challenge

Generative AI has the potential to either expand or contract freedom of expression around the world. It affects the volume and spread of digital communication, and has taken the role of another digital intermediary that structures public discourse.

Disinformation is not new, but AI accelerates its spread and is better at personalization. AI reduces the costs of generating realistic narratives with synthetic media, lowering the

technical barriers to producing such content at scale (Council of Europe, 2026).

As this content grows, audiences may struggle to distinguish authentic material from fabricated content. This can erode public trust in journalism, institutions, and individual speakers (Office of the United Nations High Commissioner for Human Rights, 2024).

As they take on a role of digital intermediaries, AI chatbots are increasingly used for summarizing and filtering, becoming gatekeepers of information and concentrating audiences away from independent media into a few technology companies. This can threaten media pluralism and the economic sustainability of journalism. Personalized content, tailored from user data, can create individualized information environments and increase vulnerability to data-driven influence campaigns (UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression et al., 2025).

However, AI can also expand the space for free expression. By assisting with drafting, translation, and summarization, these systems lower linguistic and technical barriers to participating in digital discourse. Combined with social media, it has the ability to significantly broaden who can engage in public debate (UNESCO, 2025).

Regulatory responses from different countries have addressed deepfakes and platform liability, but there is a concern about overbroad regulation. Laws with broad definitions on “false information” carry a risk of suppressing legitimate expression, journalism, and criticism of public officials (ARTICLE 19, 2025). An example of this complex dynamic can be seen in China’s early generative AI regulation.

Case Study: China 2023

China’s Interim Measures for the Administration of Generative Artificial Intelligence Services of 2023 were one of the first binding instruments specifically aimed at generative AI. Under these measures, providers of generative AI are subject to ideological content restrictions, such as those that threaten “socialist core values” or “national image”, as well as ethical content restrictions protecting mental health, physical health, privacy rights, and property rights, among others.

This shifts responsibility of regulating speech from the state to private or semi-private actors. As this technology continues to grow, AI will become a central mechanism in the regulation of expression.

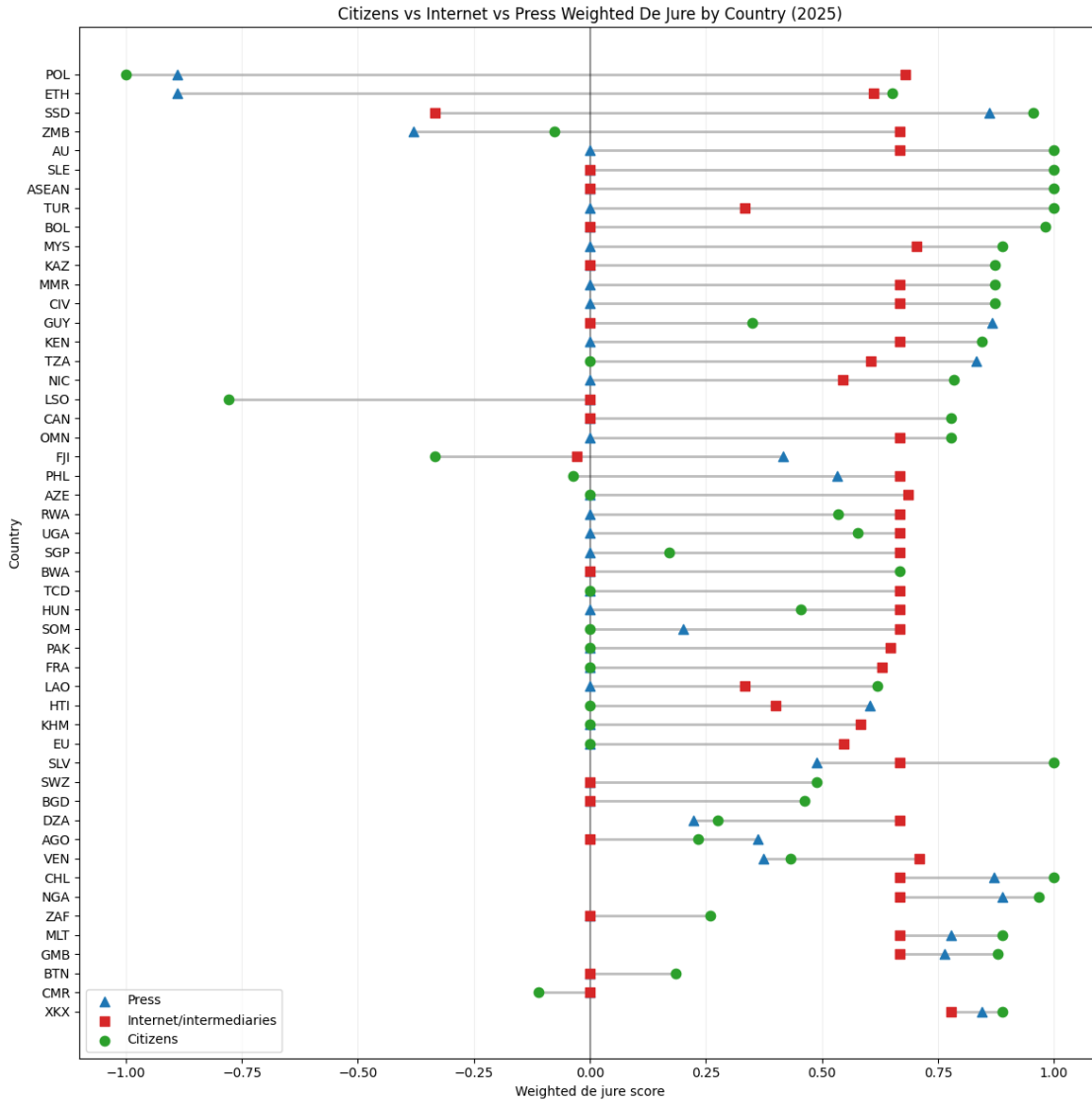


Figure 3.5: *Actor-specific weighted de jure scores by country, 2025. Expression law assigns protections, restrictions, and obligations unevenly across actors.*

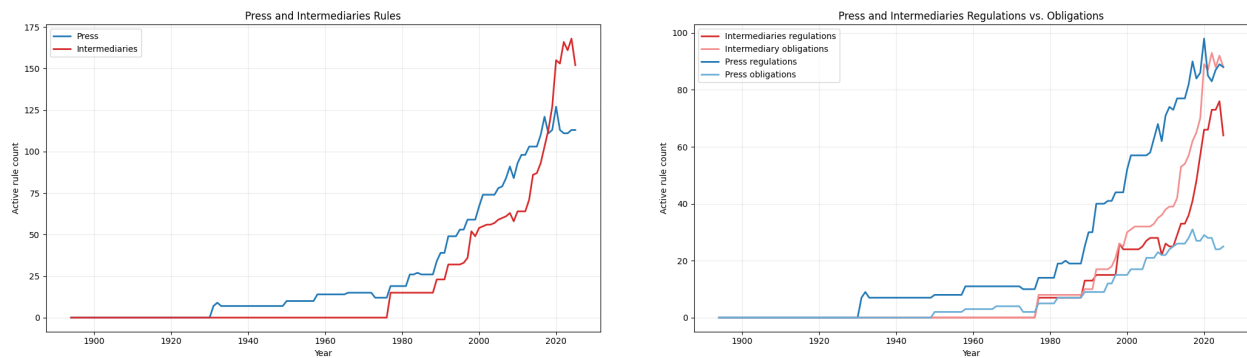


Figure 3.6: Press and intermediary regulation over time. Press-related rules appear earlier and grow gradually, while intermediary rules accelerate in the digital era.

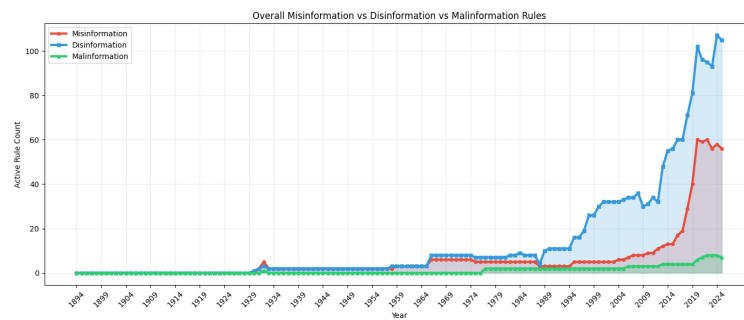


Figure 3.7: Growth of misinformation, disinformation and malinformation rules, 1894-2025. Mis- and disinformation rules expand sharply in the contemporary period.

Chapter 4

Institutional Design

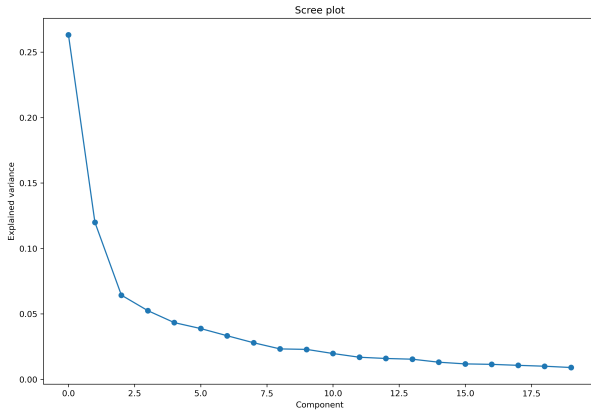
In the previous chapters we discussed trends in rule-making over time and within countries, but legal regimes are complex institutions with a wide range of rules that differ by country. In this chapter we explore institutional design by analyzing structures in our *de jure* data. We start by conducting a principal component analysis to assess whether there are reducible components observed in the sample. Next, we conduct a network analysis of *de jure* rules in order to see which specific rules are more central than others and how rules connect together.

4.1 Expression Law is Highly Dimensional

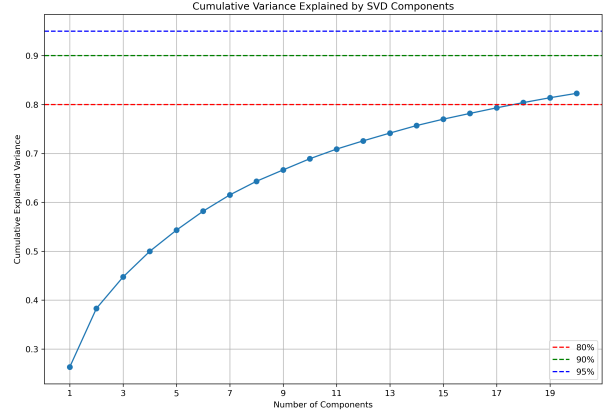
We have collected data across a wide range of institutional statements, resulting in a high-variance dataset. However, the large number of rules might obscure more general structures in *de jure* legal regime. While countries differ wildly in the specific rules implemented, they might share similar features. For instance, we might be able to organize countries into groups that are either more or less rights-oriented, or split countries into groups depending on how interventionist they are. In order to answer these questions, we conduct principal component analysis (PCA). PCA transforms a set of possibly correlated variables into a smaller set of uncorrelated variables called principal components. These components are linear combinations of the original variables, ordered so that the first component captures the most variation in the data, the second captures the next most, and so on. This approach allows us to 1) assess whether we can reduce down the dimensionality of the data and 2) infer any particular patterns across the sample. In short, we find that the data is highly dimensional, reducing the utility of dimension reduction, but we find some patterns in regulatory structure across countries.

Due to the characteristics of our data, we make certain research design decisions. First, we limit the analysis to features with variance (i.e., dropping variables without any varia-

tion across the sample). Second, the data are zero-inflated due to many country-years with no regulatory changes or rules, but these zeros represent substantively meaningful absence rather than missingness or noise. Mean-centering would transform these zeros into negative values, obscuring this interpretation. Therefore, we implement PCA using singular value decomposition (SVD) without centering the data prior to decomposition. This choice preserves the substantive meaning of zero values (i.e., the absence of regulatory activity). We scale the data to enable cross-variable comparison and truncate the SVD to 20 components (without truncation, SVD generates components equal to the number of variables).



(a) Scree plot showing how much variance in the data is explained by each component.



(b) The cumulative variance explained by the number of components.

Figure 4.1: SVD variance explained plots. The first component captures overall regulatory intensity, but no small set of components explains most of the variation.

The results of the analysis are informative. As Figure 4.1a shows, the largest component (PC1) explains more than a quarter of the variance in the data. Because the data are not mean-centered, the first component primarily captures overall regulatory intensity (i.e., the general level of rule-making activity across country-years). This interpretation is supported by a strong correlation (0.91) between PC1 scores and the total number of rules per country-year. None of the other components dominate the data variance, suggesting highly dimensional data. Figure 4.1b shows that we need more than 17 components to explain 80% of the variation in the data. One implication of this result is that we cannot reduce global trends into a small set of distinct factors.

The highly dimensional structure makes interpretation and analysis challenging, but we can infer some structure in PC2. The individual variable loadings in PC2 suggest that besides regulatory intensity (PC1), the main component of the data revolves around institutional design (Table 4.1). Some of the most important variables in terms of contribution to PC2 capture either rights-based rules (e.g., *C_EXPRESS_LIFE*) or more interventionist rules

Table 4.1: Top positive and negative loadings for PC2

Direction	Variable	Loading	Absolute loading
positive	C_MISINFO_REPUTATION	0.1815	0.1815
positive	C_MISINFO_ORDER	0.1456	0.1456
positive	C_DISINFO_REPUTATION	0.1436	0.1436
positive	C_EXPRESS_LIFE	0.1363	0.1363
positive	C_EXPRESS_PROPERTY	0.1309	0.1309
positive	GOV_NOWARRANT	0.1105	0.1105
positive	P_EXPRESS_HATE	0.1010	0.1010
positive	C_EXPRESS_HATE	0.0993	0.0993
positive	P_EXPRESS_ORDER	0.0701	0.0701
positive	C_EXPRESS_ORDER	0.0692	0.0692
negative	IM_REPORT	-0.2221	0.2221
negative	IM_OVERSIGHT	-0.2192	0.2192
negative	IM_LICENSE	-0.2104	0.2104
negative	APPEAL_REG	-0.1865	0.1865
negative	C_EXPRESS_STATEOP	-0.1800	0.1800
negative	C_EXPRESS_NATINT	-0.1797	0.1797
negative	C_EXPRESS_ECON	-0.1734	0.1734
negative	C_EXPRESS_GOVAFFAIRS	-0.1702	0.1702
negative	C_EXPRESS_UNITY	-0.1663	0.1663
negative	APPEAL_NONREG	-0.1633	0.1633

(e.g., *C_MISINFO_REPUTATION*). Another feature of the PC2 results is that several high-loading variables (*IM_REPORT*) represent relatively rare rules. This pattern is expected: because the data is standardized and not mean-centered, infrequent but distinctive rules can exert strong influence on the decomposition, reflecting their role in distinguishing specific subsets of country-years, rather than their overall prevalence.

4.2 Legal Rules Cluster into Recurring Bundles

We want to understand the legal environment of a country by looking at the whole picture as a combination of the legal rules enacted. Laws often stack and can even contrast one another. In order to understand the ways that countries enact and combine laws to regulate the expression environment, we conducted a network analysis of the legal rules in each country-year. This first step is intended to establish the overall architecture of the network before turning to more internally differentiated clusters of rules.

At the aggregate level, the co-occurrence network is sparse and unevenly connected. A large share of ties occur only once, whereas a much smaller set of ties recurs across multiple laws. This pattern suggests that many rule combinations are specific to individual legal

Rule Co-occurrence Network (90th percentile cutoff ≥ 122.0 ; 249 edges, 47 nodes)

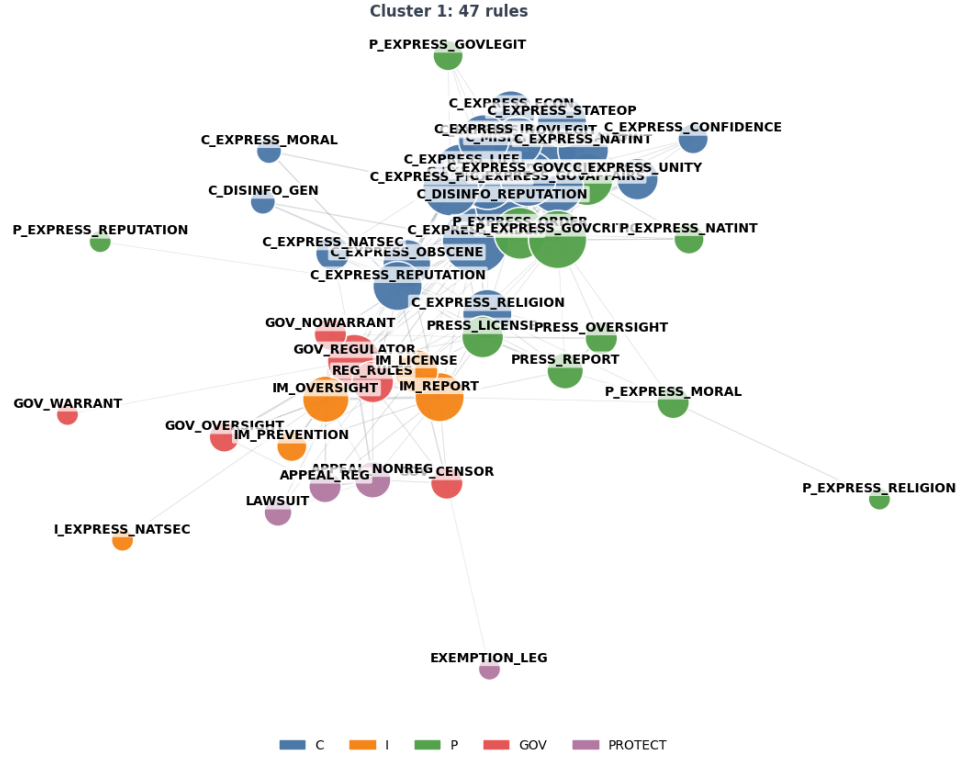


Figure 4.2: Co-occurrence network of legal rules by actor group.

instruments, but that a more limited group of provisions is repeatedly bundled together across the dataset. Put differently, the network exhibits a recognizable structure in which some legal rules function as recurring elements within broader packages of regulation.

To identify recurring bundles of legal rules, we construct a weighted, undirected co-occurrence network in which each node represents a coded legal rule and each edge represents the frequency with which two rules appear together in the same coded legal framework. Edge weights therefore capture the strength of co-occurrence between rules across the dataset.

Graph 4.2 visualizes the network of co-occurrence across the time period. The dense center of the network is dominated by laws governing citizens and press, while a peripheral group of intermediary, governance, and protection legal rules forms a second group. In fact, dividing this same graph along rules that restrict expression versus those that create obligations, we see more clearly the divide that there is a main group of restrictive legal rules that limit speech (see Figure 4.3). Obligation institutional statements make up a majority of the codebook, so this may be attributed to that frequency difference.

To better understand this structure, we consider centrality measures that identify which rules occupy the most prominent positions within the network. Table 4.2 reports the most

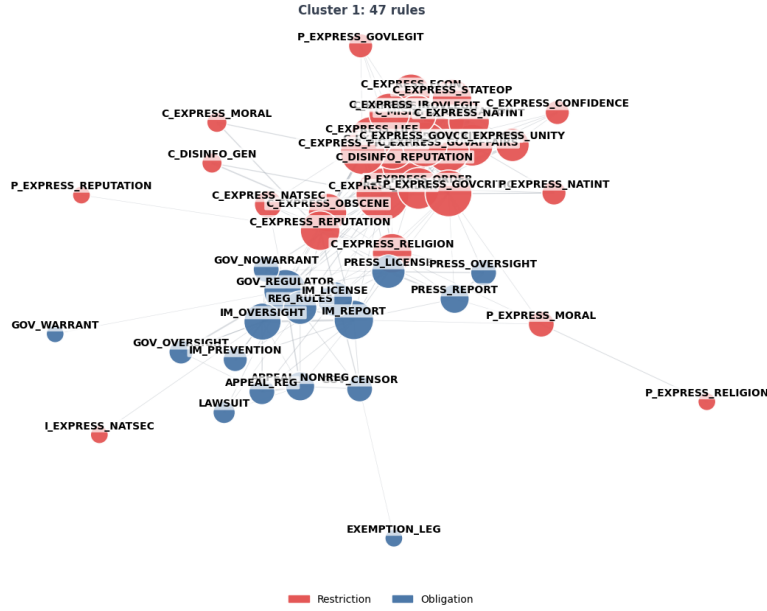
Rule Co-occurrence Network by Restriction/Obligation Category (90th percentile cutoff ≥ 122.0 ; 249 edges, 47 nodes)

Figure 4.3: Co-occurrence network of legal rules by rule type.

central nodes in the freedom of expression legal rule network. The selected nodes include both the most structurally central legal rule categories and substantively important freedom of expression domains. We use 3 measures of centrality; degree, betweenness, and closeness. Degree measures the number of connections a node has, betweenness captures how often a node acts as a bridge in connecting the shortest path between other nodes, and closeness reflects the distance between a node and all other nodes in the network. Node strength extends the idea of degree centrality by additionally accounting for the intensity of interaction, instead of just its presence. Communities were identified using modularity-based community detection. These measures should not be interpreted as indicators of substantive or causal

Table 4.2: Most Central Legal Rule Categories in the Expression Law Network

Node	Freq.	Degree	Strength	Betweenness	Closeness	Community
C_EXPRESS_NATSEC	34	92	571	265.39	0.645	2
C_EXPRESS_ORDER	39	108	556	443.58	0.678	3
C_EXPRESS_HATE	31	100	531	218.92	0.662	3
C_EXPRESS_GOVCRITIC	21	97	500	298.56	0.656	2
C_EXPRESS_RELIGION	28	102	463	411.51	0.667	3
GOV_REGULATOR	40	131	453	1164.35	0.737	1
REG_RULES	35	118	388	846.76	0.704	1
IM_REPORT	27	118	360	702.57	0.704	1
GOV_OVERSIGHT	31	97	289	405.23	0.656	1

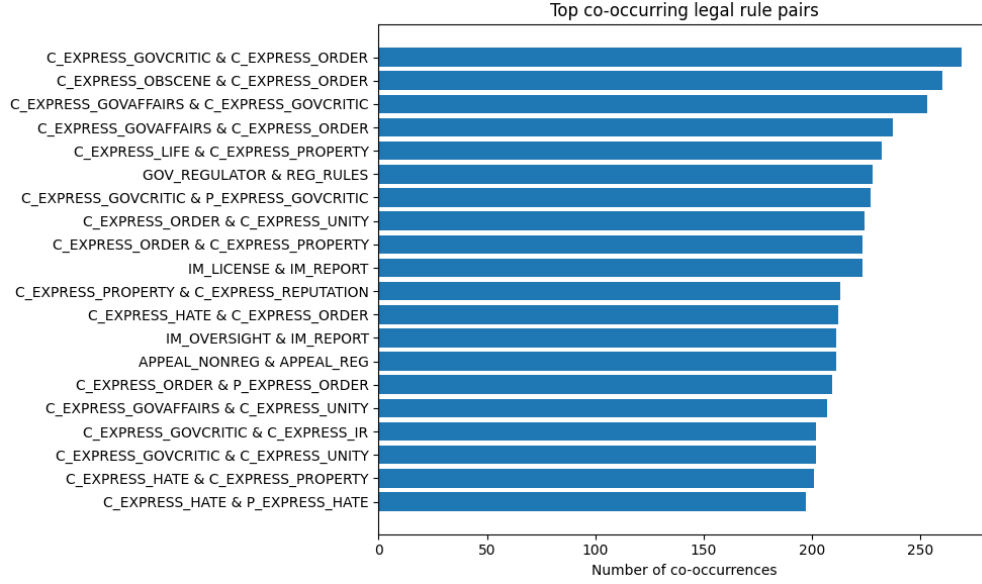


Figure 4.4: Top 20 most frequently co-occurring pairs of legal rules. The most common pairs show which rules tend to be bundled together within legal frameworks.

importance in a normative sense. Instead, they capture structural prominence: the extent to which particular rules are repeatedly connected to a wide range of other rules across the corpus.

Rules including C_EXPRESS_NATSEC, C_EXPRESS_ORDER, C_EXPRESS_HATE, and C_EXPRESS_GOVCRITIC emerge as particularly central. This indicates that restrictions related to national security, order, hate, and religion do not appear in isolation, but rather tend to serve as an anchor for larger regulatory frameworks.

The distribution of co-occurring pairs in Table 4.4 further clarifies these tendencies. It shows that the most common pairs predominantly include both substantive restrictions on citizens and institutional permissions. In fact, 16 of the 20 most commonly occurring pairs restrict the expression of citizens. The other four include a pair of government regulation permissions, intermediary requirements, and appeal permissions.

The simple network and pairwise co-occurrence results show which rules are prominent and which combinations appear most often. What they do not show on their own is whether those ties are organized into more coherent regulatory formations. To address that question, we next examine the clustered structure of the network through community detection.

4.3 Three Types of Governance Define Expression Law

In order to move from co-occurrence to defining governance structure, we identify communities within the co-occurring legal bundles. Community structure was identified using the Leiden algorithm, which partitions the network into densely connected groups of nodes while favoring internally coherent communities (Traag, Waltman and van Eck, 2019; Hairol Anuar et al., 2021, 2024; Wibisono et al., 2024). In substantive terms, these communities can be interpreted as bundles of legal rules that tend to travel together across laws. Rather than treating each rule as independent, the community structure reveals broader regulatory logics embedded in the dataset.

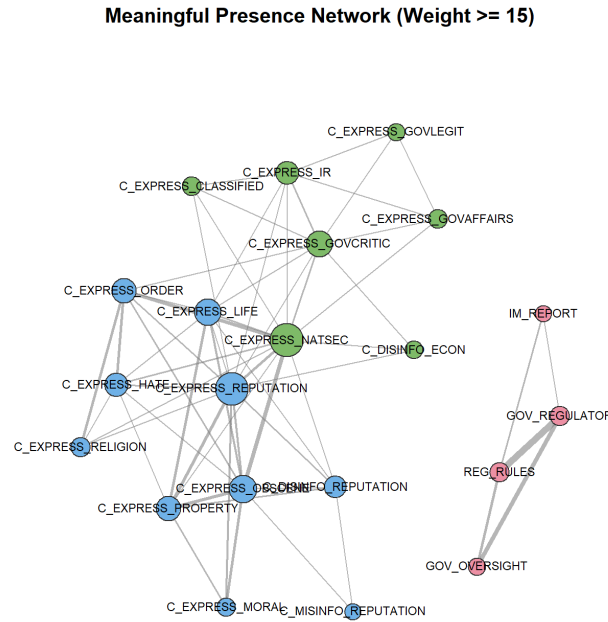


Figure 4.5: Filtered co-occurrence network of legal rules. Node colors indicate community membership and edge weights reflect co-occurrence frequency, revealing three recurring governance bundles: regulatory governance, political-security restrictions, and social order protections.

To improve interpretability, the visualization shown in Figure 4.5 retains only stronger ties and removes isolated low-connectivity nodes, so that the graph highlights the most stable and substantively meaningful groupings rather than one-off relationships.

Figure 4.5 shows that the filtered network is organized into three main communities.

These communities are not random collections of rules. Instead, they correspond to distinct modes of legal regulation: institutional governance and oversight, political-security restrictions, and social-order or reputational protections. The relative separation of these clusters in the graph suggests that legal provisions are bundled in patterned ways, with some rules repeatedly appearing alongside one another as part of broader regulatory strategies.

Table 4.3: Community Structure of the Freedom of Expression Rule Network

Community	Nodes	N	Dominant Regulatory Theme
1	GOV_REGULATOR, REG_RULES, IM_REPORT, GOV_OVERSIGHT	4	Institutional governance, regulatory oversight, and intermediary reporting structures
2	C_EXPRESS_NATSEC, C_EXPRESS_GOVCRITIC, C_EXPRESS_IR, C_EXPRESS_CLASSIFIED, C_EXPRESS_GOVAFFAIRS, C_EXPRESS_GOVLEGIT, C_DISINFO_ECON	7	Political-security regulation, state legitimacy, government criticism, and national security-related restrictions
3	C_EXPRESS_REPUTATION, C_EXPRESS_OBSCENE, C_EXPRESS_ORDER, C_EXPRESS_HATE, C_EXPRESS_PROPERTY, C_EXPRESS_LIFE, C_DISINFO_REPUTATION, C_EXPRESS_MORAL, C_EXPRESS_RELIGION, C_MISINFO_REPUTATION	10	Social-order, reputational, moral, religious, and public-harm regulatory restrictions

Notes: Communities were identified using modularity-based community detection within the most connected values of the legal rule network. Node groupings reflect recurring patterns of co-occurrence across legal rules and suggest distinct higher-order regulatory domains structuring expression-related legal systems.

Community 1: State Regulatory Governance. The first community centers on institutional governance and regulatory administration. It includes GOV_REGULATOR, REG_RULES, IM_REPORT, and GOV_OVERSIGHT. Taken together, these rules point to a regulatory logic focused on building the administrative architecture of information control. Rather than directly prohibiting specific kinds of content, this community is more concerned with creating the institutions, rules, reporting requirements, and oversight mechanisms that make regulation possible. In that sense, the cluster captures the state-facing side of expression regulation: the machinery through which information rules are implemented, monitored, and enforced.

Community 2: Political, Economic, and Security Restrictions. The second community reflects a political-security logic of regulation. It brings together `C_EXPRESS_NATSEC`, `C_EXPRESS_GOVCRITIC`, `C_EXPRESS_IR`, `C_EXPRESS_CLASSIFIED`, `C_EXPRESS_GOVAFFAIRS`, `C_EXPRESS_GOVLEGIT`, and `C_DISINFO_ECON`. These rules tend to appear around areas where expression is framed as a threat to the state, including national security, official secrecy, foreign affairs, government legitimacy, criticism of public officials, and economic stability. The cluster therefore captures a model of regulation aimed at preserving political authority and protecting sensitive areas of governance from perceived informational threats.

Community 3: Social Order and Reputational Harm. The third community is best understood as a social-order and reputational harm cluster. It includes `C_EXPRESS_REPUTATION`, `C_EXPRESS_OBSCENE`, `C_EXPRESS_ORDER`, `C_EXPRESS_HATE`, `C_EXPRESS_PROPERTY`, `C_EXPRESS_LIFE`, `C_DISINFO_REPUTATION`, `C_EXPRESS_MORAL`, `C_EXPRESS_RELIGION`, and `C_MISINFO_REPUTATION`. Compared with the political-security community, this bundle is less about protecting the state and more about protecting people, groups, and social norms. The repeated co-occurrence of these rules suggests a regulatory logic in which expression is restricted when it is treated as a threat to reputation, morality, religion, public order, property, safety, or broader forms of social peace.

Taken together, the three communities suggest that expression regulation in the dataset is not simply a collection of isolated provisions. Instead, legal rules appear to cluster around a smaller set of recurring governance logics: building regulatory institutions, protecting political authority, and preserving social order. The network analysis therefore adds something that single-rule frequencies cannot show on their own. It shows how individual rules are bundled into broader legal packages and how different types of restrictions and obligations tend to travel together.

Chapter 5

Country Trajectories and the Gap Between Law and Practice

This chapter examines how formal legal frameworks relate to freedom of expression in practice and how LEX data can be interpreted alongside *de facto* indicators. It then shows how these gaps affect civil society and media behavior through chilling effects and self-censorship.

On average, there is an upward trend in *de jure* scores across countries over time, but some countries have experienced negative trends in recent years, which is obscured by the average scores. For instance, Poland is one of the countries with the highest average score, but has seen decreases in recent years (Figure 5.1). Shifts can be quite sudden, as Lesotho experiences in 2020. Other countries, like Venezuela, have gone through ebbs and flows, with quick expansions followed by contractions.

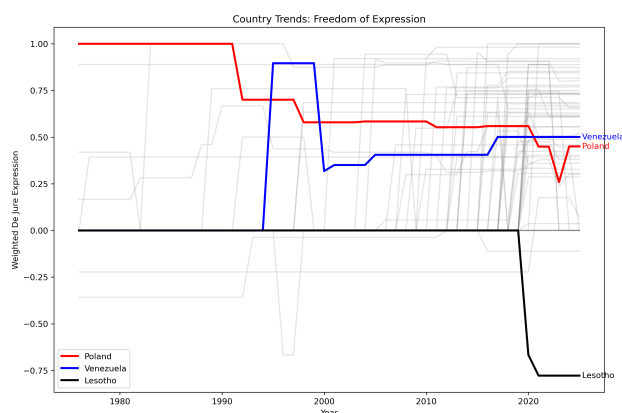


Figure 5.1: Country-level *de jure* freedom of expression trajectories over time. Although many countries trend upward on average, several show sudden shifts, declines, or periods of expansion followed by contraction.

5.1 Implementation and Enforcement

Our analysis compares the *de jure* and *de facto* freedom of expression environment in a country over time. The *de facto* measure is drawn from V-Dem’s Freedom of Expression index and the *de jure* measure is drawn from the LEX dataset. Our research corroborates findings from others that there is often a gap between *de jure* and *de facto* due to discretionary enforcement, political will, and state capacity.

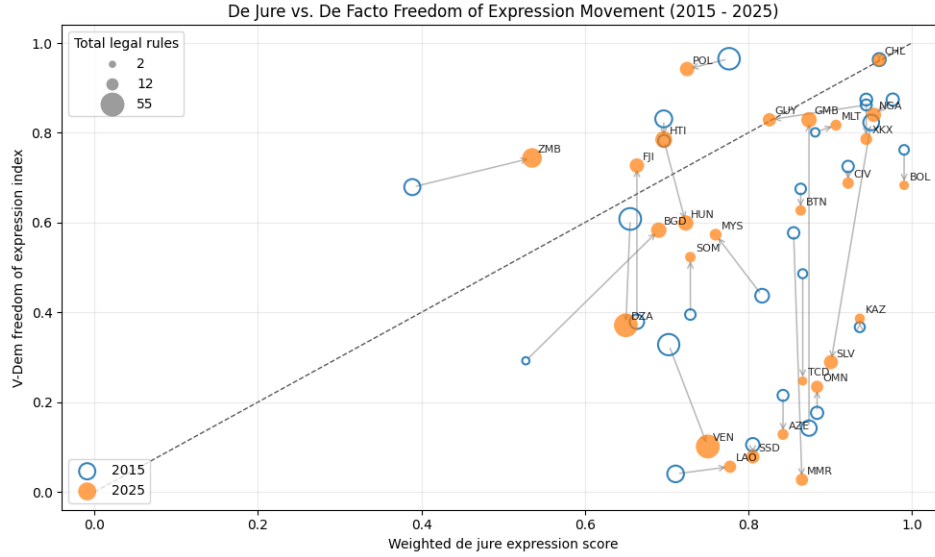


Figure 5.2: Movement in LEX weighted *de jure* scores and V-Dem freedom of expression index, 2015-2025. Arrows show how countries changed over time; point size indicates the density of active legal rules.

As seen in Figure 5.2, countries vary widely in how closely their formal expression-law frameworks align with observed freedom of expression in practice. We compare each country’s weighted *de jure* expression score against V-Dem’s *de facto* freedom of expression index. The dashed diagonal represents alignment between law and practice. A country above the diagonal indicates higher levels of freedom of expression in practice than in its written legal framework. However, a country below the line has a more restrictive expression environment than its laws imply.

The arrows show movement between 2015 and 2025. Countries moving upward experienced improvements in observed expression outcomes, while countries moving downward experienced deterioration in practice. Countries moving rightward adopted or accumulated stronger formal *de jure* expression frameworks, while countries moving leftward experienced a weakening of their formal legal score. The size of each point reflects the total number of active legal rules, and thus a denser legal environment.

Changes from 2015 to 2025 show a complex dynamic of written law and lived expressive freedoms. We observe wide variation, both upward and downward, in *de facto* FOE, as well as some countries following the diagonal in the positive direction. Most countries lie below the diagonal. This divergence can help explain how states can maintain formal commitments to expression rights held by international standards, all while constraining speech in practice.

The cases that follow show how this gap between law and practice takes different forms.

5.1.1 Venezuela and El Salvador: Two Pathways of De facto Erosion

Perez Saucedo et al. (2026) identifies two different pathways leading to *de facto* erosion of freedom of expression in Latin America. This study looks at the cases of Venezuela and El Salvador to exemplify both pathways through their enforcement mechanisms and the timing of their shifts.

The first pathway is overt state coercion, where an institutional shift creates the foundations in the legal framework for control, followed by prolonged deterioration in practice through visible repression and administrative pressure. The second pathway is emergency governance divergence, where the legal framework retains rights-oriented and security-framed legislation under a state of emergency, while discretionary enforcement narrows expression in practice.

Venezuela is an example of the first, where an early institutional shift at the turn of the 2000s expanded the state’s capacity to regulate and control the media, followed by a prolonged deterioration in *de facto* freedoms as enforcement and political consolidation deepened over time. El Salvador exemplifies the latter, in which the legal framework remains permissive, even as *de facto* freedoms have begun to decline sharply since 2019. Under a state of emergency, enforcement practices have constrained independent expression through surveillance, mass detentions, and chilling effects.

Venezuela’s framework underwent an early institutional shift that weakened formal protections, while El Salvador’s remained consistently democratic even as the space for expression narrowed in practice and the country’s administration remains popular.

The main concern is not that El Salvador and the rest of Latin America will inevitably follow Venezuela’s path, but that contemporary democratic erosion no longer requires explicit legal rollback or major legislative change. Instead, it has evolved to operate within legal frameworks compliant with international standards.

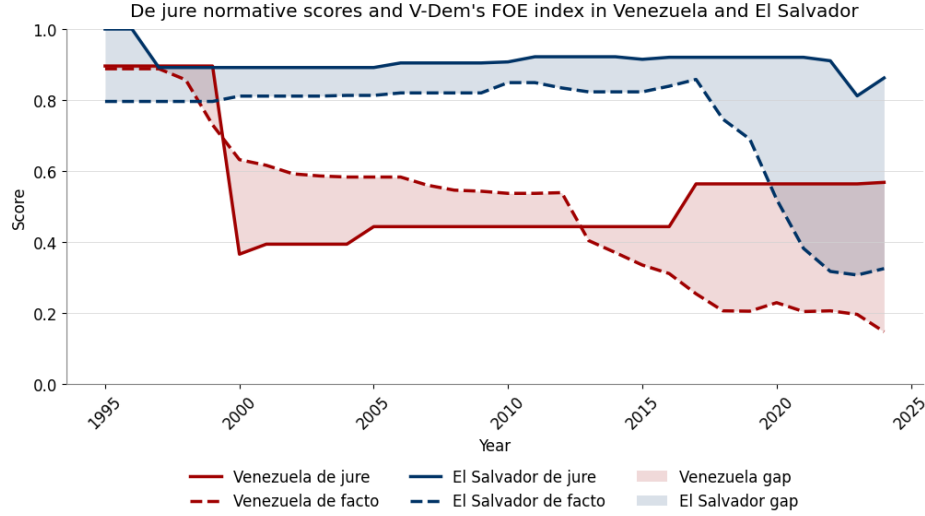


Figure 5.3: *De jure* normative scores and V-Dem’s FOE index in Venezuela and El Salvador. The comparison shows two pathways of *de facto* erosion: overt state coercion and emergency governance divergence.

El Salvador’s case is especially relevant because its security model has become a regional reference point for both incumbent leaders and aspiring candidates (Cutrona, Dammert and Rosen, 2025; Dammert, 2023). This does not imply that the model will be replicated uniformly, but it is increasingly evident that it can circulate as an electorally attractive solution beyond El Salvador itself. El Salvador shows that *de facto* erosion can occur without obvious *de jure* rollback. Governments can preserve rights- and security-framed legislation while simultaneously increasing control over speech. The result is a system that reshapes independent expression without formally dismantling it.

5.1.2 Algeria: Political Will and Selective Enforcement

Clifton et al. (2026) explores the case of Algeria to emphasize the role of the regime in enforcing the laws. This brief finds that the *de facto* environment has been inconsistent across regimes as the impact of *de jure* legal rules turns on the bureaucracy’s professionalism, the judiciary’s independence, and the government’s willingness to enforce laws fairly.

Since Algeria’s independence in 1962, there have been many changes to the legal framework that have altered the expressive rights of Algerians. This legislation has oscillated the *de jure* expression environment between protective and restrictive. At the same time, the impact of these changes depends on the implementation and enforcement of these legal rules, which has been inconsistent across administrations, as seen in Figure 5.4.

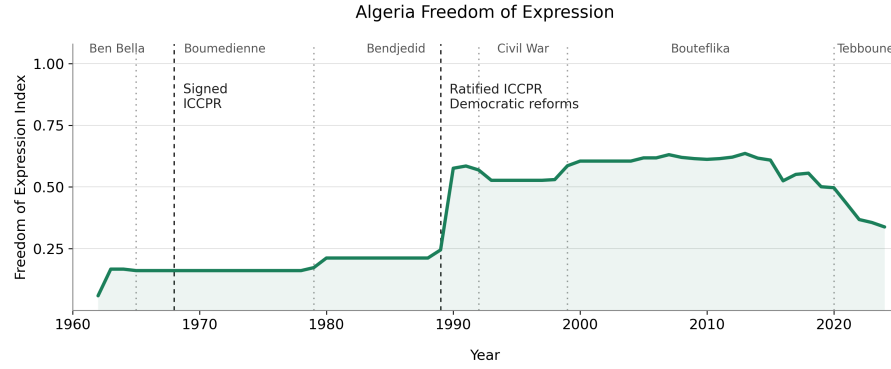


Figure 5.4: V-Dem’s Freedom of Expression Index over time with regime periods overlaid. Changes in observed expression outcomes coincide with shifts in regime context.

Algeria saw the greatest increase in *de facto* freedom following the 1989 constitutional reform brought on by significant protests against the repressive regime. Yet, the major penal code revisions during the civil war, namely the anti-terrorism laws, only began to significantly impact freedom of expression in 2014, when the government began to use these laws to suppress dissent.

Expression-related laws and legal rules are often formally democratic, but can be applied selectively against dissent in undemocratic contexts where those legal protections are needed most. This arbitrary enforcement of legal rules to suppress opposition and maintain power is referred to as “autocratic legalism” by legal scholars such as Scheppele (2018), who note that illiberal regimes increasingly use legal tools instead of outright coercion to restrict rights (see also Moustafa (2014); Ginsburg (2020)). This demonstrates how changes in political will and capacity, rather than changes in the legal institution, truly affect the expression environment in the country.

5.1.3 Hungary, Poland, and EU Regulation: Compliance without Independence

Lorys et al. (2026) uses the cases of Hungary and Poland to understand the interplay of international regulatory regimes and national implementation using two cases from Europe who are subject to Digital Services Act regulations and implement them in different ways, with different levels of democratic freedoms.

Poland and Hungary share history as prior soviet satellite states that were initially seen as promising candidates for a democratic transition, but they have each experienced democratic backsliding in recent years due to the rise of right-wing populist parties. Each country

exemplifies the two ways scholars classify democratic backsliding (Batista et al., 2025). Hungary is an example of vertical backsliding which occurs when constraints on executive power break down. Poland is an example of horizontal backsliding where government institutions are weakened such that the balance of power shifts towards the executive. This backsliding was accompanied by restrictions in freedom of expression which weakened accountability (vertical constraints) and institutional resistance (horizontal constraints).

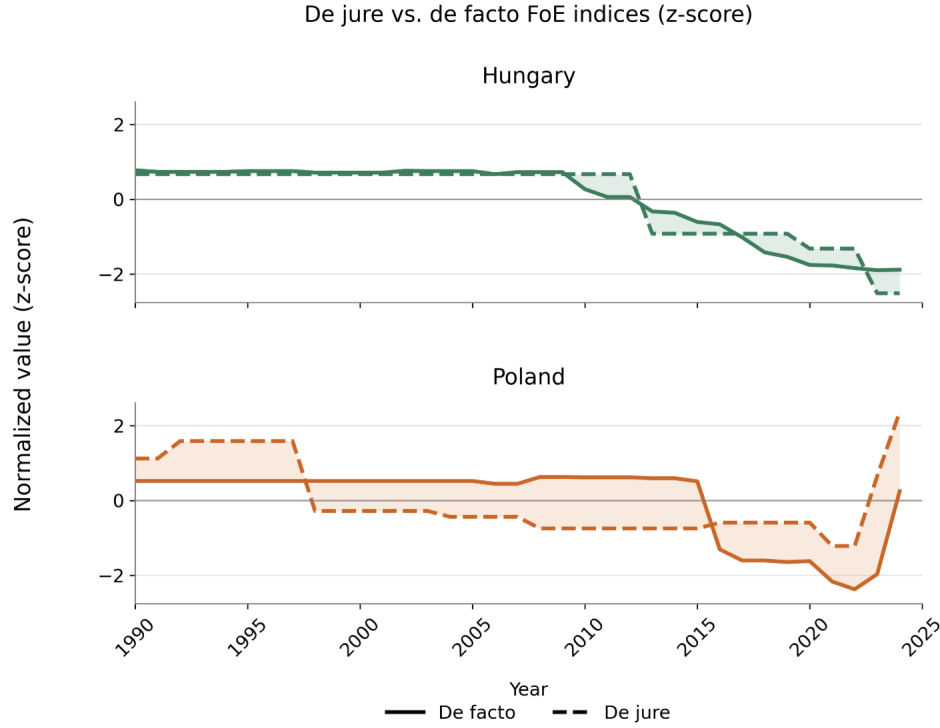


Figure 5.5: V-Dem *de facto* freedom of expression and LEX *de jure* normative scores in Hungary and Poland. Formal alignment with regional frameworks can coexist with divergent domestic outcomes.

While Hungary continues to backslide, Poland appears to be making a “u-turn” toward promoting democratic norms and ideals after the PiS lost power in 2023. While Hungary and Poland have enacted legislation that aligns with EU rules, both countries have found ways to evade the required independence of media present in these rules, creating legal compliance gaps.

Due to the current status of the European Union’s lack of enforcement of the Digital Services Act and the novelty of the European Media Freedom Act, the real influence of the EU on Hungary’s decline and Poland’s resurrection is best understood as an evolving constraint rather than a settled enforcement mechanism, centered on monitoring progress towards realignment with principles of liberal democracy.

Hungary and Poland demonstrate how regional regulatory convergence can mask divergent domestic trajectories. Both countries operate under shared EU legal frameworks and have adopted formal rules that appear compatible with European standards, yet their *de facto* expression environments differ because legal compliance depends on the independence of the institutions that implement and enforce those rules.

5.2 Civil Society and Media Respond to Enforcement Risks

One mechanism through which these country-level gaps appear is anticipatory self-censorship. Scholars such as Lee, Tang and Chan (2023) find that censorship in authoritarian regimes extends beyond confines of the law with journalists and society over-censoring to avoid the risks of punishment, reducing *de facto* freedom of expression further than *de jure* requirements.

Adams et al. (2026) finds that when laws are vague or selectively enforced, actors will adjust their behavior in anticipation of potential sanctions rather than in response to *de jure* legal constraints. This anticipatory self-censorship leads journalists, activists, and citizens to avoid sensitive topics, criticism of public officials, or political discourse. While this effect is most prominent in authoritarian regimes, it extends across regime types and shows that legislation that limits freedom of expression creates a chilling effect across all sectors of society.

Figure 5.6 shows the effect of conflict on the expression environment. Noticeably, *de facto* freedom of expression is often quickly lost during conflict while *de jure* expression rises dramatically. We find that after conflict regimes continue to suppress expression and formalize their repressive strategies through legislation that is formally democratic, but often applied unfairly. This pattern suggests that legal repression is not a temporary response to insecurity, but instead a part of how regimes consolidate control after conflict ends. The immediate post-conflict period represents a critical institutional juncture, as laws adopted during this period can shape the trajectory of the expression environment long after conflict subsides.

Additionally, technological advancements have enabled more invasive monitoring by regimes. Historically, regimes had to hire informants for all monitoring efforts, but today, more of the information environment is online, making easier and less expensive to monitor. These techniques are becoming increasingly advanced in their ability to profile people and censor accounts in undetectable ways. In China, AI has been integrated into surveillance tools, creating more sophisticated monitoring and censorship capacities (Kaufman, 2025). Restricting

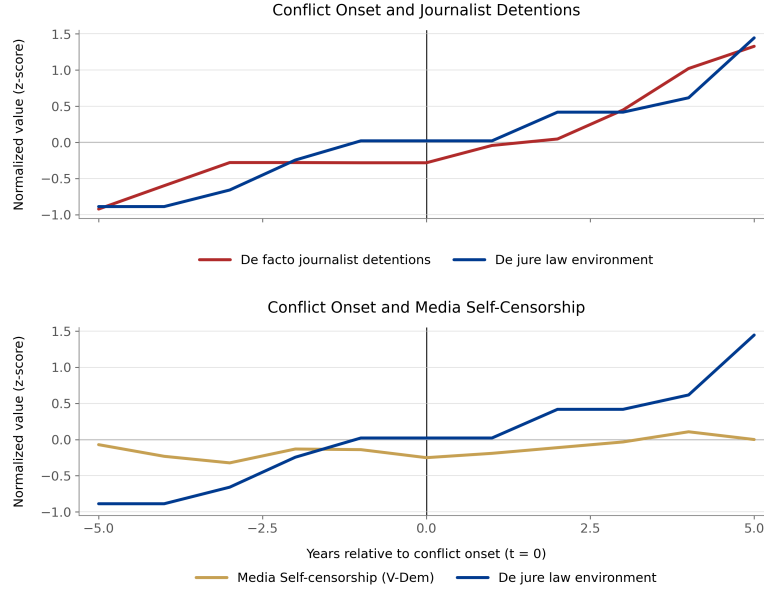


Figure 5.6: Average *de jure* freedom of expression scores and two *de facto* indicators before and after the onset of intrastate conflict: number of journalists jailed and media self-censorship. Observed expression conditions can deteriorate around conflict even as formal legal frameworks become more active or protective on paper.

or throttling internet access has become a new way that regimes can control opposition as the internet and social media platforms have become relatively accessible way to get information, handle daily needs, and coordinate or speak when the state restricts media, services, and public organizing.

The chilling effect of restrictive expression legislation also affects the press, with oppositional news organizations facing increased scrutiny and restrictions. In response, these organizations often self-censor or shutdown to avoid punishment by the regime. The reduction in publicized critical perspectives allows the regime's narrative to be more prominent and reduces the organizational capacity of opposition movements (Lee, Tang and Chan, 2023).

When enforcement determines *de facto* expression instead of impartial and normatively democratic legislation, civil society and media actors respond to perceived risks and constraints through self-censorship of topics.

Chapter 6

Conclusion and Reflection

The Laws of Expression project began by asking: What do the laws that states adopt to govern freedom of expression actually say? To answer this, we built a framework and a dataset from the ground up, and are now able to compare the *de jure* expression environment across countries and over time. We have identified laws from 66 countries across six continents and coded 164 laws into 722 institutional statements using Institutional Grammar, and developed a weighting system sensitive to the distinct reach of legal rules across actors, expression types, and conditions. What we present here is a cross-nationally comparable measure of the *de jure* expression environment that spans from 1894 to 2025.

6.1 Main Patterns and Challenges

The legal environment governing expression has expanded in number of regulations and complexity. The number of active legal rules nearly tripled between 2000 and 2025, driven by the expansion of platform governance, mis- and disinformation rules, and emergency legislation. This expansion is part of the broader regulatory turn toward governing the infrastructure through which information circulates, establishing oversight mechanisms, and building administrative bodies for content enforcement.

This growth has unfolded differently across actor groups. Rules governing citizens remain the largest category, but internet and social media intermediaries have emerged as increasingly central targets of legal obligation and liability, reaching levels of regulatory density comparable to, and in some years exceeding, traditional press regulation. Press-related rules, by contrast, have grown more gradually and over a longer time period, though journalists remain central targets of enforcement in practice.

Mapping this growth to identifiable patterns has proven complex. The institutional design of expression law is highly dimensional, resisting reduction to a simple permissive/restrictive

continuum. Yet our network analysis reveals a structure beneath that complexity, where legal rules tend to occur in clusters of regulatory oversight, political-security restrictions, and social-order protections. These bundles travel together across legal systems, and governments combine them in ways that produce democratic-looking legal frameworks, with weighted *de jure* scores trending positive on average.

That formal appearance, however, does not translate into expressive freedom in practice. The country-level cases demonstrate different ways in which *de jure* and *de facto* environments can diverge, whether it be through selective enforcement, emergency governance, or institutional capture. More legal rules does not mean more freedom. A dense legal framework can simultaneously protect expression in formal terms and constrain it in practice, and the gap between the two is where democratic erosion can happen.

6.2 Opportunities for Reform

Expression-related legislation, particularly mis- and disinformation rules, are used in legal designs that concentrate enforcement discretion in the executive, use vague or overly broad definitions of prohibited content, and provide insufficient judicial oversight.

International standards should therefore look beyond adoption of expression-protective laws and into how that legislation is structured, who enforces it, who is liable, and what safeguards exist against its weaponization. This points towards what might be called autocrat-proofing legal frameworks, designing the legal environment around expression in ways that are resistant to selective enforcement and executive capture. This includes clear and narrow definitions of prohibited content grounded in ICCPR Article 19 standards, independent regulatory bodies insulated from political interference, meaningful appeal mechanisms accessible to citizens, intermediaries, and the press alike, and time-scoped clauses for crisis-conditioned rules that prevent temporary emergency measures from becoming permanent features of the legal landscape.

The countries with the most durable *de jure* protections that actually translate to lived freedoms and protections tend to combine rights-oriented citizen rules with robust institutional governance structures. Not simply more rules, but better-designed ones.

6.3 Opportunities for Future Work

This report represents the first comprehensive framing of the LEX dataset as a tool for systematic, cross-national measurement of *de jure* expression law. Like any effort of this kind, this work will continue to grow as we expand our dataset with more countries, more

laws, and more legal developments. But this cumulative quality about it is what makes the effort worthwhile, each addition deepens the picture of how a country’s formal legal framework has evolved over time, and the dataset as a whole provides a foundation for comparative analysis that no single-country or single-law study can offer.

The existence of a comprehensive *de jure* baseline opens up a range of research projects that were previously difficult to pursue systematically. LEX provides the legal foundation against which behavioral outcomes can now be measured, whether it be linking expression rules to journalist detentions, court decisions, or transparency reports. These connections will not emerge from the dataset alone, but LEX makes them tractable in ways they were not before, and we hope future work will take up the challenge of moving from legal description toward causal explanation of how formal rules shape expressive behavior in practice.

A parallel set of questions concerns the political origins of the rules themselves. LEX documents what was adopted and when, which creates the conditions for asking who makes those new rules and why. Understanding the supply side of expression law is as important as understanding its effects. The expansion of expression law documented in this report was not politically neutral, and future research can now use the dataset to investigate the conditions under which different types of expression rules emerge including democrats versus autocrats, technocrats versus populists, and what it means for how those rules are subsequently enforced.

Finally, the emergence of generative AI as a regulatory frontier demands attention. The early legislation surveyed in this report, including China’s Interim Measures and the EU AI Act, represent the leading edge of what is likely to become a much larger body of AI-specific expression law. As countries move from drafts to binding regulation, tracking how these frameworks assign responsibility, define prohibited content, and interact with existing expression law will be essential for understanding the next phase of the information environment. The LEX coding infrastructure is well-positioned to systematically absorb the developments of this frontier, and any other regarding freedom of expression, as they unfold.

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Appendix A

Creating De Jure Measures

Our codebook contains 722 institutional statements representing legal rules. We systematically coded each law for all of these institutional statements. To increase the interpretability of the data, we develop several *de jure* measures to understand how the different laws map onto the legal framework of a given country in a given year.

To do so, we use an aggregation system at the country-year level combined with an informed weighting system to account for the impact and scope of different legal rules on the overall expression environment. We consider the actor, the type of expression, and the conditions under which the rule applies when creating the weightings.

A.1 Converting Data from Law to Provision-level

The data is collected at the law level, with each institutional statement taking a presence value of *present*, *absent*, or *negation*. This is combined with the assigned valence of normatively democratic, +1, or undemocratic, -1, to create a single representative *value* for each legal rule by taking the product of the two values, as outlined in Table A.2.

To create country-year measures of *de jure* freedom of expression, we take a two step approach modified from DeMattee (2023a). First, Equation (A.1) shows how coded items are converted to country-year-provision values. The coding protocol assigns each coding item, i , a valence, V . And each coding item, i , in law, j , is coded as either *present*, *absent*, or *negation*.

$$\text{Item}_{i,j} = \begin{cases} V_i & \text{if matching valence} \\ 0 & \text{if no matching language} \\ -V_i & \text{if opposite valence} \end{cases} \quad (\text{A.1})$$

Items take on a value of 1, 0, -1 , which combines a measure of the original valence — whether the institutional statement is normatively democratic or undemocratic — with its coded value (i.e., present, absent, negated). This is also illustrated in the last line of Table A.2. It is worth mentioning that there are two scenarios in which we code $Item_{i,j}$ as $[+1]$. First, the coding item has a positive valence — the legal rule is normatively democratic — and the law contains legal language stipulating action in the same direction as the coding item. The other is that the coding item has a negative valence — the rule is normatively undemocratic — and the law contains legal language stipulating action in the opposite direction as the IG-based item. Here, a negative times a negative is a positive. The same logic applies to the two scenarios in which we code $Item_{i,j}$ as $[-1]$.

We find that countries use multiple laws to regulate expression within their borders. What is more, we also find that many of these laws have overlapping legal rules, but not every law contains the same bundle of legal rules. In fact, multiple laws regulating expression within a single country appears to be the norm, not the exception. These laws frequently address overlapping issues — meaning different laws contain legal language which maps onto similar coding items — but their legal rules are not always harmonized. A single action may be permitted under one law and restricted under another. This creates a genuine empirical challenge: when aggregating a coding item across laws within a country, we cannot assume uniformity and a simple average is imprecise because some laws will be silent on a given rule entirely.

$$Provision_{i,k} = \frac{\sum_{j=1}^n Item_{i,j}}{n} \quad (A.2)$$

Equation (A.2) estimates country-level values for each item in the coding protocol. $Provision_{i,k}$ is a continuous value on the interval $[-1, +1]$ representing the average coded value of a particular item, i , across all laws active in country, k , in a given year. Note that while j laws may be active in a country at a given time, n denotes the subset of those laws containing language that addresses provision i . A value of $+1$ indicates that all laws discussing the rule do so in permissive, normatively democratic terms; a value of -1 indicates the opposite — that every law addressing the provision does so in normatively undemocratic terms. Middling values reflect legal inconsistency across a country's statutes. A value of exactly 0 is particularly ambiguous: it may indicate either that no law within the jurisdiction addresses the provision at all, or that multiple laws address it but do so with contradictory language in equal measure — two distinct situations that produce the same arithmetic result.

A.2 Weighing of Institutional Statements

We expect that not all legal rules are equally important and that different rules may have an unequal impact on the *de facto* expression environment. To account for this, we use a three-part weighting scheme that adjusts each coding item's value according to key components in the legal rule: to whom the legal rule applies, the issue the legal rule applies to, and the condition under which the legal rule is active (Table A.1).

To weight actors, we consider the scope of people affected and the immediacy of the impact of restriction. Table A.1 shows the most important legal rules as those that regulate citizens broadly, create permissions for the government, or provide legal remedies for citizens. Because these rules are most important, we rank them first and give them the heaviest weighting. Next, we rank legal rules that govern press, because of the important role it plays in the information environment and the longstanding role the press plays in legitimacy and credibility. We assign legal rules affecting internet service and social media providers the lowest rank and the respective weighting because their role in the information space is often defined more as that of a facilitator enabling interactions and spread of information (see Krotoszynski, Koltay and Garden 2025) than as a source of information directly.

We rank legal rules that restrict expression first, because it is the broadest scope. Then, we rank misinformation next, which reflects the lack of intent in its definition, reducing the burden of proof for the legal precedent. Finally, we rank disinformation last because it is the most narrow scope of the types of expression, therefore we expect that laws that adopt restrictions on disinformation have the smallest impact on the entire expression environment.

The final component on which we apply a weighting system is the conditions under which a law applies. Legal rules that apply at all times and under all conditions (AATAUAC) are the most broad, and therefore rank first. Next are rules that apply only during times of crisis. We rank these second because they do not apply as broadly as laws under all times and conditions. Finally, we rank laws that only apply in digital and online platforms last because, similar to intermediaries and social media providers, their total impact is nebulous.

Table A.1: Weighting of Actor, Type, and Condition

Rank	Weight	Actor	Type	Condition
1	3	Citizens, Government, Protections	Express	AATAUAC (implicit)
2	2	Press	Misinfo	Crisis
3	1	Internet Service Providers, Social Media	Disinfo	Digi

as this category of laws is relatively new and still forming.

To create a single weighted value for each institutional statement, we first convert the ranks into weights, as seen in Table A.1. These weights are scaled to be out of 3 each, meaning that a weight of 2 will be $\frac{2}{3}$ and a weight of 3 will be $\frac{3}{3}$. Then to combine the different components, we take the product of these weighted values, to keep the value scoped to $[0, 1]$. In the case that the institutional statement does not contain a type of expression, as seen in the obligation institutional statements, the product is taken only of the actor and condition weight values.

Figure A.1: Example Weight Calculations

```

C.DISINFO_GEN(_AATAUAC)
Value = 1
Weighting =  $\left(\frac{3}{3}\right) \left(\frac{1}{3}\right) \left(\frac{3}{3}\right) = \frac{9}{27} = \frac{1}{3}$ 
Weighted Value =  $1 \times \frac{1}{3} = 0.33$ 

P.EXPRESS_ECON_DIGI
Value = -1
Weighting =  $\left(\frac{2}{3}\right) \left(\frac{3}{3}\right) \left(\frac{1}{3}\right) = \frac{6}{27} = \frac{2}{9}$ 
Weighted Value =  $-1 \times \frac{2}{9} = -0.22$ 

IM.DEPLATFORM_CRISIS
Value = 1
Weighting =  $\left(\frac{1}{3}\right) \left(\frac{2}{3}\right) = \frac{2}{9}$ 
Weighted Value =  $1 \times \frac{2}{9} = 0.22$ 

```

Figure A.1 shows how these weights map onto institutional statements, with the third example demonstrating an obligation institutional statement. Additionally, Table A.2 outlines these weighting as they appear in the dataset for each institutional statement.

A.3 Creating Institutional Measures

To create different measures of the state of *de jure* freedom of expression, we take a sum across the values (`de_jure_total`) and weighted values (`weighted_de_jure_total`) of the institutional statements, as shown in Table A.3. Then, to account for the wide distributions of legal rule density across different countries and years, we divide the net *de jure* legal rule count by the total number of legal rules in that country year, returning values `de_jure` and `weighted_de_jure` whose values lie between $[-1, 1]$, as seen in Equation (A.3).

Table A.2: Construction of Weighted Institutional Statement Values

Value	Formula	Range
<code>institutional_statement</code>	Institutional statement from codebook (722 unique items)	e.g. <code>C.EXPRESS_NATSEC</code> , <code>REG_RULES</code>
<code>weighting</code>	$\text{actor_weight} \times \text{type_weight} \times \text{condition_weight}$ (or $\text{actor_weight} \times \text{condition_weight}$ if <code>type_weight</code> is N/A)	(0, 1]
<code>actor_weight</code>	$\begin{cases} 3 & \text{if actor} = \text{Citizen, Government, Protections} \\ 2 & \text{if actor} = \text{Press} \\ 1 & \text{if actor} = \text{Internet and Social Media Providers} \end{cases}$	(0, 1]
<code>type_weight</code>	$\begin{cases} 3 & \text{if type} = \text{Express} \\ 2 & \text{if type} = \text{Misinfo} \\ 1 & \text{if type} = \text{Disinfo} \end{cases}$	(0, 1] or N/A
<code>condition_weight</code>	$\begin{cases} 3 & \text{if condition} = \text{AATAUAC} \\ 2 & \text{if condition} = \text{Crisis} \\ 1 & \text{if condition} = \text{Digi} \end{cases}$	(0, 1]
<code>item</code>	$\text{valence} \times \text{presence}$, where $\text{valence} \in \{+1, -1\}$ and $\text{presence} \in \{+1, 0, -1\}$	$\{-1, 0, 1\}$

$$\text{Institution}_k = \frac{\sum_{i=1}^x \Lambda_i \times \text{provision}_{i,k}}{N} \quad (\text{A.3})$$

Equation A.3 outlines the method for combining multiple provisions into a single measure of the state of an institution. In this equation, a set of x provisions are defined as components to institution k . For each item i in set x , $\text{provision}_{i,k}$ represents the country-year level value from Equation A.2. This is multiplied by Λ_i , which represents the weighting of the provision by its institutional grammar components as outlined in section A.2. This product is then divided by N , which represents the absolute value of the institutional statements that are not absent in that country-year. This normalizes the range to $[-1, 1]$ which makes it more easily comparable across geography and time, providing a relative score.

To incorporate the differences in impact across the differing institutional statements, we apply the weights to each value for a country-year-institutional statement to create a weighted value. Table A.3 shows how these weights are then used to construct country-year level variables that represent the state of the legal environment governing expression.

We construct institutional values across different groups to compare the legal institutions governing different actors, and to contrast regulatory expression versus obligatory legal restrictions. These can be seen further down in Table A.3. The different actors are citizens (c), press (p), internet service and social media providers (i), and government (govprot).

Each is grouped so all institutional statements targeting the respective actor are contained in that section. Protections like appeals and lawsuits are grouped under the government section, since they are part of the governance system. A further way we disaggregate the legal institution is distinguishing types of legal rules. We classify the **expression** category as rules that regulate expression directly, like those found in the “General”, “ICCPR”, and “Non-ICCPR” parts of the codebook directly regulate different topics and types of expression. By contrast, the **obligation** legal rules introduce obligations and requirements to the government, press, and Internet service providers (ISPs), as seen in the “Governance”, “Operations”, and “Protections” sections of the codebook. We expect that expression legal rules and obligation legal rules will manifest in different ways, with consequences for the legal environment.

The following institutional measures are available in the LEX dataset:

- **[dj_expression]** Baseline (unweighted) index of the legal environment governing expression, aggregating all coded institutional statements across actors, types, and conditions.

Ranges from $[-1, 1]$: higher values indicate a more normatively democratic legal environment, lower values indicate a more restrictive one, and values near zero reflect mixed or ambiguous frameworks.

Clarification: Includes all institutional statements, with each provision contributing equally regardless of actor, type, or condition. Does not incorporate weighting.

- **[wdj_expression]** Weighted index of the legal environment governing expression, incorporating differential importance of actors, types, and conditions.

Ranges from $[-1, 1]$: higher values indicate a more normatively democratic legal environment, lower values indicate a more restrictive one, and values near zero reflect mixed or ambiguous frameworks.

Clarification: Weights statements by actor (citizens/government/protections > press > intermediaries), type (expression > misinfo > disinfo), and condition (general > crisis > digital).

- **[wdj_citizen]** Actor-specific weighted index for citizens.

Ranges from $[-1, 1]$: higher values indicate a more normatively democratic legal environment, lower values indicate a more restrictive one, and values near zero reflect mixed or ambiguous frameworks.

Clarification: Includes only statements where actor is citizens or broadly defined, weighted by type and condition.

- **[wdj_intermediaries]** Actor-specific weighted index for internet and social media intermediaries.

Ranges from $[-1, 1]$: higher values indicate a more normatively democratic legal environment, lower values indicate a more restrictive one, and values near zero reflect mixed or ambiguous frameworks.

Clarification: Includes only statements where actor is internet service or social media providers; type weighting may be omitted where not applicable.

- **[wdj_press]** Weighted de jure actor-specific index for the press.

Ranges from $[-1, 1]$: higher values indicate a more normatively democratic legal environment, lower values indicate a more restrictive one, and values near zero reflect mixed or ambiguous frameworks.

Clarification: Includes only statements where actor is press, weighted by type and condition.

- **[wdj_govprot]** Actor-specific weighted index for government and protection-related provisions.

Ranges from $[-1, 1]$: higher values indicate a more normatively democratic legal environment, lower values indicate a more restrictive one, and values near zero reflect mixed or ambiguous frameworks.

Clarification: Includes statements where actor $\in \{GOV, PROT\}$.

- **[wdj_restriction]** Type-specific weighted index for expression-related provisions.

Ranges from $[-1, 1]$: higher values indicate a more normatively democratic legal environment, lower values indicate a more restrictive one, and values near zero reflect mixed or ambiguous frameworks.

Clarification: Includes only statements classified as expression.

- **[wdj_obligation]** Type-specific weighted index for obligation-based provisions.

Ranges from $[-1, 1]$: higher values indicate a more normatively democratic legal environment, lower values indicate a more restrictive one, and values near zero reflect mixed or ambiguous frameworks.

Clarification: Includes only statements classified as obligations.

Table A.3: Construction of Country-Year Variables

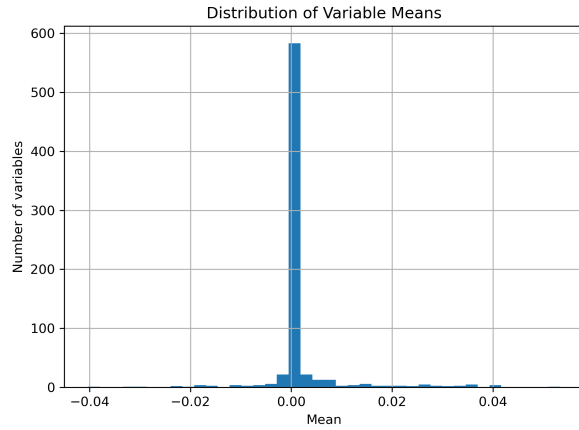
Name	Formula	
country	Country	
iso3	ISO code	
year	Year	
de_jure_total	$\sum(\text{provision})$	
weighted_de_jure_total	$\sum(\text{provision} \times \text{weighting})$	
de_jure	$\frac{\sum(\text{provision})}{\sum \text{provision} }$	
weighted_de_jure	$\frac{\sum(\text{provision} \times \text{weighting})}{\sum \text{provision} }$	
weighted_de_jure_c	$\frac{\sum(\text{provision} \times \text{weighting})}{\sum \text{provision} }$	if actor = C
weighted_de_jure_i	$\frac{\sum(\text{provision} \times \text{weighting})}{\sum \text{provision} }$	if actor = I
weighted_de_jure_p	$\frac{\sum(\text{provision} \times \text{weighting})}{\sum \text{provision} }$	if actor = P
weighted_de_jure_govprot	$\frac{\sum(\text{provision} \times \text{weighting})}{\sum \text{provision} }$	if actor $\in \{\text{GOV}, \text{PROT}\}$
weighted_de_jure_expression	$\frac{\sum(\text{provision} \times \text{weighting})}{\sum \text{provision} }$	if type = expression
weighted_de_jure_obligation	$\frac{\sum(\text{provision} \times \text{weighting})}{\sum \text{provision} }$	if type = obligation

Appendix B

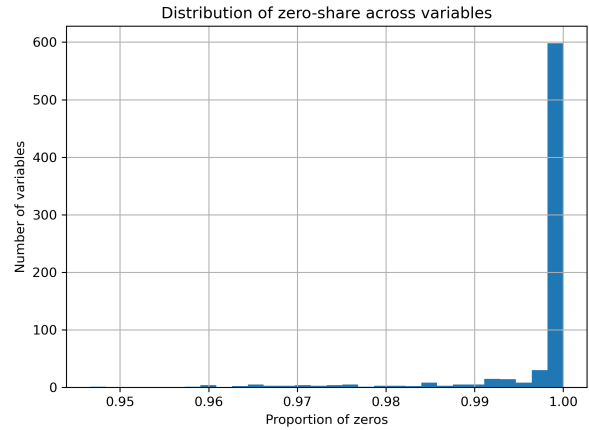
Supplementary Data

Table B.1: Descriptive statistics for the Weighted De Jure indices.

	n	Missing	Mean	Std	Min	25%	50%	75%	Max
Overall Expression	8580	0.000	0.079	0.247	-0.778	0.000	0.000	0.000	1.000
Citizen	8580	0.000	0.051	0.212	-1.000	0.000	0.000	0.000	1.000
Intermediaries	8580	0.000	0.038	0.154	-0.667	0.000	0.000	0.000	0.778
Press	8580	0.000	0.029	0.162	-0.889	0.000	0.000	0.000	0.889
Gov. Protection	8580	0.000	0.070	0.262	-1.000	0.000	0.000	0.000	1.000



(a) Distribution of means across all rule variables.



(b) Most variables in the data include only or near-only zeros.

Figure B.1: Distributions of rule-variable means and zero shares.

Table B.2: Top 30 rules by number of observations.

Variable	Count	Share
C_EXPRESS_ORDER	458	0.053
C_EXPRESS_OBSCENE	352	0.041
GOV_REGULATOR	349	0.041
C_EXPRESS_GOVCRITIC	346	0.040
APPEAL_NONREG	346	0.040
C_EXPRESS_PROPERTY	341	0.040
IM_OVERSIGHT	309	0.036
APPEAL_REG	306	0.036
C_EXPRESS_REPUTATION	304	0.035
C_DISINFO_REPUTATION	301	0.035
C_EXPRESS_RELIGION	299	0.035
C_EXPRESS_HATE	297	0.035
IM_REPORT	294	0.034
REG_RULES	284	0.033
P_EXPRESS_GOVCRITIC	284	0.033
C_EXPRESS_LIFE	276	0.032
PRESS_LICENSE	272	0.032
C_EXPRESS_GOVAFFAIRS	267	0.031
C_MISINFO_REPUTATION	266	0.031
PRESS_REPORT	253	0.029
IM_LICENSE	251	0.029
C_EXPRESS_UNITY	250	0.029
P_EXPRESS_ORDER	245	0.029
GOV_CENSOR	242	0.028
C_DISINFO_GEN	239	0.028
C_EXPRESS_NATSEC	235	0.027
GOV_OVERSIGHT	229	0.027
PRESS_OVERSIGHT	228	0.027
GOV_NOWARRANT	227	0.026
P_EXPRESS_HATE	227	0.026