



Freedom of speech dying a slow death in Europe

From the Digital Services Act to economic sanctions, by way of hate speech laws, Europe has quietly erected a sprawling apparatus of surveillance and censorship.

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For decades, Western democracies operated under a comfortable consensus: censorship was a blunt instrument reserved for authoritarian regimes, while the “free world” relied on open debate, robust dissent, and constitutional safeguards. This sentiment allowed Western leaders to feel superior over the rest of the world, to lecture other countries on democratic principles and on “open society” ideas and in some cases to invade and bomb them too, to spread these ideas by force. In recent years, however, that narrative has collapsed under the weight of its own hypocrisy.

This is because a new paradigm of speech control has quietly taken root, step by step, through an intricate architecture of administrative regulations, automated platform enforcement, and expanded criminal definitions. Of course, this process is rarely advertised as a purposeful restriction on freedom. Instead, it is framed in the gentle, unimpeachable language of harm reduction: "digital safety," "combating hate speech," and "preventing online radicalization." Yet, beneath this protective vocabulary lies an unprecedented expansion of state power and the hostile takeover of individual expression. While concerns over speech restrictions exist in the United States, Europe has emerged as the western world's epicenter of this legislative shift, establishing legal frameworks that effectively convert free expression from a fundamental right into a conditional privilege that is granted and can be taken away by the State.

Orwellian laws and the new “criminals”

Europe has accelerated down a path of regulation that treats speech itself as a danger to be managed by the State and its corporate enforcers. This is clearly reflected in the bloc's supranational tools for speech suppression. The Digital Services Act (DSA) compels very large online platforms (VLOPs) to assess and mitigate “systemic risks” and platforms must act swiftly on notifications of illegal material or face fines up to 6% of global annual turnover. Though it claims to balance rights, the DSA's risk-assessment mandates and enforcement mechanisms encourage over-compliance, leading to collateral censorship of lawful but controversial or unpopular speech. That's because the DSA doesn't just cover outright illegal content, hate speech, and threats to fundamental rights, but also "disinformation" and “any actual or foreseeable negative effects on civic discourse and electoral processes”. These are intentionally vague terms of course, as speech that has a “negative impact on public discourse” can literally be anything the establishment doesn't like. Another “systemic risk” that the DSA compels platforms to screen for is content that can have “serious negative consequences to the person's physical and mental well-being”. That could also literally mean anything, including just being offended by another person's opinions.

Chat Control (formally the regulation on preventing child sexual abuse) is even more invasive in intent. Early versions pushed for full scanning of private, end-to-end encrypted messages. While mandatory mass scanning of encrypted chats was beaten back for the moment, “voluntary” detection powers and extensions still normalize surveillance of personal communications. Proponents invoke child protection arguments, however mission creep to other content categories is inevitable and the law is fundamentally incompatible with privacy and expression

rights. The presumption that all digital conversations between citizens require proactive state-enabled monitoring is an obscene notion that “protects citizens” the same way the Stasi did.

Beyond regulatory platforms, European authorities have also increasingly turned to economic sanctions laws as a tool for political censorship. A stark precedent was set this month when the EU's highest court [ruled](#) in the [Traugott Ickeroth case](#) that German authorities could criminally prosecute independent bloggers for sharing video clips from the state-funded Russian channel RT on a private, donation-funded blog. By classifying the simple embedding or reposting of banned media as an economic "contribution" to a sanctioned entity, European courts established that speech can be criminalized under trade regulations. It is also striking that there are laws banning media to begin with, even if said media is propaganda by another country. Laws like these infantilize citizens by limiting what messages they can be exposed to and insulting their ability for critical thinking. But most of all, they stop them from seeing the other side of their own nations' propaganda.

This is far from an isolated case too. As Reason reported: “The Turkish-German filmmaker Hüseyin Doğru was the first European citizen on European soil to be listed as a target for the sanctions on Russia because of his speech. Last year, the authorities accused him of employing Russian propagandists and sharing "false information on politically controversial subjects with the intent of creating ethnic, political and religious discord." Doğru found himself unable to withdraw more than \$600 a month from his own bank account. The German Federal Bank declared that giving Doğru a job or even a gift would violate the sanctions, which have now been extended to his wife, the British journalist Lizzie Phelan.”

Individual member states go much further to curtail speech they don't like. In France, a case reported on by the Brussels Times highlights the prevailing legal absurdity. Back in 2011, during his election campaign, mayor Julien Sanchez of Beaucaire posted a message on his Facebook page about a political opponent. In the comments, a supporter posted a reply: “This man has turned Nîmes into Algiers. There is not a street without a kebab shop and mosque; drug dealers and prostitutes reign supreme, no surprise he chose Brussels, capital of the new world order of sharia”. The comment can be described as distasteful by some, even offensive. But at no point does it incite violence or directly endanger anyone. Even if it did, which it definitely didn't, it wasn't Sanchez who wrote it. But that didn't matter to the French court that convicted both the commenter and Sanchez himself of inciting hatred and violence against a group based on ethnicity, race and religion. Sanchez took the case to the European Court of Human Rights, hoping for a more sane

judgment, but the ruling was upheld, meaning that the law of the land now says that anyone who posts on social media can be found guilty of inciting hatred and violence even if it is other people that make these comments on their page.



An official French communication dated 14 July 2025 claims that the DSA combats illegal content while safeguarding freedom of expression.

Germany presents perhaps the starkest illustration of how speech laws can escalate from abstract regulation to home invasions. Under Section 188 of the German Criminal Code, passed under the banner of combating online hate speech, insulting figures involved in political life carries heightened criminal penalties (up to three years in prison) far exceeding standard defamation statutes. The practical application of this law reached absurd heights during nationwide police "days of action against online criminality." Police executed a search warrant and raided the home of a 64-year-old Bavarian man, confiscating his electronic devices after he retweeted a meme satirizing Vice Chancellor Robert Habeck. The meme tweaked a Schwarzkopf shampoo brand logo to read "Schwachkopf Professional" ("Professional Moron"). Another online commenter was briefly investigated by police for calling Chancellor Merz "Pinocchio" on Facebook, leading to a senior US diplomat to compare the country's law to lèse-majesté. Defenders say the law was meant to protect democratic institutions by protecting public servants from harassment, however, the question begs itself: Why do public servants need extra protections from ridicule that the rest of us don't get? If anything, since they have the power to rule over the lives of everyone else, they ought to be subjected to more scrutiny and ridicule, not less. It is also inherently naive to believe that even if you stop people from saying what they think, you can also stop them from thinking it.

Beyond such farcical examples of speech suppression, however, Germany's offensive on freedom of expression has taken much darker turns. Authorities have repeatedly banned or violently dispersed pro-Palestine demonstrations. They have arrested protesters for chants, flags, or symbols, with monitoring groups documenting hundreds of incidents of repression, including beatings, detentions, and deportations, between 2018 and 2026. In mid-July, Germany's upper house (Bundesrat) advanced legislation explicitly criminalizing the public denial of Israel's right to exist and punishing offenders with fines or up to five years in prison. If it passes the lower house, Germany will become the first European nation to outlaw on this specific type of expression. Interestingly, the law only singles out Israel, meaning it's perfectly alright to deny any other nation's right to exist.

In the UK, the situation is equally grim. A 2025 freedom of information report filed by The Times found that UK police made over 12,000 arrests in 2023 alone (equating to over 30 arrests a day) under the Communications Act 2003 and Malicious Communications Act 1988 and it also found that the number of annual arrests had more than doubled since 2017. Numbers remained high into 2024–2025, with tens of thousands affected. Many cases involved retweets, memes, or heated comments rather than direct threats.

The more recent Online Safety Act also epitomizes the “protection” ruse. Marketed as a child-safety measure to tackle illegal and harmful content, it imposes a “duty of care” on platforms requiring proactive risk assessments and swift removal of material that could cause “physical or psychological harm.” Vague elements around what counts as illegal (or risks leading to illegality), especially when combined with existing UK laws on hate speech, stirring up hatred, or support for terrorism, create powerful incentives for over-removal. Platforms also face enormous fines, or even personal liability for executives, pushing them to err on the side of censorship. A report from The Telegraph found that 292 people had been charged for spreading false information and “threatening communications” under the Online Safety Act for the moment when it came into effect in 2023 until February 2025.

A dystopian future ahead

When viewed in isolation, each regulation is presented to the public as a targeted, benevolent measure designed to protect the vulnerable, secure social harmony, and sanitize the internet, to make it “safer” for all of us. But when assembled, these laws form a comprehensive apparatus of control. By branding censorship as “safety,” surveillance as “protection,” and political conformity as “civic duty,” European states have constructed a system where dissent is pathologized and criminalized.

When calling a politician a name can trigger a police raid on a private home, when the State is watching every word you type in a message to a friend, and when peaceful public protest can be outlawed by administrative decree, freedom of speech being actively dismantled by the very institutions sworn to protect it.

In truth, it is no surprise that governments are targeting the internet with such urgency: decentralized digital spaces represent an existential threat to centralized state power. For decades, state-sanctioned narratives and traditional media monopolies allowed governments to maintain a near-monopoly on public perception. The open internet shattered this model, as it allowed citizens across borders to communicate instantaneously, bypass institutional filters, and share raw, “unvetted” information. When people can speak freely across borders, traditional state propaganda loses its grip, making the subjugation of the internet the primary imperative for modern political control.

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