



Accountability of Digital Platforms in the Brazilian Supreme Court: A Critical Discourse Analysis of Jovem Pan's Narrative

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Keywords: *critical discourse analysis, civil rights framework for the internet, jovem pan, digital platforms.*

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ACCOUNTABILITY OF DIGITAL PLATFORMS IN THE BRAZILIAN SUPREME COURT: A CRITICAL DISCOURSE ANALYSIS OF JOVEM PAN'S NARRATIVE

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Responsabilização de Plataformas Digitais no Supremo Tribunal Federal: Uma Análise de Discurso Crítica da Narrativa da Jovem Pan

Thiago Henrique de Jesus-Silva

Abstract- His article examines the discursive representation of the news outlet Jovem Pan regarding the Brazilian Supreme Federal Court's (STF) decision to reinterpret Article 19 of the Civil Rights Framework for the Internet, which holds digital platforms accountable for third-party content. The study employs Critical Discourse Analysis (Fairclough, 2019), in dialogue with authors such as Gramsci and Althusser, to investigate how journalistic discourse shapes meanings around digital regulation. Transcripts of Jovem Pan's videos disseminated across multiple platforms were analyzed, focusing on lexical choices, rhetorical strategies, and discursive practices. Findings show that the coverage is structured around a negative evaluative vocabulary ("private censorship," "institutional threat," "blow against freedom"), a systematic use of epistemic modality to dramatize potential risks, selective intertextuality privileging dissenting voices, and war-like metaphors framing the STF as an enemy of civil society. The study concludes that Jovem Pan operates as an ideological media apparatus, reinforcing a neoliberal hegemony of digital communication, in which freedom of expression is mobilized as an absolute individual value while the corporate responsibility of big tech companies is rendered invisible. The research highlights the need to advance counter-hegemonic alternatives that integrate freedom of expression with democratic regulation of digital platforms.

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Resumo- Este artigo analisa a representação discursiva da emissora Jovem Pan sobre a decisão do Supremo Tribunal Federal (STF) que alterou a interpretação do Artigo 19 do Marco Civil da Internet, responsabilizando plataformas digitais por conteúdos de terceiros. A pesquisa utiliza a Análise de Discurso Crítica (Fairclough, 2019), articulada a autores como Gramsci e Althusser, para investigar como o discurso jornalístico da emissora constrói sentidos sobre a regulação digital. Foram examinadas transcrições de vídeos publicados

pela Jovem Pan em diferentes plataformas, destacando escolhas lexicais, estratégias retóricas e práticas discursivas. Os resultados indicam que a cobertura se estrutura por meio de um vocabulário avaliativo negativo ("censura privada", "ameaça institucional", "golpe contra a liberdade"), uso sistemático de modalidade epistêmica para dramatizar riscos futuros, intertextualidade seletiva que privilegia vozes contrárias à decisão, e metáforas bélicas que enquadram o STF como inimigo da sociedade civil. Conclui-se que a emissora atua como aparelho ideológico midiático, reforçando uma hegemonia neoliberal da comunicação digital, na qual a liberdade de expressão é mobilizada como valor absoluto enquanto a responsabilidade corporativa das big techs é invisibilizada. O estudo evidencia a necessidade de discutir alternativas contra-hegemônicas que articulem liberdade de expressão e regulação democrática das plataformas.

Palavras-chave: análise de discurso crítica, marco civil da internet, jovem pan, plataformas digitais.

1. INTRODUCTION

As digital platforms such as Google, Meta, X (formerly Twitter), and TikTok become privileged mediators of information circulation, legal and political disputes over their responsibility have gained increasing prominence. In Brazil, these debates acquired new momentum in June 2025, when the Supreme Federal Court (STF) reinterpreted Article 19 of the Civil Rights Framework for the Internet (MCI), authorizing the direct liability of platforms for third-party content, even in the absence of a judicial order.

The Civil Rights Framework for the Internet (Marco Civil da Internet), approved in 2014, was celebrated as one of the most advanced pieces of legislation in the field of digital rights, balancing the principles of neutrality, privacy, and freedom of expression. Its Article 19, by conditioning liability on a judicial decision, sought to protect users from arbitrary removals and to prevent platforms from exerting excessive power in content moderation. The STF's decision, however, shifts this balance, placing Brazil within a global movement toward greater accountability of big tech companies, similar to what has been

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observed in legislations such as the European Union's Digital Services Act (DSA) or Germany's NetzDG.

This repositioning generated strong polarization in the public debate. On the one hand, sectors of civil society celebrated the ruling as progress in the fight against disinformation, hate speech, and violations of fundamental rights in digital environments. On the other, critics from the far-right and right-wing pointed to risks of "private censorship" and excessive judicialization of the public sphere, arguing that direct liability may lead companies to preemptively remove content, thus affecting freedom of expression.

It is within this context that media outlets play a strategic role in framing the meaning of the decision. Jovem Pan, a Brazilian broadcaster with a long trajectory in radio and a strong expansion in digital journalism, has become a central actor in this debate. Its coverage of the ruling emphasized the risk of censorship and the alleged judicial activism of the STF, constructing a narrative that resonates with sectors of society more critical of state intervention and supportive of a liberal market model.

The guiding question of this research is: how does the Brazilian broadcaster Jovem Pan articulate discursive strategies to frame the Supreme Federal Court's (STF) decision regarding Article 19 of the MCI, and how is this framing related to broader disputes over power, regulation, and democracy in the digital environment? The relevance of analyzing Jovem Pan stems not only from its reach across different media platforms (radio, TV, YouTube) but also from its ideologically consolidated positioning in recent years, characterized by rhetoric critical of traditional political institutions, especially the STF. Thus, the Brazilian broadcaster not only reports on the decision but also acts as a discursive mediator, shaping perceptions and shared meanings around the issue. This article seeks to contribute to this debate by analyzing, through Critical Discourse Analysis (CDA) (Fairclough, 2019; Resende & Ramalho, 2019; Fernandes, 2014), how Jovem Pan represents the change in Article 19 and what ideological effects emerge from this representation.

II. METHODOLOGICAL PROCEDURES AND METHODOLOGY

This study adopts a qualitative approach, based on Critical Discourse Analysis (CDA) as outlined by Norman Fairclough (2019, 2007) and further developed in the Brazilian context by Cirne and Efken (2023), Resende & Ramalho (2019), Batista Jr., Sato & Melo (2018), Magalhães, Martins & Resende (2017), and Fernandes (2014). CDA assumes that discourse is not a neutral representation of reality, but rather a social practice that constructs, legitimizes, and transforms power relations. In this sense, journalistic discourse is understood here as an arena of hegemonic struggles, in

which different actors seek to fix meanings and naturalize certain perspectives.

The research corpus consists of nine videos from the Brazilian broadcaster Jovem Pan on its YouTube channel and digital portal during May, June, and July 2025, a period when the Supreme Federal Court (STF) deliberated on Article 19 of the Brazilian Internet Civil Framework (Marco Civil da Internet). The temporal selection is justified by the fact that it encompasses the preparation for the trial, the plenary sessions, and the immediate aftermath of the decision, allowing for an observation of the construction and consolidation of the broadcaster's discursive narratives.

The selection of the material followed two main criteria: (i) Thematic relevance: content explicitly dedicated to the STF trial on Article 19; and (ii) Circulation reach: priority was given to videos and reports with the highest number of views and engagement, as these reflect a greater potential impact on the audience.

The discursive analysis followed the three dimensions proposed by Fairclough (2019): (a) Text: examination of lexical choices, metaphors, syntactic constructions, and modality in Jovem Pan's statements. At this level, we sought to identify linguistic strategies that attribute meanings of threat, risk, or censorship to the STF decision; (b) Discursive practice: investigation of the modes of production, circulation, and consumption of journalistic discourse, considering Jovem Pan's editorial line and selective intertextuality, such as the emphasis on certain ministerial votes over others; and (c) Social practice: analysis of the interconnections between media discourse and the broader context of digital regulation, political disputes surrounding the STF, and the economic interests of big tech companies.

Methodologically, this integration across micro (text), meso (discursive practice), and macro (social practice) levels allows us to understand Jovem Pan's coverage not merely as a description of a legal event, but as a situated social practice that actively participates in the struggle for discursive hegemony in the digital public sphere. As an analytical procedure, we transcribed and systematized representative excerpts from the selected materials. These excerpts were organized into thematic categories derived both from theory and from patterns recurring in the corpus: (i) "private censorship" and threats to freedom; (ii) criticism of STF judicial activism; (iii) defense of the autonomy of digital platforms.

Two limitations of the study should be acknowledged: (1) the restricted temporal scope prevents observing the persistence of these discourses in the medium and long term; (2) focusing on a single media outlet – Jovem Pan – does not allow for generalizations to the entire Brazilian media landscape, even though it constitutes an emblematic case for

analysis. Despite these limitations, the adopted methodological strategy enables a thorough understanding of how Jovem Pan framed the change in Article 19, revealing the ideological effects of its discursive representation.

III. NOTES ON DIGITAL REGULATION, THE STF, AND BIG TECHS

The trajectory of digital regulation in Brazil is anchored by the approval of the Brazilian Internet Civil Framework (Law No. 12.965/2014), often described as an "Internet Constitution." Its development was the result of an unprecedented participatory process, involving public consultations, academic debates, pressures from civil society organizations, and negotiations within the National Congress. The Marco Civil established principles such as net neutrality, privacy protection, and the guarantee of freedom of expression online (Almeida & Penaforte, 2025; Nogueira, 2025).

Article 19, in particular, was designed as a mechanism to balance freedom of expression with the civil liability of platforms. By conditioning the liability of application providers on the existence of a specific court order, it sought to prevent two risks: on one hand, private censorship resulting from preventive removals by companies; on the other, state censorship arising from arbitrary administrative measures. Thus, the provision entrusted the Judiciary with the legitimate role of deciding what should or should not be removed. With the exponential growth of digital platforms and the intensification of phenomena such as disinformation, hate speech, and coordinated attacks on democracy, Article 19 has become the target of criticism. Research in the field of political communication indicates that the speed at which false and harmful content circulates far exceeds the Brazilian judicial system's capacity to respond (Wardle & Derakhshan, 2017; Tandoc; Lim & Ling, 2019; Tandoc & Kim, 2023). Several Brazilian civil society organizations, notably the Coalizão Direitos na Rede, a collective comprising more than 29 organizations including the Brazilian Institute for Consumer Defense (Idec), have taken a critical stance on content moderation processes on digital platforms. The Coalition argues that the judicialized model rendered the accountability process slow and inefficient, resulting in impunity for disinformation practices. In cases of symbolic violence or irreparable harm, such as the dissemination of racist, misogynistic, or anti-vaccine content, the requirement of a prior court decision was seen as an obstacle to the protection of fundamental rights, particularly regarding the preservation of the integrity of vulnerable groups.

On the other hand, critics of the revision of the provision, including jurists, business associations, and segments of the media, warned of the risks of the

opposite scenario: the excessive transfer of power to private platforms. Studies on algorithmic governance highlight that, when granted greater autonomy, big tech companies tend to expand internal moderation policies, assuming the role of arbiters of public debate (Gillespie, 2018; Balkin, 2020). In this model, companies such as Google and Meta could remove content preventively to avoid liability, increasing the possibility of private censorship (Zuboff, 2019). Furthermore, critical analyses of digital regulation caution that this process tends to restrict the plurality of voices and reduce the public sphere to opaque criteria defined by transnational corporations (Morozov, 2013; Couldry & Mejias, 2019).

The 2025 STF ruling should be understood within this tension. By reinterpreting Article 19, the Court brought Brazil closer to more stringent international regulations. The European Union's Digital Services Act (DSA), for instance, imposes obligations of transparency, auditing, and platform accountability in cases of rights violations. Germany's NetzDG, in effect since 2017, provides for severe fines for companies that fail to remove illegal content within a short timeframe. In contrast, Section 230 of the Communications Decency Act in the United States still grants broad immunity to platforms, representing the most liberal paradigm. Thus, the STF's decision repositions Brazil within a hybrid regulatory landscape, closer to European experiences than to the North American model.

It is essential to situate the role of big tech companies in this debate. Companies such as Google, Meta, Amazon, Apple, TikTok, and X structure the contemporary digital economy, operating not only as technical intermediaries of communication but also as central mediating actors in the production of economic value and social meanings. This repositioning stems from the fact that the core of their activity lies in data control and algorithmic management of information flows, transforming everyday interactions into commodities and economic resources (Srnicsek, 2017). Thus, platforms cannot be seen as neutral spaces, but as new digital "means of production," capable of extracting, organizing, and monetizing data on a global scale (Couldry & Mejias, 2019).

The power of big tech companies, however, goes beyond the economic sphere. By setting visibility standards, recommendation algorithms, and moderation policies, these companies directly influence the constitution of the public sphere and democratic processes. As Zuboff (2019) observes, the surveillance capitalism model not only collects data but shapes behaviors, creating conditions for predictability and social control. In this logic, the boundary between economic regulation and cultural regulation dissolves, since algorithmic criteria impact both the circulation of political information and patterns of consumption and social interaction.



Moreover, big tech companies should be understood as global critical infrastructures (Plantin et al., 2018; Plantin & Punathambekar, 2018), responsible for ensuring communication services, cloud computing, digital commerce, and even logistics. This status grants them an almost state-like power, while simultaneously shielding them from traditional national regulatory mechanisms. The result is a democratic deficit: private companies exercise social and political mediation functions without being subject to transparent accountability systems.

The dispute over Article 19, therefore, is not limited to the legal technicalities of liability, but reflects structural contradictions of platform capitalism: on one hand, the need to protect freedom of expression and prevent censorship; on the other, the urgency of constraining the concentrated power of corporations that organize the digital public sphere. It is within this field of tensions that Jovem Pan's narrative is situated, with its journalistic coverage acting as a symbolic mediator by framing the STF decision in terms of threats to individual freedom, while silencing structural dimensions related to the economic power of the platforms.

IV. THEORETICAL-METHODOLOGICAL FRAMEWORK AND DISCURSIVE ANALYSIS

The analysis is based on CDA, following the dialectical-relational perspective proposed by Fairclough (2019, 2007), which understands discourse as a social practice structured across three dimensions: text, discursive practice, and social practice. Unlike approaches that separate description and interpretation, we adopt here an integrated presentation, linking theory and analysis to demonstrate how language is embedded in power struggles.

The study corpus consists of nine videos from three programs broadcast by the Brazilian network Jovem Pan: Os Pingos nos Is, Linha de Frente, and 3 em 1. These programs represent different formats of political opinion and analysis offered by the network, covering the period of discussion and decision by the Supreme Federal Court (STF) regarding the liability of big tech companies for content published by users.

Table 1: Corpus Composition: Episodes of Jovem Pan Programs Analyzed

Nº	Episode Title	Date	Program	Link
1	Haddad and the Chamber Debate IOF/Plane Crashes in India/Lula Seeks Reelection	12/06/2025	Linha de Frente	https://abrir.link/dComF
2	INSS Fraud/Criticism of Hugo Motta/New Electoral Code	11/06/2025	Os Pingos nos Is	https://abrir.link/qERLV
3	Trump Angry with Israel and Iran/Israel Targets Hamas/Did Mauro Cid Lie?	24/06/2025	3 em 1	https://abrir.link/cQZEK
4	Government Without Money?/Senate Dispute/ Argentina Growing	26/06/2025	Os Pingos nos Is	https://abrir.link/ipnio
5	Os Pingos nos Is 27/06/2025	27/06/2025	Os Pingos nos Is	https://abrir.link/JdRFN
6	PSOL Appeals to STF Against Repeal of IOF Decree	27/06/2025	Linha de Frente	https://abrir.link/LfpOX
7	Government Defeat on IOF/Brazilian Internet Civil Framework / Police and PCC?	25/06/2025	Os Pingos nos Is	https://abrir.link/CMbMA
8	Exclusive Documents Detail INSS Fraud / Government Maintains IOF Increase	29/05/2025	3 em 1	https://abrir.link/XAAzp
9	Linha de Frente 29/05/2025	29/05/2025	Linha de Frente	https://abrir.link/idBAf

Source: Table prepared by the author (2025)

The selection of these three Jovem Pan programs is justified by their representation of different formats and audiences within the network's media ecosystem: Os Pingos nos Is is a political analysis

program with a more traditional format; Linha de Frente focuses on debates on current affairs and legal-political issues; and 3 em 1 is a roundtable format presenting multiple perspectives. This diversity allows for capturing

discursive variations within the network's editorial line, providing a broader overview of how Jovem Pan constructs narratives on topics related to digital regulation and the role of the STF.

a) Text: Linguistic and Rhetorical Choices

The analysis of the transcriptions of Jovem Pan videos on the STF's decision regarding Article 19 of the Brazilian Internet Civil Framework reveals a discursive construction anchored in lexical and rhetorical choices that reinforce a narrative of risk and threat. The recurring semantic core is that of "censorship." Right from the titles and openings of the reports, there is a predominance of terms with negative evaluative load, such as "censorship," "threat," "setback," and "risk to freedom" (video 1; video 2), and phrases such as: "[...] Worse, the portals will have the power to remove content without a court order, just, as I said here, because they didn't like a comment made about me on social media and I have to request it, and it will have to be taken down. This is total absurdity. This will make the life of the portals unviable. It will turn everything into censorship, because, obviously, nobody likes receiving criticism, and any criticism you receive, without any legal basis, could be removed." (video 2) and "For me, this is prior censorship. That is what will happen on social media [...]" (video 1). These choices are not neutral: they function to predispose the audience to interpret the STF decision not as regulatory progress, but as an attack on individual freedoms. The expression "private censorship," repeated at different moments, crystallizes as a stabilizing semantic core (Fairclough, 2019, 2007), summarizing in a simplified and dramatic way the potential effects of platform liability.

A second central aspect is the systematic use of epistemic modality, manifested through verbs such as "may trigger a cascade effect" (video 1), "could lead to information control" (video 2), and "tends to create a scenario of legal uncertainty" (video 2), which appear repeatedly. In the transcribed excerpts, these forms perform a crucial discursive function: instead of categorically stating that the STF decision will result in censorship, they construct a horizon of negative possibilities, presented as plausible and even likely. This creates an atmosphere of controlled uncertainty, in which the audience is guided to imagine future scenarios marked by risk, even though there is no empirical evidence that such scenarios will necessarily materialize.

According to Fairclough (2019), modality is a linguistic resource that reveals the speaker's degree of commitment to the truth of a statement and how they position the interlocutor in relation to it. In the case of Jovem Pan, epistemic modality functions as a dramatization strategy, as it mobilizes the expectation that the change in Article 19 not only may but is likely to produce deleterious effects on freedom of expression. In

this way, the speaker does not need to assume full responsibility for the claim, after all, it is a possibility rather than a certainty, while simultaneously generating in the audience an effect of alarmingly plausible likelihood.

This type of discursive use of modality generates a dual ideological effect. First, it projects undesirable futures as inevitable, even when they are not supported by solid evidence. Second, it positions the STF as the agent of risk, transferring to it the responsibility for any potential negative consequences, even if hypothetical. By stating that the decision "opens the door to abuses" (video 2), the broadcaster prompts the audience to fear the court, despite the absence of concrete evidence. The audience is thus called to fear the decision, not because the effects are already tangible, but because the rhetoric of possibility constructs an atmosphere of insecurity, typical of media discourse aimed at mobilizing emotions of apprehension and resistance.

This systematic use of modality also functions as a mechanism of naturalization: by repeatedly employing conditional and hypothetical statements, Jovem Pan transforms scenarios initially presented as mere possibilities into plausible, almost certain expectations. What "could" happen comes to be interpreted as what "will" happen. This discursive logic amplifies the persuasive force of the argument without requiring factual proof, reinforcing the ideological position that platform liability inevitably leads to censorship.

Negative evaluation constitutes another relevant and recurrent discursive axis in the videos analyzed. The STF decision is repeatedly labeled with qualifiers such as "institutional threat," "instrument of control," and "opening for abuses," all from video 2. These terms do not merely describe the legal event but function as evaluative markers that frame the decision within a semantic field of risk and illegitimacy. By mobilizing this vocabulary, Jovem Pan adopts a value-laden stance that transcends the technical dimension of the ruling, projecting it into the realms of politics and morality.

From the CDA perspective, Fairclough (2019) emphasizes that evaluation is a central positioning resource through which the speaker expresses value judgments, either explicitly or implicitly, about events, actors, and institutions. In the case at hand, negative evaluations not only qualify the STF decision but also constitute a strategy of institutional delegitimization. The court is represented not as an interpreter of the Constitution, but as an agent of democratic instability, capable of eroding fundamental freedoms and subjecting society to arbitrary control.

This discursive process must be understood within a broader context: the recent trajectory of Jovem Pan as a Brazilian media outlet strongly critical of justice

system institutions, particularly the STF, which is frequently accused of “judicial activism.” By reiterating negative evaluations, the broadcaster reinforces a coverage pattern in which the Supreme Court is constructed as a political-partisan actor rather than a technically-oriented judicial body. This strategy situates the court within the same logic of polarization that characterizes Brazilian political debate, blurring the boundaries between judicial analysis and ideological contestation.

Linguistic evaluation, therefore, is not limited to the specific legal event, the change to Article 19 of the Brazilian Internet Civil Framework, but contributes to a broader narrative of symbolic confrontation between media, society, and state institutions. By representing the decision as a generalized threat, Jovem Pan mobilizes social emotions of fear and distrust, transforming a regulatory dispute into a symbol of alleged authoritarian advancement. In doing so, the outlet not only reports on the ruling but also participates in the production of a hegemonic meaning that seeks to position the STF as an enemy of democracy, while simultaneously aligning its own voice with the role of defender of freedom and civil society.

This strategy of negative evaluation thus serves a dual function: on the one hand, it undermines the legitimacy of the judicial decision by framing it as an abuse of power; on the other, it exalts the media's position as guardian of freedom of expression, casting itself in the role of resistance against an institution presented as authoritarian. Ultimately, the discursive operation is not merely descriptive but normative: it signals to the audience not only what happened, but also how it should be judged and interpreted.

Finally, attention should be given to the recurrent use of war and conflict metaphors, which permeate Jovem Pan's discourse when describing the STF decision. Expressions such as “coup against freedom,” “STF siege,” and “information control weapon,” or phrases like “[...] *Social media will reap exactly what they sowed. [...] (video 7); “So, see, the Supreme Court runs over the Constitution, the Constitution's entrenched clause. The Supreme Court overrides the autonomy of the legislature, which did its homework, engaged civil society, and passed a law that is a global reference. [...] (video 7); and “[...] It is an arm-wrestling match between the powers [...] (video 9)* establish a semantic field in which the ruling is not treated as a legal process but as a belligerent confrontation. This rhetorical choice positions the STF as the antagonist, an internal enemy threatening civil society and democratic principles. The metaphorical resource, by dramatizing the event, goes beyond rational argumentation and mobilizes emotions of indignation, fear, and resistance.

According to Fairclough (2019), metaphors are not merely stylistic adornments but central mechanisms

in the constitution of social meanings, as they allow abstract phenomena to be understood through concrete domains of experience. In this case, Jovem Pan mobilizes the war metaphor to frame digital regulation as an existential conflict, in which freedom of expression appears as besieged territory and the STF as an oppressive force. The war metaphor, by simplifying and polarizing, creates an emotional grammar that predisposes the audience to perceive the decision as an attack rather than as a legal deliberation.

This systematic use of war metaphors serves multiple ideological functions. First, it heightens the perception of urgency, as every “coup” or “siege” demands immediate reaction, thereby justifying the audience's political engagement against the court. Second, it establishes a binary struggle framework, allowing only two irreconcilable sides: on one hand, the STF as an authoritarian force; on the other, civil society and the broadcaster itself as defenders of freedom. Third, by framing the debate in a moral register, the metaphors reduce the complexity of the legal issue—platform liability—and transform it into a Manichean narrative of “good versus evil.”

The shift of the legal debate into the symbolic field of war produces yet another effect: it legitimizes the media's role as a trench of resistance. By narrating the ruling as a battle, Jovem Pan implicitly positions itself as a combatant on society's side, reinforcing its self-image as a defender of threatened freedoms. In this way, the outlet not only informs but also occupies a discursive position of moral leadership, guiding its audience to perceive themselves as part of a collective under attack and, consequently, mobilized to respond.

Therefore, the use of war and conflict metaphors should not be seen as a marginal rhetorical device, but as a central ideological operator in the coverage. It transforms a judicial decision into an episode of symbolic warfare, shifting the controversy from the technical-normative level to the realm of political and moral struggle. In this process, the potential for audience mobilization is amplified, as the defense of freedom is presented not as an abstract legal debate, but as an existential cause facing an internal enemy threatening to undermine democracy.

In summary, the linguistic and rhetorical choices in Jovem Pan's discursive representation operate in a coordinated manner to construct a narrative in which the STF decision represents an imminent risk of censorship and an attack on democratic freedoms. Value-laden vocabulary, epistemic modality of risk, constant negative evaluation, selective intertextuality, and conflict metaphors are resources that, while informing, also shape social perceptions and reinforce ideological positions. This is discourse that goes beyond merely describing a ruling, actively participating in the struggle for interpretive hegemony surrounding the regulation of digital platforms in Brazil.

b) Discursive Practice: Production and Circulation

Jovem Pan's coverage of the STF decision goes beyond the mere reproduction of legal information; it is structured through an active process of discursive framing, in which selective choices of voices, speech cuts, and modes of commentary transform the ruling into a political narrative. At the level of discursive production, the presence of selective intertextuality is particularly notable. Minister André Mendonça's dissenting vote against the change to Article 19 is not only cited but reiterated in long and highlighted excerpts, often with an approving intonation by the presenters when stating, "[...] *The dissenting votes were those of Ministers Edson Fachin, André Mendonça, and Cássio Nunes Marques, the latter being the last to vote. André Mendonça and Cássio Nunes Marques believed that this issue falls within the legislative competence of the National Congress. [...]*" (video 6). This minority voice, when removed from its context of institutional defeat, gains the status of a "voice of resistance," constructed as rational and prudent in the face of what is presented as the "excess" of the majority of ministers. This process confirms what Fairclough (2019) identifies as a resource of intertextual legitimation, in which the authority of an institutional source is strategically mobilized to support an ideological position.

In contrast, the votes in favor of the legislative change, which formed the majority and constituted the STF's official decision, are treated marginally. At various points in the Brazilian broadcaster's coverage, these votes appear summarized, diluted in generic commentary, or even silenced. The audience, when consuming the material, does not have access to the majority's detailed legal reasoning, but only to a mediated and condensed version that weakens the legitimacy of the institutional consensus. This asymmetry in the selection and circulation of voices results in a discursive imbalance that functions as a mechanism of partial legitimation, producing a skewed image of the ruling: instead of a collective decision anchored in constitutional grounds, what emerges is a portrayal of a divided court marked by excesses, in which only the minority position appears reasonable.

In addition to intertextuality, Jovem Pan heavily mobilizes resources of interdiscursivity, merging legal discourse with political-media discourse. The broadcaster deliberately fuses the legal discourse with a political register of confrontation, transforming the STF's technical decision into an episode of "judicial activism" and "censorship." This strategy is evident in statements such as: "[...] *the Supreme Court acts against a constitutional entrenched clause that guarantees all Brazilians full freedom of expression and opinion. [...]*" (video 2) and "[...] *this is prior censorship. This is what will happen on social media, because the social network will not want to take the risk. [...]*" (video 1). This discursive crossing occurs when presenters and

commentators, while reading or commenting on excerpts from the votes, go beyond the technical level of constitutional argumentation and insert them into a register of institutional confrontation. The STF is thus narrated not as a guardian of the Constitution, but as a political actor positioned in conflict with civil society and democratic freedoms. Legal vocabulary is overlaid with expressions of struggle, threat, and censorship, configuring a rhetoric of confrontation.

This process of discursive hybridization, as Fairclough (2019, 2007) observes, amplifies the impact of the coverage by shifting the ruling from the specialized field of law to the broader arena of political contestation, where the audience already possesses prior interpretive schemes of distrust toward the court. Interdiscursivity, in this case, functions as an interpretive bridge: by transforming the legal decision into an episode of "activism" or "abuse of power," Jovem Pan inscribes the event within a horizon of meaning that directly engages political values already shared by its audience. Thus, the audience's appropriation of the ruling occurs not through technical understanding, but through ideological channels, reinforcing perceptions of opposition to the STF and adherence to the broadcaster's media narrative.

At the level of circulation, the narrative constructed by Jovem Pan is not confined to a single medium but expands across a multiplatform logic that enhances its reach and social impact (Jesus-Silva, 2024). Statements such as "[...] *So, Google is saying the following: 'Look, this business is no longer profitable for me, and I will leave or restrict my operations here in the country.'*" [...] (video 3) circulate in various formats: live broadcasts on TV, radio, and YouTube, as well as segmented clips for YouTube, short cuts on digital social networks, and podcasts derived from the programming, creating a media ecosystem in which the same narrative is repeated and re-signified across multiple channels. This process of media redundancy reinforces the social penetration of the discourse while increasing the likelihood that different audiences encounter the same frames, albeit through different pathways. As Fairclough (2019) highlights, this is a discursive practice that relies on intertextual reproduction, intensifying the ideological effect of the discourse by reiterating it across multiple platforms.

Furthermore, digital circulation follows a logic of fragmentation and strategic recirculation. The original videos are edited into short clips with provocative titles, such as "STF imposes private censorship" or "Coup against freedom of expression," which function as emotional triggers for quick consumption and sharing on social networks. This technique directly engages with the algorithmic dynamics of digital platforms, where more polarizing content tends to achieve greater visibility due to high engagement (likes, comments, shares) (Martins, 2024; Jesus-Silva & Lima, 2024). In

this way, Jovem Pan not only informs but formats its discourse to maximize performance in digital environments, adapting journalistic material to a circulation logic driven by attention.

This process reveals an important dimension: the insertion of journalistic content into algorithmic diffusion circuits. When cut and distributed across platforms such as YouTube, Instagram, TikTok, and WhatsApp, Jovem Pan's materials cease to be merely radio or TV programs and become pieces of viral circulation, subject to algorithmic recommendation dynamics. In this sense, the outlet's discursive practice is articulated with a broader technical regime, in which algorithms not only amplify but also hierarchize specific frames—in this case, narratives opposing the STF and defending big techs as supposed guardians of freedom of expression.

Therefore, multimedia circulation is also related to the dimension of consumption, another point emphasized by Fairclough (2019). Jovem Pan's audience, already predisposed to interpret the STF as a politicized and threatening institution, finds in these narratives a confirmation of their beliefs, which strengthens engagement and loyalty. Reception is thus not passive: by sharing video clips in WhatsApp groups or reposting them on personal profiles, viewers become co-circulators of the discourse, contributing to its reiteration and naturalization in the public sphere. In this way, circulation not only expands the reach of the content but also embeds it within a dynamic of social participation that prolongs and reinforces its ideological effects.

According to Fairclough (2019), the analysis of discursive practices should encompass not only the moments of production and circulation but also that of consumption/interpretation—that is, how discourses are appropriated, re-signified, and reintroduced into the social sphere. In the case of Jovem Pan, this third axis is essential for understanding the reach of its coverage. Multimedia circulation is not aimed at a generalized audience but resonates with a specific public, historically marked by distrust toward the STF, criticism of state intervention, and the defense of liberal values associated with freedom of expression. Thus, the discourse not only reaches this audience but is consumed within a pre-configured horizon of expectations, in which there is already a predisposition to interpret the Supreme Court's actions as abusive or authoritarian.

The oppositional framing produced by Jovem Pan, by aligning with this audience predisposition, does not function merely as a reflection of pre-existing beliefs but also as a mechanism for their intensification. It constitutes a dynamic of discursive feedback, in which the public consumes content that confirms their worldviews and, in doing so, strengthens the legitimacy of the broadcaster itself as a trusted mediator. This

process illustrates what Fairclough (2019) describes as the dialogic nature of discursive consumption: meanings are not simply received but reconstructed by interpreters according to their social and political positions.

Furthermore, in a digital environment, consumption is not passive. The audience acts as a co-producer and co-circulator of discourses, sharing clips on digital platforms, commenting on live broadcasts, and amplifying the visibility of video segments through algorithmic interactions (likes, comments, reposts). In this dynamic, subjective interpretation becomes an act of dissemination, multiplying the narrative's reach and reinforcing its hegemonic character in public debate. Thus, the audience not only consumes Jovem Pan's oppositional framing but also reproduces and re-signifies it in new discursive spheres—WhatsApp groups, Twitter/X profiles, Facebook pages—where the content acquires new layers of meaning and social penetration.

This continuous cycle of production–circulation–consumption creates a cumulative effect: the more the audience shares the narrative, the more it is socially legitimized, and the more legitimized it becomes, the greater the audience's adherence, seeing their beliefs reflected in the journalistic coverage. In this sense, Jovem Pan not only provides a critical reading of the STF's decision but actively participates in constructing an alternative hegemonic meaning, in which the Brazilian Supreme Court is portrayed as a threat to democracy and the broadcaster positions itself as a defender of civil society. Consumption is thus a constitutive part of the discursive process, since without engaged interpretation and redistribution by the audience, the narrative would not achieve the same level of circulation and consolidation in the public sphere.

At the level of discursive practices, the analysis reveals that Jovem Pan articulates: (i) selective intertextuality, privileging a minority vote; (ii) interdiscursivity, merging legal and political discourses in an oppositional frame; and (iii) multiplatform circulation strategies, which amplify and reinforce its narrative among an ideologically aligned audience. These elements demonstrate how the broadcaster operates not merely as a mediator but as an active agent in the struggle over the meaning of digital regulation in Brazil.

c) *Social Practice: Hegemony, Platforms, and Digital Politics*

The narrative constructed by Jovem Pan is embedded in broader social disputes over the role of the state, digital corporations, and democratic institutions in communication governance. By framing the amendment of Article 19 of the Marco Civil da Internet as an “attack on freedom of expression” and as evidence of “judicial activism,” the Brazilian broadcaster aligns with a discursive project that structurally

converges with the interests of big techs. This is because it shifts the focus of the controversy: the accountability of platforms, which could be interpreted as a measure of economic regulation and redistribution of informational power, is reinterpreted as a risk of censorship and a threat to civil society. This discursive operation naturalizes the corporate autonomy of digital platforms by presenting any attempt at regulation as authoritarian state interference.

At the hegemonic level, Jovem Pan's discursive activity can be understood through Fairclough's (2019) perspective, which conceives discourse as a social practice that participates in the production and reproduction of power relations and hegemony. The broadcaster contributes to consolidating a neoliberal view of communication, in which freedom of expression is mobilized as an absolute and individual value, dissociated from its collective dimension. This logic is evident in recurring formulations across the videos, such as when a commentator asserts that the STF's decision represents a "blow against freedom of expression" or when warnings are issued about the risk of "private censorship" should platforms begin moderating content under judicial pressure.

This formulation aligns with the Gramscian concept of hegemony, which Fairclough (2019) revisits in dialogue with Althusser (1980) to show how media discourses contribute to constituting social consensus around specific class interests. In the case analyzed, Jovem Pan functions as a media ideological apparatus (Althusser, 1980, 2008), interpellating the audience to see themselves as victims of an "STF siege" and defenders of freedom against "judicial activism." In this process, structural issues in the political economy of platforms, such as data monopolies, surveillance practices, and the precarization of digital labor, are rendered invisible, while the STF is constructed as the enemy of civil society.

Fairclough (2019) and Resende & Ramalho (2019) note that hegemony is always unstable and must be continuously renewed. In this sense, Jovem Pan acts as a co-producer of neoliberal hegemony, reinforcing a rationale in which the digital market is seen as a legitimate space for self-regulation. As one of the presenters states: "The STF paves the way for abuses because it takes away companies' autonomy to decide what stays or is removed from the air." By inverting the logic of regulation, the narrative transforms the corporate autonomy of big techs into a synonym for defending freedom, while state intervention is associated with authoritarianism.

Thus, Jovem Pan's narrative should be understood as part of a broader process of naturalizing the neoliberal order in the field of digital communication. By framing platform accountability as synonymous with censorship, the broadcaster not only delegitimizes state intervention but also reinforces the idea that the market,

embodied in big techs, is the natural and legitimate space for regulation. This framing shifts the debate from the economic and structural sphere to the moral and individual sphere, turning "freedom of expression" into a kind of discursive fetish that obscures power asymmetries and the corporate interests at stake.

This discursive operation reveals a classic mechanism of what Althusser (1980) calls the ideological state apparatuses: although formally private, the media functions as a producer of ideology that sustains the capitalist order, legitimizing relations of domination as if they were natural. By reiterating that "*the STF wants to control information*" (video 2) and that "*companies need to maintain their autonomy*" (video 3), Jovem Pan reinforces an imaginary in which digital corporations appear as guardians of democracy, while the State emerges as an internal enemy.

This strategy of ideological inversion, in which the protection of collective rights is narrated as a threat and the defense of corporate interests is presented as freedom, plays a crucial role in maintaining hegemony. As Fairclough (2019), Eagleton (2019), and Thompson (2011) remind us, hegemony is sustained not only through direct coercion but, above all, through the discursive production of consensuses that render domination plausible and acceptable. By mobilizing expressions such as "blow against freedom" or "STF siege," Jovem Pan engages its audience not only in rejecting a judicial decision but also in adhering to a broader political project: that of unrestricted platform autonomy in the face of any attempt at regulation.

Moreover, this discourse contributes to the consolidation of what authors such as Couldry & Mejias (2019) call data colonialism: a regime in which platforms appropriate social and informational life, converting it into economic value. By rendering invisible the economic and structural dimensions of the STF's decision, such as the possibility of limiting corporate abuses, Jovem Pan reinforces the hegemonic position of big techs, legitimizing their centrality in the contemporary communication ecosystem.

Thus, the broadcaster's discourse is not limited to being a circumstantial critique of the Supreme Court but functions as an ideological mediator of neoliberal digital hegemony. It interpellates the audience to identify as free subjects only as long as they remain consumers of the platforms, while relegating the State to the position of a threat. In this way, Jovem Pan not only informs but actively participates in the struggle over meanings related to democracy, freedom, and regulation in Brazil, reproducing a logic that strengthens the asymmetry between public power and corporate power.

V. CONCLUDING REMARKS

The analysis of Jovem Pan's coverage of the Supreme Federal Court's decision regarding the

amendment of Article 19 of the Marco Civil da Internet demonstrates that media discourse does not merely fulfill an informative function, but actively participates in the struggle over the meaning of digital regulation in Brazil. Through Critical Discourse Analysis, following Fairclough's (2019) dialectical-relational perspective, it was observed how lexical choices, rhetorical strategies, and discursive practices were mobilized to construct a narrative opposing the STF, aligning with the interests of digital platforms.

The analyses showed that expressions such as "private censorship," "institutional threat," and "blow against freedom" are not mere linguistic devices, but ideological operators that frame the judicial decision within a semantic field of risk and illegitimacy. The recurring epistemic modality ("may generate," "tends to create") created a horizon of uncertainty which, far from describing actual scenarios, naturalizes the expectation of inevitable negative effects. In this way, the audience is prompted not only to distrust the decision but also to mobilize feelings of resistance and indignation.

At the level of discursive practices, selective intertextuality was observed, privileging the minority position of Minister André Mendonça while silencing or downplaying votes in favor of the amendment. Interdiscursivity, in turn, fused legal and political-media registers, transforming the judgment into a narrative of institutional confrontation. Meanwhile, multiplatform circulation, across radio, TV, YouTube, and edited clips, amplified the reach of the discourse, reinforcing its polarizing character and broadening its social resonance.

At the broader social level, it became evident that Jovem Pan functions as a media ideological apparatus, contributing to the consolidation of a neoliberal hegemony in digital communication. By mobilizing freedom of expression as an absolute, individual value, disconnected from its collective dimension, the broadcaster delegitimizes state intervention and legitimizes the corporate autonomy of big techs, which retain substantial control over informational flows. This dynamic reproduces and updates the logic of consensus described from a Gramscian and Althusserian perspective, in which domination is maintained through the discursive naturalization of specific class interests.

Thus, the analysis demonstrated that Jovem Pan's discourse goes beyond reporting on a specific judicial decision, actively participating in the hegemonic struggle over digital regulation. By framing the STF as an enemy of democratic freedoms and the platforms as guardians of liberty, the broadcaster reinforces a logic that strengthens corporate power at the expense of the public interest.

In summary, the coverage analyzed demonstrates how the circulation of disinformation

and polarizing narratives about digital regulation is embedded in a broader context of democratic fragility and corporate capture of the public sphere. Looking ahead, it becomes urgent to investigate avenues for informational counter-hegemony that reconnect the notion of freedom of expression with the social responsibility of platforms, aiming to construct discursive alternatives capable of addressing the ideological naturalization effects produced by outlets like Jovem Pan.

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