

Master Thesis Applied Ethics

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Journalism and Digital Media

The role of Journalism regarding Fake news, Post-Truth, and Democracy



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I would like to specially thank my mom for the following inspirational event she took me to:

On the 4th of February 2020 I went to a lecture of media critic and former journalist and middle-east correspondent Joris Luyendijk with my mom. The lecture was about how to have a critical attitude towards the media, wherein Luyendijk explained how journalism works. He started by stating that journalism can never be objective due to limited time and resources, and because there is always a certain perspective depending on how the story is told. He advocated for a healthy dose of skepticism: "don't believe everything you read in the media." In the second half the show he elaborated on how traditional media has experienced a decline in trust and readers in society, how digital news was on its rise, and how social media platforms amplified that development. What he noticed was that more and more people got their news online.

However, an increasing number of these people developed skepticism towards 'prestige press', and relied instead on what news the algorithm of their current social media platform provided them with, without checking the editorial and journalistic standards of the source. Even worse, the consensus was that it turned out that social media algorithms are often attributed to creating a so-called 'filter bubble' or 'echo chamber.' Instead of: 'don't believe everything the (read: traditional) media says', it became: 'don't believe *anything* the media says!' And this development deeply worried former middle-east reporter Luyendijk,

who is someone who in journalistic circles is infamous for his media criticism. He argued that, while the traditional media are far from perfect, as they are constrained by time and resources, they are still the best we got as a society.

The alternative scenario is one where a large part of society relies on news or fake news curated by an algorithm that is designed with the sole purpose to grab the attention of the user. More troubling, all kinds of information campaigns are distorting the social media platforms as well. For instance, it is widely believed that the Russian Government tried to influence public opinion across a lot of countries to cast doubt amongst the MH17 scandal. The U.S. presidential elections and Brexit were also hot topics, when the Cambridge Analytica scandal was discovered. Cambridge Analytica, a company that has nothing to do with the university, was believed to have influenced a lot of citizens, using psychometric tactics that are deemed to be very effective. Because of the commercial interest of the social media platforms, information campaigns were easy to conduct with the right amount of money. Therefore, the people that relied on digital media were increasingly the victim of (fake)news; news with an agenda. In light of this problem, a lot of discussion started: in academia, in courts: where Facebook was put to trial, and in the media. I was inspired by the event of Luyendijk.

I can remember a middle-aged woman posing a question at the end towards Luyendijk, a bit puzzled: "I heard what you said, and I am confused, I don't know what to believe anymore, how can I inform myself?" "Wow! What a great quote for a thesis about post-truth and fake news", I immediately thought.

This question inspired me. I got the feeling that this was how a lot of people must feel in society. What can we do about it? Should we do something about it? Should the government regulate? Should the media platforms adopt algorithms with editorial standards? Is censorship even compatible with the ideals of a liberal democracy? Do people have a right to fake news?

Research question: *What is the role for Journalism in the digital media landscape?*

Summary

The concepts of Fake news and the Post-truth are widely debated topics in academia and in the media since the U.S. presidential election of Trump, and the Brexit election. Since the emergence of the internet, traditional media outlets declined in popularity, while digital media platforms increased in popularity. Being much more susceptible to dis- and mis-information campaigns, the governments of constitutional liberal democracies and the journalistic sector are in doubt whether and how to respond to the diminishing trust of fundamental institutions and the increased fragmentation within society.

As a topic that touches upon fundamental institutions in society - like Freedom of Expression, our liberal-democratic constitution, journalistic objectivity, and truth - this paper tries to identify and structure the most relevant ethical aspects of the debate to analyze them. The central issue that will be addressed is what the role of the journalistic sector is in the current digital media landscape. Essential for solving this issue, the question of what the moral duties of digital media platforms are in a liberal constitutional democracy will be treated. The argument of this thesis is that the struggle of liberal democracies to regulate digital media in the name of saving democracy can also be seen from the perspective of a political discursive struggle for power. In this view, regulation by the government is not legitimate. This legitimacy problem lays in the political philosophical grounding of liberalism where our constitutions are based upon. However, regulation is ethically acceptable if it is from the perspective of safeguarding the institution of Journalism from the ill effects of the digital capitalistic landscape.

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Introduction

The era of Post-truth, Fake News, Mis- and Disinformation is upon us, according to a group of academics, journalists and many others. Just after the presidential election of Donald Trump and the Brexit referendum, the Oxford word of year (2016) was named: Post-Truth. Trust in traditional media (formerly Prestige Press) is declining while digital news media is on its rise. The open nature of the digital (social) media landscape has had its ethical and social influence on journalism, governments and society. The digital infrastructure of dominant digital media platforms is constructed out of the belief that free flow of information leads to truth and out of commercial motive. Therefore the media market is open to all sorts of information campaigns, while citizens become increasingly susceptible for manipulation, as they don't know what to believe.

Governments are struggling to figure out whether and how to act to the growing mis- and disinformation campaigns coming from all sides of the geopolitical spectrum. The question whether regulation of (social) digital media platforms is necessary and compatible with fundamental institutions (Freedom of Speech and Expression) of our constitutional liberal democracy is one where there is no consensus in academic literature. The aim of this thesis is to contribute to this debate.

The leading question of this thesis is: *What is the role for the institution of journalism in the digital media landscape?* Central to this issue is the next question: how to normatively deal with truth and objectivity in the media? In order to determine this role, a contemplation on the moral duties of digital media platforms will be conducted. This is because the role of journalism is intertwined with digital media platforms in society.

In section one, I will provide a theoretical assessment of the concepts of news, fake news, journalism and post-truth. I will reflect on the task of journalism in society, and why there are currently doubts about what that task is. First, I will

present a reflection on the concepts of news and fake news. Second, a brief history of journalism will be provided. Third, the developments and issues currently happening in the journalistic sector are treated, which leads us to the concept of Post-truth.

In section two I will present a comprehensive overview of the factors that complicate the debate about regulation to battle fake news, mis- and disinformation. To do this, I will explain what is meant with the liberal paradox, regarding the struggle between free speech and whether fundamental values of our democracy are violated by regulation. I will argue why it is more helpful to see the debate as a manifestation of political power struggle than as a threat to our democracy.

To further the discussion, I will use the "Floating Signifier" concept of Farkas and Schou (2018) and illustrate why a distinction between the political discourses of the debate is necessary to further our goal. After this, I separate the political struggle from the discourse that critiques the digital media landscape for the way the infrastructure is constructed in order to analyze this in the next section.

In the third section I shall present a workable definition for the term digital media platform, and why it should be regarded as an institution that can be ethically evaluated. Second, I will showcase why determining that dominant internet platforms have a moral duty towards the public for promoting 'good' journalism, but that it remains difficult to determine exactly what those are given to the opaque nature of these dominant internet platforms.

In the fourth section I will showcase and analyze the Ground News model, as an example of what an ideal digital media platform could look like. Here, I will come back to the issue of the political struggle, where I will show why Ground News tactics of bias ratings are beneficial to the democratic process. The benefit lays in its coherence to a theory of the ideal democracy. Finally, I will contemplate on

what their overall influence on society could be, and what lessons can be learned from this.

I) Setting the conditions

First, I will provide a theoretical assessment of the concepts of news, fake news, journalism and post-truth. I will reflect on the task of journalism in society, and why there are currently doubts about what that task is. First, I will present a reflection on the concepts of news and fake news. Second, a brief history of journalism will be provided. Third, the developments and issues currently happening in the journalistic sector are treated, which leads us to the concept of Post-truth.

*"What the news depicts is merely an imitation of real world processes and events. What it depicts is merely a simulation of reality, not reality itself. Hence, we are living in what Baudrillard would call: The Matrix."*¹

1.1 What is News?

News is a fascinating concept. On the one hand, journalists are expected to give a neutral, objective, complete representation of everything that has happened lately, on the other hand, if you think about it, that goal is practically impossible. In order to have a constructive discussion, I will theoretically assess the concepts of news, fake news, journalism and post-truth.

The Fourth Estate

Traditionally, journalism's task in society has been to play the role of the Fourth Estate: to professionally report and critically investigate social reality and especially those in power.² "[...] A long-established role for the press has been that of a fourth estate, a mechanism of accountability, a watchdog protecting the public interest against powerful and predatory interests of economic and political elites."³ For this common good, it's task is to distinguish facts from fiction, and lies from biased comments. As such, the promise of truthfulness can be seen as the basic social code shared amongst journalists and their readers. In other

¹ West, Stephen., "Simulacra and Simulation." (2019) podcast: *Philosophize This*. About Jean Baudrillard's famous work *Simulacra and Simulation*.

² Broersma, M (2010)., "The unbearable limitations of journalism: On press critique and journalism's claim to truth." *The International Communication Gazette* 72, No. 1. 25

³ Franklin, Bob (2012)., "The Future of Journalism; Developments and Debates." *Journalism Studies* 13, No. 5 671.

words, their job is to give reliable facts so that the people can make sense of the situations and world around them.⁴

All news is biased

According to famous media critics Joris Luyendijk⁵ and Nick Davies⁶ all news is biased, as it is always constructed and filtered from a certain perspective.

Therefore, Luyendijk advocates for transparency in reporting, meaning that the media should be clear to their audiences about their positions and choices. "In their coverage, journalists should make clear that it is impossible to know certain things and they are merely presenting the interpretation of reality they consider most likely."⁷ In other words, the solution Luyendijk proposes to biased news is to provide transparency about the news source biases. Therefore, Luyendijk proposes to introduce the concept of structural ambiguity, meaning the ambiguity that cannot be overcome by extra efforts in reporting due to its inherent nature in the system.⁸

'I would like to see us say – over and over until the point has been made – that the newspaper that drops on your doorstep is a partial, hasty, incomplete, inevitably somewhat flawed and inaccurate rendering of some of the things we have heard about in the past twenty-four hours – distorted, despite our best efforts to eliminate gross bias – by the very process of compression that makes it possible for you to lift it from the doorstep and read it in about an hour. If we labeled the product accurately, then we could immediately add, "But it's the best we could do under the circumstances, and we will be back tomorrow, with a corrected and updated version."⁹

⁴ Broersma, M (2010), "The Unbearable Limitations of Journalism." 25.

⁵ Ibidem 25.

⁶ Davies, N. *Flat Earth News: An Award-Winning Reporter Exposes Falsehood, Distortion and Propaganda in the Global Media*. (2008). London: Chatto and Windus. 45.: in Broersma. M. "The Unbearable Limitations of Journalism." 30.

⁷ Broersma. M (2010), "The Unbearable Limitations of Journalism." 22.

⁸ Ibidem, 30.

⁹ Ibid, 30.

The objectivity norm

That leads us to the next question: how do we distinguish between good and bad news, or news and fake news? For some scholars, the distinction is simple: Fake news is news that is deliberately false.¹⁰ According to Broersma "good" news can distinguish itself when it is constructed according to journalism's discursive strategy: the 'objectivity norm'.¹¹ The strategy holds that journalists should be held accountable not for what they report, but for how they report. Also, the norm prescribes neutrality and the transmission of factual information.¹² Reporters have to write in a detached tone and balance stories by presenting various points of view.

Balanced reporting

However, McIntyre claims that there is a fundamental problem with balanced reporting, namely that it creates an illusion. : "How could it be that adhering to the journalistic values of objectivity, fairness, accuracy, and balance could lead one away from the truth?"¹³ His answer lies in the pressure for the media to appear neutral. For instance, his example journalists feel forced to include information from partisans who have a stake in pushing the reporter toward something other than the truth.¹⁴ In this way, McIntyre argues that a psychological effect creates insecurity and doubts for the public, as they come to think that there is a scientific dispute going on. McIntyre argues this is exactly what happened in the global warming debate, and prior to that the tobacco debate in the 1950s. About the organized (dis)information campaigns of the oil industry about climate change debate in the 1980s, McIntyre states: "We now understand all of this was merely 'manufactured doubt' meant to obscure the fact that the world's climate scientists had all but reached consensus on the fact that climate change was occurring [...]."¹⁵ As the typical journalist, even one trained as a science writer, has neither the time nor the expertise to check the validity of

¹⁰ McIntyre, Lee, C., *Post-Truth*. MIT Press, 2018, e-book, 105.

¹¹ Broersma, 2010, "The Unbearable Limitations of Journalism." 27.

¹² Ibidem

¹³ McIntyre, Lee, C., *Post-Truth*. 85.

¹⁴ 'Review Lee McIntyre, Post-Truth', *European Journal of Communication* 33, No. 5 (2018) 574.

¹⁵ McIntyre, Lee, C., *Post-Truth*. 79.

the claims themselves, feel the obligation to balance conflicting sides in any significant dispute, and provide both sides with roughly equal attention.¹⁶ Lacking the competence to arbitrate the truth themselves, the objectivity norm prescribes that journalists let the viewer decide what is true and what is false.

'Good' or 'Bad' Journalism?

Whether the norm fulfills its goal or not, the general norm amongst journalists is that what separates 'good' journalism from 'bad' journalism is source falsifiability in adherence to the objectivity norm. 'Bad' news (or fake news) is from this journalistic doctrine per definition not in adherence with the objectivity norm.

Even though the traditional journalistic doctrine aims to persuade readers within a framework of routines and conventions that link up with the objectivity norm, it might also be possible to return to a more subjective paradigm. Then journalism would not claim to present an objectified but a mediated truth. To know where the objectivity norm comes from, I will now provide a brief history of journalism.

1.2 A Brief History of Journalism

Information campaigns have long been a powerful tool in convincing the masses. In fact, Lee McIntyre¹⁷ claims that the rich and powerful always had an interest (and usually a means) to convincing the minds of the people.¹⁸ Fake news (understood as partisan news) is not a new phenomenon when we look at human history. In fact, the objectivity norm should be seen as the more recent historical invention. How did the objectivity norm come to exist?

During the Jacksonian era in the United States, the idea of nonpartisan, strictly factual news arose¹⁹. This had to do with technological innovation. The first American wire service, the Associated Press consisted of a group of New York

¹⁶ McIntyre, Lee, C., *Post-Truth*. 85.

¹⁷ Lee C. McIntyre is a research fellow at the Center for Philosophy and History of Science at Boston University and an Instructor in Ethics at Harvard Extension School.

¹⁸ McIntyre, Lee, C., *Post-Truth*. 102.

¹⁹ McIntyre, Lee, C., *Post-Truth*. 99.

newspapers who saw an opportunity in the telegraph invention in the 1840s. To take advantage of its speed in transmitting news, the Associated Press, gathered "news for publication in a variety of papers with widely different political allegiances, it could only succeed by making its reporting "objective" enough to be acceptable to all its members and clients."²⁰ McIntyre states that this strategy became the ideal for journalism in general since the late nineteenth century.

Sensationalism

However, at the turn of the century sensationalism was the chief newspaper development. Instead of putting an emphasis on presenting the facts, the emphasis shifted towards telling a good story. These were the days of "yellow journalism," when media moguls like William Randolph Hearst and Joseph Pulitzer were in a newspaper circulation war with each other.²¹

Sensationalism was widely understood to describe "salacious over-the-top scandal-driven journalism" with the primary goal of attracting readers, instead of telling the truth. It is even believed that The Spanish American War was the result of the by Hearst initiated battle for the most popular newspaper.²²

"When Hearst's correspondent in Havana wired that there would be no war, Hearst famously responded: 'You furnish the pictures, I'll furnish the war.' Hearst published fake drawings of Cuban officials strip-searching American Women- and he got his war."²³

In the leading days of yellow journalism, the New York Times began to grow popular by introducing the 'information' model. Instead of factually appealing to a diverse political clientele like the Associated Press, the Times focus was on providing in-depth information, thereby attracting socially homogeneous readership, and gaining prestige.²⁴

²⁰ McIntyre, Lee, C., *Post-Truth*. 99.

²¹ *Ibidem*, 100.

²² *Ibid*, 100. The main character in the movie 'Citizen Kane' is inspired by the extravagant character of media mogul Randolph Hearst. Some claim it belongs to the list of the greatest movies ever made.

²³ *Ibid*, 102

²⁴ *Ibid*, 102

The Resurrection of Fake news

With some exceptions, the objectivity norm became so standardized that we have become spoiled and taken it for granted.²⁵ A clear example to this statement is for instance the media war that was initiated after 9-11 against Iraq to create allies for starting a war. McIntyre further claims that the rise of web-generated news led to a diversion from the journalistic norms of objectivity, and a rise of fake news. Everyone with access to the internet can become a publisher, and the infrastructure of the internet platform allows the most popular article to gain the most traction. "Digital news, you might say, has brought yellow journalism back to the fore."²⁶ While the original motivation for the spread of fake news might have been predominantly financial, this motivation shifted to fake news becoming a tool for political manipulation.²⁷

1.3 Developments in digital Journalism

According to the last Reuters Institute Digital News Project report,²⁸ the last ten years were defined by the twin technological disruptions of mobile and social media, which fragmented attention, undermined advertising-based business models, and weakened the role of journalistic gatekeepers. Simultaneously, social and political disruptions have affected trust in journalism and led to attacks on independent news media in many countries.²⁹ The estimations in the report are that the next decade will be defined by increasing regulation of the internet and attempts to re-establish trust in journalism. Furthermore, Newman et al., forecast a "next wave of technological disruption from AI driven automation, big data, and new visual and voice-based interfaces."³⁰ In light of economic and

²⁵ McIntyre, Lee, C., *Post-Truth*. 103.

²⁶ *Ibidem*. 103

²⁷ 'Review Lee McIntyre, Post-Truth', *European Journal of Communication* 33, No. 5 (2018) 574

²⁸ Newman, Nic., Richard Fletcher, Lucy Kueng, Rasmus Kleis Nielsen, Meera Selva, Eduardo Suarez. *Journalism, Media, and Technology Trends and Predictions 2020*. (2020) Digital News Project. Reuters Institute. *University of Oxford*.

²⁹ Newman, Nic., Richard Fletcher, Lucy Kueng, Rasmus Kleis Nielsen, Meera Selva, Eduardo Suarez. *Journalism, Media, and Technology Trends and Predictions 2020*. (Jan 2020) Digital News Project. Reuters Institute. *University of Oxford*. 7

³⁰ Newman et al. (2020) 'Journalism, Media, and Technology Trends and Predictions 2020.' 7.

political uncertainty in the journalistic sector, further challenges will arise for many news organizations.

Another development is the chance for purveyors of misinformation and disinformation to try new tactics, including AI technologies, to overwhelm platform defences. "The role of platforms will be increasingly politicised, with direct attack and accusations of bias from prominent politicians."³¹

Moreover, the declining margins in the face of falling readership and growing platform power have led to a series of 'mega mergers', leading to new questions around plurality and concentration of ownership.³² It is here, where we can see a similarity with the days of yellow journalism, where concentration of media ownership was also in the hands of few. Franklin argues that this concentration of news media ownership might not be beneficial to the role journalism poses to fulfil in democratic societies as watchdogs of the powerful.³³ That is especially when they themselves become part of the powerful elite.

Platform Responsibility

However, some digital media platforms started putting in efforts to counter mis- and disinformation. For instance, Facebook stepped up funding for fact checking, increased transparency around political advertising and removed billions of 'fake' accounts.³⁴ Also, Google search conducted changes to its algorithm in order to curate more original and local journalism in results. Nevertheless, while Silicon Valley companies are increasingly being asked to make more editorial judgments on which content should be removed or demoted, clear normative guidance is missing.³⁵

There have also been efforts by policymakers to impose different kinds of intervention to help the traditional news industry.³⁶ One clear example is the implementation of the EU copyright directive, "often referred to as the 'link tax'

³¹ Newman et al. (2020) 'Journalism, Media, and Technology Trends and Predictions 2020.' 8.

³² Ibidem, 11.

³³ Franklin, Bob., "The Future of Journalism; Developments and Debates." (2012). 673

³⁴ Newman et al. (2020) 'Journalism, Media, and Technology Trends and Predictions 2020.' 13.

³⁵ Ibidem. 15.

³⁶ Ibidem, 15.

because it requires platforms to pay for unlicensed content that appears in aggregated news services."³⁷ According to Newman et al, this process has been a direct result of lobbying by big publishing houses.³⁸ And that development is a clear example of Franklin's claim that the concentration of news media ownership is not beneficial to democracies, as instead of watchdogs of the elite, they become the elite themselves. But in regard to the apparent threats of disinformation campaigns, it might not be the worst development. As law professor Tim Wu explains, we live in an age of "reverse censorship" when not the suppression of information, but the flooding of information makes it easy to drown out voices someone doesn't want heard.³⁹

Expectations in 2020

One major expectation in 2020 is AI driven fake news. "AI has the potential to boost disinformation campaigns as the 2020 election cycle in the US ramps up."⁴⁰ AI has the potential to make it easier to produce junk news in text, audio, and video. This development can lead to a further erosion of trust in journalism by society.⁴¹

This potential reduction in trust is accommodated by high-quality journalism disappearing behind registration barriers and paywalls, leaving 'quality' news consumption largely confined to elites who can afford or are willing to pay.⁴²

Newman et al also see a positive role for AI, as it offers the possibility of more personal and relevant news services. In this role, platforms will need to play a role too in helping publishers reach new and diverse audiences.⁴³

Journalism under Fire

Governments all over the world feel entitled to attack journalists as never

³⁷ Ibidem, 15.

³⁸ Newman et al. (2020) 'Journalism, Media, and Technology Trends and Predictions 2020.' 15

³⁹ Wu, T. 'Is the First Amendment Obsolete?' Michigan Law Review, Vol. 117, p. 547, 2018; Columbia Public Law Research Paper No. 14-573

⁴⁰ Newman et al. (2020) 'Journalism, Media, and Technology Trends and Predictions 2020.' 24.

⁴¹ Ibidem, 24.

⁴² Ibid, 24.

⁴³ Ibid, 24.

before.⁴⁴ "Journalists find themselves being trolled by activists from all sides of the political spectrum, subject to online attacks and accusations of bias and partisanship."⁴⁵ For instance, last year Russia and Singapore both passed laws, aimed at curbing misinformation, that oblige platform companies to monitor posts, and several other countries including Nigeria are likely to follow suit with similar laws this year.⁴⁶

At the same time: "There will also be a battle for access to public information and data. Journalists are braced for a slow erosion of Freedom of Information laws, undermining their access to information that should be widely available. This is likely to be accompanied by a tightening up of national security legislation, making it easier for governments to deem materials too sensitive to be released into the public domain."⁴⁷

Recap

As we have seen in this section, there are fundamental developments that challenge the way the institution of Journalism is perceived in society. Although the phenomenon of post-truth is also a 'development', I decided to spend a whole section on this concept, as I am convinced of its central cultural role. With the erosion of trust accompanied by technological developments, the institution of journalism is being hindered in its role to report and critically investigate the social reality of those in power. Therefore, I argue the journalism sector is not equipped anymore to fulfil its purpose as watchdog protecting the public interest by informing them against powerful and predatory interests of economic and political elites. Hence, I showcased the relevance of this thesis.

1.4 The concept of Post-truth

In 2016, 'Post-Truth' was named word of the year by Oxford Dictionaries. It was defined as an adjective "relating to or denoting circumstances in which objective

⁴⁴ Ibid, 28.

⁴⁵ Ibid, 28.

⁴⁶ Newman et al, 28

⁴⁷ Ibid, .29

facts are less influential in shaping public opinion than appeals to emotion and personal belief."⁴⁸

According to the Oxford Dictionaries President the choice for post-truth wasn't surprising given the fact it was a year dominated by highly-charged political and social discourse, fuelled by the rise of social media as a news source, and a growing distrust of facts offered up by the establishment.

There is however, some dispute about the provided definition by Oxford. For instance, Stanley Fish that Oxford's definition is hardly an innocent definition, for it assumes what many would contest:

"(1) that there are objective facts to which we can have unmediated access (actually two assumptions that should be delinked: the existence of objective fact and its accessibility are two different matters);
(2) that were emotion and mere belief removed from the process of seeking knowledge, objective fact would shine through;
(3) that appeals to emotion and to belief have no real place in the determination of fact; and
*(4) that in some earlier and better age (usually just yesterday) circumstances were different and facts spoke for themselves."*⁴⁹

Although the definition is not uncontested, there seems to be no disagreement that facts and fiction are getting more difficult to differentiate in current media outlets.⁵⁰ As information is going quicker than before, the acceptance of partisan ideologies is getting bigger as they are enforced by the rise of 'alternative facts'. There is an old Dutch saying: "It does not matter how quick the lie is, the truth will catch up" is not applicable anymore to the current digital landscape."⁵¹

⁴⁸ Steinmetz, Katy., "Oxford's Word of the Year for 2016 Is 'Post-Truth'" (November 2016) *Time*.

⁴⁹ Fish, Stanley. *The First: How to Think About Hate Speech, Campus Speech, Religious Speech, Fake News, Post-Truth, and Donald Trump*. New York: Simon & Schuster, 2019. Storytell e-book. Chapter 5

⁵⁰ Rademaker, Michel, Tim Sweijts and Joris Voorhoeve. "Hoe beschermen wij ons tegen Russische desinformatie? (transl: How to protect ourselves against Russian disinformation)" *The Hague, The Hague Centre for Strategic Studies (HCSS) (2017)*. 5.

⁵¹ Rademaker et al., (2017) 5

The threat of a post-truth world

Though misinformation and propaganda are certainly not new phenomena⁵² public attention towards these topics has grown exponentially in recent times.⁵³ The phenomenon of 'alternative facts' fueling partisan ideologies is perceived by some governments as a threat to their sovereignty. Especially, because they see disinformation campaigns coming from all over the geopolitical spectrum, being used as a tool to influence foreign/hostile countries. In a report I wrote for the Armed Forces of the Netherlands during a stakeholder project of my university, the central question was what governments ought to do against hybrid attacks (meaning disinformation campaigns) from an ethical perspective.⁵⁴ It became clear to me that the governments did not know *if* and *how* measures ought to be taken to counter the threat of disinformation campaigns.

As one of the most digitized, open and free societies in the world, the Netherlands is also eminently vulnerable against hybrid tactics of hostile countries.⁵⁵ A clear example of a threat was "a well designed, large, and camouflaged hostile disinformation campaign that was launched to discredit the MH17 report."⁵⁶ As the Netherlands has a democracy where the free flow of information is founded in the constitution, the government is in peril about how to respond adequately. That is not to say there hasn't been any counter action. A major response that was taken on EU wide level was to commission a High-Level Expert Group on fake news and online disinformation.⁵⁷ Nevertheless, this Commission and the Dutch Government have predicted that disinformation will be one of the most

⁵² Floridi, Luciano. (2016). Fake News and a 400-year-old Problem: We Need to Resolve the "Post-Truth" Crisis." *The Guardian*, November 29

⁵³ Farkas, Johan & Jannick Schou. "Fake News as a Floating Signifier: Hegemony, Antagonism and the Politics of Falsehood. (August 2018) *Javnost-The Public*. *Journal of the European Institute for Communication and Culture* 25(3) 298.

⁵⁴ Besteman, Jorn., Michiel Kemmer, David Rentinck. "Influence Operations: Limits to Just Hybrid Warfare." *Stakeholder Project Royal Netherlands Army*. Utrecht University.

⁵⁵ Rademakers et al., 2017, 4.

⁵⁶ *Ibidem*

⁵⁷ De Cock, Buning, M., Allen, R., Bargaoanu, A., Bechmann, A., Curran, N., Dimitrov, D., Goyens, M. "A Multi-Dimensional Approach to Disinformation." *Report of the independent High-level Group on fake news and online disinformation* 2018. European Commission. p.2

viable forces in future conflicts. When we consider this development alongside the estimation in The Reuters Institute of Digital Media report⁵⁸ that AI developments will make it even cheaper and easier to produce large scale fake news campaigns, the reality of a post-truth world becomes perhaps more eminent than ever.

This section has provided a comprehensive understanding for why the perceived reality of a post-truth world has shown to have its effects on society, and for our purpose: on the developments in the journalistic sector. The perceived threats by governments of liberal democracies, and the declining trust in traditional media have made academics question fundamental questions about truth, objectivity and the news. To see what the key discrepancy is between constitutional liberalism and governments trying to regulate censorship on digital media platforms, I move to section II).

Recap I)

I established a theoretical understanding of the traditional role of journalism, meaning the role of the Fourth Estate. In this role, the task of journalism is to perform as a mechanism of accountability for protecting the public against the interest of the powerful. The traditional journalist method is to adhere to the objectivity norm, essentially meaning that the journalist has a moral duty to strive towards truth, even though all news is biased. Historically, fake news is not a new phenomenon but caused by developments in the digital world, trust in journalism is eroded in society. When considering these developments, journalism is not equipped to perform its traditional role as Fourth Estate.

⁵⁸ Newman et al (2020) 'Digital Media Report 2020.' 24.

II) Democracy in Trouble

In this section I will present a comprehensive overview of the factors that complicate the debate about regulation to battle fake news, mis- and disinformation. To do this, I will explain what is meant with the liberal paradox, regarding the struggle between free speech and whether fundamental values of our democracy are violated by regulation. I will argue why it is more helpful to see the debate as a manifestation of political power struggle than a threat to our democracy.

To see whether our democracy is genuinely in 'trouble', we need to know more about the fundamental institutions and values of our democracy, and compare these to the perceived threat. One important institution is the right to free exchange of ideas. This freedom to exchange ends if it becomes a matter of harm, for instance when the public order is in danger.⁵⁹ However, to state there is a direct causal relation between fake news and direct harm is difficult. This conceptual problem captures the liberal paradox.⁶⁰

2.1 The Liberal Paradox

The core of the liberal political theory that our democracy is based on, is about a shift in power from political authority to the individual level. Instead of top-down authority of for instance a monarchy or a dictator, an give-and-take relationship of democratic deliberation is established and engaged in by free, autonomous citizens who put all propositions to the test of reason and evidence.⁶¹ These core tenets codify liberalism's unwillingness to rest in truths delivered from on high,

⁵⁹ Rademakers et al (2017) 4.

⁶⁰ To avoid confusion, this kind of liberalism is very different from today's usage of the term in most political debates. For instance, in most English speaking countries, this term refers to being left on the political spectrum, whereas in the Netherlands, it often means being right on the political spectrum. The term that is used here actually refers to political philosophy and method of determining political legitimacy that emerged out of the enlightenment (Besteman et al, (2020) 19).

⁶¹ Fish, Stanley. *The First: How to Think About Hate Speech, Campus Speech, Religious Speech, Fake News, Post-Truth, and Donald Trump*. New York: Simon & Schuster, 2019. Storytell e-book. Chapter 2.

"it democratizes viewpoints and opens up a space for the emergence and development of dissent; it assures robustness of public debate and militates against any effort by the state to cut debate off."⁶² Obedience to a fixed truth delivered by an unimpeachable source - the hallmark of a dictatorship and totalitarianism - gives way to an ethic of discovery in the context of which no viewpoint or policy is to be either anointed or dismissed in advance.⁶³ In this view, not even scientific standards are an unimpeachable source, for it cannot be known which opinions will finally be validated in the fullness of time.⁶⁴ In this way, we can see how the concept of post-truth is somewhat embedded in liberalism.

Democracy means "rule by the people," and each citizen must have the right to freely express his or her views about proposed policies and the performance of elected leaders.⁶⁵ However, free-speech arguments are never made in the name of the abstraction itself but in the name of some agenda to which free-speech rhetoric is attached. When an argument is won or when a point is made, the victor will not be free speech but that agenda⁶⁶. Therefore, the institution of freedom of speech is given shape by the agents that adopt it to reach their preferred outcome.

Constitutional liberalism is about protecting an individual's autonomy and dignity against coercion, whatever the source- state, church or society.⁶⁷ In liberal democracy, autonomy of citizens is an important value⁶⁸. Autonomy holds that individuals ought to be free from manipulation or coercion in their freedom of choice. In this way, influence is only allowed when it is in line with the values of the individual. "The as judged by themselves criterion is often used to criticize

⁶² Fish, Stanley. *The First*. (2019) Chapter 2.

⁶³ Ibidem. Chapter 2.

⁶⁴ Ibidem, Chapter 2.

⁶⁵ Ibidem, Chapter 1.

⁶⁶ Ibidem, Chapter 1.

⁶⁷ Zakaria, Fareed. (1997). "The rise of illiberal democracy." *Foreign Affairs*, Vol. 76, No. 6, pp. 25-26

⁶⁸ Besteman et al (2020), 14)

paternalism."⁶⁹ If the individual is influenced in ways not based on personal values, we can object to the 'imposition of values' objection of anti-paternalists.⁷⁰ It is, however, very difficult to determine the personal values of every individual in society. Therefore, governments are in search of narratives based on shared universal values within their societies.

Government Policy Perspective

The Dutch Scientific Council for Government Policy (WRR) also claims that in order to construct policy's countering disinformation campaigns, we are in need of shared universal values that are embedded in our society.⁷¹ In search for those values, they refer to an advisory report of the Advisory Council on International Affairs.⁷² In this report, the AIV assesses how the terms democracy, rule of law, and human rights relate to each other. They state that democracy is a multifaceted term but that make a distinction between two dimensions of democracy, namely an electoral dimension and a constitutional dimension.⁷³ The constitutional dimension can be defined by reference to the parameters of the rule of law, like respect for human rights.⁷⁴ To develop a strategic narrative to counter disinformation, this narrative should be based on the constitutional dimension of our democracy.⁷⁵

There is an important contradiction in the liberal doctrine, and that is that the goal of the freedom that citizens is granted is that through the test of reason and evidence, it is thought that truth will prevail in the end as long as we leave our speech to a marketplace of ideas (read: an unregulated internet). However, if one objects that truth will never prevail, truth is merely a doctrine of power or set of

⁶⁹ Sunstein, C. R. (2018) "Better off, as judged by themselves": a comment on evaluating nudges. *International Review of Economics*, 65(1), 1-8

⁷⁰ Hanna, J. (2018). In *Our Best Interest: A Defense of Paternalism*. *Oxford University Press*.

⁷¹ WRR. (2017) *Veiligheid in een wereld van verbindingen. Een strategische visie op het defensiebeleid*. (transl: Safety in a connected world. A strategical vision on defence policy.) The Hague, Textcetera. 12

⁷² AIV (2017) *The Will of the People? The Erosion of Democracy Under the Rule of Law in Europe*. No. 104

⁷³ AIV (2017) *The Will of the People?* 17.

⁷⁴ AIV (2017) *The Will of the People?* 20.

⁷⁵ Besteman et al 2019, 16-20

normative values that might or might not change over time.⁷⁶ This is the liberal paradox. An even more basic problem is the notion that even if truth prevails, there would be no way to know it in the liberal doctrine.

As long as there is no overarching narrative, government regulation remains in contradiction to our liberal democracy. But according to the liberal paradox, there can never be an overarching narrative, because it is incompatible with the doctrine. How do we move on? In the next part, I will argue why the paradox doesn't necessarily have to be as problematic for our democracy as perceived by the Dutch government.

2.2 Fake news as 'Floating Signifier'

"Journalism is printing what someone else does not want printed: everything else is public relations." —George Orwell⁷⁷

As we have seen in section 1.3 and section 2, the concept of "fake news" has become an important component in contemporary political struggles. To further analyze the role of journalism and digital media platforms in the digital landscape, we will separate the political component from a critique of digital media platforms, in order to have a more structured discussion. The key lies in Farkas and Schou's concept of the 'Floating Signifier'.⁷⁸ They show how the term fake news is utilized by different positions within the social space as means of discrediting, attacking and delegitimizing political opponents.⁷⁹ For example, while traditional 'Prestige Press' media outlets, such as the New York Times and CNN use the term to designate misleading information spread online, President Donald Trump has used the term as a negative designation of these mainstream media.⁸⁰

⁷⁶ Fish, Stanley. *The First*. (2019) Chapter 2.

⁷⁷ Orwell, George. *Nineteen Eighty-four*. London: Penguin Books, 2008.

⁷⁸ Farkas, Johan & Jannick Schou (2018), "Fake News as a Floating Signifier: Hegemony, Antagonism and the Politics of Falsehood. Javnost-The Public. *Journal of the European Institute for Communication and Culture* 25. No.3.

⁷⁹ Farkas, Johan & Jannick Schou. "Fake News as a Floating Signifier," 2018. 298

⁸⁰ *Ibidem*

According to Farkas and Schou, the number of perspectives on fake news, ranging from the responsibility of social media companies to take action against it, and the underlying economic incentives for those creating it to generate advertising revenue, all seek to address the question of what can be counted as valid information online and what should be counted as fake news.⁸¹

On the contrary, Farkas and Schou approach this subject by showing how fake news is being mobilized as part of political struggles to hegemonise social reality.⁸² The term floating signifier originates from post-Marxist philosopher Laclau. The term holds a signifier "used by fundamentally different and in many ways deeply opposing political projects as a means of constructing political identities, conflicts, and antagonisms."⁸³ In this way, fake news has become a deeply political concept used to delegitimize political opponents and construct hegemony.⁸⁴

2.3 Three discourses of fake news

Farkas and Schou differentiate between three main categories fake news is used:⁸⁵

- (1) as a critique of liberal and mainstream journalism.
- (2) as a critique of right-wing politics and media, and:
- (3) as a critique of digital capitalism.⁸⁶

The first discourse has sought to mobilize fake news by connecting it to right-wing American politics. The argument is that liberal and mainstream media have blurred the lines between fabricated news, conspiracy theories, and right-wing opinion by sorting them all under the same fake news concept. This has led to a second discourse that can be seen as a counter reaction. Trump supporters attacked the very same liberal and mainstream media by calling them fake

⁸¹ Farkas, Johan & Jannick Schou (2018), "Fake News as a Floating Signifier: 299

⁸² Ibidem.

⁸³ Ibidem, 300.

⁸⁴ Ibidem, 300.

⁸⁵ Ibidem, 300.

⁸⁶ Even though the disinformation campaigns that were discussed in section 2.2, these campaigns can also fit into a discourse of left-wing or right-wing politics. The goal of these campaigns is to polarize a society, and this effort can still be seen in the framework of a left vs. right distinction.

news.⁸⁷ Trump insinuated that the term fake news was a political construct in order to delegitimize his presidency.⁸⁸

The third discursive construction of fake news is intrinsically connected to digital capitalism. Their reason for the rise of fake news is founded in the economic structure of the internet.⁸⁹ Within this discourse, the argument is that based on the amount of readers, listeners and viewers, advertisement revenue is generated. This leads to capitalization on creating popular content, and false information creates controversy, while controversy feeds popular demand.⁹⁰ Furthermore, from a journalistic perspective, fake news is much cheaper to create than 'real' journalism.⁹¹ The solution to this problem would be to radically eradicate capitalist incentives in the digital media landscape. As we saw in section 1.3, governments are already imposing some regulations to battle fake news from this perspective.

What these discourses implicate, according to Farkas and Schou, is that fake news is meant as a frontal attack on traditional core values of journalistic practice, such as critical investigations of those holding power.⁹² As such, "the gradual transformation of "fake news" into a floating signifier comes to represent a power struggle between the journalistic field and the political field."⁹³

2.4 Agonistic pluralism

Now that we have acquired a comprehensive understanding of the term fake news, the question is what to do about the power struggle between the journalistic field and the political field? In other words, how can we prescribe a viable future trajectory for democracy as a political system with the institution of journalism as fourth estate? A potential solution is put forward in another paper

⁸⁷ Farkas and Schou (2018) 306

⁸⁸ Ibidem, 306

⁸⁹ Farkas and Schou (2018)303

⁹⁰ Ibidem.

⁹¹ Ibid.

⁹² Ibidem, 308.

⁹³ Ibidem, 308.

of Johan Farkas⁹⁴ where he introduces Chantal Mouffe's theory of agonistic pluralism.⁹⁵

The fundamental premise of Mouffe's theory is that democracy- as a political system - does not need to strive towards consensus based on rational discussion. In her view, seemingly neutral or objective solutions to a social issue will always materialize as the result of power relations.⁹⁶ As what might appear as unanimous agreement in a democracy, will always be a manifestation of one discourse dominating another. Therefore, Mouffe argues that: politicians, scholars and citizens must give up the dream of a rational consensus."⁹⁷

Furthermore, Mouffe provides a view on how to deal with our liberal paradox (section 2.1): She states that: "we should acknowledge and accommodate the contingency of political decision-making and sustain inherent struggles that shape democratic societies."⁹⁸ The strength of democracy lies in accommodating crosscutting goals and conflicting worldviews, refusing to suppress opposition "by imposing an authoritarian order."⁹⁹

Instead of idealizing objectivity and consensus, according to Mouffe, the primary goal of democracy is to foster accepted disagreement between groups. Instead of denouncing each other's ideas from the start, we should see each other as "somebody whose ideas we combat but whose right to defend those ideas we do not put into question."¹⁰⁰ That is because truly objective or rational politics is according to Mouffe an oxymoron. It is here, where a conceptual shift happens from antagonistic enemies into agonistic adversaries. The hegemonic discourses that battle for deciding what counts as true or false are, in Mouffe's view, the real threat to our democracy: "Agonistic conflict is relegated to the margins of society,

⁹⁴ Farkas, Johan (2020), "A Case Against the Post-Truth Era: Revisiting Mouffe's Critique of Consensus-Based Democracy." *Malmö University*.

⁹⁵ Chantal Mouffe, "Deliberative Democracy or Agonistic Pluralism?" *Political Science Series 72* (2000): 13

⁹⁶ Farkas, Johan (2020), "A Case Against the Post-Truth Era." 3.

⁹⁷ Ibidem.

⁹⁸ Ibid.

⁹⁹ Ibid.

¹⁰⁰ Ibid. 4

perceived as a disturbing element instead of democracy's cornerstone."¹⁰¹ According to Mouffe, democratic institutions should facilitate the political disagreement that is present within a society, not as destructive conflicts, but as constructive disagreement. Philosopher Richard Rorty might make the relevant point concisely in his work "solidarity or objectivity." In this work, Rorty's claim is that it is not about who is objectively right in a society, it is about keeping the conversation going and finding new clues that lead to solidarity."¹⁰²

All in all, Farkas does not mean to insinuate forms of misinformation, deception, and disguised propaganda are harmless to society.¹⁰³ Instead, the theory of agonistic pluralism should be seen as the realization of the dangers, not of fake news, but of trying to regulate, censor and suppress it in the name of saving democracy.¹⁰⁴

In this light we will depart from the political discourses of right-wing versus liberal politics. Instead, I will focus on the third discourse: the critique of digital capitalism. Although this discourse is also embedded in a political struggle for power, the problems that occur in it can be seen as a threat to the traditional values of journalism. Therefore, I want to propose to protect the institution of journalism, as their purpose is to guard those in power. Besides, a role for journalism can possibly be to contribute to enhancing constructive disagreement debates.¹⁰⁵ However, in order to see whether the institution of journalism ought to deserve protection, we will try to evaluate digital media platforms in the context of their economic structure in section III.

With protecting the journalistic institution I mean the journalistic doctrine based

¹⁰¹ Ibid. 4

¹⁰² Richard Rorty, "Solidarity and objectivity".

¹⁰³ Farkas, Johan (2020), "A Case Against the Post-Truth Era." 27

¹⁰⁴ Ibidem, 27.

¹⁰⁵ In section IV, I will provide a practical example of a media platform start-up called Ground News, that can be seen to support constructive disagreement by presenting a cognitive bias rating to their readers, make them aware, each week of their own bias, and the news they missed in other media.

on the objectivity norm.¹⁰⁶ I am aware that the proposed investigation can be perceived as politically biased, as the outcome may benefit one political discourse over another. However, this is not my intention. I believe that regardless of what the political spectrum, the objectivity norm is a valuable institution. My intention is to contemplate the role of journalism in our modern digital society. To do this, I believe it is necessary to examine news media platforms as well, in relation to the traditional journalistic doctrine.

I want to end this section with a quote I think captures the value of a journalistic doctrine that strives to objectivity:

"The fact that all news is fake news (at least with respect to the demand for perfect accuracy) does not mean that we should throw up our hands and surrender to the flood of undifferentiated narratives; it means that we must try all the harder to advance the narratives we find persuasive and might prove persuasive to those who read and listen to us. Real news is news reported by those whose aspiration it is to be faithful to fact; not success in that aspiration but having that aspiration is what distinguishes the real from the fake."¹⁰⁷

Recap II)

In this section, it is shown how the struggle of liberal democracies to regulate digital media in the name of saving democracy can also be seen from the perspective of a political discursive struggle for power. In this view, regulation by the government is not legitimate. Instead, a more neutral ideal for democracy is proposed, namely that of agonistic pluralism. This ideal is more neutral, as it is not politically biased.

¹⁰⁶ The objectivity norm is explained in section 1.1.

¹⁰⁷ Fish, Stanley. *The First*. (2019) Epilogue.

III) Analyzing the Corporate Structure of Digital Media

As became clear in the previous section, there is a critical discourse regarding the climate of digital capitalism that the journalism sector is struggling with. The central criticism of this discourse is that fake news, meaning in this scenario news diverting from the traditional norm of objectivity, is much more profitable in the current digital climate. For obvious reasons, it is easier to produce, and likewise, it feeds popular demand. This popularity has a positive effect on the extent of curation of fake news by news platform algorithms, the argument goes.

The perceived problems in this discourse are hostile towards the journalistic doctrine of the objectivity norm. Analyzing whether digital media platforms ought to be regulated in order to protect the journalistic doctrine from further erosion, a balancing act is required. On the one hand, we should look at the interests of the digital media platforms themselves, or the dominant internet platforms that digital media agents use, and on the other hand we should regard what is in favor of the journalistic doctrine. To do this, I shall first present a workable definition for the term digital media platform, and why it should be regarded as an institution that can be ethically evaluated. Second, I will showcase why determining that dominant internet platforms have a moral duty towards the public for promoting 'good' journalism, but that it remains difficult to determine exactly what those are given to the opaque nature of these dominant internet platforms.

3.1 Digital media platforms as gatekeepers

In a paper of Michele Loi and Paul-Olivier Dehaye¹⁰⁸, a framework for determining when the extraction of value from data is (un)just is constructed. This framework is largely based on concepts from famous philosopher John Rawls¹⁰⁹, that explains why a certain deployment of ICT infrastructure, namely the "dominant internet platform", is a subject of social justice in the Rawlsian sense.¹¹⁰

As they build their argument on analyzing freedom of speech and the economics of big data platforms, there is an analogical connection to the purpose of my thesis. Their definition for a dominant internet platform is "an internet (information and/or communication) platform which: a. enables or sustains the generation and distribution of goods of significant value, b. has a profound and pervasive influence on the life of all or most persons in society."¹¹¹ According to Loi and Dehaye, companies as Google News, Facebook and Twitter fit this definition. The reason why this definition is relevant is because of the next step in Loi & Dehaye's argumentation. Because companies like Facebook can be perceived as 'dominant', they can be subjected to Rawls notion of social justice.

As such, Rawlsian principles can be applied to dominant internet platforms. Rawls theory of justice consists of two main principles:

"First principle:

Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all.

¹⁰⁸ Loi, Michele., Dehaye, Paul Olivier (2017)., "If Data Is The New Oil, When Is The Extraction of Value From Data Unjust?" *Filosofia e Questioni Pubbliche* 7, No. 2: 137-178

¹⁰⁹ John Rawls, *Justice as Fairness: A Restatement* (Cambridge, MA: Harvard University Press, 2001), 51; John Rawls, *A Theory of Justice*, 2nd ed. (Cambridge, MA: Harvard University Press, 1999),

¹¹⁰ Loi, Michele., Dehaye, Paul Olivier (2017)., "If Data Is The New Oil, When Is The Extraction of Value From Data Unjust?" *Filosofia e Questioni Pubbliche* 7, No. 2. 138

¹¹¹ Loi & Dehaye (2017), 146

Second Principle:

Social and economic inequalities are to be arranged so that they are both:
(a) to the greatest benefit of the least advantaged, consistent with the just savings principle."¹¹²

These principles lead to the following claim of Loi & Dehay: "Google is bound to respect the principle of Fair Equality of Opportunity." While the original Rawlsian principle applies to individual persons and their chances of success, arguably the principle of Fair Equality of Opportunity could also apply to business.¹¹³ Therefore a claim can be made that: as lots of journalistic businesses are dependent on using these dominant internet platforms, and these businesses adhere to the objectivity norm, then they should not be limited in their outlay caused by unfair competition from fake news (meaning not in adherence to the norm).

3.2 Moral duties of digital media

Although there are indications that dominant internet platforms - and in our case digital media platforms - violate Rawls Two Principles of Justice, it is difficult to determine whether there is really a situation of 'unfair' competition. This is due to the opaque nature of dominant internet platforms. Therefore the proposed policy recommendation by Loi and Dehay is to promote transparency to see whether there is a violation of Rawlsian principles, and that "governments ought to promote initiatives to rethink and revolutionize the way the data economy operates."¹¹⁴

Lipinski and Britz¹¹⁵ also argue that when we apply Rawls to questions around informational ownership, access towards intellectual property should be

¹¹² Ibidem, 154

¹¹³ Loi & Dehay (2017), 168

¹¹⁴ Ibidem, 177 -178

¹¹⁵ Lipinski, T. A., & Britz, J. (2000). "Rethinking the ownership of information in the 21st century." 66/

available, and otherwise, the law should not secure any ownership rights.¹¹⁶ If we agree with the premise that access to news that adheres to the journalistic doctrine is a basic human right, that dominant media platforms should provide access to that news: "the right to own information, and the right to gain economic profit from information products and services can never be at the expense of the right of access to information needed to satisfy basic human rights."¹¹⁷ In light of this quote, we may derive that the moral duty of a dominant internet platform that facilitates the flow of media, has a duty to apply an egalitarian principle, that in the current digital climate favors quality journalism.

As discussed in section 1.3, developments in society led to a financial struggle for news media trying to flourish in an internet age. Due to a combination of unfair competition by monetary incentivized fake news, and the way dominant internet platform algorithms favor the content that generates the most attention of the user, the economic structure of these dominant internet platforms is ripe for change. This is also what Franklin argues that it is essential for a good functioning democracy and the public's right to help the expensive journalism sector survive in this internet age. According to Franklin, the key problem is how to 'monetize the content.'¹¹⁸

The key to change lies in the structure of the dominant internet platforms. In light of Rawls Fair Equality of Opportunity principle, these platforms should promote journalistic content that adheres to the objectivity norm in their news feed. As I have investigated why the norm of objectivity is important for the institution of journalism, it might be important to stress that this norm is not important because of its conception of truth, as we have seen in the previous section that every conception of truth can be seen as a particular discourse of expressing interest. The reason why I hold the objectivity norm journalism in high regard, is because I think that it is something that citizens should *at least* have access to. If a commercial and competitive economic structure that favors

¹¹⁶ Lipinski and Britz (2000) 51.

¹¹⁷ Ibidem, 65.

¹¹⁸ Franklin, Bob (2012)., "The Future of Journalism; Developments and debates." Journalism Studies 13, No. 5 665.

one form of journalism over another, the underdog should be protected.

A radical idea may be to create an independent news organization (to the extent that is possible) media platform that uses its advertisement money to re-invest in 'good' journalism, and only allows news sources on its platform that adhere to the journalistic norm of objectivity. To see a real-life example of a start-up that tries to value journalism's purpose of informing the public, see section IV.

Recap III)

In this section, the goal was to showcase that governmental regulation might be acceptable if it is pursued with the goal of saving the journalistic objectivity norm, that is unfairly outcompeted in the current digital landscape. The acceptability of saving the journalistic objectivity norm lies in the moral framework of Rawls, that firstly grants individual citizens the right to access information shaped by 'good journalism.' Second, it grants news media institutions the right to fairly compete on dominant internet platforms. My claim is thus, that these two rights are a moral duty of dominant internet platforms to enforce in their news generating algorithms.

IV) What does the ideal digital media platform look like?

Because we have not yet provided a helpful solution to combating fake news, as in section II appeared that essentially every kind of news is fake news, it is time to finally turn practical. In coherence with the perspective of agonistic pluralism, I will showcase a real-life example of a start-up I wrote a paper on.¹¹⁹

Considering democracies primary goal of facilitating political disagreement instead of idealizing your own form of objectivity and denouncing the other discourse, I will propose some practical recommendations.

4.1 A Start-up called Ground News

"Ground News presents itself as the world's first news source comparison platform. It has three types of news sources from over 50,000 major news publications (newspapers, news TV channels, news magazines) across the world, and trending social media (including select blogs and verified first-hand reports). Its slogan is: "Judge the truth for yourself". As such, Ground News has two goals. The first goal is to make the biases of news sources transparent to its users. The second goal is to battle fake news."¹²⁰

A Sourcing Strategy

For determining fake news, Ground News does not play an arbiter of truth themselves but allows sources from the whole political spectrum, from Breitbart to CNN. They rely on a 'sourcing strategy,' "that attempts to stifle fake news preemptively, by paying special attention to the trustworthiness of a source instead of individual news stories. This approach, which is advocated by Lazer et al.¹²¹ "outsources" the issue of trustworthy news items to a set of auditing organizations. Although this is also a subjective form of distinguishing news from fake news, the idea of valuing a news source instead of an individual news item is the best strategy currently available. While there are possibilities in AI, these

¹¹⁹ .Smit, D., Besteman, J., Formsgaard, S., Ringelberg, T., "Ground.News: an ethical consultation." Course: Digital ethics. (2020) Utrecht University.)

¹²⁰ Smit, D., et al. (2020) 'Ground News.' 3

¹²¹ Lazer, D. M. J., Baum, M. A., Benkler, Y., Berinsky, A. J., Greenhill, K. M., Menczer, F., Zittrain, J. L. The science of fake news. *Science* 359, No. 6380, (2018) 1094-1096.

detection strategies are imperfect. Even their most careful usage will result in a lot of false positives or negatives.¹²²

Bias ratings

For all the sources Ground News allows on its platform, it creates bias ratings. They rate each news source on the content that they cover, and the content they leave out. Then, at the end of a given period (a week) they send their platform user's an overview of their own bias, meaning the content they missed in their news coverage, and the content that news sources on the other side of the political spectrum covered.

Ground News creates its bias ratings by taking the average of three bias rating organizations: Ad Fontes, AllSides, and MediaBiasFactCheck. These companies use different methodologies that are available on their website.¹²³ One downside to this approach is that it is unclear whether that approach is methodologically sound. If we remember our example of balanced reporting in section I, it becomes clear that halfway between the truth and a lie is still a lie.

However, this doesn't have to be problematic from an agonistic pluralism perspective. As long as these rating organizations give an accurate representation of their perception, although potentially politically biased, it still informs citizens through the lens of that perspective. Nevertheless, it is probably best if a more comprehensive methodological argument is provided for why Ground News chose to take averages.

4.2 Implications

By promising to offer a platform where users can judge the truth for themselves, Ground News takes up a strong ethical responsibility to perform its task well. I believe that from an agonistic pluralism perspective, Ground News could be perceived as an institution that accommodates the crosscutting goals and conflicting worldviews within a democratic society. The importance of cross-

¹²² Smit et al (2020) 'Ground News.' 11

¹²³ Ibidem.

cutting information in a democracy, is that "if people encounter diverse opinions in the media, they are not only better able to provide reasons for their own political choices; they also have a better understanding of what motivates the perspective of others."¹²⁴ Whether we are liberal or conservative, cognitive biases are part of our cognitive human inheritance.¹²⁵ And Ground News benefits democracy by creating a space for contestation, political difference and for pluralism, something that Farkas and Schou advocate is what is necessary to save our democracy in the digital era.¹²⁶

Recap IV)

In this section, I provided a practical example of a news media platform that is compatible with our desired ideal for a democracy, namely agonistic pluralism. The compatibility of Ground News with agonistic pluralism lies in the claim that by informing users of their own cognitive bias, and the opposing biases, political disagreement is facilitated. Instead of idealizing a particular form of objectivity and denouncing an opposite political view, the view of agonistic pluralism is what should truly be valued in a democratic society.

Conclusion

In section I) I established a theoretical understanding of the traditional role of journalism, meaning the role of the Fourth Estate. In this role, the task of journalism is to perform as a mechanism of accountability for protecting the public against the interest of the powerful. The traditional journalist method is to adhere to the objectivity norm, essentially meaning that the journalist has a moral duty to strive towards truth, even though all news is biased. Historically, fake news is not a new phenomenon but caused by developments in the digital world, trust in journalism is eroded in society. When considering these developments, journalism is not equipped to perform its traditional role as Fourth Estate.

¹²⁴ Zuiderveen Borgesius, F. J. et al. 'Should we worry about filter bubbles?.' Internet Policy Review 5 No. 1(2016). 8

¹²⁵ Fish, Stanley. *The First*. (2019) Chapter 5.

¹²⁶ Farkas, Johan & Jannick Schou (2018), Introduction.

In section II) I concluded that the struggle of liberal democracies to regulate digital media in the name of saving democracy can also be seen from the perspective of a political discursive struggle for power. In this view, regulation by the government is not legitimate. This legitimacy problem lays in the political philosophical grounding of liberalism where our constitutions are based upon.

However, in section III) I argued that governmental regulation might be acceptable if it is pursued with the goal of saving the journalistic objectivity norm, that is unfairly outcompeted in the current digital landscape. The acceptability of saving the journalistic objectivity norm lies in the moral framework of Rawls, that firstly grants individual citizens the right to access information shaped by 'good journalism.' Second, it grants news media institutions the right to fairly compete on dominant internet platforms. I claim that these two rights are a moral duty of dominant internet platforms to enforce in their news generating algorithms.

In the last section I provided a practical example of a news media platform that is compatible with our desired ideal for a democracy, namely agonistic pluralism. The compatibility of Ground News with agonistic pluralism lies in the claim that by informing users of their own cognitive bias, and the opposing biases, political disagreement is facilitated. Instead of idealizing a particular form of objectivity and denouncing an opposite political view, the view of agonistic pluralism is what should truly be valued in a democratic society. And this part of my argument leads us to answer my main question:

"What is the role for the institution of journalism in the digital landscape?"

My answer is that it is still the task of journalism to inform and protect the public against powerful entities in society, however, it should do so by adhering to the objectivity norm, while at the same time realizing that they are not the arbiters of truth.

Bibliography

AIV (2017) *The Will of the People? The Erosion of Democracy Under the Rule of Law in Europe*. No. 104

Besteman, Jorn., Michiel Kemmer, David Rentinck. "Influence Operations: Limits to Just Hybrid Warfare." *Stakeholder Project Royal Netherlands Army*. 2020. Utrecht University.

Broersma, M., "The unbearable limitations of journalism: On press critique and journalism's claim to truth." *The International Communication Gazette* 72, No. 1, 2010. 21-33.

Cellan-Jones, Rory. "Google to Pay for 'High Quality' News in New Deal." *BBC News*. Last modified June 25, 2020. <https://www.bbc.com/news/technology-53176945>.

Davies, N. *Flat Earth News: An Award-Winning Reporter Exposes Falsehood, Distortion and Propaganda in the Global Media*. (2008). London: Chatto and Windus.

De Cock, Buning, M., Allen, R., Bargaoanu, A., Bechmann, A., Curran, N., Dimitrov, D., Goyens, M. "A Multi-Dimensional Approach to Disinformation." *Report of the independent High-level Group on fake news and online disinformation* 2018. European Commission.

Hanna, J. *In Our Best Interest: A Defense of Paternalism*. (2018). Oxford University Press.

Farkas, Johan., "A Case Against the Post-Truth Era: Revisiting Mouffe's Critique of Consensus-Based Democracy." (2020) *Malmö University*. <https://www.divaportal.org/smash/get/diva2:1437582/FULLTEXT01.pdf>

Farkas, Johan, and Jannick Schou. "Introduction." *Post-Truth, Fake News and Democracy*, 2019, 1-13. <https://play.google.com/books/reader?id=fMuqDwAAQBAJ&hl=nl>.

Farkas, Johan, and Jannick Schou. "Fake News as a Floating Signifier: Hegemony, Antagonism and the Politics of Falsehood." *Javnost - The Public: Journal of the European Institute for Communication and Culture* 25, no. 3 (August 2018), 298-314. doi:10.1080/13183222.2018.1463047.

Fish, Stanley. *The First: How to Think About Hate Speech, Campus Speech, Religious Speech, Fake News, Post-Truth, and Donald Trump*. New York: Simon & Schuster, 2019. Storytell e-book.

Floridi, Luciano. "Fake News and a 400-year-old Problem: We Need to Resolve the "Post-Truth" Crisis." *The Guardian*, 2016.

<https://www.theguardian.com/technology/2016/nov/29/fake-news-echo-chamber-ethics-infosphereinternet-digital>.

Franklin, Bob., "The Future of Journalism; Developments and debates."

Journalism Studies 13, No. 5 (2012) 663-681, DOI:

10.1080/1461670X.2012.712301

Lazer, D. M. J., Baum, M. A., Benkler, Y., Berinsky, A. J., Greenhill, K. M., Menczer, F., Zittrain, J. L. The science of fake news. *Science* 359, No. 6380, (2018) 1094-1096.

Lipinski, T. A., & Britz, J. "Rethinking the ownership of information in the 21st century: Ethical implications." *Ethics and information technology*. (2000)

Loi, Michele., Dehaye, Paul Olivier., "If Data Is The New Oil, When Is The Extraction of Value From Data Unjust?" *Filosofia e Questioni Pubbliche* 7, No. 2 (2017): 137-178

<https://doi.org/10.5167/uzh-159945>

Luyendijk, J. 'The Peace Process or "The Peace Process": From Illusionary Objectivity to an Inclusive Meta-Narrative', paper presented at Transparency in Foreign News Reporting Conference, (April 2008) Erasmus University, Rotterdam,

McIntyre, Lee, C., *Post-Truth*. MIT Press, 2018, e-book

Mouffe, Chantal., "Deliberative Democracy or Agonistic Pluralism?" *Political Science Series* 72 (2000): 13, <http://doi.org/10.2307/40971349>.

Newman, Nic., Richard Fletcher, Lucy Kueng, Rasmus Kleis Nielsen, Meera Selva, Eduardo Suarez. Journalism, Media, and Technology Trends and Predictions 2020. (Jan 2020) Digital News Project. Reuters Institute. *University of Oxford*.

No Author. 'Review Lee McIntyre, Post-Truth', *European Journal of Communication* 33, No. 5 (2018) 574-575.

<https://doi.org/10.1177/0267323118799184>

Orwell, George. *Nineteen Eighty-four*. London: Penguin Books, 2008.

Rademaker, Michel, Tim Sweijts and Joris Voorhoeve. "Hoe beschermen wij ons tegen Russische desinformatie?" The Hague, The Hague Centre for Strategic

Studies (HCSS) (2017).

Richard Rorty, *Contingency, Irony, and Solidarity* (New York: Cambridge University Press, 1989).

Sunstein, C. R. "Better off, as judged by themselves": a comment on evaluating nudges. *International Review of Economics*, 65(1), (2018). 1-8.

Smit, D., Besteman, J., Formsgaard, S., Ringelberg, T., "Ground.News: an ethical consultation." Course: Digital ethics. (2020) *Utrecht University*.

Steinmetz, Katy., "Oxford's Word of the Year for 2016 Is 'Post-Truth" (November 2016) *Time*. <https://time.com/4572592/oxford-word-of-the-year-2016-post-truth/>

Versteegden, Caspar. (2018) "Resilience can counter Dezinformatsiya; How the military considers its contribution to enhancing Dutch resilience." *Faculty of Military Science of the Netherlands Defense Academy*.

West, Stephen., "Simulacra and Simulation." *Philosophize This*. (October 2018) podcast Spotify.

WRR. (2017) *Veiligheid in een wereld van verbindingen. Een strategische visie op het defensiebeleid.* (transl: Safety in a connected world. A strategical vision on defence policy.) The Hague, Textcetera.

Wu, T. (2017). "Blind spot: The attention economy and the law." *Antitrust Law Journal*

Wu, T. 'Is the First Amendment Obsolete?' *Michigan Law Review*, Vol. 117, p. 547, 2018; Columbia Public Law Research Paper No. 14-573 (2018).

Available at: https://scholarship.law.columbia.edu/faculty_scholarship/2079

Zakaria, Fareed. (1997). "The rise of illiberal democracy." *Foreign Affairs*, Vol. 76, No. 6.pp. 25-26)

Zuiderveen Borgesius, F. J. & Trilling, D. & Möller, J. & Bodó, B. & de Vreese, C. H. & Helberger, N. (2016). 'Should we worry about filter bubbles?. *Internet Policy Review*', 5(1).



Jean Baudrillard's: Simulacra and Simulation

What does the viewer of the news have access to? A window to the reality of the situation? Or a window into one of thousands of narrow competing discourses about a piece of what is going on? Even the deaths of thousands can be reduced to just signs and symbols. This is an example of how the situation that we are in disconnects us from reality. What the news depicts is merely an imitation of real world processes and events. What it depicts is merely a simulation of reality, not reality itself. Hence, we are living in the what Baudrillard would call: the Matrix. In our societies, we no longer make a distinction between representations of reality and reality itself, the representations become the real. Life imitates art and art imitates life.

- Stephen West; *Philosophize This*



Just as I am finishing this thesis, an article appeared on my Google News feed with the title: 'Google to pay for 'high quality news in three countries.' The reason given, is that some authorities investigate how tech firms use news content without paying for it. 'Google characterizes its new pitch to solve the problem as a "licensing programme", focused on in-depth reporting rather than day-to-day news stories. " Google will make some articles from subscription news websites available to its users for free out of a fair competition principle: 'This will let pay-walled publishers grow their audiences and open an opportunity for people to read content they might not ordinarily see.'" So depending what side of the political discourse you are on: 'Good News is Coming!'

