Fake News and Big Data Media:Political Discourse as a Problem of Surveillance and Privacy in the Technologically Mediated Public Sphere

Zoe Panagiota Nigianni*

Independent Researcher, Norway

***Corresponding Author**
Zoe Panagiota Nigianni, Independent Researcher, Norway.

Abstract
The collection and use of big data for the influence of public debate (Harper, 2017) has been recently associated with "fake news", a term which has been used to describe the deliberate presentation of misinformation through a range of public media technologies (Allcott & Gentzkow, 2016; Chan et al., 2017; Gelfert, 2018; Kalsnes, 2018; McGonagle, 2017; Nelson & Taneja, 2018; Pennycook & Rand, 2018, 2019; Rubin et. al, 2015; Smith & Kollock, 1999; Zubiaga et. al, 2016). In this paper, I discuss the assumed effects of data extraction and the application of algorithmic processes (Mittelstadt et. al, 2016; Mittelstadt, 2017; Varian, 2014) on varying audiences for political objectives (Chan et al., 2017; Coleman, 2012, 2013; Kalsnes, 2018; Myers West, 2017, 2018; Shulte, 2013). In this scope, I evaluate the current state of affairs of political discourse in liberal democratic societies (Habermas, 1989; Habermas & Rehg, 2001) as a problem of surveillance and privacy (Harcourt, 2015; Harper, 2017; Murakami Wood, 2017), but also as a question of truth in the so-called post-truth era (Frankfurt, 2005; Olsson, 2008; Tuters, 2018), in order to offer suggestions in response to the given problem.

Keywords: Big Data, Fake News, Liberal Democracy, Privacy, Political Discourse, Surveillance

1. Introduction
1.1 Notions of Privacy in Liberalism
The contested values of privacy and publicness have been largely defined by sociological and philosophical discourses of the public sphere, as a product of the bourgeois culture of liberal democratic societies [1-6]. Consequently, liberal conceptualizations [4], such as the autonomous citizen, have, to a great extent, determined notions of privacy. Habermas and Rehg refer to the typical example of the citizen of a liberal democratic state, whose protected public autonomy is interdependent with their equally protected private autonomy [7]. Problems associated with privacy in liberalism, such as free speech and rights, have also been critically discussed from diverse perspectives, including the construction and propagation of gender and national norms, as well as, broadly, the cultural relevance of privacy [8-11].

In consideration of the above framework, I evaluate the impact of information technologies and related aspects of public media, such as the technologically construed and mediated fake news, upon the current political discourse in liberal democratic societies as a problem of surveillance and privacy. I here take general notions of privacy in the above context with respect to the problem of information privacy [1,5,12,13].

1.2 Definitions of "Fake News"
Despite historical precedents of different types of public disinformation and distortion of the communicative process, such as tabloid magazines and the partisan press, fake news has become a significant aspect of the contemporary technologically mediated culture, incorporating practices of public media usage, including big data media as I discuss further on [19,14]. Different definitions of "fake news" include: false stories and different types of false information, misinformation or disinformation presented, or likely to be perceived, as news, false or misleading information presented as seemingly factual news, as well as the deliberate presentation by design of typically false or misleading and implausible claims as news, and other specific types of deceptive news, from serious fabrications to hoaxes and satire [2,14-22].

Gelfert emphasizes the systemic element of fake news, which derives from features of news production and dissemination processes, while it is facilitated by new communication

technologies; with reasons including, amongst others, the lack of editorial input on social media [2,15,22]. Although there are disputes about its effectiveness, researchers largely agree that fake news aims at exploiting cognitive and psychological, in combination with ideological, biases of audiences, for either financial or political gain [2,15,19,20,22].

1.3 Fake News and the use of Big Data Media

Arguably political discourse in the technologically mediated public sphere is nowadays framed as a problem of surveillance and privacy [23-28]. Historically, political discourse has been shaped by partisanship and corporate media monopolies, which have also allowed for differing degrees of free speech and its censorship, along with the spread of disinformation [2,8,14,19,30-34]. Most recently, attention has been drawn to the use of new technologies and their effects on public opinion mentions a relevant study [35-37].

"In an American study about fake news' agenda-setting power, Vargo, Guo and Amazeen found that partisan media are intricately entwined with fake news (2017) [15]. During the three years studies (2014-2017), partisan media seemed particularly attentive to fake news coverage on topics such as border issues, international relations and religion […] Political disinformation is of huge concern due to the challenges it poses for societies. New sophisticated technologies to produce and distribute political disinformation make it harder to detect and combat the manipulations, both for journalists, fact checkers and citizens, but also for civil society and established democratic institutions."

The use of algorithms for big data extraction and analysis has been applied, among other objectives, for the influence and manipulation of public opinion. Although it has been argued that common targets are minor and fragmented publics, conclusions are debatable regarding the effects of the largescale collection of metadata, in order to apply market derived techniques of audience analysis – such as sentiment analysis or so-called psychographics (*Nothing to Hide 00:48:16-1:07:14; The Great Hack 00:40:50-00:42:53*) – for the profiling and classification of audiences [18,23-25,28].

2.Effects on Public Opinion

Based on varying methods of analysis and source material, recent research has produced contested results about the effects of fake news and the use of big data media on public opinion such as: fake news susceptibility limited to small audiences and dependent on highly frequent usage of social media platforms, including Facebook; positive or not correlation of discernment of fake news, including so-called "bullshit" receptivity, to psychological and ideological profiles of audiences; correlation of fake news receptivity to lack of reasoning or the propensity to engage in ideologically motivated reasoning (Pennycook & Rand, 2018, 2019); high propensity of news organizations and audiences for supporting unverified information, such as rumours in social media; and likelihood of cognitive activities of audiences to predict misinformation persistence [16-22].

Gelfert distinguishes between epistemologists and argumentation theorists to explain differing views in recent research: "Whereas epistemologists typically frame the issue as one of evaluating which news stories (or individual reports) to trust, and which to reject, argumentation theorists focus on the recipient's ability to critically question appeals to the authority of reports or reporters" [2]. Notably, Gelfert offers a narrow definition of fake news as a "distinct class of misleading reports and a rhetorical device for shutting down critical reporting" assuming knowledge of the target audience, which is likely to create false beliefs regardless of the purveyors' intentions [2].

3. Political Discourse as a Problem of Privacy and Surveillance in the Technologically Mediated Public Sphere - Threats to Democracy?

Concerns have been raised about several issues of surveillance and privacy in relation to threats to democracy, as we understand democracy in terms of the classical liberal values of freedom of speech and thought [1]. New public media technologies and the Internet have been effective in enabling social change, including the mobilization of disaffected groups for voting or for the coordination of protests, while at the same time paradoxically encourage the spreading of disinformation and discourage dissenting voices outside power hierarchies [23,33,38].

However, the most significant impact on Western liberal democratic societies is the permeation of commercial interests into political discourse since modernity, which has shaped our current view of new technologies as driven by consumption rather than by political incentives [6]. As noted, "Regardless of the content they consume, audiences will see advertising – and content – directed at their specific profile as private consumers, not public citizens" [23]. Although not directly harmful for public centralised democratic debate, the audience fragmentation in the contemporary technologically mediated public sphere, besides exposing audiences to "more popular content", enables the imposition of "a powerful hegemonic epistemology" with the use of big data media on fragmented publics [18,39]. Claims that expected changes resulting in the formation of publics through big data media "[…] are a decline of the salience of statehood [and] national culture", as we are faced with the problematic of consumer driven methods of demographics defining politics [23].

Aside from the rapidly evolving aspect of new technologies and big data media, their proliferation for the influence of public debate may be due to the current dissatisfaction of audiences with political journalism, as well as changes in journalism itself from traditional to online, claimed that the most prominent institution of the public sphere is the press [6,17]. In line with this view, Habermas argued that:

"Even political journalism, like all institutions "which" through display and manipulation exercise a privileged influence in the public realm, should for its part be subject to the democratic demand for publicity [6]. However this may appear from a legal perspective, from the vantage point of sociology, such

demands make the important dimension of a democratization of societal organizations engaged in state-related activity a topic of discussion."

Considering this Habermasian claim, but also the analysis and evaluation of fake news presented so far, I suggest that political discourse, as a problem of surveillance and privacy in the technologically mediated public sphere, has two interrelated aspects:
• The extraction of metadata, often without audiences' explicit consent, and legal issues associated with data protection rights.
• The use of big data media for political and state-related activity, such as political campaigns for referenda or elections, and the potential undermining of the democratic processes.

In my view, these aspects need separate attention, especially when applied to specific cases of varying degrees of infringements and with diverse objectives. More or less technical solutions to counteracting fake news have also been suggested. Detailed debunking messages counter misinformation persistence, which, however, might be again more or less effective depending on the dispositional characteristics of audiences, such as ideological and cultural biases [16]. Fact-checker services, or artificial intelligence fake news and rumours detection systems, can also be applied. Finally, avoiding fake news censorship, but cultivating instead media and information literacy counteracts fake news susceptibility [15,17,21].

4. Conclusion

Recent philosophical analyses of fake news, as noted by Gelfert, have differed from say legal and new media ones. Based on the more philosophical notion of information, the notion of disinformation has provided useful conceptual ground for analysing and assessing the current state of affairs of political discourse in liberal democratic societies. For instance, the justifiable question of truth in the so-called post-truth era may be secondary, but not irrelevant to the above [39]. With reference to Frankfurt's notion of "bullshit" (2005), which is speech that is not concerned with the truth itself, but with others' view of the speaker, Olsson argues:

"There may be information exchange process, which, combined with the social pressure to average among peers, compensates for the fact that a part of the population lacks direct contact with reality by ensuring that that part nevertheless enjoys an indirect access to the way things are via the beliefs and reports of reliable peers, whose views they are forced to take into account" [40].

In respect to the effects of fake news and big data media, the above argument emphasizes Harper's insight (2017) into the fragmentation of the contemporary publics. Facebook's compliance with 2018 EU GDPR regulations provides options for consent to or opting out of third parties, including Facebook's own, collection of information from apps for advertisement targeting. It is, however, unclear how the regulation applies to transnational audiences outside the EU – such as US audiences, for which different privacy laws apply – as well as for the purposes of political, rather than consumer-driven, objectives. Anonymous and Wikileaks are different, though controversial, examples of privacy infringements for supporting online free speech public [11,31,36,37].

I further suggest that this recognition, which, in my view, also involves a redefinition of the political, is pivotal for the on-going process of the democratisation of public media through the application of new technologies. This suggestion is to ensure, neither a techno-communitarianism controlled by big technology monopolies, nor isolated forms of digital resistance caught in the modern dilemma of what are the limits of publicity [6,27,31,33].

In short, in this paper I have examined the longstanding problem of fake news in the broad context of the technologically mediated public sphere. This context has encompassed the traditional press outlets, but also big data media, which employ algorithmic processes for metadata extraction. Drawing from a range of research sources, but also upon critical literature on the topic, I have discussed the assumed controversial effects of fake news, when situated in this broad context, upon current political discourse. I have also stressed the significance of the application of commercially driven techniques and methods, which are facilitated by big data technologies, for influencing fragmented publics.

In view of the above, I have reframed the problem of surveillance and privacy in the technologically mediated public sphere with respect to big data media, for bringing forth specific aspects of the problem that may need attention, whilst opening up lines of inquiry leading to solutions. To close my discussion, I would like to refer to Habermas for further suggesting that, in view of the above, we need to rethink the principle itself of the public sphere, that is critical publicity, which does not erode notions of privacy, while it engages enfranchised and disenfranchised global populations in democratic processes [6].

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