Review of Epistemic Rights in the Era of Digital Disruption

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Abstract

This review essay summarizes and evaluates the merits of individual chapters in the collection entitled *Epistemic Rights in the Era of Digital Disruption,* a recent publication in Palgrave's International Association for Media and Communications Research series. The reviewer offers an overview of the current understanding of the concept of "epistemic rights", explains how the book portrays the disruptive context of recent digital transformation of the public sphere, and echoes the call articulated by the editors and authors in the collection to strengthen democracies by acknowledging citizens' epistemic rights as part of larger extension of human rights in the mediatized societies.

The Epistemic Turn?

On hearing the term "epistemic rights", many might react with aversion, thinking this is yet another fancy academic concept that scholars attempt to mainstream, while capitalizing on the anxiety related to digital disruptions that have been repeatedly flagged as impeding social justice and democracy. And yet, it takes only a moment to realize that the rapidly changing contexts and technologies shaping our access to information, communication and mediation indeed create "unlevel knowing field", to use Alison Bailey's (2020) metaphor. This is a situation where some types of knowledge and knowers become unduly privileged while others tend to be marginalized, excluded or even oppressed. Moreover, if such epistemic divides are perpetuated by non-human agents, current designs behind media technologies and affordances, or by systemic structural biases, perhaps it is time to consider the need for additional protections for epistemic rights of all citizens in a democracy.

Epistemic Rights in the Era of Digital Disruption offers an illuminating overview and deeper reflection on how to acknowledge and promote epistemic rights for the benefit of societies, the enhancement of democracy and human well-being. Throughout its fourteen chapters, the collection considers how public communication has been failing some citizens in the context of digital disruption from algorithmic biases and divides, increasing competence gaps between those who can afford quality education and those who cannot, as well as surreptitious data surveillance and media censorship. The authors repeatedly return to one core question: Should new human rights explicitly related to epistemic justice be proposed, debated, and recognized through (inter)national legislation?

In the words of Claudia Padovani, the author of the book's Foreword commissioned by Palgrave "Global Transformations in Media and Communication Research" series, and the scholar who endorsed the book, "[b]y engaging with both theoretical concerns and concrete experiences – of regulatory arrangements, social mobilizations, and resistance to knowledge hierarchies and economic hegemonies – it [the book] contributes to clarifying epistemic rights both as a concept and in relation to different actors' responsibilities in different locales, thus, making clear that the promotion of epistemic rights requires the commitment of many institutions, including but not limited to the media" (p. vi). Indeed, the book fills a gap in taking a practical orientation and an empirical step forward from what such philosophers of public sphere as Shoshanna Zuboff (2019) and Lani Watson (2021) have recently suggested regarding epistemic rights, especially with respect to algorithmic technologies, surveillance capitalism that exploits users' data, and unbridled misinformation that skews voters' rights at election times.

Foundations

Part I of the collection is aptly called "Foundations". In the introductory chapter "The Epistemic Turn", the editors of the volume sketch the broader contexts of the current epistemic crisis – a situation in which not all citizens in a democracy have access to information and knowledge that is required to exercise all their civil rights. The editors also characterize in a rather gruesome detail the current challenges to epistemic justice from both technological and societal angles. This overview also constitutes a good rationale for the book that elaborates on various legal, political, economic and competence-based obstacles to asserting epistemic rights for all. While some communication scholars (cf. Padovani & Calabrese, 2014), as well as well-known activists (Freedom House, 2022), have already petitioned for epistemic rights in their publications, the editors aim to bring those fragmented voices together in order to gather a critical mass to acknowledge an "epistemic turn" in communication studies.

In the other foundational chapter, "Why We Need Epistemic Rights", Hannu Nieminen defines epistemic rights for democratic systems, understood as the rule of the people, by the people, and for the people. Without epistemic rights, citizens are not guaranteed access to truthful information and equality in deliberation and decision-making. Without recognized epistemic rights, some social groups with lower levels of communication competence may not be even able to exercise their political and civil rights freely, as they could be subjected to external influence, manipulation and pressure. It can be easily noticed from the author's lucid reasoning that the implications of recognizing legal epistemic rights of citizens would mean that important social actors – the media, the education system, public authorities – are required to set higher standards for information verification, accessibility of deliberation arenas, or education programs towards citizenship. Sometimes guaranteeing epistemic rights might even mean curbing profit-motivated technological innovation, if it is confirmed to contravene the larger public good. To recognize epistemic rights, first UNESCO, and then some activist networks campaigning for digital protections within communication rights movements, have prepared a review of urgent needs and biggest risks to be addressed. Nieminen suggests it is important to act on them before the epistemic crisis sets in, and it is hard to disagree with that.

Concepts and Issues

Part II "Concepts and Issues" foregrounds frameworks and priorities regarding policies supporting media environments that are conducive to epistemic rights. Bart Cammaerts ("On the Need to Revalue Old Radical Imaginaries to Assert Epistemic Media and Communication Rights Today") persuasively contends with theoretical reasoning and historical examples how the growth of the internet invalidated previous liberal and socialist radical imaginaries that empowered democratic public interventions in the context of media and communication. For him, the current neoliberal hegemony of technocracy is not "kind" to people, equitable and just, or channeled to democratic decision making. However, before deploying and radical reforms, interventionism must first be reinvented or reimagined in order to garner more support for enabling epistemic rights in the current era of digital inequality, surveillance, and oligopolistic power. For Cammaerts, the four interrelated areas of much-needed public intervention are: "(1) de-monopolizing the ownership of media organizations as well as communication infrastructures; (2) democratizing the access to services, infrastructures, information, and knowledge; (3) revitalizing the production and regulation of media content; and (4) designing interventions specific to communication infrastructures" (p. 37). It is easy to dismiss some of his recommendations as centrally planned regulatory regimes, but such ideas have come only after observing that "the market self-regulating principle" has certainly not worked for all citizens.

On this very note, Philip M. Napoli ("Epistemic Rights, Information Inequalities, and Public Policy") expands on the notions of structural inequalities and epistemic divides, in order to provide a typology of information inequalities. These range from (racialized) disparities in media ownership and market participation to pervasive digital exclusion through lack of access to technology and cycles of education deprivation. A relatively new dimension of the problem is that of "journalism divides", whereby people from certain geographical

and ethnic contexts miss crucial citizenship-related information, with some areas deprived of local journalism becoming so-called "news deserts". This means that because certain communities receive less exposure to valuable and reliable information, they may become less skilled at self-governance. As is aptly observed by the author, however, the most recent epistemic divides are related to disinformation divides. For example, unequal moderation standards make some communities disproportionally vulnerable to disinformation. In addition, algorithmic bias and inaction in remedying e.g., racial profiling, hyper-sexualization, criminalization, or poor health advice propagated by algorithms makes certain citizens trapped in alienating echo chambers. By highlighting the current deficiencies and divides, the chapter provides useful concepts for policymaking that support individual and collective epistemic rights. Although derived from predominantly American contexts and data, such policy recommendations may inspire dialogue and reflection on improving public information policies in other unequally structured or multicultural societies.

Tarlach McGonagle ((Re-)casting Epistemic Rights as Human Rights: Conceptual Conundrums for the Council of Europe) looks at the democracy-enhancing values professed by intergovernmental European bodies and offers a detailed review of European Convention of Human Rights from the viewpoint of epistemic rights. By analyzing several verdicts of the European Court of Human Rights, the author provides a pathway to the relatively obscure and inaccessible topic on how the Court frames the need for plurality of opinions in the public spheres. According to the many examples collected in the chapter, the Court recommends transparency and accessibility of mediated material, endorses freedom of expression within the constraints of "public interest", as well as asserts duties

and responsibilities of public actors (in the media, education system and political positions) to be committed to factuality and rationality. In the conclusion, the author calls for more explicit verbalization of the epistemic dimension within the human rights framework. This could result in the strengthening of support for media and information literacy and citizen education as well as for programs aimed at broader citizen engagement. In light of such plights as election interference, pseudoscience and historical denialism, or war-mongering propagandas, the threat to epistemic norms "can be offset by renewed and re-invigorated normative commitment to factual, accurate, and reliable information and other safeguards of public debate" (p. 77–78).

In "Epistemic Rights and Digital Communications Policies: Collective Rights and Digital Citizenship", Terry Flew continues the critical inventory of the current dilemmas on protections for democratic debates. The author starts by outlining a prominent tension between the digital rights of the individuals and the advantages of enabling an epistemic commons. Apparently, while wielding an unprecedented power over information flows and social influence, big tech companies have not assumed the same responsibilities for protecting democratic epistemic rights from "technocratic populism" (p. 87). The author joins in the criticism of digital platforms setting up the scene for powerful narratives and policy recommendation that are primarily congruent with their interests and sometimes at odds with democratic values. In conclusion, Flew ardently argues for a return to the collective commons for epistemic rights and for an inclusive version of digital citizenship that backgrounds technocratic decision-making (populism and profiteering) and foregrounds citizen-oriented participatory politics.

In the last chapter of this part, Maria Michalis and Alessandro D'Arma ("Public

Service Media: From Epistemic Rights to Epistemic Justice") discuss one traditional vehicle for supporting epistemic rights, namely public service media (PSM). While on the decrease and even on the path to marginalization in the recent years, PSM organizations have had institutional mandates and civil prerogatives to support epistemic rights and promote epistemic justice. By positioning media users as citizens rather than as political activists or as consumers only, the authors claim that public service broadcasting may indeed be helpful today in reinvigorating open public debates, dismantling echo chambers and at least partially disentangling the webs of misinformation encountered on social media platforms. The chapter identifies the main conditions and governance implications for PSM organizations, if they are to take seriously their leadership position in championing epistemic justice.

National and Regional Cases

The next section of the book, "National and Regional Cases", is dedicated to a range of studies that highlight the specificity and complexity of epistemic rights in particular localized economic or legal contexts. While discussing specific social arrangements, the fundamental challenges to epistemic rights are often the same in most parts of the globe: "access, availability, participation and dialogicality, privacy, precarity, and veracity of knowledge" (p. 6).

Anita Gurumurthy ("Towards Feminist Futures in the Platform Economy: Four Stories from India") offers a powerful account of what the digital platform economy may mean in terms of (dis)advantaging women. The chapter uses primary data from female entrepreneurs and workers to illustrate the self-employment and self-management challenges with four stories from India. The adversary conditions of platformization are discussed in relation to

working for a maintenance company, Uber, and two Amazon-based platforms for commissioned tasks and handicraft selling. Fernando Oliveira Paulino and Luma Poletti Dutra in "Epistemic Rights and Right to Information in Brazil and Mexico" interrogate and compare the main approaches to fundamental epistemic rights, primarily the rights to political information, which are encoded in the information laws of Brazil and Mexico. Tendai Chari ("Digital Authoritarianism and Epistemic Rights in the Global South: Unpacking Internet Shutdowns in Zimbabwe") discusses not only the global structural arrangements underlying the capital-driven uses of the internet, but also those of national authoritarian power relations in African countries that hinder epistemic access via shutdowns and misinformation cover-ups.

Politicization is also discussed by Marius Dragomir and Minna Aslama Horowitz ("Epistemic Violators: Disinformation in Central and Eastern Europe"), who focus on how state and non-state actors become epistemic oppressors when allowed to capture legacy and online journalistic outlets. Media capture is characterized as the domination of the media sphere by political interest groups and influential businesses. They are vividly described as taking over journalism outlets for the purpose of turning them into propaganda channels and hijacking monitoring organizations to phase out alternative voices out of the market. The documented cases of such practices the authors selected to present come from Serbia, Slovenia, Hungary and Poland.

Meanwhile in the Nordic context, Reeta Pöyhtäri, Riku Neuvonen, Marko Ala-Fossi, Jockum Hildén, and Katja Lehtisaari ("Nordic Illusion and Challenges for Epistemic Rights in the Era of Digital Media") explore challenges for epistemic rights in the welfare-state Nordic countries, where the developments regarding freedom of speech and public debate seem

to have resulted in varying legislative and implementation outcomes. Recent increases in commercialization and competitiveness, as well as a lack of action in view of the growing hate speech content, all threaten citizens epistemic rights and wellbeing. Finally, Yik Chan Chin in "Right to Data Access in the Digital Era: The Case of China" examines the academic debate on access to digital data in the context of the Chinese state's policy that favors the rapid development of platform economy as a manifestation of social innovativeness. The study methodically scrutinizes selected policy documents and indicates the lack of consideration for epistemic rights in regulating access to digital data. The recent legislation on public data, personal data and enterprise data in China reflects an interesting interplay of globalization tendencies and national priorities.

Implication(s)

Part IV "Implication" offers the concluding chapter, where Lani Watson and the editors reflect on further theoretical and empirical research that would be required in the field of communication and media research, in order to truly influence the national and global policy agendas. "Ubiquitous Need for Epistemic Rights and the Way Forward" lists key points to be remembered about epistemic rights, and insists on ways they should be explicitly reflected as human rights and through revamped communications policies.

   The collection ends on a somber, but optimistic note: epistemic rights should be an urgent academic and practical concern, mainly because of the ongoing unregulated digitalization of information, communication and mediation that could undermine critical epistemic institutions in a democracy – the public media, the education system and other public services. To add illustration to the argument, the collection's valuable documentary Part III "National and Regional Cases" is

revisited through summaries and commentary that is aimed to tangibly impress on readers how some epistemic violations can be used as lessons to be learnt. While most media users may still enjoy a sense of freedom amidst the enormous flow of content and the infinite choice of channels of information, more attention is needed to see how this flow is controlled and how the exposure and overstimulation impacts us. Epistemic justice and equity, epistemic commons that go beyond individual rights, strengthened data protections and controls imposed on social media platforms to operate with public good in mind may be, after all, the extensions of human rights and citizen rights suited to the digital era. 👁

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