

Limits of Media Freedom: The Epistemic Case

(Work in Progress)

Kai Spiekermann

29 November 2018

Bergen

Contents

I. An Epistemic Model of Democracy

II. Three Forms of Epistemically Harmful Media Influence

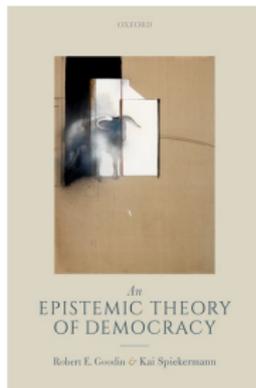
III. A Qualified Case for Regulation

IV. Outlook

Part I.

An Epistemic Model of Democracy

- The Classical Jury Theorem
- The Problem of Common Causes
- The New Jury Theorem



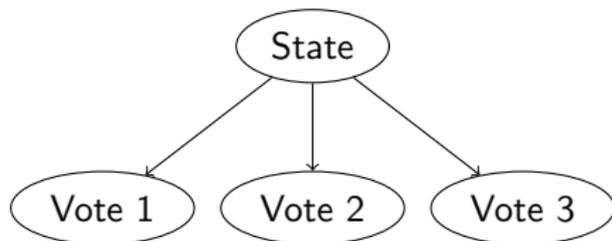
The Classical Jury Theorem

The CJT rests on two central premises — stated informally:

Competence. Each voter is more likely to vote for the correct than the incorrect alternative

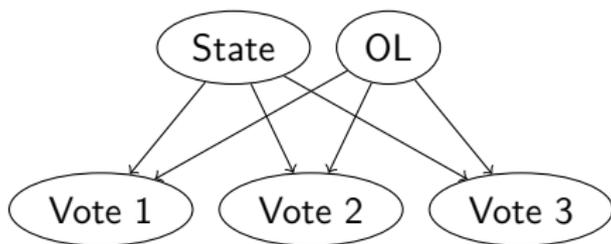
Independence. The voters vote independently from one another, conditional on the state of the world

Condorcet Jury Theorem. Suppose Independence and Competence. As the group size increases, the probability that a majority votes correctly (i) increases, and (ii) converges to one.



The Problem of Common Causes

- Same evidence
- Same opinion leader
- Same cues
- Same ideology
- etc.



The New Jury Theorem (Informally)

- The best a voter can do is to react in the best possible way to the **decision situation** as it presents itself
- Call a voter who always does this successfully the **best responder**
- A weaker form of competence: voters tend to track the best responder

The Best Responder Corollary. If the votes are independent conditional on the situation and the voters are best-responder trackers, then the probability of a majority vote being correct converges to ω , the probability that the decision situation is truth-conducive, as the group size increases.

Dietrich, F., & Spiekermann, K. (2013). Epistemic Democracy with Defensible Premises. *Economics and Philosophy*, 29(1), 87–120.

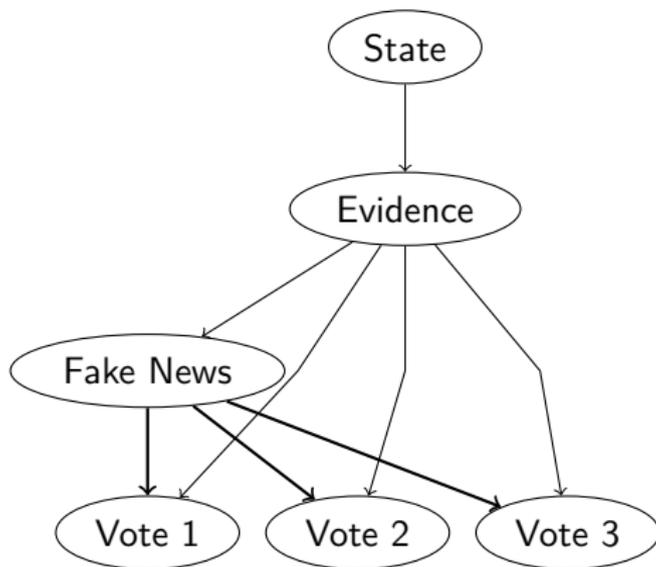
Goodin, Robert E. & Spiekermann, K. (2018). *An Epistemic Theory of Democracy*. Oxford: OUP

Part II.

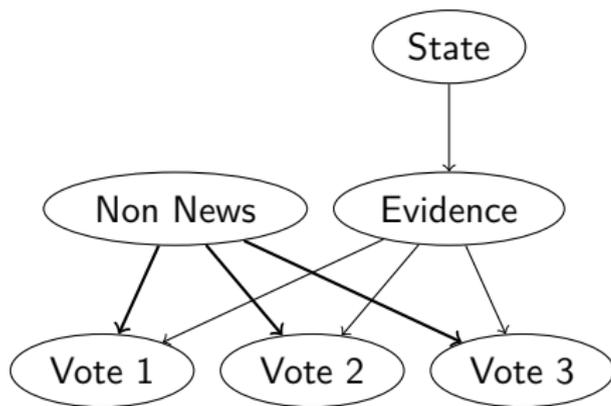
Three Forms of Epistemically Harmful Media Influence

- Fake News
- Nonsense (Non-Evidential) News
- Creating or Supporting Echo Chambers and Filter Bubbles

Fake News As Misleading Common Causes

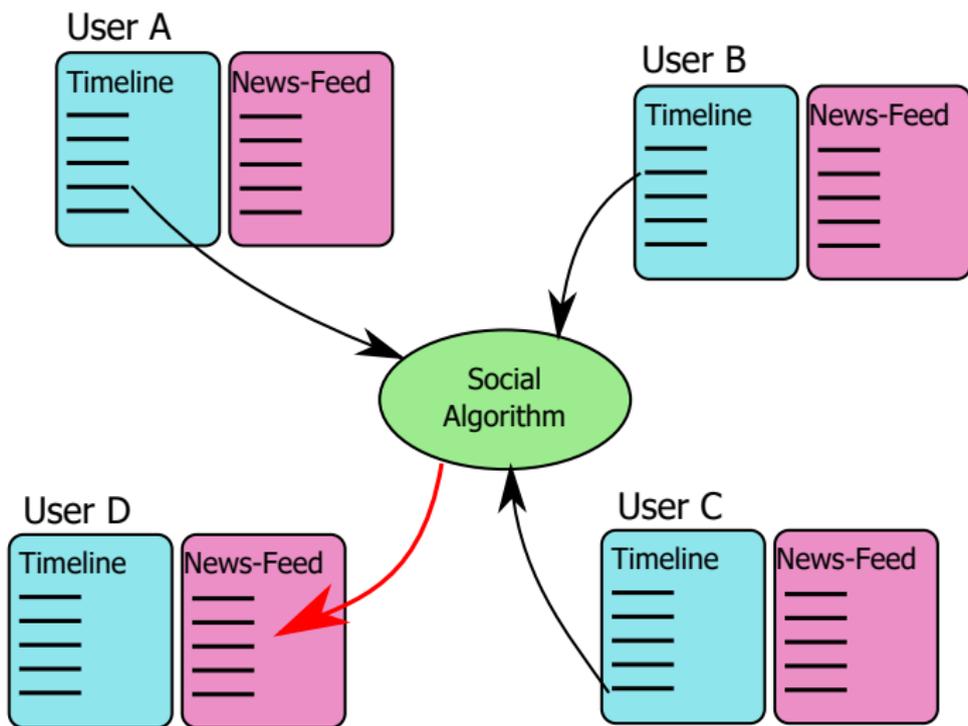


Nonevidential News As Non-Evidential Common Causes



- Non-evidential news is not influenced at all by the state of the world
- Nothing to learn from it
- At best this creates random noise; at worst it renders democratic decision random

Creating or Supporting Echo Chambers and Filter Bubbles



Creating or Supporting Echo Chambers and Filter Bubbles (ctd.)

- Echo Chambers and filter bubbles arise because the **communication network changes**
- We move away from a structure of stable local opinion leaders and a limited number of national leaders, we move towards the **social algorithm**

... one important [question] is how this curation affects Facebook as a deliberative sphere regarding public issues. Habermas wrote of the role of the Parisian salons in the 19th century in offering a public space for such deliberations. The salons enabled intense conversation, with leakage across conversations creating a broader, systemic discussion. (Lazer 2015)

Lazer, D. (2015). The rise of the social algorithm. *Science*, 348(6239).

Epistemic Implications

1. The aggregation of information within chambers/bubbles is uninformative because the decision situation is not truth-conducive
 - a) Cascades
 - b) Common knowledge reinforcement effects
 - c) Motivated reasoning
 - d) Fewer opportunities for deliberation, premise-probing
 - e) A gradual loss of epistemic skills, especially to respond critically to different viewpoints
2. The aggregation across networks will only be meaningful if the size of the chambers/bubbles is not distorted
3. The “marketplace of ideas” becomes dysfunctional

Part III.

A Qualified Case for Regulation

- Against Content-Dependent Regulation
- Arguments for Regulation and Some Objections
- Social Structures Shaped by Algorithms
- Social Structures Shaped by Homophily only

Freedom of Speech: Against Content-Dependent Restrictions

- There may be **some plausible non-epistemic grounds** for restricting freedoms to express and publish opinions
 - hate speech
 - inciting criminal or immoral acts
- **Restrictions based on purely epistemic grounds** would have to restrict expression that is not truth-conducive
 - Difficult to know in advance
 - Difficult to legitimize judges of this
 - The right to form, express and distribute opinions also applies to incorrect opinions

This rules out specific regulatory interventions against fake news, non-news, false cues and framings

Possible Regulation Against Ideological Domination, Echo Chambers, Filter Bubbles

Force social media platforms to . . .

1. **warn users** when social algorithm is employed (or when the network promotes self-assortation)
2. provide **“opposing viewpoint button”** (Fowler 2016)
3. provide **“serendipity button”** to reveal more diverse news-stream (Sunstein 2017)
4. enhance news-stream with **redacted news** or news from trusted sources
5. clearly **label news items**, showing why they are displayed
6. employ a **quality and/or diversity ranking system**, potentially driven by user aggregation

Sunstein, C. (2017). *#Republic: Divided Democracy in the Age of Social Media*. Princeton, NJ: Princeton University Press

Fowler (2016) in WSJ,

<https://www.wsj.com/articles/what-if-facebook-gave-us-an-opposing-viewpoints-button-1463573101>

Objection: Freedom of Speech and Freedom of the Press

- A regulation of who sees which opinions does not interfere with free speech at all
- Freedom of the Press (or media) protects against **censorship** (both external and internal); not immediately affected by proposed regulations
- The main argument for **media freedom** is instrumental: we value it because it promotes public debate with multiple diverse voices in order to make better decisions
- If so, we cannot appeal to it to protect actions that reduce the quality of public decision making

Other Objections Also Look Weak

- **Freedom of Association** would protect conscious choices to (not) associate with others for joint activities; it does not protect a third party connecting others often without their consent
- **Property Rights** do protect the property of private platforms, but Sunstein (2017) points out that media providers are regulated on the basis that they received free bandwidth
- **Paternalism**: Undisclosed social algorithms are more paternalistic than transparent public regulation

Good Reasons to Regulate: Domination and Epistemic Performance

Network Shaping Power as Domination

- The potential influence is enormous due to number of users, time spent on social media, and use of covert mechanisms
- Social media platforms partly control a core venue of democratic deliberation: the forum (or the marketplace of ideas)
- Large social media platforms could decide elections if they choose to do so

Epistemic Quality

- Setting the rules for the forum is a matter for public decision for epistemic-instrumental reasons
- The good promoted is social and the production relies on social properties (independence, diversity)
- The current way of organizing social media interaction is likely epistemically suboptimal

Homophily as Driver

- A complication: **not all echo chambers are the result of social algorithms**
- Even without a social algorithm, homophily effects tend to lead to clusters of like-minded people if it is easy to self-assort
- Here the freedom to associate has more bite
- However, the freedom to associate must be weighed against instrumental reasons for protecting the epistemic performance of the public sphere
- A caveat: self-assortation and social algorithms often interact to give rise to emergent phenomena

Part IV.

Outlook

Some Other Issues I Work On

- How to Regulate the Global Information Commons (Who “owns” and gets to use data)
- What is the public sphere? How is it changed in a “networked society”? Do we need to do anything about this, and why?
- The social epistemology of democracy – and what might be going wrong. . .