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# Epistemic Rights in the Era of Digital Disruption

*Edited by*

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# Public Service Media: From Epistemic Rights to Epistemic Justice

*Maria Michalis and Alessandro D'Arma*

## INTRODUCTION

Misinformation, online hate speech, mishandling of personal data, and other societal problems associated with the rise of digital communications and social media have led in recent years to growing concerns over threats to epistemic rights and the very foundations of democratic societies. These social harms stem, either directly or indirectly, from the operations of commercially run, for-profit internet companies that have grown massively in the last two decades accumulating unprecedented communication and economic power.

It is against this backdrop that we are witnessing a 'turn to regulation in digital communication' (Flew & Wilding, 2021, p. 48) and a plethora of policy initiatives in many nations around the world aiming to curb the power of the largest digital platforms and offer regulatory remedies to the

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social harms they have created and amplified. Alongside these regulatory initiatives, there has also been a re-assertion of the continuing need for robust and adequately funded Public Service Media (PSM), a major institutional form of policy intervention in broadcasting and media markets.

This chapter considers the role of PSM in safeguarding epistemic rights and promoting epistemic justice. As publicly funded, not-for-profit organisations institutionally mandated to provide all members of society access on equal terms to trustworthy information and knowledge, PSM are normatively configured to counter the social harms that have emerged in today's platform-dominated communication environment and to harness new communication technologies to promote socially beneficial outcomes. In their actual practice, of course, PSM organisations only imperfectly adhere to their normative ideal. At worst, in countries where they are captured by political and economic interests, PSM are part of the problem rather than part of the solution (Dragomir & Aslama Horowitz, 2021). And yet, the starting point of this chapter is that PSM—both as a philosophy and in its practical realisation, however imperfectly, in countries where PSM organisations are to some degree insulated from political pressures—are an essential element of today's digital media environment that needs preserving and strengthening in order that a healthy informational space flourishes.

In this chapter, then, we consider the role that PSM are ideally called to play in supporting epistemic rights *and* epistemic justice, as well as the actual conditions required for PSM to be able to fulfil this role. We consider PSM's normative role from an epistemic rights perspective following on the footsteps of an earlier assessment of PSM performance from the related but narrower angle of communication rights (Aslama Horowitz & Nieminen, 2016). After a review of the traditional concept of PSM, its values, and principles, we focus on the role that PSM (needs to) play to support epistemic rights in today's digital media ecology. We then discuss the implications for PSM governance, if PSM are to fulfil this role. The chapter ends with a summary of the main points.

### WHAT ARE PSM FOR?

What we refer to now increasingly as Public Service Media (PSM) has a long history and builds on the concept of public service *broadcasting* (PSB). PSB is often associated with, and talked about, in terms of the specific institutions entrusted with its delivery, such as the BBC in Britain,

RAI in Italy, the ABC in Australia, and so on. In its institutional embodiment, PSB has been predominantly a national project, even though nationally based PSM organisations share a common philosophy and many of the challenges they face nowadays originate from technological and market forces whose repercussions are felt globally.

The origins of PSB go back to the 1920s. PSB's birth was in response to the broader conditions of that time: the time when radio broadcasting started. The three-word declaration attributed to John Reith, the first Director General of the BBC, that the aim of PSB is to 'teach, inform, and entertain' and, typically speaking, in this sequence, captures the prevalent conception of PSB. It was actually the pioneer of American radio and television, David Sarnoff, who in 1922 first came up with the Inform, Educate, and Entertain triptych to describe the core elements of broadcasting, but he used them in the exact opposite order. For Sarnoff (commercial) broadcasting was about 'entertainment, information, and education, with the emphasis on the first feature—entertainment' (Sarnoff, 1968, p. 41). Conversely, for Reith, the BBC's responsibility was to prioritise education and information over entertainment (Briggs, 1995), thus delineating the core difference in the priorities of commercial and public service broadcasting. Burton Paulu's observation is pertinent here: '[I]n Europe, broadcasting [has been] regarded as public service whereas in the USA it has been an industry' (1967, p. 238).

Of course, PSB performs best when it combines all three functions—education, information, and entertainment—at once. It is remarkable that this triptych is still at the centre of the PSB definition in 2020, a century on since its initial formulation. For instance, for the regulator Ofcom, PSBs in Britain 'must deliver high quality UK content, which *informs, educates and entertains*, as well as reflecting the wide ranging culture of the UK' (Ofcom, 2020, para. 2.1, emphasis added). Similarly, in its Recommendation 1641 (2004), the Parliamentary Assembly of the Council of Europe describes the PSB remit as providing 'the whole of society with information, culture, education and entertainment' in order to enhance social, political, and cultural citizenship (Council of Europe, 2004). Although PSB has taken diverse institutional forms in different national contexts, there is striking similarity in how the remit of PSB organisations is formulated.

In its early days, the idea of PSB was also linked to the broader acceptance of public service utilities in the aftermath of World War I and, more broadly, the acceptance of a more interventionist role for national

governments, which World War II strengthened further (Curran & Seaton, 2018, p. 199). PSB was a core part of the economic, political, social, and cultural rebuilding of liberal democracies in Western Europe in particular, a central feature of the post-war Keynesian welfare order, where the state assumed a direct role in the production and supply of goods and services (Michalis, 2007, p. 58).

Since these early days, the world and societies have changed, and with them PSBs have evolved. Yet, the ultimate aim of PSB has not changed over the years. PSB stands for citizenship—in the sociological sense that includes legally defined citizens but also residents in a country—for better-informed and tolerant societies (e.g., Born, 2018; Donders, 2021; Murdock, 2005). In short, PSB stands for democracy.

PSB then has been bestowed a profoundly democratic mission. For UNESCO

[public service broadcasting] speaks to everyone as a citizen. Public broadcasters encourage access to and participation in public life. They develop knowledge, broaden horizons and enable people to better understand themselves by better understanding the world and others. Public broadcasting is defined as a meeting place where all citizens are welcome and considered equals. It is an information and education tool, accessible to all and meant for all, whatever their social or economic status. (Banerjee & Seneviratne, 2005, p. 4)

Challenges to PSM are not new, but in recent years new challenges have been gathering pace: the ascendancy of neoliberalism since the 1980s has weakened public services and epistemic organisations, including PSM; trust in public institutions and authorities is in decline; for-profit social media platforms threaten epistemic rights (not least through the commercial exploitation of data) and often facilitate the spread of mis- and disinformation by amplifying it and making it credible. Epistemic rights in this volume are understood as a necessary, though not sufficient, prerequisite of democracy, in the sense that they enable but cannot guarantee active citizenship. As discussed further in the next section, PSM have a crucial role to play in upholding epistemic rights and democracy, and, we argue, in promoting epistemic justice.

## PSM: FROM EPISTEMIC RIGHTS TO EPISTEMIC JUSTICE

In this section, we outline four conditions that will enable PSM to support epistemic rights, broadly understood, following Watson (2021), as the right to know. In doing so, we introduce Fricker's (2007) concept of epistemic justice as key to understanding the role of PSM in today's digital media ecosystem. We argue that by promoting epistemic justice—that is, by challenging existing hierarchies of knowledge, by giving voice to vulnerable and under- or misrepresented communities—PSM can help to remedy many of the injustices that the seemingly plural media environment still exhibits and often amplifies. We now turn to discuss the four conditions.

*First*, the role of PSM has always been fundamental in enabling the function of liberal democracies. This role is not outdated in the age of digital and social media. On the contrary, at a time when the popularity of for-profit commercial digital communication and social media platforms has been increasing and is associated with the rise of mis- and disinformation, hate speech, the misuse of personal data, and other societal problems, the relevance and significance of PSM increases. Yet, the challenges that make PSM imperative are the same that challenge PSM.

The existence of PSM requires strong political commitment. This political commitment has been weakening, even in Western liberal democracies, the traditional stronghold of PSM (see Połońska-Kimunguyi & Beckett, 2019). In recent years, right-wing populist parties have gained ground in several European countries (and beyond). They have been vocally critical of PSM, accusing them of left-wing political bias and of constituting improper use of taxpayers' money (Sehl et al., 2022; Holtz-Bacha, 2021). It is imperative that civil society, academia, and international organisations—like the Council of Europe and UNESCO—renew calls for the protection of epistemic rights in advocacy and policy, and (continue to) make the case for PSM strong.

*Second*, PSM need to modernise and evolve with times. Modernisation and evolution in this context refer to new transmission means, platforms, and content. Such efforts, for instance, have seen PSM use social media platforms to reach younger audiences (see, e.g., Lowe & Maijanen, 2019; Stollfuß, 2019). The interactive affordances of digital technologies can be leveraged by PSM to promote user participation, co-creation, and foster meaningful dialogue (see, e.g., Enli, 2008; Moe, 2008; Ramsey, 2013; Debrett, 2014; Vanhaeght, 2019). PSM can also use new technologies to



better connect with different segments of the public through personalisation (Van den Bulck & Moe, 2018; Hildén, 2021). At the same time, these efforts require substantial financial investment, hence the need for PSM to be adequately funded and supported (see below). PSM also need to ensure that their encounters with digital platforms are not in tension with their public service mandate. PSM's digital strategies should first and foremost be guided by normative considerations, as discussed above.

*Third*, PSM are there not simply to support epistemic rights but also, importantly, to promote epistemic *justice*. This role relates to diversity and plurality of content. Although this has been a traditional aim of PSM, empirical studies have shown that PSM have often found it challenging to represent all sections of the societies they are called upon to serve, with some (ethnic, religious, regional, linguistic, etc.) communities being under- or misrepresented. Especially in the early days of PSB, paternalistic tendencies alongside portraying a single national identity of an imagined community (Anderson, 1983) contributed to insufficiently plural content.

The point here is that PSM, as one prominent epistemic institution, need to support epistemic rights in the sense of conveying truthful information and advancing knowledge around all aspects of life in a given society and indeed the world (e.g., political, economic, societal, environmental) for the benefit of all (see Hannu Nieminen's chapter in this volume; Watson, 2018). Truthful information provides the foundation of knowledge. 'Truthful' refers to 'factual evidence and reasoned analysis' and is juxtaposed against post-truth, an emerging epistemic regime on the ascendancy since 2016 that prioritises emotional response (Dahlgren, 2018, p. 25). PSM supporting epistemic rights goes at the heart of what PSM stand for, as explained above: PSM are a crucial prerequisite for active citizenship; they aim to inform and engage society, help create a public space for debates, and ultimately decisions on, shared issues; they nurture a sense of common purpose and build understanding across segments of society and the wider world (Michalis, 2024). The BBC's public purposes as laid out in its Charter aptly capture the role of PSM in support of epistemic rights: 'to reflect, represent and serve the diverse communities of all of [the country's] nations and regions; [...] to provide impartial news and information to help understand and engage with the world around them.'<sup>1</sup>

<sup>1</sup>This is not a complete list of the BBC's public purposes. Two out of five are singled out as representing best the link between PSM and epistemic rights as discussed here. See: <https://www.bbc.com/aboutthebbc/governance/mission>.

Alongside the role of PSM and epistemic rights, however, we need to consider the concept of epistemic (in)justice. Miranda Fricker (2007) explains that epistemic injustice is a distinct type of injustice that relates to knowledge. She recognises the link between structural injustices and distributive unfairness in relation to information, education, and other epistemic goods. At issue here is whether everyone is getting a fair share of a good. This type of injustice is often referred to as epistemic inequality. Hannu Nieminen explains in his chapter in this volume that epistemic equality, a fundamental premise of democracy, presupposes equal access to knowledge and information to ensure informed will formation, but in practice we have epistemic inequality as the gap in information and knowledge between the elites and the majority of the population is deepening. This has resulted, Nieminen contends, in two regimes of knowledge and truth, one that is controlled by the elites and one—variously characterised as mis/disinformation, fake news, or alternative truths—that is owned by the disenfranchised members of society. As put by former head of BBC Television News Roger Mosey, ‘[T]he fight for truth is difficult enough in liberal democracies, but it is tougher still when states intervene to wilfully distort the facts and to censor news they find inconvenient’ (Mosey, 2022, p. 2).

Important though such epistemic inequality is, Fricker uses the concept ‘epistemic injustice’ to address deeper injustices embedded in systems of knowledge. She distinguishes two forms of distinctively epistemic injustices: testimonial injustice and hermeneutical injustice. For Fricker (2007, p. 1), testimonial injustice ‘occurs when prejudice causes a hearer to give deflated level of credibility to a speaker’s word’; hermeneutical injustice ‘occurs at a prior stage, when a gap in collective interpretive resources puts someone at an unfair disadvantage when it comes to making sense of their social experiences’. In other words, testimonial injustice ‘is caused by prejudice in the economy of credibility; and [...] hermeneutical injustice is caused by structural prejudice in the economy of collective hermeneutical resources’ (Fricker, 2007, p. 1). An example of the former is when the views of a person are discredited or scorned just on the basis of their ethnicity or gender. An example of the latter ‘might be when you suffer sexual harassment in a culture that lacks that critical concept’ (Fricker, 2007, p. 1).

Fricker’s epistemic justice goes beyond distributive justice; it aims to challenge existing knowledge mechanisms and associated power relations. Epistemic justice resembles one of the discourses of digital rights that Karppinen and Puukko (2020) identify: rights as a vehicle of ‘information

justice'. We can also link it to Walter Mignolo's 'epistemic disobedience' calling for the decolonialisation of knowledge as a necessary step 'for imagining and building democratic, just, and nonimperial/colonial societies' (Mignolo, 2009).

The concept of epistemic justice is useful to our discussion. It calls upon PSM to strive to act accordingly, representing often marginalised and vulnerable communities, rather than presenting and strengthening mainstream (hegemonic) interpretations. This is not to challenge the fundamental premise that information should be accurate, evidence-based, fair, trustworthy, and impartial. Epistemic justice, as discussed here, aims to increase representation and plurality of content, facilitate debate, and enhance understanding across communities. It is about giving 'voice' (Couldry, 2010) to more people and making media (news) content more relevant, more relatable, and thus more valuable. Epistemic justice encourages the reinvigoration of traditional PSB and at the same time invites new PSM initiatives to contribute to plurality of content.

Finally, *fourth*, PSM can support epistemic rights by working together with educational and cultural epistemic institutions, like schools and universities, theatres, museums, and libraries. An example here comes from the BBC which partners with a variety of other epistemic organisations to enhance its offer and deliver public service content, such as the Royal Shakespeare Company and the Science Museum (BBC, 2021, p. 22). This is what Murdock calls a digital commons, 'a linked space defined by its shared refusal of commercial enclosure and its commitment to free and universal access, reciprocity, and collaborative activity' (Murdock, 2005, p. 227). In Murdock's vision, PSM would act as the 'principal node' in a new network of public and civil institutions. Similarly, Nieminen uses the term 'epistemic commons' to refer to 'areas of shared knowledge and information that are open to all [...] the reservoir of our shared social imaginaries' (Nieminen, 2014, p. 56).

The four main ways, just discussed, in which PSM can promote epistemic rights and advance epistemic justice presuppose an enabling governance framework. The European Broadcasting Union (EBU, 2015, p. 3) defines good governance based on four principles: independence, that is, PSM have first and foremost to be able to function free from direct political and commercial interference; accountability to supervisory bodies but also the public they serve; transparency and responsiveness; and sustainability, in that PSM should be allowed to, and be capable of adapting to, serve the evolving needs of society (for a discussion see Michalis, 2024).

An issue that is crucial to good governance as just explained is the funding of PSM. Many PSM organisations have experienced real reductions in their funding in recent years (see Schweizer & Puppis, 2018; Puppis et al., 2020). In addition, various countries in Europe have decided to replace the traditional licence fee mechanism with other mechanisms.<sup>2</sup> Finland has introduced the so-called YLE tax; Germany a household levy; whereas Norway, Denmark, and Romania have moved to direct funding from the state budget. Especially in Romania, a country with a weak tradition of democracy, but also in Denmark the move to state budget has been perceived as an attempt to undermine the independence of PSM and their ability to hold political and economic power to account (Barnley & Hartmann, 2022, p. 3). In short, the crucial role that PSM can, and need to, play to promote epistemic rights and combat epistemic injustices presupposes a supportive and enabling governance framework.

## CONCLUSION

PSM is a philosophy. Its core mission is to enable substantive citizenship on the basis of epistemic rights (the right to know), and ultimately support the democratic functioning of societies. We proposed four main conditions for this and we introduced Fricker's concept of epistemic justice as key to understanding the role of PSM. The first condition is that PSM are premised upon strong political commitment. At a time when this political commitment is dwindling, it is imperative that civil society, academia, and international organisations renew efforts and calls for the protection of epistemic rights in advocacy and policy, and (continue to) make the case for PSM strong. PSM pretty much everywhere are on the defensive, seen as part of the problem. The opposite is true. PSM are a key part of the solution to the threats to epistemic rights and the foundations of democratic societies. Second, we argued that PSM need to evolve with the times and be allowed to use new transmission means, build new platforms, and come up with new content types and formats. PSM need to operate in a legal framework that permits this and they also need to have the necessary resources to do so. Third, we argued that PSM have to move beyond supporting epistemic rights, as they have traditionally been bestowed, and

<sup>2</sup>For an overview of different PSM funding models, the website of the Public Media Alliance (PMA) offers a useful resource: <https://www.publicmediaalliance.org/resources/psm-funding-models/>

contribute to epistemic justice, by challenging the existing power structures of knowledge. Promoting epistemic justice means truly representing all segments of society, including groups of society at the margins, whilst respecting accuracy, evidence, and fairness. This move towards epistemic justice will increase the accountability of PSM to the public at large and strengthen their legitimacy. Finally, fourth, PSM need to work together with other educational and cultural epistemic institutions towards the creation of a digital or epistemic commons, combating the commercialisation and privatisation of communitive spaces and knowledge, and striving to make information and knowledge accessible to all.

In terms of governance, PSM need to be explicitly regulated to support epistemic rights and promote epistemic justice. For PSM to act as trustworthy sources of information, support epistemic rights, and promote epistemic justice, PSM have first and foremost to be able to function free from direct political and commercial pressure, be accountable to supervisory bodies and the public at large, be transparent and responsive, and be sustainable legally as well as financially so that they can evolve and survive. PSM, as a fundamental epistemic institution, are critical to enabling citizenship and supporting democracy, and can help remedy many of the injustices that today's seemingly plural media environment exhibits and often amplifies.

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