



Conclusion: Ubiquitous Need for Epistemic Rights and the Way Forward

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FUNDAMENTAL ISSUES

Equal rights to trustworthy information and knowledge are basic to democracy theories and critical media analyses but also many communications policies. Still, while the era of digital disruption has brought us all access to a potentially limitless flow of content, it has simultaneously

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brought questions concerning the nature, promotion, and protection of epistemic rights to the fore. We need to justify these rights, point to the responsibilities of the key institutions that can support the realisation of these rights, and reconsider the societal role of the media in light of these rights.

Why Epistemic Rights Now?

We have always had the concept of epistemic rights—rights to epistemic goods such as knowledge and information—and in some sense, this concept has always been available and operating. Today, we need this concept to protect against a range of harms caused by the digital era.

All through history and in all corners of the world, people have attempted and often succeeded in controlling the flow of information and knowledge, in other words, the flow of epistemic goods. This has been done to influence what other people believe and how they act based on those beliefs. Still, we need epistemic rights now, arguably more than ever, because we live in a world that is increasingly dominated by the fast-paced flow of enormous amounts of information. The scale of that flow, the global connectivity of the information channels, and the nature of the channels themselves would have been unimaginable to most people 100 or even 50 years ago. As before, there are undoubtedly still people and organisations, such as global platforms and governments, who are

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attempting to and succeeding in controlling the flow of information and epistemic goods in their quest for political or economic power. But today, due to digitalisation, that control is more powerful and many-sided than ever.

This book, in its limited way, is intended to showcase the extent of the mediatisation of our societies and its impact on our access to and use of knowledge. In addition to epistemic rights, the chapters address related concepts such as epistemic commons, epistemic dimensions, equality and inequality, epistemic institutions, epistemic justice and values, and epistemic violators. Despite differences in focus and approach (conceptual or empirical), the authors share concerns regarding the possibility of an epistemic crisis of democracy (e.g., Dahlgren, 2018) by addressing the various ways in which our epistemic rights are challenged today.

The book also embraces the idea of the plurality and expansion of rights. Several authors in this volume—for example, Hannu Nieminen in his chapter ‘Why We Need Epistemic Rights’, or Tarlach McGonagle when discussing ‘(Re-)casting Epistemic Rights as Human Rights: Conceptual Conundrums for the Council of Europe’—speak to the notion of epistemic rights as an extension or a broadening of other rights—communication rights and digital rights in particular.

There is a place for all these concepts and rights. The notion of epistemic rights is significant in its plurality because it offers a broad conceptual territory in which to locate types of rights and their histories and identify connections and intersections between them to tackle the highly complex information-centric challenges we currently face. Today, the call for epistemic rights is about the recognition that we need to establish a clear legal and moral basis on which to prevent an array of harms.

The book also underscores the role of policy in support of epistemic rights and various so-called policy-making vacuums (e.g., Freedman, 2008) in the era of digital disruption, whether internet shutdowns, addressed in Tendai Chari’s chapter on ‘Digital Authoritarianism and Epistemic Rights in the Global South: Unpacking Internet Shutdowns in Zimbabwe’, or journalistic organisations that are posing as legitimate but providing disinformation, as documented by Marius Dragomir and Minna Aslama Horowitz in the chapter ‘Epistemic Violators: Disinformation in Central and Eastern Europe’, or whether the question is about the access or use of our data, as discussed by Yik Chan Chin in her chapter ‘Right to Data Access in the Digital Era: The Case of China’.

Epistemic rights are an urgent issue right now for two main reasons. First, many, if not most, of our critical epistemic institutions are today in danger of being undermined. These include public education, public media, many cultural institutions, and even many public services that have epistemic dimensions, including public healthcare and many other social services. Second, digitalisation has opened wholly new opportunities to extend people's epistemic rights, increasing equal access to and the availability of relevant knowledge and information. The downside, however, is that our societies have not yet found democratic means to deal with all the challenges brought by digitalisation, such as how to effectively regulate social media platforms, how to protect the privacy of users of digital services, and how to deal with ethical dilemmas posed by artificial intelligence.

Key Institutions

If we want to make sure that the notion and the language of epistemic rights gain recognition within academic discourse and that claim rights are realisable, implementable, and effective, it is essential to recognise the central institutions that are supported to—or in the language used by Lani Watson (2021), have duties to—promote, enforce, and protect epistemic rights.

There is a wide range of institutions—we might also call them stakeholders or actors—that play an essential role in advocating, promoting, and safeguarding epistemic rights. Some of these institutions operate transnationally, others within national systems and jurisdictions. For the realisation of epistemic rights, we must be able to specify the role and relations between the major institutions in the present historical epistemic constellation. Although the media at large are obviously a key player, they are not the only and perhaps not even the most essential epistemic institution.

The media, in their different forms, constitute a central epistemic institution. However, the role of the media is traditionally to offer us daily updates on the state of the world and to connect us to our everyday epistemic environment. In this way, the media form the surface level of our epistemic environment. Its more profound and more stable structures are the product, foremost, of our education, both family and school education, but also of all other public institutions, not only cultural in a narrow sense—libraries, museums, theatres—but together with the political system, judicial institutions, public administration, and all kinds of public

services. Obviously, we must add here other institutions that operate in the public domain, including private (commercial/economic) and semi-private (civil society) institutions fulfilling public functions. All these can be said to possess epistemic dimensions.

From the perspective of this book, one of the advantages of looking at contemporary media policy issues through the lens of epistemic rights is arguably that it equips us to better understand the role of the media in connection with other institutions. On the one hand, it enables us to see how the media sometimes work to reinforce epistemic inequalities that are generated within other institutions or how existing media policies fail to address those inequalities in society as they play out in the media. In a more forward-looking manner, an epistemic rights approach to media policy also enables us to envisage ways the media can work with other epistemic institutions to promote epistemic rights.

The Role of the Media

Although more often framed through the prism of communication rights and freedoms, the role of the media in providing a central forum for the provision of epistemic goods has long been recognised. As discussed in several chapters in this book, in thinking about the role of the media as an epistemic institution, it is valid, first, to identify its various forms or components, each of which arguably has a distinct position with respect to epistemic rights. It is also helpful to adopt a dual perspective. The first perspective considers the media as a positive force—and an enabler of epistemic rights; the second one, by contrast, considers ways in which the media, in their structure and behaviour, fall short of societal expectations and are culpable of exacerbating epistemic inequalities.

There is, of course, great variety within what we call the media—so much so that talking or thinking of media at large as a single institution is less than helpful, all the more so in today's highly diverse digital media environment. At the most basic level, it is helpful to distinguish between mainstream media—what were once known as mass media and nowadays are more often described as legacy media—and digital media. The former include newspapers and other print media, radio, and television. The latter, whose societal influence has grown exponentially in the last 15 years, comprise a realm that is currently dominated by large for-profit social media and other digital platforms.

These two components of our media system have very different histories and professional and cultural norms. They arguably differ even in their primary communication functions (dialogical versus dissemination). Perhaps most importantly, from an epistemic rights perspective is the differential level of regulatory oversight. While legacy mass media, even privately owned and commercially run media operations, are bound to sector-specific regulations as set out within each national jurisdiction, digital platforms, as discussed by Terry Flew in his chapter ‘Epistemic Rights and Digital Communications Policies: Collective Rights and Digital Citizenship’, have historically operated in a regulatory vacuum, and efforts in recent years to introduce statutory rules to counter the social harms they have created (disinformation, online hate speech, etc.) are proving an uphill battle for a variety of reasons, both political/ideological and having to do with technological attributes of the internet.

At the same time, the category of mainstream media includes different kinds of outlets, and their interest in and capacity to promote epistemic rights can differ significantly. A case in point is public service broadcasting and its digital-era reiteration, public service media. Not bound solely by commercial imperatives, their traditional mandate has been, and continues to be, the promotion of access, citizenship, democracy, diversity, societal inclusion, and participation. As Maria Michalis and Alessandro D’Arma powerfully argue in their chapter ‘Public Service Media: From Epistemic Rights to Epistemic Justice’, these organisations are currently central to securing rights. Even so, they need to go beyond and become advocates of epistemic justice by challenging existing power structures of knowledge and collaborating with other actors to envision a more just epistemic commons for all.

Currently, whether public or commercial, legacy media operate with professional norms, ethical codes, and regulatory frameworks remarkably different from those of digital media and digital platforms as intermediaries for sharing information. This division between legacy and digital media is coupled with profound changes in how people access and consume information. In particular, the central role of platforms forces us to consider how information about ourselves is collected and managed. For example, the chapter ‘Towards Feminist Futures in the Platform Economy: Four Stories From India’ by Anita Gurumurthy highlights less discussed but crucial questions about how technology companies are supporting or undermining epistemic rights. The platforms tell us myths about the flexibility and independence of workers, for example, but, as Anita

Gurumurthy's chapter shows, the reality is very different. The chapter also points to the fact that access to information is today very much tied to these platform companies, and yet, ironically, people who work for these platform companies might not have full access to their own employment information.

The chapter 'Epistemic Rights and Right to Information in Brazil and Mexico' by Fernando Oliveira Paulino and Luma Poletti Dutra illustrates well how right-to-information laws are not only for journalists seeking to investigate stories. They are also needed so ordinary people can get informed and involved as citizens. The manner in which the media can promote epistemic rights is similar to that guaranteed by these laws. The media need to make knowledge available and accessible to us all.

HUMAN RIGHTS AND GLOBAL DIMENSIONS

Access to knowledge is arguably a universal prerequisite for citizenship. Similarly, digital disruption can be seen as a vast and entirely global development. Challenges to epistemic rights pertain both to legacy media and digital communication around the world. That is why national contexts—the histories and developments of media systems as well as economic, political, and cultural factors—are sometimes overlooked when considering epistemic rights in the digital era. The current media environment requires us to share normative ideas and understandings, even governance and rules, about epistemic rights worldwide. Yet, local, national, and regional histories and contexts continue to matter. Just as with human rights, the question of epistemic rights entails understanding the interplay between the local and the global, the specific and the shared.

Similarities and Differences Around the Globe

This book features cases that seem different—for example, the internet shutdowns that Tendai Chari describes are not familiar in Nordic countries. This means that national context matters, and we have the possibility of learning from case studies. Reeta Pöyhkäri and colleagues describe in their chapter 'Nordic Illusion and Challenges for Epistemic Rights in the Era of Digital Media' how different compositions of public service media and private media in society support the public's rights to varied information and dialogue in different ways. For example, even though the Nordic countries have a long-shared history, they are now following slightly

different paths. Similarities yet partly differing developments in a region are also described in the chapter on the right to information in Brazil and Mexico and the chapter discussing disinformation sources in Central and Eastern Europe.

At the same time, there are shared experiences and challenges that digital disruption has brought about—including old and new inequalities, as Philip M. Napoli outlines in his chapter ‘Epistemic Rights, Information Inequalities, and Public Policy’. Once we look at case studies and compare them, we can learn a lot about patterns and structures regarding epistemic rights, even if they may take different forms in various national or regional contexts. For example, the chapter on India reveals the opaqueness of platform companies from the viewpoint of workers. These kinds of case studies show how things are in practice, which can be distant from the level of legislation and regulation.

Epistemic Rights as Human Rights

The country case studies in this book may describe a variety of contexts and challenges, but they all point to the necessity of a shared understanding of epistemic needs and rights in our digital era. This book suggests implicitly, and in some cases explicitly, as Tarlach McGonagle does in his chapter, that at least some epistemic rights should be considered universal human rights. The underlying proposition is that defining certain epistemic rights in this way would add clarity and cohesion to discussions about human rights that have an epistemic dimension. All the chapters in this book highlight that these discussions are increasingly prominent in our information-centric digital era. Rights concerning freedom of expression are a case in point: there exists a fundamental tension between the freedom of expression of views on online platforms and the curtailment of views in these arenas based on different types of harms they cause. Bringing epistemic underpinnings into the light is going to help clarify the language and conceptual territory we need in order to implement and enforce the protection and promotion of epistemic rights.

Even if we argue that certain epistemic rights should be part of the canon of human rights, we must simultaneously recognise that they are also everyday rights. They are, for instance, consumer rights, workers’ rights, and linguistic rights that impact how we can operate as free, flourishing, autonomous human beings. In the world in which we live, these rights do not have to be classified as human rights for them to be

important. But in many cases, rights turn out to be epistemic in nature. This is documented in Lani Watson's (2021) account of false marketing by the pharmaceutical company Purdue Pharma. Its misleading and untruthful information about the drug Oxycontin has led to an opioid crisis that affects, directly and indirectly, the lives of millions of people. This shows that epistemic rights should be defined as human rights but should also be understood more widely as an overarching category of rights that can take different forms and interpretations.

In this context, it is essential to note that epistemic rights are not about knowledge and information understood narrowly. They do not concern only the rational and cognitive dimensions of our lives, in contrast to non-rational and emotional ones. We must think about our epistemic environment as a whole as it also includes a cultural dimension with various values, norms, and beliefs. These form the basis for what we consider a good and just society and the criteria for true and 'normal'. From this vantage point, we can even claim that epistemic rights and the competencies that they provide for members of society can be seen as prerequisites to other human rights.

That said, epistemic rights are central to fundamental human rights: equality, freedom of expression, and the right to education, to mention some key principles of the Universal Declaration of Human Rights. As Philip M. Napoli argues in his chapter, new epistemic inequalities mimic and reinforce old inequalities. His examples point to how economic inequalities manifest as news deserts in less affluent areas in the U.S. or how economic and racial inequalities are reinforced by algorithmic decision-making simply because the data fed to algorithms is itself biased. He also makes the important connection between access to information and communications technology and the competencies needed to realise epistemic rights in the digital era. Navigating and critically evaluating, for instance, the variety of tools and platforms, their use of personal data, the rapidly changing and multiplying forms of disinformation, and the increasing role of artificial intelligence in our daily lives requires ever more knowledge and skills—and education promoting these capabilities is not equally accessible to all.

It is not surprising, then, that this book argues that we cannot think about epistemic rights without, at minimum, reflecting on their potential impact as universal human rights. Thinking about rights related to communication, information, and knowledge has always evolved when the impact of communication infrastructures, structures, means, and forms on

our lives has shifted in some way, as aptly chronicled in Hannu Nieminen's chapter in relation to the activities within the United Nations framework. When the United Nations Sustainable Development Goals for the year 2030 were negotiated, communication and epistemic rights were not included in the array of key issue areas. If we had those debates today, some ten years later, the result might be different. Media and communication technologies and knowledge rights would most likely be among the main goals because, due in part to the COVID-19 pandemic and the war in Ukraine, we have witnessed many significant problems with our current global communication infrastructures and mechanisms. And with innovations in artificial intelligence, we have woken up to the need to define related ethics and rights.

Recognition of the need for the ubiquity of epistemic rights is expanding from academic musings and civil society declarations to policy-making circles. Most notably, the European Union (EU) in 2022 signed the European Declaration on Digital Rights and Principles for the Digital Decade (European Commission, 2022). The declaration includes but goes beyond calls for data rights or the right to access. Instead, it notes the necessity for a human-centric approach to digital transformation that includes, among other things, freedom of choice for individuals in terms of products and services, and it highlights the sustainability and empowering qualities of these. The declaration calls for technology that aims at uniting, not dividing, people; it aims at complementing existing rights, including data protection, privacy, and, ultimately, the EU Charter of Fundamental Rights (2012). This kind of policy language takes rights aiming to address digital disruption in the EU close to those of more established human rights.

FUTURE PROSPECTS

The central theme in this book is the role of what we call epistemic rights in defending liberal democracy in the midst of challenges posed both by the many crises we face today (ecological, financial, military, and others) and by digital innovations and the different disruptions they produce in our everyday environment. In what follows, we first discuss the role of epistemic rights in imagining a way out of our present troubles; we then ask how we should see our role as academics in promoting epistemic rights.

Need for New Foci

The future of epistemic rights depends significantly on how we tackle the problem of inequality at both global and European levels. The whole idea of democracy is about equality, and what we see today is quite a reverse development, that of an increase in inequality on a large scale. Without a clear strategy and a plan to increase democracy in all areas of life—society, politics, economy, culture—epistemic rights are left without the material base their realisation requires.

There is a good basis for implementing epistemic rights in several international agreements and resolutions, including the UN Universal Declaration of Human Rights (1948), the UNESCO Universal Declaration of Cultural Diversity (2001), the EU Charter of Fundamental Rights, and the European Convention on Human Rights (ECHR; Council of Europe, 1950), among others. Tarlach McGonagle shows convincingly in his chapter how the European Court of Human Rights has materialised epistemic rights when interpreting the norms set by the ECHR.

But it is not enough to think that problems are solved by the mere implementation of existing agreements and resolutions; if that were so, we would not need this book. What we are desperately missing are new radical imaginaries that offer us positive alternatives to the present situation—not utopias in the sense of unrealistic fantasies but ideals that are based on resources and competencies already within our reach, waiting to be exploited for a better future. Bart Cammaerts writes in his chapter ‘On the Need to Revalue Old Radical Imaginaries to Assert Epistemic Media and Communication Rights Today’ about the imaginaries that we apply in thinking about how to govern our societies and the ways we share knowledge and think about our rights. He discusses two radical imaginaries of the 1990s, liberal and socialist imaginaries, both of which crucially influence our societies today. However, we must go beyond them, as conditions have been radically changed by digitalisation and digital disruption.

In building imaginaries for the future, we need to pay attention to the positive affordances that digitalisation in its different guises has already brought us: new avenues for participation, unprecedented access to knowledge and information,; new means for cultural creativity, etc. This is also important in order to balance our assessments of all the adverse effects linked with digitalisation. The problem is that in concentrating too much on the ‘bad’ things, we inevitably turn our attention back to the old

imaginaries that do not answer today's questions, which leads us too often to a defensive posture and to fighting battles that are already lost.

In building a new radical imaginary, we believe epistemic rights already offer essential elements. From this viewpoint, then, what conditions are currently preventing, for instance, the media from contributing positively to their realisation? In his chapter, Philip M. Napoli provides an analytical mapping of the main systemic or structural inequalities, which is most helpful when thinking about how to operationalise the struggle for epistemic rights. It is essential that the discussion always remains context-sensitive and considers the historical and spatial factors—patterns of developments, similarities, differences—currently preventing the media in their different national and institutional settings from contributing to epistemic rights. Otherwise, there is the danger of leaving the critique at a general normative level, making overly large generalisations without offering concrete ways forward. In this respect, more empirical research is urgently needed for us to be able to follow up on developments.

This is directly related to what was discussed above about the necessity to think of the positive dimension of digitalisation—not only about the threats to and violation of rights but also the protection of rights and the use of technology to enhance our epistemic capacities. This is an invitation to be more creative and reflective in harnessing technology to access accurate and reliable information.

The Role of Research

This book is motivated by an academic need to learn more about epistemic rights and to find a way to articulate the language to discuss them. The book can be considered a call to think about the epistemic approach and apply it to additional case studies in different social and cultural contexts. Indeed, as researchers, we are interested in following up on developments regarding the case studies presented in this book.

This leads us to discuss the relationship between our academic research and the outside world. Once we have gained all this information and knowledge, it will be necessary to be more involved with people and activities outside universities and to both keep ourselves informed about developments and inform others based on the theoretical insights and knowledge we have acquired.

An excellent example of this approach is presented in the chapter on public service media by Maria Michalis and Alessandro D'Arma. We know

that European public service media companies are struggling with many challenges, not just because of the growing popularity of other platforms but also because of budget cuts and political pressure. To be competitive and improve their performance, these companies are experimenting with new digital technologies. In this context, researchers can contribute, for example, to normative thinking regarding how the adoption of new technologies is aligned, or not aligned, with the values of these media and with their universalistic goal of promoting democratic citizenship.

A significant challenge for academic research is how to escape disciplinary and administrative silos. As an institution, the university has developed historically into disciplinary units that are kept separate not only for academic-scientific reasons but also increasingly for financial and administrative purposes. The disciplines—organised into faculties and departments—fight each other, and individual researchers, especially in social sciences and humanities, compete for ever-diminishing research funding. This book showcases how scholars from different fields, media and communications, law, philosophy, sociology, and political science, can transgress their siloes and come together around overarching policy-related themes of epistemic rights and the role of the media.

One thing we learned while producing this book is the need to avoid the temptation of abstract theorising and overgeneralisation. Although theory building is necessary in academic research for conceptual clarity and the accumulation of knowledge, it is extremely important to connect with actual real-world cases and examples to understand at a practical level the concepts and language that open the wide areas of issues that concern epistemic rights. We urgently need this connection to enable people to understand the significance of epistemic rights. We must learn to use examples, tell stories, and create narratives, which can come from many different contexts. Some direction for this can be found, for example, in the chapter on internet shutdowns or the chapter featuring disinformation actors in Central and Eastern Europe.

A central term that needs further thinking is ‘epistemic advocacy’, understood in this context as a means of translating and communicating the nature, extent, and significance of epistemic rights to broader society. This should play a significant role within the academy. We may not find this role to suit all of us naturally but it is essential that academics from different disciplines and traditions, who are involved in conversations about epistemic rights, engage in forms of epistemic advocacy in different ways and at diverse levels. This includes, among other things, more

traditional academic roles, such as sitting on expert panels and in commissions and giving advice, but also at a more everyday level by supporting the work of people who are protecting our academic rights and autonomy. An example might be supporting and donating to Wikipedia and other collective voluntary epistemic initiatives, as primary forms of epistemic advocacy. We can also think of other professional settings and people working at the front lines to protect our epistemic rights; for example, in the case of the COVID-19 pandemic, teachers, doctors, and journalists can be thought of as implementing our epistemic rights by disseminating critical factual information.

There are increasing pressures on academic research from several fronts. From politicians, who require more politically relevant results with less and less money; from the corporate world, who expect academic research to benefit them materially; and more recently, from critical civil society actors (as well as academic critics), who question the epistemic premises of modern science as being inherently colonising and racist.

In many respects, these pressures have led social sciences and humanities to retreat into a defensive and introverted stance. An example of this is the weak reaction (or even silence) of social scientists in the face of the crisis of liberal democracy around the globe, including in Europe—as can be witnessed in many countries in the form of worsening public health and social services, the decline in public education, problems in public communications infrastructure, etc. Not less urgent is the complacency of the academic community in the face of the major war in Europe; voices urging an immediate stop to senseless killing in Ukraine are rare and isolated. What is urgently needed are new beginnings and initiatives. We need new radical social imaginaries, following Bart Cammaerts' bold invitation. The quest for epistemic rights is central to such initiatives.

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