



GRIFFITH JOURNAL OF  
**LAW & HUMAN DIGNITY**



# GRIFFITH JOURNAL OF LAW & HUMAN DIGNITY

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# DO WE CARE ABOUT WHAT WE SHARE? A PROPOSAL FOR DEALING WITH THE PROLIFERATION OF FALSE INFORMATION BY CREATING A PUBLIC PLATFORM

DR TAUDEL HARPER\*

*Meaningful engagement with public space is a fundamental part of how we determine truth. The use of social media as a replacement for public space has exacerbated a crisis in public confidence in shared truths. This article advocates for the establishment of a truly public network or digital platform for 'truth telling', as a counterpoint for this growing public incredulity. Because 'truth' is an expression of power, such a platform would need to operate as an inclusive public, creating a space for valorising earnest public contributions and recognising the inherent contingency of truthfulness and authority. Such a forum would act as an important counterbalance to the proliferation of misinformation on social media but more importantly, it could help form a more collaborative and constructive shared public space.*

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\* Dr Tael Harper lectures in Media and Communication at the University of Western Australia and is a researcher in public communication and technology.

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## I INTRODUCTION

When governments around the world design policy to combat misinformation and disinformation, it is important to acknowledge that their approach to policing false information will significantly reflect and affect the values of society itself. In every culture, the qualities of public communication dramatically impact the qualities of public knowledge and what is considered powerful. In pre-settlement Aboriginal Australia, 'Songlines' related cultural information to geographical features so that knowledge was embedded in the natural landscape.<sup>1</sup> The era of the hand-copied Bible enabled the 'Word of God' to pontificate far beyond Rome, before the Guttenberg Printing Press enabled Martin Luther to protest that a more subjective relationship with knowledge was possible.<sup>2</sup> The rise of journals and reading groups allowed for the development of specialist and critical publics, which formed the basis of the Enlightenment and motivated the great democratic revolutions.<sup>3</sup> The mass media era saw the age of plebiscitary politics and propaganda reflected in Chartism, Fascism and representative democracy. More recently, the breaking up of a national media audience has led to the emergence of

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<sup>1</sup> Lynne Kelly, *The Memory Code* (Allen & Unwin, 2016).

<sup>2</sup> Marshall McLuhan, *The Gutenberg Galaxy: The making of typographic man* (University of Toronto Press, 1962).

<sup>3</sup> Jurgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, tr Thomas Burger (MIT Press, 1989) [trans of: *Strukturwandel der Öffentlichkeit: Untersuchungen zu einer Kategorie der bürgerlichen Gesellschaft* (1962)].

‘spectacle’ being the currency of public knowledge.<sup>4</sup> In all these instances, the quality of how information is shared publicly determines what is understood to be ‘true’.

The relationship between truth and power has always been a central concern of academic inquiry into public communication and a point of fierce contestation within the social sciences. In 1973, Jurgen Habermas put forward a notion of ‘truth’ based upon a ‘general symmetry of conditions’ whereby ‘truth’ is defined as a statement that can be made by anyone, that can be explained in a way acceptable to everyone, when that explanation is inherently reasonable to everyone.<sup>5</sup> The ‘truth’ of the statement ‘two plus two is four’, for instance, is ascertainable because we can explain what this statement means in a way that seems reasonable to anyone. As has been pointed out *ad nauseum* since that time, what ‘seems reasonable’ is still contingent upon power, language, and the communication skills of those speaking.<sup>6</sup> However, while post-structuralism has quite rightly focused upon how constructions of ‘truth’ are contingent, marginalising, and hegemonic, it is worth remembering that the way we determine ‘truth’ is a form of public pedagogy in itself. Despite the philosophical dismissal of the notion of ‘truth’, every democratic system relies upon an acceptance of the notion that there are ‘reasonable’ ways to form opinions and arguments. While the notion of an absolute ‘truth’ is monstrous, we should not be so terrified of it that we dismiss any attempt to discuss what is ‘true’ for our democratic community.

Habermas refined the conditions of this ‘ideal speech situation’ that could be used as a ‘weak transcendental’ formula for determining communal understandings of truth. This would include the following conditions:

1. All participants are allowed to speak and do so freely;
2. Participants ought to be prepared to explain and justify their claims wherever asked to; and

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<sup>4</sup> Tael Harper, *Democracy in the age of new media: The politics of the spectacle* (Peter Lang, 2011).

<sup>5</sup> Jurgen Habermas, ‘Wahrheitstheorien’ in H. Fahrenbach (ed), *Wirklichkeit und Reflexion* (1973); Jurgen Habermas, *The Theory of Communicative Action: Reason and the Rationalization of Society*, tr T. McCarthy (Beacon Press, 1984) vol 1, 90-100.

<sup>6</sup> Michel Foucault, *Discipline and Punish: the Borth of the Prison* (Random House, 1975); Chantal Mouffe, *The Democratic Paradox* (Verso, 2000); Jean-Francois Lyotard, ‘Answering the Question: What is Postmodernism?’ in I. Hassan and S. Hassan (eds), *Innovation/Renovation*, tr R. Durrand (University of Wisconsin Press, 1983) 329-341.

3. The sole goal of the interaction should be to establish the most legitimate outcome for all participants.<sup>7</sup>

This structure was devised by Habermas in order to ‘exclude all force...except the force of the better argument’, so that ‘argumentation can be conceived as a reflexive continuation, with different means, of action oriented to reaching understanding’.<sup>8</sup> While this formulation may seem both vague and simplistic, these basic communicative conditions are replicated in every institution that seeks to establish ‘truth’ or public legitimacy, including academic research, courts of law and democratic debate itself. It is my contention that these broad conditions ought to also determine how we arrive at ‘truth’ within democratic polity. Realising that without a definition of how to arrive at truth, we cannot hope to determine what is false.

The argument made in this paper is that the mechanisms that we have for arriving at ‘truth’ in public communication are centred on a broadcast communication system that is becoming obsolete. We can no longer rely upon traditional media structures or representative democracies to be the arbiters of truth because they lack the level of scrutiny and debate integral to a public. It is not only that ‘representative’ media and democracy have proved themselves so many times over to be open to propaganda, populism, or economic influence, but it is also because the format of public communication has fundamentally changed, and with it, so has the public pedagogy of ‘truth-seeking’.

In February 2021, Facebook’s sudden restriction of the sharing of Australian news sites brought into sharp focus the role that internet media giants currently play in mediating public debate. The Australian Government attempted to pass legislation to address the impact that tech giants (primarily Google and Facebook) were having on the public sphere. The legislation was primarily aimed at retaining a share of these companies’ advertising revenues for traditional large journalistic enterprises in Australia. However, a significant justification for this proposed legislation was that these tech giants were not adequately policing a ‘veritable tsunami of misinformation and “fake news”’.<sup>9</sup> As the

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<sup>7</sup> Jurgen Habermas, *Moral Consciousness and Communicative Action*, tr Christain Lenhardt (MIT Press, 1990) 86.

<sup>8</sup> Habermas (n 5) 95.

<sup>9</sup> Australian Parliament, *Parliamentary Debates*, Treasury Laws Amendment (News Media and Digital Platforms Mandatory Bargaining Code).

legislation was being considered in the Australian Senate, Facebook banned all sharing of Australian news on its platform, presumably as a way of highlighting the crucial role it had come to occupy in the distribution of news and opinion in Australian public life. This move made it abundantly clear that we have become reliant on privately-run social media platforms and internet search engines to mediate our ‘public’ discussions.

The government quickly compromised to ensure that no business interests would be undermined. Within a week, an industry group comprised of Facebook, Google, Twitter and other leading tech companies published a new Australian code of practice that would be used to regulate disinformation and misinformation on their platforms.<sup>10</sup> This would bind the signatories to ‘opt in’ to whatever regulation of false information they found suited their platform—essentially voluntary self-regulation. The government, meanwhile, vowed to carefully monitor the effectiveness of the code.<sup>11</sup> This system represents a completely laissez-faire attitude regarding the foundation of democratic opinion and will formation. It suggests the current proliferation of false information is a technical problem that presents a mere tactical threat to governments’ political power. However, the recent storming of the US Capitol building indicates that the spread of false information does not just present a tactical threat to a political party—it presents an existential threat to democracy.

Despite the centrality of social media to public political debate and engagement, Australia has decided to leave policing false information to private companies with limited public oversight. False information can be very profitable for these tech giants,<sup>12</sup> and effective policing is both problematic and expensive,<sup>13</sup> which suggests that their policing of false information is likely to be highly symbolic. Meanwhile, governments throughout history have shown that they only care about false information if that false information generates

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<sup>10</sup> *Australian Code of Practice on Disinformation and Misinformation, 2021* ('*Australian Code of Practice on Disinformation and Misinformation*').

<sup>11</sup> Josh Taylor, 'Australian government ready to pursue Facebook and Twitter if misinformation code doesn't work', *The Guardian* (22 Feb) <<https://www.theguardian.com/australia-news/2021/feb/22/australian-government-ready-to-pursue-facebook-and-twitter-if-misinformation-code-doesnt-work>>.

<sup>12</sup> Joshua A. Braun and Jessica L. Eklund, 'Fake News, Real Money: Ad tech platforms, profit driven hoaxes, and the business of journalism' (2019) 7(1) *Digital Journalism* 1.

<sup>13</sup> Tarleton Gillespie, *Custodians of the internet: Platforms, content moderation and the hidden decisions that shape social media* (Yale University Press, 2018).

problems for the ruling party.<sup>14</sup> Suggesting that a government and private platforms are best placed to judge the self-regulation of platforms' censoring of false information is akin to asking the inmates to run the asylum.

There are aspects of sharing information on digital and social media that make false information a particular problem for contemporary democratic debate. These include the lack of truly public space on digital platforms, the ability for anyone to broadcast to an audience of billions without any liability or oversight, and the crisis of contemporary authority. Broadly construed false information includes both intentionally deceptive 'disinformation' and innocently spread but still untrue 'misinformation'. While the problems of false information are as old and as intractable as public communication itself, the lack of transparency and accountability of online information distribution have made false and misleading information a particularly pernicious problem at this historical moment.

And of course, it is particularly problematic to leave it up to governments to adjudicate what is considered 'true'. Attempts to deal with fake news in Singapore, for example, have led to the development of 'Factually', a government-run website which proposes to refute 'fake news', but which will often 'prove' the news is fake through simple reference to other government sources and opinions.<sup>15</sup> Similarly, defining truth through plebiscite will condemn unpopular but true statements as false, even when they are not. But it is the very ethos of the democratic system that these issues should be confronted and dealt with by democratic institutions that allow claims to truth to be argued and explained in a reasonable way.

Traditionally, journalism has sought to legitimise its 'claims to truth' by ensuring its legitimacy and redeeming claims to truth in a shared public. However, the digital media public is fragmented, with nothing like the shared space of 'conjoint and interacting interests' as described by John Dewey—and it does not conform to the nationally 'imagined community' as defined by Benedict Anderson. Instead, the digital media 'public' is international, interest-based, and sensationalist, driven by imperatives of profit. What

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<sup>14</sup> John Corner, 'Mediated politics, promotional culture and the idea of 'propaganda'' (2007) 29(4) *Media, Culture and Society* 669.

<sup>15</sup> For an overview see Singapore Government Agency, *Factually* (n.d.) <<https://www.gov.sg/factually/>>.

has been lost is a political public where an engaged citizenry read the same newspapers and share the same spaces and issues that are discussed in earnest by the democratically elected representatives of the people. What we have instead is manipulation, all the way through the system, of particular messages for particular spaces and particular purposes. The construction of political messaging takes place around the foibles of the particular 'public' that is being spoken to, and as a result, we have a complete and consistent betrayal of truth and trust.

Public debate is both norm and identity forming—it shapes the way that we understand ourselves as co-creators of meaning, and it shapes who we are and what we care about. While digital technology has introduced particular challenges for the integrity of public debate, it has, at the same time, opened up the possibility of improving citizens' engagement in issues of public importance. Any policy that attempts to deal with false information online should seek to 'equalise private citizens in the public use of reason',<sup>16</sup> not just to avoid the public spread of falsehoods, but because this opportunity inspires people to engage with the world we share. I would therefore like to suggest that the best way to deal with false information online is to create a 'Public Platform' that could be formed as a distributed, peer-assessed forum for testing claims to truth.

This would be a public forum that can serve a similar news-sharing role to Facebook and Twitter, but whose primary function is to serve the public interest. The goal of this network would be not to make money, but solely to establish the public legitimacy of public statements—a forum for 'truth-telling' and for the exposure of lies and misdirection. The rationale, cost, and management of this platform could fall under the auspices of existing public service broadcasting funding (and regulations) within nation states, with a similar overall remit to ensure fairness, objectivity, education, and a forum for the freedom of expression. It would not replace existing media structures and journalism, but rather be a place where anyone could question public claims to truth and examine the way those claims were discursively redeemed, safe in the knowledge that this space was designed to exclude all force aside from the force of the better argument. Journalists could still comment on the legitimacy of this forum in other media, and they could also operate as 'gate watchers' for violations or abuses of the forum. The forum

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<sup>16</sup> Slavko Splichal, 'The principle of publicity, public use of reason and social control' (2002) 24(1) *Media, Culture and Society* 5.

would be known as a place where ‘truth’ was valorised more than profit, or electoral success, and journalists could critique and assess statements made on the forum in light of that normative goal. This is not unlike the current expectations placed upon journalists, but this forum would provide journalists and citizens a shared place to investigate competing versions of ‘the truth’.

At first glance, such a platform would appear to have little to suggest it could compete with the tech giants — but so long as public engagement were judged by its contribution to public interest (and not private profit), it would quickly develop a reputation as the best place to test claims to ‘truth’. Once people understood the value of that quality in a public, it would also become a far more enticing place for public engagement, and present an important public counterpoint to social networking platforms. What follows is a description of the three broad principles that should underpin this platform. There is, unfortunately, no space here to go into specifics — and the devil does lie in the detail. Nevertheless, these are the principles that could redeem the public as a place to not only find ‘truth’, but to facilitate human progress in a manner commensurate with the dignity of every human.

## II THE NEED FOR A TRULY PUBLIC SPACE

The quality of being public—that is, being seen by a diverse range of people—creates value because individuals invest faith and meaning in what they share with others. Google, Amazon, Facebook, Apple, and Microsoft (GAFAM) are companies that have understood the inherent value of appearing as a public resource. Their massive value (around US \$1 trillion each) is derived from the manner in which these private companies serve the roles that public space once did. They provide us a place to meet, a way to work, and a forum for our collective expressive engagement. They are examples of how the contemporary public sphere is typically mediated—privately owned and controlled spaces that appear public, and which fulfill some limited functions of the public, without being subject to public scrutiny or control.<sup>17</sup>

The problem with accepting these tech giants’ platforms as the medium for public engagement is that they still operate for private interests. Despite their stated claims to

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<sup>17</sup> Harper (n 4).

'build community' or 'refrain from evil', the ultimate ambition of Facebook and Google is to gain audiences for advertisers and therefore create profit for shareholders. As can be seen by Facebook's ban on news-sharing during the New South Wales bushfires, the profit orientation of these companies determines their conduct, rather than any notion of 'public interest' or 'public responsibility'. While these companies do moderate their platforms in order to ensure their social license to operate, they do this more or less privately, without subjecting their decisions to public scrutiny or judgement. Generally, platforms allow user reporting of false or misleading information, but platforms do not disclose or reveal how they deal with these reports. Platforms and their moderators can and do also make their own decisions about what issues are banned or promoted.<sup>18</sup> In this way, 'private' value judgements and interests come to shape the formation of public discussion.

There is an aspect of being broadly shared that mandates a reflexive consideration of the accuracy of information. As Hannah Arendt describes:

Being seen and being heard by others derive their significance from the fact that everybody sees and hears from a different position. This is the meaning of public life, compared to which even the richest and most satisfying [private] life can offer only the prolongation or multiplication of one's own position with its attending aspects and perspectives ... Only where things can be seen by many in a variety of aspects without changing their identity, so that those who are gathered around them know they see sameness in utter diversity, can worldly reality truly and reliably appear.<sup>19</sup>

For Arendt, the importance here is the 'utter diversity' of the people who engage in this process. However, with social networking services, you cannot ensure that diversity. Moderation happens in private, and audiences are grouped together by taste. When we send and receive information in 'private channels that appear to be public', we fail to

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<sup>18</sup> Frederik Stjernfelt and Anne Mette Lauritzen, 'Facebook and Google as Offices of Censorship', *Your Post has been Removed: Tech Giants and Freedom of Speech* (Springer International Publishing, 2020) 139-172; Bernhard Rieder and Guillaume Sire, 'Conflicts of interest and incentives to bias: a microeconomic critique of Google's tangled position on the Web' (2013) 16(2) *New Media and Society* 195.

<sup>19</sup> Hannah Arendt, *The Human Condition* (University of Chicago Press, 1958) 57.

really engage and enjoy the public scrutiny that might come from different perspectives and opinions.

Our news feeds are constructed by organisations selling our attention to advertisers. Their only shared goal is to engage our desire to consume more, and consumption has therefore become the one universal form of public display.<sup>20</sup> Public claims tend to be viewed by a select and narrow public who have already formed an opinion on the matter,<sup>21</sup> or who have no vested reason to care for ‘the broader public’ at all.<sup>22</sup> For these reasons, technical solutions to the spread of false information that don’t rest on increasing public engagement with judgements about truth fail to solve the problem. A lot of the proposed technical fixes for false information online reside in detecting fake news through algorithmic interrogation of collected data about messaging. Generally, these algorithms test message data against expected behaviour patterns, in terms of message composition, source reputation, frequency and distribution—and anything significantly unexpected is reported as ‘possibly false news’. While this algorithmic testing of the novelty of data has significant potential to help flag false information, if the judgement on the veracity or ‘reality’ of the information is formed outside of truly public scrutiny, then, once again, we are allowing what is ‘true’ to be judged in private. Technical fixes for false information will always be one tool for addressing technical issues, but they will exacerbate the problem of false information if privately regulated by a government or a private company. According to democratic ideals, judgements about truth should always be available to be interrogated by the public.

### III THE OPPORTUNITY TO GAIN REPUTATION FOR PUBLIC CONTRIBUTIONS

One of the significant impediments to halting the spread of misinformation online is the lack of reputational liability for being wrong and the lack of public acclaim for being right. Representative democracies were meant to be served by a vibrant and engaged ‘fourth estate’ of journalists, journals, and newspapers who would monitor the affairs of

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<sup>20</sup> Tael Harper, ‘The big data public and its problems: Big data and the structural transformation of the public sphere’ (2017) 19(9) *New Media & Society* 1424.

<sup>21</sup> Eli Pariser, *The Filter Bubble: How the New Personalized Web is Changing What we Read and How we Think* (Penguin Books, 2011).

<sup>22</sup> *Ibid*; Nick Couldry and Joseph Turow, ‘Advertising, big data and the clearance of the public realm: marketers’ new approaches to the content subsidy’ (2014) 8 *International Journal of Communication* 1710.

government on behalf of the broader public. In practice, the operation of the 'fourth estate' as a forum for the 'political public sphere' has always been highly problematic, as such a construction privileges certain voices and particular types of discussions.<sup>23</sup> Nevertheless, the process of public review and the threat of litigation for defamation ensured that the verifiability of the information being presented to government and within news reports was publicly defensible. At least theoretically, whether in a newsroom or a government, journalists and politicians knew that their employment and continued good standing depended on their reputation for presenting publicly defensible claims.

Under this system, the veracity of claims and the reputation of the speaker was scrutinised by the press—the news and affairs of the powerful were shared by a ubiquitous but largely plural public. Where more than one newspaper serviced an area, they operated as checks on each other's integrity—where there was only one, the plural public that shared a single newspaper held the objectivity of that paper to account. Media regulation allows for further oversight in this environment because the number of sources of information is low. Traditional news organisations broadcast their news to an audience which both shared a political jurisdiction, and which also had to be framed to be read as legitimate, or at least plausible, by anyone within that jurisdiction. Claims to legitimacy in such an environment are at least somewhat grounded in public use of reason. Spreading false information would undermine the integrity of the journalist and the news source.

In contrast, internet service providers and digital media platforms accept no legal responsibility for the content that people publish on them. People with a modicum of technological talent or equipment can appear—at least stylistically—every bit as authoritative and 'real' as any other news organisation.<sup>24</sup> There is no shared public forum where fake news can be identified and exposed, no professional code of practice, or code of ethics for those disseminating information, or mechanism to hold bad actors to

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<sup>23</sup> Habermas (n 3); Nancy Fraser, 'Rethinking the public sphere: a contribution to the critique of actually existing democracy' in Craig Calhoun (ed), *Habermas and the Public Sphere* (MIT Press, 1992) 109; Edward S. Herman and Robert W. McChesney, *The Global Media: The New Missionaries of Corporate Capitalism* (Continuum, 2001); Noam Chomsky and Edward S. Herman, *Manufacturing Consent: The Political Economy of the Mass Media* (Pantheon Books, 1988).

<sup>24</sup> S. Mo Jones-Jang, Tara Mortensen and Jingjing Liu, 'Does media literacy help identification of fake news? Information literacy helps, but other literacies don't' (2021) 65(2) *American Behavioral Scientist* 371.

account. While certain legal liabilities may apply to certain aspects of defamation and libel on the internet, prosecuting these cases is problematic because service providers both deny liability and often reside in other jurisdictions from the complainant.<sup>25</sup> The legal and professional incentives to ensure what is published is 'defensible' are simply not evident on social media.

This could be changed by undermining the anonymity of internet use—something the Australian government has already begun to do, by asking internet service providers to record users' metadata. However, in practice, such forced lack of anonymity is problematic. As illustrated by Voltaire, Banksy, Mr Brown, and many other satirists, at times anonymity is *necessary* to speak truth to power or play with provocative subject positions. Secondly, there probably always will be some way to evade identification on the internet.<sup>26</sup> Creating compulsory internet identification would merely restrict truly 'free speech' to those who either support the powerful or those who have the technological or economic ability to avoid identification.

Instead, we should employ a positive system of public expression so that people want to be known for their public contribution — just like a social networking site, such a system could track contributions to public debate and associate these statements with a person's public profile. A general metric could be used to track the public judgements about the quality of any contributions to public discussions, and upvoting and downvoting on any given topic could help readers sort notable contributions from indolent ones, not unlike Reddit forums. Anyone would be free to make and critique assertions—and people would be free to speak as any identity they wished—as they could be anonymous, eponymous, or engaging under a *nom de plume*. However, crucially, if they wanted any particular identity to gain a reputation, then they would need to maintain that particular, singular and consistent identity in order to do so. So while every user of the public forum might have a number of identities for playful provocations and dangerous ideas, they may also have one (or several) where they care about and curate their ability to speak earnestly, clearly, and honestly about issues of public importance. Identities without reputations would initially have a harder time being noticed, but if they made sensible and useful

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<sup>25</sup> Michael Douglas and Martin Bennett, 'Publication' of defamation in the digital era' (2021) 47(7) *Brief* 6.

<sup>26</sup> Eric Jardine, 'Tor, what is it good for? Political repression and the anonymity granting technologies' (2018) 20(2) *New Media & Society* 435.

contributions to public debate and public knowledge, they would eventually gain a reputation that meant their statements were more readily and quickly considered by the broader public. Thoughtful and correct contributions over time (and with the full judgement of hindsight) would increase the value of an identity, whereas ludicrous, short-sighted and unhelpful contributions would decrease it.

Importantly, anchoring public reputation to public statements automatically introduces the 'public' as a consideration of those statements. This would reintroduce 'reputational risk' for making or spreading statements that can be proven to be false. By creating a reputational forum for the testing of truth, we would actually do something to reinspire humanity to engage with what we share—'the public'—because of the possibility of gaining reputation in the process. Considering the inspirational quality of public life, Arendt identifies that people want to engage in public life because it is the only way to immortalise your contribution to humanity.<sup>27</sup> In the absence of a forum where our contributions to the public matter, she argues that we tend to 'seek immortality' through whatever contributions are recognised in the forums in which we are engaged. In 1954, she argued that the struggle to achieve immortality through the purchase of material goods had led to excessive materialism and a 'waste' economy. We have subsequently seen consumption grow and be valorised as a form of expression, even when that consumption has led to catastrophic environmental collapses.<sup>28</sup> This speaks to the fact that we are valorising the wrong form of public expression and the wrong conception of 'truth telling'.

Reattaching reputation to public contribution may begin to address many years of instrumental abuses of publicity, and act as a counterbalance to the influence of social networking sites that privilege image over action. Records of statements made and stories told would act as both a testament to great acts and noble thoughts, as well as also create a space where full consideration of the impact upon public interest over time is the primary concern for attributing status and authority. A 'Public Platform' could celebrate what it is to be a human by recognising the contributions people make to their community. Perhaps most importantly, such a forum would reignite our eternal

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<sup>27</sup> Arendt (n 19).

<sup>28</sup> Dana M. Bergstrom et al, 'Combating ecosystem collapse from the tropics to the Antarctic' (2021) 27(9) *Global Change Biology* 1692.

imaginary, providing us a place to work and act, not just for money and not just for Facebook, but a place where we can all contribute by trying to introduce ideas, concepts, and truths that would sustain and enrich our collective lives.

#### IV THE CONTINGENCY OF AUTHORITY

It would be reckless not to acknowledge that the decline of the shared public realm has been accompanied by a dissolution of public trust in authority. We can see this as a result of the decline of a mass mediated public that had ‘strengthened the efficacy of social controls’ by providing a universal mouthpiece for the powerful.<sup>29</sup> Neo-liberal political philosophy has long preached distrust of public institutions—possibly most succinctly expressed through Ronald Regan’s statement, ‘The nine most terrifying words in the English language are: “I’m from the Government, and I’m here to help”’. While, in many senses, scepticism about authority should be the foundation of any approach to dealing with false information, there is a particularly dangerous aspect to the general scepticism (whether deserved or not) about public authority as a coordinating framework for human development at a time when trust in journalism and government is also in a crisis.

As an illustration, recent research into the rise of anti-vaxxers in Italy highlighted that an increase in anti-vaccine sentiment had coincided with a decline in the State’s economic capacity to deliver on health policy.<sup>30</sup> Growing incredulity toward the vaccine program was not only a result of the failure of the government to communicate effectively about the benefits of vaccinations, it also arose because the State had begun to forfeit its central role in the lives of its citizens. At the same time, social media had become increasingly prevalent as a main source of information for Italian citizens, and the State had lost its command of the authoritative voice. As the State loses its role as the ‘voice of authority’, it also becomes less central in the ‘lifeworld’ of its citizens — a situation compounded by the constraints of low taxation and fewer engagements of citizens with public institutions and public voices.

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<sup>29</sup> Jurgen Habermas, *The Theory of Communicative Action: Lifeworld and System: A Critique of Functionalist Reason*, tr T. McCarthy (Beacon Press, 1987) Vol 2, 390.

<sup>30</sup> Katie Attwell et al, ‘Communication breakdown in Italy’s vaccination governance’ (2020) 30(Supplement 5) *European Journal of Public Health*.

Once again, this illustrates the close relationship that exists between the nature of the 'public realm' and the types of authority that are appropriated within it. As much as we wish to see the rise of misinformation as a product of the internet, we should not ignore that theorists had identified the emerging 'incredulity toward metanarratives' many years before the internet became ubiquitous.<sup>31</sup> Well before the internet arrived, post-structuralists identified that spectacles, desire, and post-modernism itself had more cultural agency than reason or 'the truth'.<sup>32</sup> This 'spectacular' public realm has certainly made it harder to appeal to a shared metanarrative about public reason as the basis for human progress.

Nevertheless, there are aspects of this moment of incredulity toward authority that make it ideal for creating a new public space. Arendt identifies that real public engagement is always energised by the exclusion from power, as when power is so discursively open, it creates an equality that is essential for free and engaging public action.<sup>33</sup> Previous publics have always been exclusive of certain people, certain types of reason, and certain forms of authority. But now we have the chance to reassess what ought to be publicly powerful, in a world where claims to authority are open for debate.<sup>34</sup>

To make the most of this freedom, we need to equalise the ability to make statements within a public sphere, enabled by an absolute commitment to the freedom of thought and speech. What this means in practice is an absolute and principled agreement to ensure public access to, and scrutiny of, every statement, and an earnest attempt to understand and engage with the reason they each contain. Even though an internet forum is bound to suffer from spam and trolling — and some form of community policing of such activity will be necessary — everything that passes through the 'Public Platform' should remain available for public scrutiny, even if it is stored in a folder named 'offensive' or 'spam'. By allowing all to speak, we can actually open up communicative power to the public, enabling individuals to have more input into the legitimacy of authority.

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<sup>31</sup> Jean-Francois Lyotard, *The Postmodern Condition: A Report on Knowledge*, tr Geoff Bennington and Brian Massumi (University of Minnesota Press, 1984).

<sup>32</sup> Guy Debord, *The Society of the Spectacle*, tr Donald Nicholson-Smith (Zone Books, 1995) [trans of: 1967; Gilles Deleuze and Felix Guattari, *Anti-Oedipus: Capitalism and Schizophrenia* (University of Minnesota Press, 1983); Fredric Jameson, *Postmodernism, or, The Cultural Logic of Late Capitalism* (Duke University Press, 1991).

<sup>33</sup> Hannah Arendt, *On Revolution* (Penguin Books, 1990).

<sup>34</sup> Habermas, (n 29).

While textual and digital platforms of verbal exchange do privilege a certain form of public engagement, marginalised and emergent expressions of knowledge can be encouraged by features of digital media, such as translation technology, multimedia, and hypertext. A 'Public Platform' should encourage the exchange of all kinds of cultural practices as part of the toolbox of understanding. The potential for the eruption of egalitarian access to meaningful cultural production on the internet was described by Mark Poster more than twenty years ago:

The "magic" of the Internet is that it is a technology that puts cultural acts, symbolizations in all forms, in the hands of all participants; it radically decentralizes the positions of speech, publishing, filmmaking, radio and television broadcasting, in short the apparatuses of cultural production.<sup>35</sup>

I would add to this that—structurally at least—the internet solves the problem of how humanity can share information in a relatively egalitarian and open way across dispersed communities and huge distances, with more opportunities for reasonable and enriching interpersonal interaction than ever before.

## V CONCLUSION

Meaningful expressive engagement with public space is a fundamental part of the human experience. How we equip citizens to find the truth in public debate is not just important for democracy, but important for the maintenance of our mental, ecological, and social health, as a polity and as a species. There is a pressing need to move 'public broadcasting' into the era of social networks, and the way to do that is to develop a 'Public Platform' that would allow citizens to engage in 'truth telling' and testing the claims of public authority. This platform should not exclude the formation of other publics, but should aspire to be one place where all public claims can be reasonably heard. It should not exclude existing media structures, or traditional journalism, but augment them as a place where the 'truthfulness' of claims can be earnestly assessed by citizens themselves. Allowing this process to take place on privately owned and run internet sites is a dereliction of public duty, and it also forfeits significant public value. Moreover, it

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<sup>35</sup> Mark Poster, 'Cyberdemocracy: The Internet and the Public Sphere' in David Holmes (ed), *Virtual Politics: Identity and Community in Cyberspace* (Sage, 1997) 212.

encourages the proliferation of false information. A 'Public Platform' would raise the possibility of arresting the proliferation of false information in the public sphere, and it may also help us to re-engage with caring for our shared institutions and spaces.

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