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Democracy, rights and exclusion in information Society: the power of (mis)information in contemporary democracies

Information, misinformation and truth

Since 1964, Marshall McLuhan[1] pointed out that the press was inseparable from the democratic process. Not only the press, but, in contemporary reality, it is possible to affirm that the entire communication process is intrinsically correlated with democracy, transforming information into an element of power not only communicative, but also political, economic and social power.

The public sphere, and also politics, is expanded exponentially and remains uninterruptedly modified with the development of new medias and social networks. Therefore, ignoring the role and strength of these elements in the current democratic context does not fit the reality in which these political regimes are installed.

The constitution of opinion and political will, in democracies that intend to be deliberative, permeates new technologies, since the deliberative process of reflection, debate and construction of collective and individual ideals, is now mediatized by devices and communication spaces that are entirely virtual.

Because of this scenario, it is possible to talk about a teledemocracy accompanied by virtual citizenship, or cybercitizenship,[2] where political parties can prepare and plan their campaigns in accordance with the expectations of

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[1]   M. Mcluhan, *Understanding media. The extensions of man*, Cambridge: The MIT Press. 1994, p. 201.

[2]   Termos utilizados pelo autor Pérez Luño para designar a forma como as novas tecnologias impactam na participação política contemporânea. Cf. A.-E. Pérez Luño, "Teledemocracia, Ciberciudadnia y Derechos Humanos*", Revista Brasileira de Políticas Pública*, 2014, vol. 4, n.º 2, pp. 8–46

their voters, through the capture of data and information captured in computer media.[3]

When Habermas[4] indicates the structural change in the public sphere and the new publicity configurations, it appears that the deliberative and communicative potential can be harmed by the manipulated use of the communication capacity of individuals and groups, as well as by the medium used.

The perception of the power of information within a mediatized society and democratic processes does not culminate in the real value that should be given to the phenomenon of mediatization of democracy itself when the concern is concentrated in a moment after the communicative process already carried out.

So when Manuel Castells realizes that mass media "is a one-way system"[5] and the actual process of communication is not, it becomes evident that communication by new technologies can not only result in information itself, but also in its opposite, in misinformation, due to the absence of perception of the content or, even by manipulation and previous control of what was intended to be communicated.

It is observed the creation of a real "menu" of data that one wants to "consume". By allowing users to be selective in relation to information and to base their choices of "informational consumption" according to advantages and gains that they consider beneficial to their lifestyle, a true commodification of information is envisaged, rather than the expected expansion and democratization of the information space.

Democracy emerges as a political regime initially designed for the representation and participation of all. However, when information as a shaper of opinion and political will is not distributed to everyone, when it focuses on serving private interests, as well as excluding those who do not have access to it or do not know how to use it, it is clear that this becomes an element that affects the essence of a democracy.

Therefore, instead of information, ignorance is observed, whether voluntary or involuntary, either because of the impossibility of access or because of the possibility, but with uncritical and unconscious use.

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3   *Ibidem*, p. 13–14: "Gracias a la informática, los partidos políticos pueden diseñar unas campañas y elaborar unos programas que conecten con los deseos, necesidades y expectativas de los futuros votantes. Los ordenadores permiten la elaboración de una cantidad, impensable en épocas anteriores, de datos e informaciones y facilitan la realización de sondeos, encuestas y simulaciones electorales. De este modo, se pueden dirigir a la opinión pública unas propuestas políticas que son susceptibles de sucesivas modificaciones y adaptaciones en la medida en que los medios informáticos y telemáticos permiten procesar en un brevísimo margen de tiempo las reacciones de los ciudadanos respecto a esos programas y propuestas elaborados por los partidos".

4   J. Habermas, *Mudança estrutural da esfera pública: investigações sobre uma categoria da sociedade burguesa*, tradução de D.L. Werle, 1 ed., São Paulo: Editora Unesp., 2014, p. 467.

5   M. Castells, *A era da informação: economia, sociedade e cultura. A sociedade em rede*, tradução de R. Venancio Majer, 6 ed., São Paulo: Paz e Terra, 1999, p. 419.

Information, ignorance and truth, as elements that should compose the knowledge and experience of a citizen within a democracy, become increasingly confused elements, without a defined body. The barriers of ignorance and true information have become even more tenuous, making it possible to know information and remain ignorant of its real content and meaning, when its reason is deflected by misconceptions and misinterpretations.

Truth, an element of a complex philosophical, social and ethical character by its very nature, becomes increasingly relative, while each individual assumes their own conceptions as absolute, or transforms untruths into truths in order to meet their personal interests or of a particular group to which they belong.

Moreover, on the opposite side of information there is disinformation. It means when knowledge and good information are replaced by superficial knowledge or by ignorance, based on false information taken as true and which does not have the pretension or ability to be corrected.

The truth and the lie become relative rather than factual issues, allowing each one to consider themselves the "owner" of their own truth. The idealized Habermasian consensus becomes distant, as well as the social reality of the society that calls itself postmodern, reveals itself increasingly flawed and complex, as warned by Boaventura de Sousa Santos.[6]

The true deliberative policy also distances itself from its intended objective, since there is not the slightest ethical-juridical substrate that allows the functioning of democratic institutions not to be infected by this same load of untruths, ignorance and misinformation.

There is a subversion of the rule of law and the role of institutions. It uses its own constitution and its own fundamental rights for this purpose. Rights are politicized and issues that should not, in principle, be judicialized are put into Courts.

The power of information for democracy is to conceive that it is dependent on the improvement and correction of the informational and communicative capacity of society, the State and the media, with a conscious, critical and coordinated use of social networks.

Boaventura de Sousa Santos[7] comments about how modernity has brought an infinite range of possibilities, but also that you can't aspire everything that's possible just because it's possible. Therefore, media and the power of ICTs (communication and information technologies) should not be used to erase the critical awareness of computerization and knowledge, only under the justification that this is, unfortunately, a use that has proven to be possible.

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[6]   B. de Sousa Santos, *Pela mão de Alice: o social e o político na pós-modernidade*, 5 ed., Porto: Edições Afrontamento, 1996.

[7]   *Ibidem*, p. 94.

On the contrary, conscious use should still be sought. Informational education, despite being incipient and not very widespread, can be the beginning of the construction of critical and ethical rationalities, socially and collectively aware of what is happening in the present time of societies, that seek to save their democracies from the deconfiguration of the adopted regime.

Democracies are no longer threatened by recurrent "authoritarian reversals", but rather by "constitutional setbacks", driven by the incorrect use of communication technologies. The elements that threaten a democracy such as populism, favoritism and corruption become elements that find space for growth and occurrence through social networks, or even driven by the use of this digital space in an unregulated and uncoordinated way.

Knowledge about media and information become necessary competences for everyday political and social practice, also entering the sphere of democratic discourse and social participation. A critical understanding of how the media and means of communication and dissemination of information should be taken as issues of educational engagement, therefore, serve as instruments to guarantee, maintain and protect freedom of expression and information, the right to pluralism, dialogue and intercultural harmony of good democratic governance.

In order of theses facts, the pillars of good governance listed by UNESCO are composed of "transparency, public accountability and civic participation", which are considered to be "hardly achieved without open media and information systems".[8]

In a simple illustration of the triad composed of democracy and good governance in a reciprocal relationship of benefits and improvement by the media as providers of information and the formation of a literate citizenship in these media, the following image is reached:
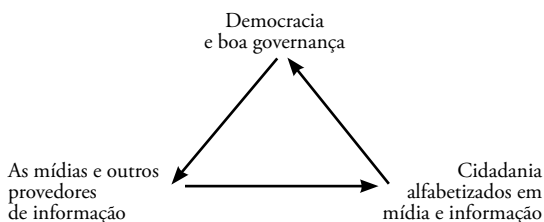
Source: C. Wilson, *Alfabetização midiática e informacional: currículo para formação de professores*, Brasília: UNESCO, UFTM, 2013, p. 25.

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[8]   C. Wilson, *Alfabetização midiática e informacional: currículo para formação de professores*, Brasília: UNESCO, UFTM, 2013, p. 26.

It is from the search for the balance of these relationships that media and digital literacy should be prioritized not only as an economic issue for entry into the increasingly technological labor market, but for understanding the role of these media in the inclusion itself for political and social participation.

Infoexclusion and informational silencing

Considering the scenario of information and its uninformative opposite highlighted, it is certain that the thought of the collective deliberative ideal becomes increasingly difficult, deeply threatening a democratic reality that must be guided by equality and solidarity, and that requires that the individual freedom don't forget the existence of the other.

The same problem of society that calls itself postmodern and calls itself the Information Society makes it necessary to question what information and communicative capacity has been developed, what is the reach and to whom are granted the real benefits of the expansion of spaces of communication.

Societies organize themselves in an increasingly complex way and social relations accompany them. Questions and debates on public matters, public notes issued by politicians from a country in their social networks, unofficial debates between political representatives through the medias, registration of public services exclusively through online platforms,[9] became common in the daily life of contemporary democracies.

As a direct consequence, it has grown a feeling of impotence in the accountability of politicians (*accountability*), while knowing their positions and interacting directly with them through social networks has never been easier. *Fake news* has become commonplace in everyday life and its repression and containment have also become trivialized. As a result, tolerance for false news grows, an extremely dangerous and threatening scenario for democracies.

The absence of certainties about the veracity of the information collected from the media, speeches by political characters, audiences and individual actors in social networks becomes something truly problematic. The media and the press, when not harmed by market information, which is selective and sensationalist, is opposed to the oppression of secure sources of information when contrary to totalitarian figures, in the repression movement of the media and press typical of authoritarian leaders.

A dichotomy can be seen between the broad expansion of communicative potentialities without effective regulation and control of these media, while movements of repression and censorship also coexist.

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9   In this case, the situation of the COVID-19 pandemic is highlighted, where the registration of people for vaccines, news and monitoring of official numbers have become increasingly common practices.

Information is no longer only an element in the construction of public opinion and becomes an electoral tool for the massification or transformation of uncritical and uninformed personalities.

The paradox of digital approximation and political distancing from citizens who are part of a democracy is a process that is even more aggravated when two phenomena appear: info-exclusion and informational silencing.

Disinformation and lack of information are two different things, with different consequences to democracy. The first occurs when untrue and distorted information is aimed at manipulation, concealment of facts, or even incitement to hate movements. On the other hand, the absence of information, the so-called info-exclusion, occurs when citizens do not have access to information technology tools or, even when they do have access, they do not have enough informational and technological education to use them.

Infoexclusion is something that not only implies an exclusion arising from socio-economic conditions (having or not the resources to acquire digital tools and devices), but from the selectivity in choosing the potential that powerful people or groups wishes to include in the digital space.

Elderly people, people with disabilities, women, indigenous people and black people, for example, generally have less access to tools, even though they have sufficient resources to acquire them. Infoexclusion accompanied by misinformation and ignorance are distinct but collectively harmful conditions that internally erode democracy, political rights and institutional activities, representing an almost silent danger.

It is in this context that the second mentioned phenomenon appears: informational silencing. It means that, contrary to the objective of communicative expansion of the media and means of communication, when it behaves in the exclusionary and selective way mentioned above, it ends up having the opposite effect, that is, it silences and oppresses the communicative potential of marginalized groups and individuals.

Regardless, informational silencing also occurs in a passive mode, when, due to the uncritical and unconscious reading of the informational context, the autonomy of thinking, acting and speaking is silenced, creating people and social groups that only reproduce, without any filter, messages and information passed on to them often in a manipulative way.

Infoexclusion is a new form of social exclusion, where information becomes a commodity,[10] an economic element of broad political strength and social participation. Ignacio Ramonet,[11] since 1996, had already warned of the danger of

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[10]   M. Mcluhan, *op. cit.*, p. 207.
[11]   I. Ramonet, *!Nos han robado la esperanza!*, Madrid: El País, 1996.

social networks by using the way it showed that it was going to develop, that is, in a commercialized way, by large companies or groups, contributing to reinforce differences and inequalities.

Thus, being aware of and developing public policies aimed at controlling the effects of infoexclusion is a measure that prevents the expansion of existing differences, and the control of these differences benefits for its own containment. In other words, it is important to seek "alternatives to reduce the differences that currently exist and that these differences are not increased due to the use of technologies".[12]

Human Rights and democracy: participation, representation or isolation?

The entire discussion leads to the perception that, in order to think of a government and public administration that carry out their activities digitally, it is necessary that the citizenry also accompany this change, or, as defined by Pérez Luño,[13] that it is, in fact, a cybercitizenship.

In the terms used in a study on digital inclusion and education for informational competence, there is no "electronic government", if there is no "digital citizens". This does not mean that only those who have and know how to handle technological resources will be considered citizens, but it implies the State's duty to promote the democratization of the use of these tools and the formation of informational skills, through an educational process in this sense.[14]

Human rights as a process of struggle for dignity, constructed and reconstructed from the social movement of building society[15] find in the freedom of expression and opinion, together with freedom of information, the essential components for these emancipation movements and the search for the reduction of social inequalities as a whole.

It is, therefore, of great importance to rescue the idea of the duality of freedom of expression with the right to information, at the risk of (des)democratization through political and social misinformation, deliberate and socially tolerated political ignorance, and uncriticality of participation and the exercise of political power.

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[12] A.F.M. Oliveira, R.E.Bazi Rodrigues, "A sociedade da informação, transformação e inclusão social: a questão da produção de conteúdos", *Revista Digital de Biblioteconomia e Ciência da Informação*, 2008, vol. 5, n.º 2, pp. 115–131, p. 125.

[13] A.-E. Pérez Luño, *op. cit.*

[14] H. Silva et al., "Inclusão digital e educação para a competência informacional: uma questão de ética e cidadania", *Ciência da Informação*, 2005, vol. 34, n.º 1, pp. 28–36, p. 129.

[15] J. Flores Herrera, *A (re)invenção dos direitos humanos*, tradução de C.R. Diogo Garcia, A.H.G. Suxberger, J. Aparecido Dias, Florianópolis: Fundação Boiteux, 2009, p. 22.

This rescue can only occur with political education, focused on democracy and human rights, based on the ethics of emancipation and on the awareness and critical sensitivity to the other.

Informational education is fundamental so that literacy and informational fluency are universal concepts, not restricted to countries or academic spheres.

Digital literacy as the ability to understand linguistic signs, encoding and decoding them in the virtual environment is accompanied and distinguished from digital literacy. Also, a second stage of digital literacy would be "the ability to make sense, the ability to locate, filter and critically evaluate electronic information, whether in words, pictorial elements, sound or any other".[16]

Educating the people from the perspective of the information society is to overcome the barriers of inequality and segregation that directly affect the infostructure, being aware of socioeconomic obstacles, but also recognizing political and social barriers.

In the search for the protection of human rights in a society globalized by the incessant use of information technologies, the education to be promoted is more than training or preparing for the unrestricted use of these tools.

On the contrary, it is in the construction of informational potential and competences that the possibility of growth and social development is expanded, without humanitarian, democratic, ethical and political setbacks. It is also to make citizens able to "learn to learn, in order to be able to deal positively with the continuous and accelerated transformation of the technological base".[17]

Therefore, in addition to literacy and literacy, the need for policies aimed at fluency in these technologies is defended, making users true creators, capable of reformulating and expressing themselves adequately, not only receiving information, but also transforming them in a coordinated manner and consciously.[18]

Instead of media populism, information literacy must be popularized, with the democratization of technological tools capable of having democratic effects in computerized and mediatized societies.

The critical use must become evident not only through discourses, but through regulations, not only for data protection seeking to safeguard private relationships, but to guarantee the very diffusion of technological advances and their respective regulations.

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[16]   S. Silva et al., *op. cit.*, p. 33.
[17]   *Sociedade da informação no Brasil: livro verde*, org. T. Takahashi, Brasília: Ministério da Ciência e Tecnologia, 2000, p. 45.
[18]   L.R. Machado, T.P.F. GRANDE, P.A. BEHAR, F. de M. Rocha Luna, "Mapeamento de competências digitais: a inclusão social dos idosos", *ETD – Educação Temática Digital*, 2016, vol. 18, n.º 4, pp. 903–921, p. 606.

Contemporary democracies must realize that participation and political representation in the information society, marked by digital tools, must be the opposite of the isolation of individuals who postulate individual truths dissociated from the factual-social reality.

The striking individualism of modernity, and the inherent use of technological tools, cannot mean the individualization of consciences and must be aware of the global irrationality of anti-democratic, authoritarian and prejudiced regimes.

The guarantee of security in the use of everyday technological tools, in private contracts, online purchases, migration of electronic judicial procedures must be the same given to the information that arrives and builds the personalities, opinion and will of each citizen.

Conclusions

Perceiving information and communication as central issues in current democratic studies implies recognizing the legal-political consequences of the power acquired by information in the context of the current information society.

It is necessary to follow up and seek to understand how information can be manipulated and acquire the opposite effects of the initially intended communicative objective.

The political power of information and the economic force behind data and content conveyed by the media cannot be ignored.

Furthermore, social inequalities are part of the way technologies work and are distributed, as well as they can use these tools to combat the deepening of existing disparities and vulnerabilities.

Therefore, informational and media education emerges not as an obligation to standardize thinking and use of information technologies, but as an instrument of emancipatory potential for an increasingly conscious use of these tools.

In other words, it will act as a tool for reversing the non-emancipatory framework, so that the democratization of access to these tools, with the respective education for their use, meet the emerging and urgent needs both for democratic purposes and for the guarantee of fundamental rights such as education; right to health and right to the existential minimum.

The concern with the scenario resulting from the communicative process marked by vices and manipulations can benefit from a preventive and prior concern with informational education.

This means that we will not only think about measures to repress and correct the consequences of a communication that has already taken place inappropriately, but rather the search for improvement and correction of

the communicative process so that it does not take place in an uncritical and unconscious way. A preventive and not just corrective look can help in the construction of personalities and political actors marked by an active citizenship that does not abandon digital tools, but inserts them through a use that enhances their positive effects and minimizes the inherent risks.

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Abstract

Democracy, rights and exclusion in information Society: the power of (mis)information in contemporary democracies

Competences and communicative potentials emerge as indispensable elements for the study of contemporary democracies. Defending democracy, human rights, fundamental rights, and seeking to combat social inequality, implies recognizing the influence of information and communication technologies in these scenarios. Information becomes an element of power that is not only communicative, but political, economic and social.

Therefore, what are the threats and means for containment and adaptation to democratic realities? What should be considered when analyzing the function of information in the context of a democracy that intends to be deliberative? Investigating the power of disinformation is a central point of discussion, especially with regard to the protection of democracy, the fight against social inequalities and the enhancement of education. Through the analytical method of bibliographic review, the necessary interdisciplinarity between legal, philosophical and sociological writings is used, with some observations on the global and Brazilian scenario. Moreover, starting from the analysis of the relationship between information, ignorance and truth, arises at the problem of the two highlighted phenomena: infoexclusion and informational silencing. Finally, the consequences of this context on the protection of human rights and democracy are analyzed, signaling education as the main instrument for combating disinformation.

Key words: democracy, information, communication, law