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**THE LAST SHIFT OF THE HABERMASIAN PUBLIC  
SPHERE**

**Flaws in setting up a rational-critical debate on the web**

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*If we are to understand how technology impacts society in general, and politics and democratic communications in particular, we must not be caught up in the particular, novel, technical disruption. Instead, we have to expand our viewpoint across time and systems, and understand the long-term structural interactions between technology, institutions, and culture. Through this broader and longer-term lens, the present epistemic crisis is not made of technology; it cannot be placed at the feet of the Internet, social media, or artificial intelligence. It is a phenomenon rooted in [...] a thirty-year process of media markets rewarding [...] propagandists.*

Yochai Benkler, 2018<sup>1</sup>

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<sup>1</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). *Network Propaganda – Manipulation, Disinformation and Radicalization in American Politics*. New York: Oxford University Press, p. 42.

## I. INTRODUCTION

*Cyberspace is not just about making life easier. It is about making life different, or perhaps better [...]. It evokes, or calls to life, ways of interacting that were not possible before. I don't mean that the interaction is new – we've always had communities; these communities have always produced something close to what I will describe cyberspace to have produced. But these cyberspace communities create a difference in degree that has matured into a difference in kind. There is something unique about the interactions in these spaces, and something especially unique about how they are regulated.*

Lawrence Lessig, 2006<sup>2</sup>

During the past decades, communication within the public sphere has turned a corner. The kind of rational-critical deliberation postulated by Jürgen Habermas in 1962 has hardly survived the advent of technology and its intrusiveness into citizens' lives. Nonetheless, the theorisation provided by the German sociologist remains a useful starting point to understand the last development of the formation of public opinion which will be addressed in this research project. As stated by Beck, “what we are witnessing in the global age is not the end of politics but rather its migration elsewhere”.<sup>3</sup>

This work does not represent the first attempt to theorise the last shift of the habermasian public sphere, which gave birth to the networked society. Rather, by employing existing theories and by analysing four appropriate case studies, I will try to shade lights on the flaws arising in online deliberative processes, as well as on the fundamental factors hindering the establishment of workable regulations.

The Internet has rapidly come to be labelled as “the new normal”, and it has been broadly recognised that “its utility to humankind could not be overemphasized as much as its inherent peril could not be underestimated”.<sup>4</sup> In this regard, it is of utmost importance to stress that the Internet and the cyberspace are not to be regarded as the same thing. Notwithstanding the fact that it has become almost indispensable for a big share of the world's population, the Internet is still to be thought of as a mere medium of communication. Since each medium is “associated with its own code of interpretation which the audience members recognise”,<sup>5</sup> the Internet allowed the cyberspace to flourish, giving birth to a wide variety of semiospheres,<sup>6</sup> whose characters differ in fundamental ways which, in my opinion, have not been sufficiently enquired yet.

The last shift of the public sphere has been welcomed by a wave of enthusiasm, for it brought along the potentiality to enhance equality among citizens, from which the formation of public opinion would have profited. Indeed, the inherent freedom governing the cyberspace fuelled the prospects for everyone to join constructive debates and get informed by cutting on the related costs which used to prevent some individuals from actively participating in some essential processes strictly pertaining to the civil society. As it was asserted

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<sup>2</sup> LESSIG, L. (2006). *Code. Version 2.0*. Published by Basic Books. New York: Perseus Books Group, p. 83.

<sup>3</sup> BECK, U. (2000). *What is globalization? / Ulrich Beck; translated by Patrick Camiller*. Press Polity Malden, MA.

<sup>4</sup> LOBRIGO, F.E. (2017). *Regulating cyberspace*. Available at: Inquirer.net [online].

<sup>5</sup> ALTHEIDE, D. L. (2016). *Media Logic*. In: The International Encyclopaedia of Political Communication, G. Mazzoleni Ed., p. 1.

<sup>6</sup> For a definition of *semiosphere*, see Chapter 1.4.

by prominent views, the power of the internet lies in its capability to change the mix of costs and benefits that people face in real life.<sup>7</sup> Furthermore, the extreme easiness of interconnection characterising the cyberspace allows politicians to directly engage with citizens by dispensing with gatekeepers. This feature theoretically bears the potential to enhance an important degree of rapprochement between political actors and citizens, with a view to remedy to a widespread crisis of legitimacy affecting the political system. Indeed, social networking websites and personal blogs allow politicians to investigate people's needs and concerns, an aspect which might have benefited the formulation of appropriate policies.

Notwithstanding the rosy premises, the practical impossibility of setting regulations within the cyberspace has slowly brought to a worsening of political communication and to a downgrade of the journalistic profession, leading to what many have labelled as a "crisis of journalism".<sup>8</sup> Indeed, journalists and political actors have recently tended to reduce the complexity of their messages, with a view to reach a broader audience. A major shortcoming thereof is the risk to result in dynamics of popularisation and populism of politics.<sup>9</sup> <sup>10</sup> Moreover, the practice of journalism has been undermined by the way in which news circulate on the web through the exploitation of big data, which allow them to target pieces of information just like they do with advertising. The idea of gathering and exploiting big data has often been compared to the invention of microscope, for it "makes visible the previously existed unseen and allows the observer to zoom out and observe at a different scale".<sup>11</sup> As one might expect, the practice has rapidly attracted the attention of money-makers. This has transformed the prospect of an enhancement in equality of information into a further polarisation of opinions, fostered by the undetectable formation of filter bubbles,<sup>12</sup> nurturing people's adherence to groups of like-minded others and by leading the debate in certain directions.<sup>13</sup> Edward Snowden recognised that "business that make money by collecting and selling detailed records of private lives were once described as surveillance companies. Their rebranding as social media is the most successful deception since the Department of War became the Department of Defense".<sup>14</sup>

The reason why it is relevant to analyse and discuss such argument is that the potential enhancement of equality and improvement of discussion have been taken over by the thirst of power that has historically characterised humankind. This was made possible by the malleability of the cyberspace, which is to be regarded as inherently not regulable, though governed by strong power-law structures. This facet, coupled

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<sup>7</sup> LESSIG, L. (2006). Ibid, p. 87.

<sup>8</sup> KUHN, R. & NIELSEN, R.K. (2014). *Political journalism in transition – Western Europe in a comparative perspective*. London: I.B. Tauris & Co. Ltd in association with the Reuters Institute for the Study of Journalism, University of Oxford, p. 35.

<sup>9</sup> BRACCIALE, R. & MARTELLA, A. (2017). *Define the populist political communication style: the case of Italian political leaders on Twitter*. *Information, Communication & Society*, vol. 20(9), pp. 1310–1329.

<sup>10</sup> BOS, L., VAN DER BRUG, W. & DE VREESE, C. (2013). *An experimental test of the impact of style and rhetoric on the perception of right-wing populist and mainstream party leaders*. *Acta Politica*, vol. 48 (2), pp. 192–208. Cited in: BRACCIALE, R. & MARTELLA, A. (2017). Ibid, p. 1311.

<sup>11</sup> TUFEKCI, Z. (2014). *Engineering the public: Big data, surveillance and computational politics*. *First Monday*, vol. 19(7).

<sup>12</sup> Throughout this work, the terms "echo chamber" and "filter bubble" will be employed interchangeably, although they own some differences in connotation. See: LUM, N. (2017). *The Surprising Difference between "Filter Bubble" and "Echo Chamber"*. Available at: Medium [online].

<sup>13</sup> As a case in point, see the discussion about Facebook's management of the trending topic section in Chapter 3.3.2. It was deemed to constitute "some of the most powerful real estate on the Internet". In: NUNEZ, M. (2016). *Former Facebook Workers: We Routinely Suppressed Conservative News*. Available at: Gizmodo [online].

<sup>14</sup> <https://twitter.com/snowden/status/975147858096742405>

with the structural deficiencies which have come to characterise digital natives, has allowed malicious individuals to take over the digital informational system by polluting it with false news, thus leading to a strong plague affecting our century. Such phenomenon arises from the condition that “the digital media environment does not respect the integrity of information”<sup>15</sup> anymore. It may be identified as a sense of *disorientation*, which in turn it paved the way to what many have labelled as *epistemic crisis*. In his prominent work “Network Propaganda” (2018), Harvard Professor Yochai Benkler provides several useful definitions to the epistemic crisis spreading within the inhabitants of the cyberspace. He defines such baffling condition as a state “in which the target population simply loses the ability to tell truth from falsehood or where to go for help in distinguishing between the two”.<sup>16</sup> It is of great consequence to keep this as a starting point to frame a constructive discussion on the last shift of the public sphere. So far, most studies have been affected by a substantial degree of what has been defined as “mediacentric prejudice”, which led to the shortcoming of making researches blind to the relational and behavioural processes which, in turn, influence media production. As a matter of fact, such narratives adopt “too naïve a view of how technology works, and understate the degree to which institutions, culture, and politics shape technological adaptation and diffusion patterns”.<sup>17</sup>

Throughout the first chapter, I will give an account of the existing theories with a view to provide a more comprehensive framework, by highlighting their strengths and deficiencies. Here, it is of utmost importance to employ the historic account of public sphere that Habermas himself proposed in 1962 as a starting point. In fact, each step in such societal development was preceded by a revolution regarding means of communication. Just like the invention of radio and televised debates allowed political actors to enter citizens’ homes by affecting and influencing their daily life, the flourishing of the cyberspace gave people the perception to be an integral part of an immense and trustworthy community. Of course, though being a rather smooth process, such revolution has turned the information system into what seems a point of no return.

By means of the second chapter, an attempt to demonstrate the factuality of the epistemic crisis featuring society in the 21<sup>st</sup> century will be put forward, by providing four representative case studies. Firstly, the unconceivable sphere of influence of both mainstream and alternative online outlets will be revealed through a study focused on the online coverage of Donald Trump’s electoral campaign in 2016, which was made distinctive by the important alterations it underwent during its very construction. Secondly, the discussion will be focused on the aforementioned exploitation of big data, which has eventually started being known to the public following Facebook’s situation with Cambridge Analytica. I will provide an account of the situation, along with a framework of the international conventions that it breaches. Thirdly, I will employ the Italian political scenario in order to enquire a rather undervalued and underdiscussed phenomenon favoured and fostered by online deliberation, namely that of cyberdemocracy. The theory will be applied through an analysis

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<sup>15</sup> GUREVITCH, M., COLEMAN, S., & BLUMLER, J.G. (2009). *Political Communication – Old and New Media Relationships*. The Annals of the American Academy of Political and Social Science, vol. 625(1), p. 172.

<sup>16</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). *Network Propaganda – Manipulation, Disinformation and Radicalization in American Politics*. New York: Oxford University Press, p. 24.

<sup>17</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). *Ibid*, p. 8.



of the sharp divergences between the myth of the “man of the people” as fostered by the controversial Italian party Five Star Movement and the concealed authoritarian features pertaining to their blogosphere. Fourthly, a rather unknown issue will be discussed, namely the potential of extremist radicalisation within the peripheries of the web. As it will be depicted, the semiosphere predominating in the outskirts of the cyberspace is characterised by a deep detachment between real and virtual life, which is coded through a unique language. Because of the fact that most observers are blind to the rules governing such cyberplaces, white terrorism is often normalised online by means of jokes. It will be stressed the way in which, with Internet and social media at stake, processes of radicalisation have been acquiring a completely different shape, becoming almost unrecognisable and, first of all, undetectable.

Finally, the third chapter will fulfil the function of providing a framework of the features pertaining to the cyberspace that hinder the establishment of workable regulations, both in the public and the private field. Since, “identity floats free of the stable anchor that the body provides in real world”<sup>18</sup> inside cyberspace, anonymity was originally to be regarded as a default setting, since it was supposed to “encourage and enhance the exercise of freedom”.<sup>19</sup> Such freedom of the public sphere might then be jeopardised by the absence of a system of rules that supervises it and prevents it from being influenced, and eventually exploited, by the most powerful. This raises an important empirical question: would the establishment of a system of regulations enhance equality within the inhabitants of the cyberspace, or would it run the risk to undermine its inherent freedom? Since people’s right to freely express themselves is to be safeguarded not only in public arenas, but also on social networking websites, an attempt to manage online deliberation may cause uneasiness within members of the public sphere, in a way that could further undermine the independent setting up of rational-critical debates.

Therefore, the main aim of this work is making the reader aware of the mechanisms influencing communication and deliberation within the different semiospheres coexisting in the cyberspace, along with the consequences that such mechanisms would entail in both political and societal life.

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<sup>18</sup> DONATH, J. (1995). *Identity and deception in the Virtual Community*, p. 1.

<sup>19</sup> LOBRIGO, F.E. (2017). *Ibid.*

# CHAPTER 1: THE NETWORKED PUBLIC SPHERE

*The world fashioned by mass media is a public sphere in appearance only.*

Jürgen Habermas, 1962<sup>20</sup>

## 1.1 The origins: evolution of the public sphere

### 1.1.1 Early steps in the formation of public opinion: *öffentliches Raisonement*

It was 1962 when Jürgen Habermas published his masterpiece “The Structural Transformation of the Public Sphere”, thereby providing the concept of *public opinion* with a new connotation. The choice of the term was not haphazard: The Latin term *opinio*<sup>21</sup> was originally ascribed to a belief or a judgment that lacks certainty. A late eighteenth-century coinage would eventually refer to “the critical reflections of a public competent to form its own judgment”.<sup>22</sup> In his work, the German sociologist provides a detailed analysis of the evolution of the multifaceted relationship between the public and the authorities. Starting from a conceptualisation of feudal model of societies, marked by the absence of any distinction between a private and a public sphere, he goes further to identify a second step in the transformation of the public, namely the bourgeois turn of the society. The origins of such historical societal change are to be identified in the first wave of non-industrial capitalism, which fostered economic laissez-faire and the establishment of private property as a general right, as well as in the circulation of the most prominent theories of political liberalism. The former factor led to the spread of sentiments of individualism, as the public use of reason “was guided specifically by such private experiences as grew out of the audience-oriented subjectivity of the conjugal family’s intimate domain”.<sup>23</sup> The latter factor, along with the claims of the *Tiers État* in France, paved the way to the enlightenment process. By gathering in cafes, the bourgeois strata of Western societies began to reflect upon themselves and their own role in society. This new kind of self-reflection on the part of the public gave rise the first firm separation between the public and the newly born private sphere. In this way, a new public sphere “evolved from the very heart of the private sphere itself”,<sup>24</sup> which was “aimed at rationalising politics in the name of morality”.<sup>25</sup> This new independence of the public is strictly linked to the rise of a renewed character of public opinion, arising from rational-critical political debate (i.e., *öffentliches Raisonement*).<sup>26</sup>

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<sup>20</sup> HABERMAS, J. (1989). *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (Trans. by Burger T. with the Assistance of Lawrence F.). Polity Press, Cambridge, p. 171. The work originally appeared in German under the title *Strukturwandel der Öffentlichkeit. Untersuchungen zu einer Kategorie der bürgerlichen Gesellschaft* (1962). Germany: Hermann Luchterhand Verlag, Darmstadt and Neuwied.

<sup>21</sup> The Latin term *opinio* refers to both “belief, idea, opinion” and “rumour”. <https://www.latin-dictionary.net/search/latin/opinio>

<sup>22</sup> HABERMAS, J. (1989). *Ibid*, p. 90.

<sup>23</sup> HABERMAS, J. (1989). *Ibid*, p. 28.

<sup>24</sup> HABERMAS, J. (1989). *Ibid*, p. 160.

<sup>25</sup> HABERMAS, J. (1989). *Ibid*, p. 102.

<sup>26</sup> The process of “öffentliches Raisonement” (i.e., people’s public use of reason) is defined by J. Habermas as the medium of the political confrontation within the public sphere. Indeed, the term “Raisonement” presents connotations unique to the German

The major socio-economic changes characterising the 1830s brought along a new wind of change within modern societies. On the one hand, Karl Marx's diagnosis of the contradictions of the capitalist model, along with the theorisation of its alleged forthcoming collapse, spread doubts about the well-functioning of laissez-faire economies and the associated libertarian manoeuvres by states. On the other hand, the strict intertwining between state and society embedded in the new model of social welfare state resulted once again in some degree of blurring of the boundaries between the private and the public sphere. The renewed public arena experienced an obtrusive penetration by mass media and by the adoption of new reporting practices restructuring public relations, increasingly aimed at relaxation and enjoyment rather than at the stimulation of the aforementioned rational-critical debate. The rising centrality of monetary benefits in the world of mass media made it possible for clever private individuals to concentrate a substantial degree of social power in their own hands. As a consequence of the employment of new revolutionary means of communication as vehicles for political propaganda, the bourgeois public sphere witnessed a severe loss of its distinguishing connotations, among others its intellectual independence. As the new public sphere dominated by mass media took over the advertising function, political actors started to ride the wave by presenting themselves as products. The early nineteenth century witnessed the emergence of "the industry of political marketing",<sup>27</sup> characterised by a brand-new competition for publicity on the part of authorities. J. Habermas points out the sharp contrast between "delayed reward news" and "immediate reward news".<sup>28</sup> The former refer to the social issues that used to serve as the linchpin of public rational-critical deliberation, while the latter refer to consumption-ready stories, ranging from the promotion of social events to the frivolous commentary of public scandals. This led to an important interference in private societal processes, which rapidly translated into an attempt on the part of authorities to promote a new kind of manufactured public sphere. The epochal difference lies in the source of public opinion, which does not stem from within the private sphere anymore. In the way that the fundamental distinction between fact and fiction in news-giving came to be less and less defined, party politics took the chance to bypass the public sphere. In fact, this interference made it possible for politicians to initiate the everlasting practice of "engineering of consent",<sup>29</sup> which has been threatening the neutrality of the discourse in public diplomacy throughout the last decades. The public sphere is by definition not conceived as a place for propaganda. Within this unfamiliar environment, advertisement is not even recognisable as private interest, for it is cannily masked by interest for social well-being.

### **1.1.2 Digital power-relationships between politics and the networked public sphere**

Although the terms of the political equation proposed by J. Habermas remain a useful intellectual construct, even his latest idealisation of democracy has eventually failed to survive the advent of globalisation

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language and culture: it means "simultaneously the invocation of reason and its disdainful disparagement as merely malcontent griping". In: HABERMAS, J. (1989). Ibid, p. 27.

<sup>27</sup> HABERMAS, J. (1989). Ibid, p. 216.

<sup>28</sup> HABERMAS, J. (1989). Ibid, p. 170.

<sup>29</sup> HABERMAS, J. (1989). Ibid, p. 194.

and its deep penetration of the public sphere.<sup>30</sup> Within contemporary democratic societies, socio-political processes are built upon cultural materials. These materials are either produced by political institutions or coproduced within the public sphere, as a result of discussion and deliberation among the components of the civil society.<sup>31</sup> Given the centrality of networks connecting subjects in nowadays civil societies, cultural materials cannot be exclusively produced by governing institutions as a weapon of *Realpolitik* anymore. Since the very essence of democracy is still supposed to lie in the sovereignty of the people, it is from the latter that public opinion has to originate as a general rule. Therefore, a further and more recent context of origination of public opinion might be identified: *the networked public sphere*. The term “networked” is employed here to make reference to the infinite potentiality of interdependence and communication within civil societies,<sup>32</sup> as well as to the primary means that makes this interconnection feasible, i.e. the Internet. Despite the aforementioned primacy of the civil society as a producer of cultural materials, the networked public sphere is characterised by a rather trespassing medley between public actors and the general public. As a matter of fact, interactions between political personalities and citizens have recently been partly shaped by political marketing and interest groups. For people are presented with ever-growing possibilities for a selective use of news sources, the main difference with the mass media society theorised by J. Habermas is given by the unlimited opportunities provided to the civil society by the web. There is empirical evidence that group deliberation, which mostly takes place within the cyberspace, can exert an important influence on the formation of political opinion. Indeed, impersonal arguments generally take priority over the influence of interpersonal relations.<sup>33</sup> In the online environment, such process should theoretically be eased by the inherent impersonality of conversations. Though, the kind of mediated communication dominating the political public sphere lacks the defining features of deliberation.<sup>34</sup>

The mechanisms of globalisation dramatically affected political communication as well, leading to the “globalisation of media politics”, made easier by the necessary intervention of the web in every sector of society.<sup>35</sup> Indeed, everyone may be capable of catching the opportunity to go viral at any time by means of technological tools. Thomas Carlyle defined the art of publishing as the most powerful among the estates of the realm, since “whoever can speak, speaking now to the whole nation, becomes a power, a branch of

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<sup>30</sup> CASTELLS, M. (2008). *The New Public Sphere: Global Civil Society, Communication Networks, and Global Governance*. The ANNALS of the American Academy of Political and Social Science, vol. 616(1), p. 80.

<sup>31</sup> The term *civil society* is defined by the World Health Organization as “the space for collective action around shared interests, purposes and values, generally distinct from government and commercial for-profit actors [...]. However, civil society is not homogeneous and the boundaries between civil society and government or civil society and commercial actors can be blurred”. [https://www.who.int/social\\_determinants/themes/civilsociety/en/](https://www.who.int/social_determinants/themes/civilsociety/en/)

<sup>32</sup> A *network* can indeed be defined both as a “collection of links between nodes in a specific system” [in: VAN DIJK, J. (2006). *The Network Society: Social Aspects of New Media*. 2nd edition. London: SAGE Publications Ltd, p. 24] and as an “intersectional concept for overcoming boundaries between society and technology” [in: CASTELLS, M. (2000). *Materials for an exploratory theory of the network society*. British Journal of Sociology, vol 51(1), pp. 5–24].

<sup>33</sup> NEBLO, M. (2007). *Change for the Better? Linking the Mechanisms of Deliberative Opinion Change to Normative Theory*. In Common voices: The problems and promise of a deliberative democracy.

<sup>34</sup> HABERMAS, J. (2006), *Political Communication in Media Society: Does Democracy Still Enjoy an Epistemic Dimension? The Impact of Normative Theory on Empirical Research*. Communication Theory, vol. 16, pp. 411-426.

<sup>35</sup> COSTANZA-CHOCK, S. (2006). *Analytical note: Horizontal communication and social movements*. Los Angeles: Annenberg School of Communication. Cited in: CASTELLS, M. (2008). *Ibid*, p. 85.

government, with inalienable weight in law-making, in all acts of authority”.<sup>36</sup> This valuable feature of democracy entails major consequences for each level of the public sphere. If on one side the very diversified media system allows the global society to exist independently from the approval of political institutions, on the other side the latter have been increasingly trying to invade the new multidimensionality through a strategic use of the web. Notwithstanding the attempt of institutions to influence public opinion, the rise of mass self-communication relating many-to-many bypasses mass media and often escapes governmental control.<sup>37</sup> In fact, the networked media apparatus serves as a sort of “social glue”,<sup>38</sup> which is pragmatically able to connect people presenting different backgrounds and ideas, thus further fostering some degree of intermingling among cultures.

A consequential unavoidable downside is that processes of informative distortion and information manipulation have become normality, giving way to an always deeper sense of disorientation within the audience. Furthermore, public discourse has witnessed an entwining between political reporting and show business, which rapidly led to an adjustment in the attitudes of both audience and political actors, resulting in a dramatic personalisation of political processes.<sup>39</sup> As the German sociologist Ulrich Beck stated in 2006, “what we are witnessing in the global age is not the end of politics but rather its migration elsewhere”.<sup>40</sup>

## 1.2 Reflection of offline social practices? The epistemic crisis

The rise of the cyberspace as the central setting for the origination of rational-critical debate had major repercussions on civil society in general. As already mentioned, the recent shift of the public sphere theoretically bears the potentiality of being beneficial to the kind of discussion propounded by J. Habermas, forasmuch as people of all social statuses are now virtually able to take part in decision-making processes. Indeed, according to the inclusivity principle, anyone with the ability to reason would be effectively able to take part in public discussions.<sup>41</sup> Notwithstanding this rosy prospect, human behaviour itself has lately been affected by important alterations. The feature allowing mankind to live and flourish through the centuries in the most different living conditions, namely human adaptive capacity, provides for the efficient processing of environmental information and the production of an adequate behaviour.<sup>42</sup> In 1922, Walter Lippmann

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<sup>36</sup> CARLYLE, T. (1841). *On heroes and hero worship*. London: published by James Fraser, pp. 349–350. Cited in: KUHN, R. & NIELSEN, R.K. (2014). *Political journalism in transition – Western Europe in a comparative perspective*. London: I.B. Tauris & Co. Ltd in association with the Reuters Institute for the Study of Journalism, University of Oxford, p. 1.

<sup>37</sup> CASTELLS, M. (2007). *Communication, power and counter-power in the network society*. International Journal of Communication, vol. 1, pp. 238–66.

<sup>38</sup> FASANO, L., PANARARI, M. & SORICE, M. (2016). *Mass media e sfera pubblica. Verso la fine della rappresentanza?*. Milano: Fondazione Giangiacomo Feltrinelli, p. 13.

<sup>39</sup> MAZZOLENI, G. (2012). Cited in FASANO, L., PANARARI, M. & SORICE, M. (2016). *Ibid*, p. 14.

<sup>40</sup> BECK, U. (2000). *What is globalization? / Ulrich Beck; translated by Patrick Camiller*. Press Polity Malden, MA.

<sup>41</sup> J. Habermas enumerates three conditions, or “institutional criteria”, in order for a public sphere to work properly. Those are: a disregard of status, discussion as common concern, and inclusivity.

<sup>42</sup> LOH, K.K. & KANAI, R. (2016). *How Has the Internet Reshaped Human Cognition?*. The Neuroscientists, vol. 22(5), p. 506–520.

unconsciously caught the significance of this behavioural revolution by stating that “as a result of psychological research, coupled with the modern means of communication, the practice of democracy has turned a corner. A revolution is taking place, infinitely more significant than any shifting of economic power”.<sup>43</sup> This turn has paved the way to a deep-rooted epistemic crisis in most advanced countries. An important source of the crisis can be identified in the introduction of televised debates between political actors, that for the first time “limited the ability of viewers to exercise selective exposure to political messages”.<sup>44</sup> In order for a more up-to-date analysis to be carried out properly, Harvard Professor Yochai Benkler points out the importance of inquiring into “how the Internet interacts with a country’s entire media ecosystem, and how that system in turn interacts with that country’s political-institutional system more generally”.<sup>45</sup>

### 1.2.1 Hidden power-law structures within the cyberspace

The increasingly uncatchable speed of the flow of online information, together with the growing number of possibilities for the web communities to frame a debate both within the public sphere itself and with political institutions, has been initially welcomed with strong enthusiasm. Riding the wave of optimism, M. McLuhan has defined the Internet as an “important instrument for the diffusion of a universal thought, democratic principles, equality among citizens, as well as for the construction of a global village”.<sup>46</sup> Indeed, it was initially agreed that the replacement of the unilateral character of traditional mass media would have been fertile ground for the revitalisation of the dormant public sphere conditioned by mass media.<sup>47</sup> Contrary to such views, it is crucial to highlight that *access* to the networked public sphere and effective *participation* in social-political discussions ought to be regarded as two separated processes in all respects.<sup>48</sup> Although the possibility to enter the cyberspace at any time has been eventually contemplated as a fundamental democratic right, the hypothesis that it may automatically lead the way to participation and civic engagement on itself is too a naïve idea. Furthermore, the idea of the online discourse as a tool enhancing equality has been pulled down as well.<sup>49</sup> As a matter of fact, the online world is marked by some precise *power law structures*, which are conceived as a mathematical demonstration of the replication of offline social inequalities on the web. Such unequal societal structures are indeed characterised by a rising level of concentration, which is mirrored online by the high concentration of resources. As a disclaimer to prominent views supporting the inclusionary power of online

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<sup>43</sup> LIPPMANN, W. (1922). *Public Opinion*, 1st Free Press pbks. ed. New York: Free Press Paperbacks (1997), p. 158.

<sup>44</sup> GUREVITCH, M., COLEMAN, S., & BLUMLER, J.G. (2009). *Political Communication – Old and New Media Relationships*. The Annals of the American Academy of Political and Social Science, vol. 625(1), pp. 164–181.

<sup>45</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). *Network Propaganda. Manipulation, Disinformation and Radicalization in American Politics*, New York: Oxford University Press, p. 348.

<sup>46</sup> McLUHAN, M. (1962). *The Gutenberg galaxy: The making of typographic man*. Toronto: University of Toronto Press. Cited in: PĂTRUȚ, B. & PĂTRUȚ, M. (2014). *Social Media in Politics. Case Studies on the Political Power of Social Media*. Public Administration and Information Technology, vol. 13, p. 21.

<sup>47</sup> VEDRES, B., BRUSZT, L. & STARK, D. (2005) *Shaping the web of civic participation: civil society web sites in Eastern Europe*. The Journal of Public Policy, vol. 25(1), pp. 149-163.

<sup>48</sup> FASANO, L., PANARARI, M. & SORICE, M. (2016). *Ibid*, p. 18.

<sup>49</sup> MICONI, A. (2013). In: LOVINK, G. & RASCH, M. (2013). #8 *Unlike Us Reader. Social Media Monopolies and Their Alternatives*. Amsterdam: Institute of Network Cultures, p. 90.

deliberative practices,<sup>50</sup> a quite recent study conducted on the well-known micro-blogging website Twitter, showed that 0.05% of user population attracts over 50% of all attention.<sup>51</sup> In fact, even though online social networks present a far wider amount of content producers than traditional printed or televised media do, attention remains highly concentrated.<sup>52 53</sup>

Moreover, supporters of the *normalisation thesis* focus on the cyberspace as a mirror of offline socio-political and economic structures.<sup>54</sup> The Internet has certainly brought major enhancements to the practicability of debate within the public sphere. Though, most optimistic views are affected by some degree of “mediacentric prejudice”,<sup>55</sup> namely the tendency to neglect endogenous and exogenous factors affecting the quality of the debate in favour of an exclusive focus on the medium. Such factors involve the chances for individuals led by private interest to exert powerful influence on such debate, eased by the impossibility for some kind of actors in the public sphere to even get aware of such intrusiveness. A further important factor is the dramatic adaptation of the tone of everyday discourse to the “rhetoric of efficiency”<sup>56</sup> governing the web.

The rising trust in social networking websites such as Facebook and Twitter as favourite news sources allows private interest groups to lead the debate in specific directions.<sup>57</sup> According to the theory of normalisation, in fact, the offline process of political polarisation resulting from the emergence of mass media such as television and radio as central information sources should be enhanced by the centrality of social networking websites. Despite the validity of this argument, Y. Benkler asserts that this narrative “adopts too naïve a view of how technology works, and understates the degree to which institutions, culture, and politics shape technological adaptation and diffusion patterns”.<sup>58</sup> In fact, because of imposed online algorithms which foster the formation of echo chambers, subjects get unconsciously involved in groups of like-minded others.<sup>59</sup> Such tendency leads them to visualise information that only strengthens their already existing views, thus undermining the basis for the kind of rational-critical debate theorised by J. Habermas.

### 1.2.2 Structural deficiencies affecting the networked public sphere

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<sup>50</sup> See: DAHLBERG, L. (2001). *The internet and democratic discourse: Exploring the prospects of online deliberative forums extending the public sphere*. Information, Communication & Society, vol. 4(4), pp. 615–633.

<sup>51</sup> MICONI, A. (2013). In: LOVINK, G. & RASCH, M. (2013). *Ibid*, p. 91.

<sup>52</sup> Study conducted on 260 million Tweets in WU, S., HOFMAN, J.M., MASON, W.A., et al. (2011). *Who says what to whom on Twitter?* In: *Proceedings of the 20th international conference on World Wide Web*, Hyderabad, pp. 705–714.

<sup>53</sup> See also: Apache open source community; only 15 members were responsible for over 90% of the changes to the code Apache. In: MOCKUS, A., FIELDING, R.T., & HERBSLEB, J. (2000). *A Case Study of Open Source Software Development: The Apache Server*. Proceedings of the 22nd International Conference on Software Engineering, Limerick: ACM Press, pp. 266–267.

<sup>54</sup> JACKSON, N. & LILLEKER, D. (2011) *Microblogging, constituency service and impression management: UK MPs and the use of Twitter*. Journal of Legislative Studies, vol. 17(1), pp. 86–105.

<sup>55</sup> FASANO, L., PANARARI, M. & SORICE, M. (2016). *Ibid*, p. 18.

<sup>56</sup> FASANO, L., PANARARI, M. & SORICE, M. (2016). *Ibid*, p. 16.

<sup>57</sup> See case study: Chapter 2.2.

<sup>58</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). *Ibid*, p. 8.

<sup>59</sup> The phenomenon is known in the social sciences as *homophily*. Sunstein, C. (2001). Cited in: BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). *Ibid*, p. 290.

Contrary to the theory of normalisation, that of *media logic* as propounded by U. Klinger and J. Svensson<sup>60</sup> advocates that offline events reflect the use of specific media, information technologies and formats of online communication. Digital natives present features which are dissimilar to those identifying old generations, such as the matured ability to engage in multiple tasks at the same time, which brings along an increase in distractibility and a worsening of executive control abilities. The Dutch sociologist J. Van Dijk (2006) acknowledged that “the use of networks has come to dominate our lives”.<sup>61</sup> Internet-related multitasking behaviours, indeed, have been giving rise to generational distortions in two main faculties which are fundamental to a proper engagement in the process of rational-critical debate, namely those of self-control and information retention. The former flaw is linked to the loss of behavioural norms due to the distance and invisibility of the interlocutor. The shift to online practices has certainly been quite abrupt and was not accompanied by educational preparation. The declared informality of social networking websites such as Twitter and Facebook, which have not been conceived for hosting debates about socio-political matters at their outset, inevitably led to the undermining of norms that have historically enforced civility. A recent publication by Sumner et al. (2012) has shown that Twitter usage is positively related to the *dark triad* of personality traits, namely those of narcissism, Machiavellianism, and psychopathy.<sup>62</sup> As we will see later in the chapter, the current popularity on Twitter of US President Donald Trump is likely to be partly due to his “aggressive and unconventional use of the platform”, which has allowed him to violate any standard norm of electoral campaign by being openly “uncivil, conspiratorial, and offensive”.<sup>63</sup>

The second deficiency attributed to technology-obsessed individuals, namely the flaw in the capability of information retention, is given by the paradoxical dropping of the plain need to keep hold of information. In fact, the cyberspace reflects the model of *external transactive memory*, according to which information is evenly distributed within a social group, in a way that each member is responsible for specific areas of knowledge. In the same way as an individual embedded in this kind of process would straightforwardly need to approach the right person within the group, it is now only necessary to recall where to retrieve information.<sup>64</sup> Since the release of Internet for public use in 1993, the new interconnected subjects have been able to resort to quasi-infinite sources of knowledge, reaping the benefits of a major reduction of information costs and enjoying the great possibility to profit from a wide plurality of content and sources. Though, the constant

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<sup>60</sup> KLINGER, U. & SVENSSON, J. (2014). *The emergence of network media logic in political communication: A theoretical approach*. *New Media & Society* (2015), vol. 17(8), pp. 1241–1257.

<sup>61</sup> Counting on it the time spent at work or at school in a developed society, he calculated between five and seven hours of leisure time a day using broadcast networks on average. In: VAN DIJK, J. (2006). *The Network Society: Social Aspects of New Media*. 2nd edition. London: SAGE Publications Ltd, p. 1.

<sup>62</sup> SUMNER, C., BYERS, A., BOOCHEVER, R., & PARK, G.J. (2012). *Predicting dark triad personality traits from Twitter usage and a linguistic analysis of tweets*. 11th International Conference on Machine Learning and Applications (ICMLA), vol. 2. Cited in: OTT, B.L. (2017). *The age of Twitter: Donald J. Trump and the politics of debasement*. *Critical Studies in Media Communication*, vol. 34(1), pp. 59–68.

<sup>63</sup> Barry Burden, Political Science Professor at the University of Wisconsin (Madison). Cited in: KAPKO, M. (2016). *Twitter's impact on 2016 presidential election is unmistakable*. Available at: CIO Digital Magazine [online].

<sup>64</sup> A social experiment led by Sparrow et al. (2010) has proven that subjects are better at recalling where to regain information rather than the information itself. In: SPARROW, B., LIU, J., & WEGNER, D.M. (2011). *Google effects on memory: cognitive consequences of having information at our fingertips*. *Science*, vol. 333, pp. 776–8. Cited in: LOH, K.K. & KANAI, R. (2016). *Ibid*, p. 508.



availability of material brought to a worsening in the manner of processing information and to a drastic decrease in sustained attention, which resulted in a severe deterioration of information learning.<sup>65</sup>

Furthermore, the practical need for a multitasking-attitude on the part of the new public led to an increase in distractibility, which in turn prompted the incapability to discern truth from falsehood on online platforms. As a tacit rule, some degree of openness and basic preparation are required in order to benefit from a constructive debate. On that account, such cognitive weaknesses make people more prone to manipulation through the agency of those who retain factual information. This way, the public unconsciously sets the basis for a contemporary version of propaganda, which clears the way for an ever more powerful “engineering of consent”.<sup>66</sup> Such decennial practice, coupled with the emergence of computational methods and algorithmic governance, has been eased in many instances by the rise of *fake news*. The infamous term was coined by Daniel Silverman, in an article analysing the engagement generated by the top election news stories during the final three months of the US presidential campaign in 2016.<sup>67</sup> The intensification of the occurrence of the phenomenon clearly went along with and was partly fostered by dramatic changes in the tones of journalism.

The main locus in which fake news are free to circulate are again social networking websites. Each social network is characterized by unique architecture and norms,<sup>68</sup> since platforms widely differ in terms of technical infrastructure, terminology, and appearance.<sup>69</sup> A series of experiments on its news feed algorithm revealed Facebook’s actual potential to affect general attitudes. Partially as a result of the gathering of very large datasets of information and the exploitation thereof for the purpose of exerting influence on online discussion, the shift to the cyberspace as the central setting for civic interactions brought into being the phenomenon of *computational politics*.<sup>70</sup> Therefrom, new possibilities to strengthen the manufacturing of consent arose. Far before the rise of social networks, W. Lippmann anticipated that “knowledge of how to create consent will alter every political calculation and modify every political premise”.<sup>71</sup>

### 1.3 Unavoidable adjustments in modes and tones of political communication

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<sup>65</sup> LOH, K.K. & KANAI, R. (2016). Ibid, p. 508.

<sup>66</sup> HABERMAS, J. (1989). Ibid, p. 194.

<sup>67</sup> SILVERMAN, C. (2016). *This Analysis Shows How Viral Fake Election News Stories Outperformed Real News On Facebook*. Available at: BuzzFeed News [online].

<sup>68</sup> SMITH, A.N., FISCHER, E., & YONGJIAN, C. (2012). *How does brand-related user-generated content differ across YouTube, Facebook, and Twitter?* Journal of Interactive Marketing, 26(2), 102–111. Cited in: ERNST, N., ENGESSER, S., BÜCHEL, F., BLASSNIG, S. & ESSER, F. (2017). *Extreme parties and populism: an analysis of Facebook and Twitter across six countries*. Information, Communication & Society, vol. 20(9), p. 1352.

<sup>69</sup> LARSSON, A.O. (2015). *Comparing to prepare: Suggesting ways to study social media today – and tomorrow*. Social Media + Society, vol. 1(1), pp. 1–2. Cited in: ERNST, N., et al. (2017). Ibid, p. 1352.

<sup>70</sup> “Computational politics refers to applying computational methods to large datasets derived from online and offline data sources for conducting outreach, persuasion and mobilization in the service of electing, furthering or opposing a candidate, a policy or legislation. It is informed by behavioural sciences and refined using experimental approaches, including online experiments, and is often used to profile people, sometimes in the aggregate but especially at the individual level, and to develop methods of persuasion and mobilization which, too, can be individualized. Thus, it depends on the existence of big data and accompanying analytic tools and is defined by the significant information asymmetry – those holding the data know a lot about individuals while people do not know what the data practitioners know about them” (U.S. Federal Trade Commission, 2014). Cited in: TUFEKCI, Z. (2014). *Engineering the public: Big data, surveillance and computational politics*. First Monday, vol. 19(7).

<sup>71</sup> LIPPMANN, W. (1922). Ibid, p. 158. Cited in: BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). Ibid, p. 25.

Unfeigned popular interest in the political system is on the decline in many countries,<sup>72</sup> thus provoking a serious crisis of legitimacy toward the political class. As a result, this, aided by latter-day political journalists, has been trying to cope with this loss by fostering the rise of the “politics of scandal”, according to which the privileged mechanism to access power is identifiable in image-making, rather than in issue deliberation.<sup>73</sup>

### 1.3.1 Absence of gatekeepers and rise of the *politics of scandal*

The practice of political journalism has been continuously reinventing itself throughout the centuries; the development thereof has been extensively analysed by R. Kuhn and R. K. Nielsen.<sup>74</sup> Political journalism is defined as “part and parcel of representative politics, engaged in criticising those in positions of power, promoting particular political actors, issues, and views, keeping people at least to some extent informed about public affairs and mobilising citizens for political action”.<sup>75</sup> The evolution of the profession can be tracked down from early-days reporters which used to write for competing limited-circulation periodicals, through the twentieth-century televised journalism which broadcasted for an immense audience, up to modern-day multitasking newsmen who have eventually adhered to the rhetoric of efficiency by reporting news in real time. The last development particularly distinguishes countries which have recorded an increase in general Internet use.<sup>76</sup> Oddly enough, enhancements in Internet-assisted political activism and the creation of online-only news giving platforms are not always correlated to the extent of Internet use,<sup>77</sup> rather to particular adaptations of the public sphere to the new digital environment. Profound alterations affecting the general public were accompanied by important adjustments on the part of political journalists. As a matter of fact, they have been adapting to a new kind of audience which has become less patient, more scattered, and increasingly empowered by a wide assortment of digital media and information sources that can be consulted at any time. As a corroboration to the widespread stance supporting that the practice of political reporting occupies a rather distinctive position within society, critics have occasionally warned of an alleged “crisis of journalism”,<sup>78</sup> due to a sharp decline in historical standards. Since the main feature distinguishing social media is the quasi complete absence of traditional gatekeepers, an enhancement of direct interactions between politicians and citizens has inevitably taken place. In order for their messages to fit structures and algorithms of social media, political actors tend to reduce the complexity of their posts in order to reach a broader audience. A major

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<sup>72</sup> PARVIN, P.S. (2018). *Democracy Without Participation: A New Politics for a Disengaged Era*. Res Publica, vol. 24, p. 34.

<sup>73</sup> THOMPSON, J.B. (2000). *Political scandal: Power and visibility in the media age*. Cambridge: Polity. Tremayne, Mark, ed. 2007. Blogging, citizenship, and the future of media. London: Routledge. Cited in: Castells, M. (2008). *Ibid*, p. 82.

<sup>74</sup> KUHN, R. & NIELSEN, R.K. (2014). *Political journalism in transition – Western Europe in a comparative perspective*. London: I.B. Tauris & Co. Ltd in association with the Reuters Institute for the Study of Journalism, University of Oxford.

<sup>75</sup> KUHN, R. & NIELSEN, R.K. (2014). *Ibid*, p. 2.

<sup>76</sup> Between 2010 and 2018, Europe has recorded a 570% general increase in Internet usage; 85.2% of the total population owns a Facebook account. In: Internet World Stats, 2018.

<sup>77</sup> An example may be provided by Western Europe: Italy has recently seen spectacular instances of online political activism, in spite of the fact that Internet use is far higher in countries such as Denmark and Germany. In: KUHN, R. & NIELSEN, R.K. (2014). *Ibid*, p. 11.

<sup>78</sup> KUHN, R. & NIELSEN, R.K. (2014). *Ibid*, p. 18.

consequence thereof is the risk to result in dramatic dynamics of “popularisation and populism of politics”,<sup>79</sup> especially through the adoption of “direct and simple communication frames” through which actors “can identify with the people and speak in their name, paradoxically and simultaneously underscoring the distance between them”.<sup>80</sup>

The packaging of events for media attention calls for adjustments in the style of language and for a clear preference for drama associated with entertainment-oriented contents. These recent developments may be due to the fact that “each medium is associated with its own code of interpretation which the audience members recognise”.<sup>81</sup> Indeed, politicians use Twitter for the plain reason that “the medium fits the message”, for it is “distributed, non-hierarchical and democratic”.<sup>82</sup> Therefore, momentous differences between the practices of traditional and online journalism may be pointed out. In reference to the such distinctions, M. Adolf coined the term “media culture”, which refers to “the totality of meanings and practices, frames and forms, social actions and sensory experiences and their technological infrastructure”.<sup>83</sup> In the digital scenario, “audiences are increasingly becoming active participants in public communication, as senders as well as addressees of mass-circulating messages”.<sup>84</sup> Since social interactions require by definition communication and action, new digital media have been affecting everyday conversation by changing mutual relationships

### 1.3.2 The phenomenon of *dumbing-down* in political communication

As a further important consequence, journalists and politicians must consider that their statements will in all likelihood not be delivered into the digital arena as they were formulated. On the contrary, their words will probably be “mashed-up” in order to appear more entertaining. This is likely to occur since “the digital media environment does not respect the integrity of information”,<sup>85</sup> gradually paving the way to an always more comprehensive mediatization of politics.<sup>86</sup> A fundamental feature of such process is the phenomenon of “dumbing down”, i.e. the way alternative and mainstream media describe political affairs by placing them side by side with elements of mass culture, in order to make them more enjoyable.<sup>87</sup> A new peculiarity of politicians’ independent communication is the tendency to share aspects of their private lives, as well as the practice of exploiting fears and concerns about citizens’ everyday life in order to gain consensus. They do so

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<sup>79</sup> BRACCIALE, R. & MARTELLA, A. (2017). *Define the populist political communication style: the case of Italian political leaders on Twitter*. Information, Communication & Society, vol. 20(9), pp. 1310–1329.

<sup>80</sup> BOS, L., VAN DER BRUG, W. & DE VREESE, C. (2013). *An experimental test of the impact of style and rhetoric on the perception of right-wing populist and mainstream party leaders*. Acta Politica, vol. 48 (2), pp. 192–208. Cited in: BRACCIALE, R. & MARTELLA, A. (2017). Ibid, p. 1311.

<sup>81</sup> ALTHEIDE, D.L. (2016). *Media Logic*. In: The International Encyclopaedia of Political Communication, G. Mazzoleni Ed., p. 1.

<sup>82</sup> BARTLETT, J. (2014). *Populism, social media and democratic strain*. Democracy in Britain: Essays in honour of James Cornford, pp. 91–96. London: Institute for Public Policy Research. Cited in: BRACCIALE, R. & MARTELLA, A. (2017). Ibid, p. 1312.

<sup>83</sup> ADOLF, M. (2013). *Clarifying mediatization: Sorting through a current debate*. Empedocles: European Journal for the Philosophy of Communication, vol. 3(2), pp. 153–175.

<sup>84</sup> GUREVITCH, M., COLEMAN, S., & BLUMLER, J.G. (2009). Ibid, pp. 167-168.

<sup>85</sup> GUREVITCH, M., COLEMAN, S., & BLUMLER, J.G. (2009). Ibid, p. 172.

<sup>86</sup> “Mediatization of politics” is defined as the point when “both media and political actors adapt their behaviour to the audience-oriented market logic”. In: LANDERER, N. (2013). *Rethinking the Logics: A Conceptual Framework for the Mediatization of Politics*. Communication Theory. Special Issue: Conceptualizing Mediatization, vol. 23, pp. 239–258.

<sup>87</sup> FASANO, L., PANARARI, M. & SORICE, M. (2016). Ibid, p. 16.

by adopting a narrative register based on “simplification, position-taking and taboo breaking”,<sup>88</sup> by gravitating toward a rather aggressive style of communication. Facing this new scenario, the horse race among political actors does not become tangible in an ideological fashion anymore. The main actors feel the growing pressure to present themselves as authentic trustworthy celebrities among which the most appealing will be picked out by the audience. Therefore, political actors try to develop skills in appearing “just like you”.<sup>89</sup> Undoubtedly, by taking into account the present-day deep mediatisation of politics, the style of political communication becomes “an important conceptual tool for exploring the contemporary political realm”.<sup>90</sup>

In addition, journalists have often been accused of making it hard for ordinary readers to make sense of the news because of the style of language they employ; though, only a part of professionals agreed to adapt to the new tones of discussion. This paved the way for a certain class of politicians to place themselves at the centre of digital attention, by seizing the opportunity to monopolise online political debate. A functional example may be provided once again by US President Donald Trump, who succeeded in rapidly placing himself in the spotlight with little effort. As a matter of fact, the President has “used Twitter to short-circuit normal processes in the executive branch”<sup>91</sup> already during his first year in office. As an instance, he resorted to the platform to announce a ban on transgender troops.<sup>92</sup> His team of social media managers chose Twitter for specific reasons; indeed, the latter is defined by three key features: simplicity, impulsivity, and incivility. The first characteristic sees a connection with the aforementioned grievances about journalistic language on the part of the public. Because of the limitation of characters to 140, Twitter technically prevents users from writing complex messages. For the same reason, users usually post links to news articles or other sources, a practice which bears the consequence of fostering short attention-spans.<sup>93</sup> The second feature is linked to the accessibility of the platform, as a result of which people feel entitled to post without taking into account possible consequences<sup>94</sup> for what concerns both their own reputation and other people’s reactions. Differently from face-to-face interactions, users do not need to engage in any kind of facework anymore, which is usually employed in order to preserve some degree of personal dignity when physically confronting each other.<sup>95</sup> The third attribute refers to the deep depersonalisation of interactions, which rewards negativity and aggressiveness as the key of popularity on Twitter.<sup>96</sup>

According to B. L. Ott (2017), “negative” popularity on Twitter is fostered by two main factors, namely the acceptance of social networks as a reliable source of information concerning political affairs, as well as

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<sup>88</sup> BRACCIALE, R. & MARTELLA, A (2017). Ibid, p. 1314.

<sup>89</sup> COLEMAN, S. & MOSS, G. (2008). *Governing at a distance. Politicians in the blogosphere*. Information Polity, vol. 13(1/2), pp. 7–20. Cited in: GUREVITCH, M., COLEMAN, S., & BLUMLER, J.G. (2009). Ibid, p. 174.

<sup>90</sup> MOFFITT, B., & TORMEY, S. (2014). *Rethinking populism: Politics, mediatisation and political style*. Political Studies, vol. 62(2), pp. 381–397. Cited in: BRACCIALE, R. & MARTELLA, A. (2017). Ibid, p. 1312.

<sup>91</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). Ibid, p. 18.

<sup>92</sup> THOMPSON, M. (2019). *How to Spark Panic and Confusion in Three Tweets*. Available at: The Atlantic [online].

<sup>93</sup> OTT, B.L. (2017). Ibid, pp. 59–68

<sup>94</sup> An example may be provided by a Tweet published by US Public Relations Executive Justine Stacco, who tweeted: “Going to Africa. Hope I don’t get AIDS. Just kidding. I’m white!” (December 13<sup>th</sup>, 2013).

<sup>95</sup> HJARVARD, S. (2008). *The Mediatization of Society. A Theory of the Media as Agents of Social and Cultural Change*. Nordicom Review. Vol. 29.

<sup>96</sup> THELWALL, M., BUCKLEY, K. & PALTOGLOU, G. (2011). *Sentiment in Twitter events*. J. Am. Soc. Inf. Sci., vol. 62, pp. 406–418. Cited in: OTT, B.L. (2017). Ibid, p. 62.

the tendency to treat Twitter itself as a news-giving website.<sup>97</sup> Since the monetisation of posts on social networking platforms is often considered more important than the truth it holds, he contended that “Twitter infects public discourse like a social cancer; it destroys dialog and deliberation, fosters farce and fanaticism, and contributes to callousness and contempt”.<sup>98</sup>

#### 1.4 The peripheries of the web. A new anarchy?

Most web-surfers take no notice of the existence of a less visible portion of the Internet. As a central place for social interactions, the cyberspace requires the relentless creation of new meanings that will be interpreted according to the specific context in which they are embedded. In order to avoid the risk of focusing on mere technical aspects of digital programming and properly address the complexity of online communication processes, J. Lotman’s theory of the semiosphere<sup>99</sup> (1990) may be borrowed. The semiotics of culture gave rise to a comprehensive research field which comes up with the aim of giving a detailed account of the concept of culture as symbolic human activity, along with the creation of symbols that it entails, by carefully analysing the former to demonstrate how things come to possess a given meaning. Therefore, the online semiosphere “both encloses web and is overtaken by it”.<sup>100</sup> So far, the present analysis has been focused on the mainstream centre of the web; actually, the latter hosts a dynamic and often ignored area, i.e. its “periphery”. This vibrant part of the web harbours multifarious subcultures, ranging from the well-known nerds, geeks, and fandoms, up to religious sects and political extremists.

##### 1.4.1 Emergence of unique languages within different semiospheres

Within the semiosphere of the web, the existence of a wide number different of languages tied up by mutual relations makes the process of semiotics, i.e. communication, possible. Notwithstanding the efficacy of J. Lotman’s theorisation, the dependence of the web on a hierarchy of interconnected languages makes any attempt to postulate a comprehensive theory of the “websphere” fallacious.<sup>101</sup> Indeed, the entire online world cannot be properly inquired into as being independent from the wide gathering of texts it entails. Therefore, what must be actually taken into account in carrying out an analysis of the general web is that it only constitutes a part of a wider and more comprehensive semiosphere. M. Thibault (2016) points out an important

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<sup>97</sup> In 2017, 62% US adults get their news on social media. In: GOTTFRIED, J., & SHEARER, E. (2016). *News use across social media platforms 2016*. PewResearchCenter. Cited in: OTT, B.L. (2017). Ibid, p. 65.

<sup>98</sup> OTT, B.L. (2017). Ibid, p. 60.

<sup>99</sup> J. Lotman’s theory (1990) addresses the semiosphere as “the smaller working semiotic mechanisms, the minimum unit of semiosis that surrounds every single culture”. Cited in: THIBAUT, M. (2016). *Trolls, hackers, anons: Conspiracy theories in the peripheries of the web*. Lexia, Rivista di semiotica, vol. 23, p. 389.

<sup>100</sup> THIBAUT, M. (2016). Ibid, p. 389.

<sup>101</sup> THIBAUT, M. (2015). *Do not talk about anonymous. Censura, autocensura e anonimato nelle periferie del Web*. Torino: Aracne editrice, LEXIA Censura-censorship vol. 21–22, p. 240.

terminological distinction between “Web” and “Internet”. The former refers to the physical net of wires and cables making online access possible, whereas the latter stands for “interconnected networks”<sup>102</sup> and refers to the intertextual net connecting digital files thanks to a combination of protocols. These are actually responsible for the global language which allows the exchange of data among technological tools; since digital files are partly humanly created, the web cannot be contemplated as an external entity to the cultures it is embedded in.

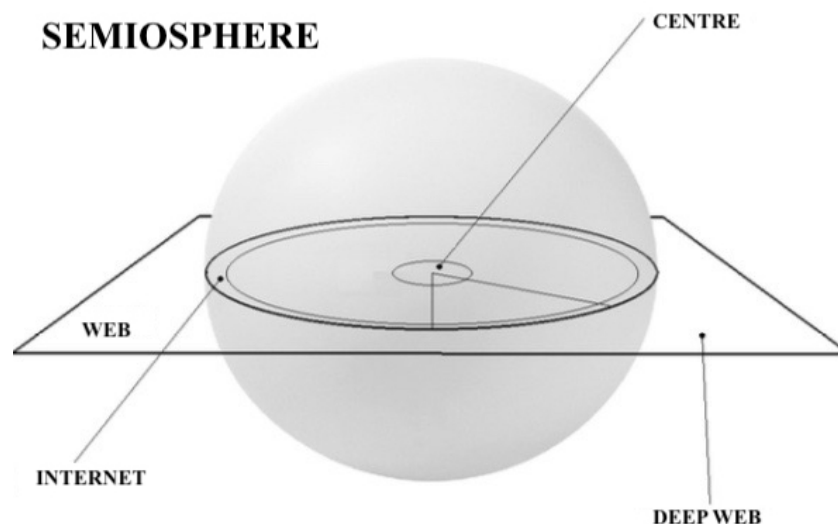


Figure 1 - Semiosphere and the Web (Thibault, 2016)

At the centre of our semiosphere, we find the websites which exert a strong influence on the whole online environment, such as Google, Facebook, etc., which are able to reshape languages. They do so by altering economic equilibria, by inventing neologisms (such as *googling*), or even by influencing political terminology through the widespread use of hashtags. Furthermore, they are characterised by strong mechanisms of rigidity and repetition.<sup>103</sup> On the contrary, the periphery displays as an entity in open contrast to such central rigidity just by itself. The boundaries of the semiosphere separate the “visible” web from the “deep web”,<sup>104</sup> namely a segment of the online world that can be only reached by using particular kinds of softwires, being thus inaccessible to conventional search engines. Between the periphery and the deep web, the most complex and creative portion of the web supply can be spotted. In this kind of environment, users interact anonymously<sup>105</sup> or pseudonymously as a general rule. In spite of that, the influence it exercises on the general web is worth to be mentioned; to give an example, this is where most part of Internet *memes*<sup>106</sup> were created. On platforms

<sup>102</sup> THIBAUT, M. (2015). Ibid, p. 239.

<sup>103</sup> THIBAUT, M. (2015). Ibid, p. 242.

<sup>104</sup> <https://whatis.techtarget.com/definition/deep-Web>

<sup>105</sup> The hacker collective “Anonymous” was created on the board /b/ on the website *4chan*. In: THIBAUT, M. (2016). Ibid, p. 391.

<sup>106</sup> A meme is defined as “something such as a video, picture, or phrase that a lot of people send to each other on the Internet” (Collins Dictionary), particularly as an “amusing or interesting item (such as a captioned picture or video) or genre of items that is spread widely online especially through social media” (Merriam-Webster Dictionary). The origins of the term can be traced back to “discrete units of knowledge, gossip, jokes and so on, which are to culture what genes are to life. Just as biological evolution is driven by the survival of the fittest genes in the gene pool, cultural evolution may be driven by the most successful memes” (Richard Dawkins).

such as 4chan<sup>107</sup> or 8chan, social interactions take place on the basis of the production of images, videos, or textual content, which follows strict rules. These unapproachable communities are openly hostile to the centre of the semiosphere, blaming it of treating the web as no more than a continuation of real life, since identities are almost entirely not hidden. Indeed, the “A-Culture”<sup>108</sup> is oriented towards “expression”,<sup>109</sup> i.e. it presumes that anything not pertaining to their particular convictions is wrong. Representatives of this kind of communities see the cyberspace as some parallel reality, in which truth gets dangerously meshed with fiction. As it happens, such platforms are famous hotbeds for the creation and spread of conspiracy theories.

#### 1.4.2 The A-Culture and the unfeasibility of sound deliberation

This dependence on a sort of fictitious life on the part of the A-Culture bears huge consequences for regular users of the web and for the public sphere in general. As a matter of fact, the setting up of a workable and profitable rational-critical debate on the model of J. Habermas’s theorisation is almost completely unrealisable for a multitude of reasons. First of all, such websites are regulated by nothing but their own unique code of conduct; for example, a famous *meme* published on 4chan on February 15<sup>th</sup>, 2007<sup>110</sup> enumerates the “Rules of the Internet”.<sup>111</sup> The list was created for the purpose of gathering the benchmarks associated with the popular group of hacktivists *Anonymous*.<sup>112</sup> Particularly worth to mention are the first two rules, which claim in unison “Do not talk about /b/” (i.e. the “random” board on 4chan), referring to the famous 1999 cult *Fight Club*. The importance of this rule is well connected to users’ preference for a fictitious version of sociality and is associated to Rule 20, i.e. “Nothing has to be taken seriously”. This reveals an aspect of great consequence, which risks to further undermine the possibility to benefit from an exchange of views on such platforms. Rule 20 clearly displays the playful character of this segment of the Internet, which is intrinsic both to the texts it produces (e.g. memes) and to its pragmatics (e.g. interactions between users, which are normally oriented to irony),<sup>113</sup> which occasionally results in light-hearted disseminations of racist and misogynistic views. This aspect is taken for granted inside such communities, often making it hard for an outsider to interpret users’ conversations in a correct way, and at the same time creating two separate semiotic domains, namely the playful one and the one mirroring reality. This aspect is linked to a widespread online practice, namely that of

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<sup>107</sup> 4chan is defined as an “imageboard”, namely a platform in which users create a new thread by posting a single image, to which other users can add posts, quote or reply. Since only a finite number of threads can be active at a given time on a given board, the creation of new threads entails the elimination of old ones based on their ranking within the bump system. In: ZANNETTOU, et al. (2017). *The Web Centipede: Understanding How Web Communities Influence Each Other Through the Lens of Mainstream and Alternative News Sources*. The 2017 Internet Measurement Conference, pp. 405-417.

<sup>108</sup> AUERBACH, D. (2012). *Anonymity as Culture: A Treatise*. Triple Canopy, 15. [Online]. Cited in: THIBAUT, M. (2015). *Ibid*, p. 391.

<sup>109</sup> LOTMAN, J.M. (1998). *Universe of the Mind, a Semiotic Theory of Culture*. London: I.B. Tauris & Co. ISBN-10: 1850433755. Cited in: THIBAUT, M. (2016). *Ibid*, p. 391.

<sup>110</sup> <https://archive.is/QvSpe>

<sup>111</sup> <https://knowyourmeme.com/memes/rules-of-the-internet>

<sup>112</sup> Anonymous is “an ad-hoc group of Internet users who are often associated with various hacktivist operations, including protests against Internet censorship, Scientology and government corruption”. <https://knowyourmeme.com/memes/subcultures/anonymous>

<sup>113</sup> THIBAUT, M. (2016). *Ibid*, p. 392.

*trolling*.<sup>114</sup> This feature takes a rather menacing nuance when its exercise crosses the boundaries of the peripheries of the Internet, where users are often unaware of the very existence of such practice. Indeed, the only goal of trolls is to deliberately upset the interlocutor. This is inherently related to the aforementioned incongruity between the conventional way of acting in face-to-face interactions and the behaviour people adopt when the impossibility to reach the factual author of a message can be exploited. Besides representing a possible threat to public order, the fact that most web-surfers ignore the very existence of a dark side of the online world can be exploited to organise peaceful attacks against people or organisations, such as the famous raid on Italian politician Matteo Salvini's Facebook page in 2015.<sup>115</sup>

This aspect inevitably entails important implications for countries for what concerns state regulations. They are in a position to deal with the necessity to stop explicitly xenophobic views, without running the risk of undermining the untouchable freedom of speech which has always been characterising the web. A fundamental role might be also played by updates in the code of conduct of privately-owned platforms, which might play an important role in putting aside threats to the well-functioning of the web.

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<sup>114</sup> "To troll" means "to advocate in an aggressive and often illogical way an unpopular opinion, in order to start an argument with other users". In: THIBAUT, M. (2016). Ibid, p. 395.

<sup>115</sup> *Gattini su Salvini, flash mob virtuale sul profilo Facebook del leader della Lega: "Scatenate felini in nome dell'amore"*. (2015). Available at: Il Fatto Quotidiano [online].



## CHAPTER 2: CASE STUDIES – APPLICATION OF THE EPISTEMIC CRISIS

*The creation of consent is not a new art. It is a very old one which was supposed to have died out with the appearance of democracy. But it has not died out. It has, in fact, improved enormously in technic, because it is now based on analysis rather than on rule of thumb. And so, as a result of psychological research, coupled with the modern means of communication, the practice of democracy has turned a corner. A revolution is taking place, infinitely more significant than any shifting of economic power. [...] It is no daring prophecy to say that the knowledge of how to create consent will alter every political calculation and modify every political premise. Under the impact of propaganda, not necessarily in the sinister meaning of the word alone, the old constants of our thinking have become variables.*

Walter Lippmann, 1922<sup>116</sup>

Throughout this chapter, some critical shortcomings of the formation of public opinion on the web will be analysed. The four case studies will be focused on the most crucial consequence borne by the last shift of the public sphere: the widespread epistemic crisis. First, online mainstream and alternative journalistic coverage of U.S. President Donald Trump before and during the last Presidential elections will be analysed, along with the strong agenda-setting power of 21<sup>st</sup> century online journalism. Second, the loss of privacy caused by the gathering of personal data and the exploitation thereof for political ends will be examined, by revolving around a famous case: that of Cambridge Analytica, the British political consulting firm which declared bankruptcy after the Facebook scandal.<sup>117</sup> Third, an attempt to debunk the myth of direct democracy will be carried out, through a short analysis of its alleged implementation in Italy. Fourth, the peripheral semiosphere of the web will be subject to an examination, particularly for what concerns the risks of radicalisation linked to the absence of rules of conduct and their repercussions in real life by focusing on the shocking 2019 Christchurch massacre in New Zealand.

### 2.1 The agenda-setting power of online outlets: *Breitbart's* coverage of Donald Trump's candidacy

*The epistemic crisis has an inescapably partisan shape.*

Yochai Benkler, 2018<sup>118</sup>

In the first chapter, an analysis of the power exercised by the online public sphere in shaping offline behaviour was carried out. In this case study, the discussion will revolve around the momentous consequences

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<sup>116</sup> LIPPMANN, W. (1922). *Public opinion*, 1st Free Press pbks. ed. New York: Free Press Paperbacks (1997), p. 158.

<sup>117</sup> LUMB, D. (2018). *Cambridge Analytica is shutting down following Facebook scandal*. Available at: Endgadget [online].

<sup>118</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). *Network Propaganda – Manipulation, Disinformation and Radicalization in American Politics*. New York: Oxford University Press, p. 31.

that online alternative media coverage of Donald Trump's campaign for the presidency of the United States bore on the whole agenda of the Republican party.

### 2.1.1 *Breitbart's* impact on the focus on Muslim immigration

It is well known that, in order to run a successful electoral campaign, two elements are crucial. These are agenda-setting, that implies the identification of which social questions can be appealing to the audience, and framing, which is the way each element of the agenda is presented and addressed. Actually, it is the very process of framing that exerts the most powerful influence on people's attitudes.

When presenting Donald Trump as a candidate, the Republican establishment aimed at constructing its agenda on economy, and in particular on economic growth, tax cuts, and deregulation. It was definitely not in their first intentions to focus a consistent part of their electoral campaign on a sharp hostility towards immigration. Nevertheless, Donald Trump pulled the trigger by placing the threat perceived by the presence of Mexican immigrants on American soil at the core of one of his first famous public speeches.

*The US has become a dumping ground for everybody else's problems. [Applause]. Thank you. It's true, and these are the best and the finest. When Mexico sends its people, they're not sending their best. They're not sending you. They're not sending you. They're sending people that have lots of problems, and they're bringing those problems with us. They're bringing drugs. They're bringing crime. They're rapists. And some, I assume, are good people.*<sup>119</sup>

Despite the initial concern for Mexico, the focus of Donald Trump's anti-immigration campaign rapidly switched to Muslim subjects. What led to such a momentous change in the framing of the predominant element of his electoral agenda is the steady flow of news stories associating migration with terrorism, public health issues, and abuse of the welfare system.<sup>120</sup> The main promulgator of such misleading stories has certainly been the online outlet *Breitbart*. It was launched in mid-2007 by Andrew Breitbart, whose expressed aim was to found "the *Huffington Post* of the right".<sup>121</sup> Its rise through the ranks of the most influential right-wing outlets speeded up only at the beginning of 2014, when it expanded its personnel and opened up new headquarters both in the U.S. and in Europe. Far before the last general elections, immigration was at the core of *Breitbart's* most covered topics. In the period covering the last presidential run, nearly 1 out of 25 sentences in their elections-related articles mentioned immigration.<sup>122</sup> Additionally, whereas a considerable share of the American media ecosystem was dealing with the problem of immigration as being strictly linked to the legal

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<sup>119</sup> CAPEHART, J. (2015). *Donald Trump's 'Mexican rapists' rhetoric will keep the Republican Party out of the White House*. Available at: The Washington Post [online].

<sup>120</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). *Network Propaganda – Manipulation, Disinformation and Radicalization in American Politics*, New York: Oxford University Press, p. 103.

<sup>121</sup> RAINEY, J. (2012). *Breitbart.com sets sights on ruling the conservative conversation*. Available at: Los Angeles Times [online].

<sup>122</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). *Ibid*, p. 108.

situation of immigrants already living in the States, it was the right-wing media ecosystem, headed by *Breitbart*, which put the spell on the threat of Muslim terrorism.

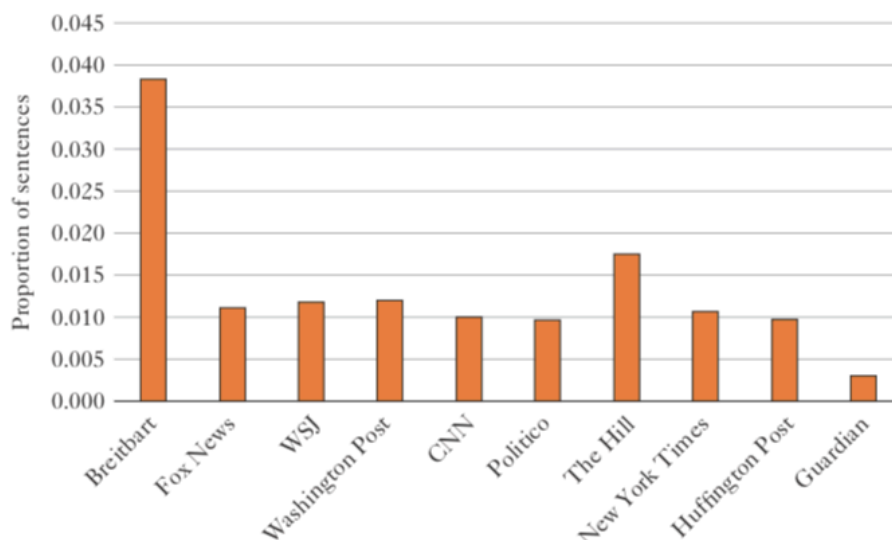


Figure 2 – proportion of sentences in each media outlet mentioning immigration (Benkler 2018, p. 109)

Taking advantage of its prominent place within the ranks of American right-wing online outlets, *Breitbart* was able to exert a huge impact on the core issues of the Republican electoral agenda. On top of that, its influence was so well built that, even after the last elections, the right-wing outlet was in a position to foster some of Trump’s most controversial moves as President of the U.S.<sup>123</sup> According to Gottfried and Shearer (2016), a majority of the American adult population resorts to social media as their favourite and most used new source, and remarkably to Facebook.<sup>124</sup> For this reason, it may be useful to take a look at *Breitbart*’s headlines which produced most engagement on Zuckerberg’s social network. Indeed, 16 out of 20 of the most widely Facebook-shared immigration-related stories were framed in terms of Muslim threat.<sup>125</sup> Two of the articles which obtained the biggest number of shares were titled “WATCH: The Anti-Migrant Video Going Viral Across Europe”<sup>126</sup> and “WATCH: Migrants Dislike Food, Demand TVs, Threaten to Go Back to Syria”.<sup>127</sup> As it was already mentioned, a further strong signal of *Breitbart*’s agenda-setting power is the fact that its influence was not limited to the election period. Rather, he kept on with the anti-Muslim rhetoric in such a spirited way that Brenton Tarrant, the perpetrator of the 2019 Christchurch massacre, mentioned the President as “a symbol of renewed white identity and common purpose”.<sup>128</sup> As a matter of fact, Mr. Trump and *Breitbart* kept backing each other by speculating on Muslim habits and beliefs and thus spreading hate. Indeed, in an interview with CNN, Trump said that “Islam hates us (the Americans, ed.)”. As a further

<sup>123</sup> See Donald Trump’s “anti-Muslim ban” on: SIDDIQUI, S. (2018). *Trump’s travel ban: what does the supreme court ruling mean?*. Available at: The Guardian [online].

<sup>124</sup> GOTTFRIED, J. & SHEARER, E. (2016). *News use across social media platforms 2016*. Available at: PewResearchCenter [online].

<sup>125</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). *Ibid*, p. 114.

<sup>126</sup> LANE, O. (2015). *WATCH: The Anti-Migrant Video Going Viral Across Europe*. Available at: Breitbart [online].

<sup>127</sup> LANE, O. (2015). *WATCH: Migrants Dislike Food, Demand TVs, Threaten to Go Back to Syria*. Available at: Breitbart [online].

<sup>128</sup> KLAAS, B. (2019). *A short history of President Trump’s anti-Muslim bigotry*. Available at: The Washington Post [online].

corroboration, he stated that it was up to “the media” to figure out whether the hate stemmed from radical Islam or from “Islam itself”.<sup>129</sup>

### 2.1.2 Concentration and tendencies to propaganda

Harvard professor Yochai Benkler carried out a detailed analysis of the American right-wing media ecosystem. Most influence on society, being it gauged through hyperlinks, Twitter shares, or Facebook shares, comes from the far right of the spectrum. Furthermore, it is highly insulated from other segments of the network. These data perfectly fit the discussion on the concentration of both information and power on the web, and on the strong tendency to inequality characterising the cyberspace. As a matter of fact, “there is no symmetry in the architecture and dynamics of communication within the right-wing media ecosystem and outside of it”.<sup>130</sup> Because of this feature, this part of the American media system is likely to result in some degree of radicalisation of a solidly conservative political organisation such as the American Republican party. Indeed, an essential feature of the online coverage of 2016 elections is the extreme recurrence of attacks aimed not only at the opposition party, but also at the mainstream pillars of the Republican party itself. Y. Benkler claims that “the epochal change reflected by the 2016 election and the first year of the Trump presidency was not that republicans beat democrats despite having a demonstrably less qualified candidate. The critical change was that in 2016 the party of Ronald Reagan and the two presidents Bush was defeated by the party of Donald Trump, Breitbart, and billionaire Robert Mercer”.<sup>131</sup>

As a matter of fact, such types of extreme news outlets such as *Breitbart*, *Truthfeed*, and *Infowars*, do not even attempt to defend their intentions to follow journalistic objectivity. Furthermore, new tacit professional norms within online news outlets foster a sharp negativity in coverage as a mark of hard-hitting journalism.<sup>132</sup> Therefore, backed by some major central hubs animating the peripheries of the web such as Reddit,<sup>133</sup> they play a central role in leading to a social issue which Y. Benkler defines as *disorientation*, namely “a condition that some propaganda seeks to induce, in which the target population simply loses the ability to tell truth from falsehood or where to go for help in distinguishing between the two”.<sup>134</sup> Such a threat, combined with the aforementioned cognitive deficits characterising digital natives, could lead to two major shortcomings, namely the creation of fertile ground for a 21<sup>st</sup> century kind of propaganda and the consequential difficulties arising in the process of governance.

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<sup>129</sup> SCHLEIFER, T. (2016). *Donald Trump: “I think Islam hates us”*. Available at: CNN [online].

<sup>130</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). *Ibid*, p. 14.

<sup>131</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). *Ibid*, p. 7.

<sup>132</sup> PATTERSON, T.E. (2016). *News Coverage of the 2016 General Election: How the Press Failed the Voters*. HKS Working Paper No. RWP16-052.

<sup>133</sup> According to a study conducted by Zannettou et al. (2017), some alt-right outlets, such as Breitbart and InfoWars, are predominantly present on the six analysed subreddits. This might be an evidence of the fact that Reddit is contributing to the spread of misleading stories.

<sup>134</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). *Ibid*, p. 24.

## 2.2 The exploitation of big data and the loss of privacy: the case of Cambridge Analytica

Communication on the Internet has changed from a person-to-person model into a one-to-many or many-to-many model. This has rapidly enabled the powerful to turn communication on the web into a productive job. In fact, “the Internet becomes more organised because it is based on interest and profit”.<sup>135</sup> This is made easier by the possibility to target advertising material, which is ensured by the collection of a huge quantity of individual personal data. Here, personal data is defined as any information with direct or indirect links to an individual; a European Union Directive precisely defines it as “a unique information that identifies an individual”.<sup>136</sup> Nowadays, information is strictly connected with powerholders. The idea of exploiting of big data has often been compared to the invention of microscope, for it “makes visible the previously existed unseen and allows the observer to zoom out and observe at a different scale”.<sup>137</sup> Just like advertisers and business companies do not need to collect data from individuals anymore, political actors are now able to accurately target their political campaigns by dispensing with their once essential tools, such as surveys and interviews.

Edward Snowden, famous American whistle-blower, addresses the issues by stating that “business that make money by collecting and selling detailed records of private lives were once described as *surveillance companies*. Their rebranding as *social media* is the most successful deception since the Department of War became the Department of Defense”.<sup>138</sup>

### 2.2.1 Information asymmetry and critical inequality on data gathering

Nowadays, reaching popularity on the web does not require any particular effort. Most of the times, being a “good user” simply means being accepted and recognised by the rest of the network. In exchange for some degree of empowerment, the social media user has to tacitly or explicitly accept some rules, which often include the collection of his or her personal data. It does not take a keen eye to become aware of the fact that most people do not properly value the protection of their own personal data on the web. Indeed, the new form of capitalism developing through the Internet, and particularly through social media, is “one that feeds directly off the subjective life of users in order to create the ideal conditions of consumption”.<sup>139</sup> The exploitation of personal data to target commercial advertising on the part of companies is by now a well-known and accepted

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<sup>135</sup> MASRUOH, D. & SATRIA, R. (2018). *The Effect of Cambridge Analytica Case in Cyberspace Politics*. Atlantis press: Advances in Social Science, Education and Humanities Research, vol. 241.

<sup>136</sup> Directive 95/46/EU. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A31995L0046>

<sup>137</sup> TUFEKCI, Z. (2014). *Engineering the public: Big data, surveillance and computational politics*. First Monday, vol. 19(7).

<sup>138</sup> <https://twitter.com/snowden/status/975147858096742405>

<sup>139</sup> LAZZARATO, M. (2004). *Révolutions du Capitalisme*. Paris: Empêcheurs de Penser en Rond. Cited in: LANGLOIS, G. (2013). *Social Media, or towards a political economy of psychic life*. In: LOVINK, G. & RASCH, M. (2013). #8 *Unlike Us Reader. Social Media Monopolies and Their Alternatives*. Amsterdam: Institute of Network Cultures, p. 98.

practice. What a relevant share of social media users still miss is that the same kind of exploitation is exercised by political campaign managers of the most prominent political leaders.

Such a practice jeopardises the formation of rational-critical debate on the web under different points of view. First, it undermines the concept of democracy as a combination participation and opposition, since targeted political advertising fosters the formation of echo-chambers, thus making dissenting dialogues technically unpracticable. This facet can be extremely damaging, since “peer views and referrals are the strongest, most convincing form of marketing”.<sup>140</sup> Second, it compromises the unfettered formation of personal ideas on the web, for different users are not provided with the same information material. Third, it creates a new kind of categorical inequality within the networked public sphere, by leaving out people who are unlikely to vote from the delivery of political material.

### **2.2.2 The Cambridge Analytica case – how data mining breaches important international safeguards**

The British political consulting firm Cambridge Analytica used to promote its activity as “a combination of predictive analysis, behavioural science and advertising technologies based on data collection”.<sup>141</sup> Its undisclosed aim was to form a target audience by exploiting personal data to influence voting behaviours. The company became known to the public in 2015 during the Ted Cruz campaign. Its parent company Strategic Communication Laboratories (SCL), in collaboration with Global Science Research (GSR), collected users’ data through the five-factor model, also known as the dispositional model of personality. For electoral campaigns have historically been focused not only on facts, but on sentiments, this kind of analysis was able to unravel personal characteristics such as extraversion, benevolence, conscientiousness, emotional stability and openness to experience. Political material was thus targeted according to psychological personal traits, playing on human hopes and fears.<sup>142</sup> The collection of data was specifically conceived in order to provide the right kind of advertisement to a specifically targeted public on Facebook. The process was quite straightforward: the company’s analytics division was in charge to identify Facebook user characters, its creative team determined the exact news that would be exhibited on each user’s account, while its IT section brought up such ads on the Facebook homepages.<sup>143</sup> This is a further tool which strongly helped out Donald Trump triumph in the last U.S. Presidential elections.

Besides being an unethical tool for the reasons explained in the previous paragraph, such practice has been deemed to breach a considerable number of international laws and safeguards. First, it does not comply with

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<sup>140</sup> EL-BERMAWY, M.M. (2016). *Your Filter Bubble is Destroying Democracy*. Available at: Wired [online].

<sup>141</sup> BOLDYREVA, E.L. (2018). *Cambridge Analytica: ethics and online manipulation with decision-making process*. The European Proceedings of Social & Behavioural Sciences, p. 95.

<sup>142</sup> BOLDYREVA, E.L. (2018). *Ibid*, p. 97.

<sup>143</sup> WARREN, T. (2018). *Facebook has been collecting call history and SMS data from Android devices*. Available at: The Verge [online].

Article 19 of the *Universal Declaration of Human Rights*.<sup>144</sup> According to the latter, people have the right to freely express their opinions not only in public arenas, but also on social networking websites; in the long run, the disclosure of the practice of data collection on the part of powerful companies may have the effect of causing uneasiness in social media users for what concerns expressing political opinions, thus further undermining the unbridled creation of rational-critical debates. Second, it could breach *Human Rights Committee General Comment No. 16 on Rights to Respect of Privacy, Family, Home, and Correspondence, and Protection of Honour and Reputation* for what concerns the safeguard of individual privacy.<sup>145</sup> Third, it was deemed to not abide by the General Assembly Resolution of 1990, namely the Council of Europe Convention on the *Protection of Individuals with regard to Automatic Processing of personal data, the flows of personal data, and the guidelines for the regulation of computerized personal data files*.<sup>146</sup>

However, Yochai Benkler insists that the mediatic exposition devoted to Cambridge Analytica makes the whole affair appear far more serious than it actually is. In his work *Network Propaganda* (2018), he cites an experiment conducted by Matz et al.<sup>147</sup> who, by targeting users psychologically characterised by low openness, achieved 500 app installs out of circa 84.000 targeted advertising. It was also demonstrated that in most cases the profiling was successful because the app was free. “Voting, in this regard, is more likely to be similar to actually paying money than installing a free app”.<sup>148</sup>

It is nonetheless true that the ethical and legal implication of the exploitation of personal data should be seriously taken into account by local governments and international agencies. The issue will be discussed in detail in the following chapter.

### 2.3 The Italian case: The illusion of direct democracy

This case study will focus on a peculiar feature characterising the Italian political scenario: the myth of the *man of the people*. Such rhetoric is advanced by a rather unique political actor which managed to get a big share of public attention in the past few years, namely the unconventional government party Five Star Movement. Although this kind of rhetoric doubtlessly constitutes a linchpin of populism, the narrative inserts itself into a broader picture, strengthened by the appropriateness of social networking websites as a means to

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<sup>144</sup> ART 19. *Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.* <https://www.un.org/en/universal-declaration-human-rights/>

<sup>145</sup> ART 17 provides for *the right of every person to be protected against arbitrary or unlawful interference with his privacy, family, home or correspondence as well as against unlawful attacks on his honour and reputation. In the view of the Committee this right is required to be guaranteed against all such interferences and attacks whether they emanate from State authorities or from natural or legal persons. The obligations imposed by this article require the State to adopt legislative and other measures to give effect to the prohibition against such interferences and attacks as well as to the protection of this right.* [http://ccprcentre.org/page/view/general\\_comments/27798](http://ccprcentre.org/page/view/general_comments/27798)

<sup>146</sup> <https://rm.coe.int/1680078b37>

<sup>147</sup> MATZ, S.C. et al. (2017). *Psychological Targeting as an Effective Approach to Digital Mass Persuasion*. Proceedings of the National Academy of Sciences 114, vol. 48, pp. 12714–12719.

<sup>148</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). *Ibid*, p. 277.

pursue such aim. What makes the Movement fit the discussion about the unworkability of the online public sphere is grand illusion it gives its followers, namely that of online *direct democracy*.

As stated by Deseriis (2017), the Five Star Movement fits the definition of “techno-populist party”, characterised by “a blind faith in technological progress [...], with a deep distrust in statist, bureaucratic, and hierarchical forms of authority”.<sup>149</sup>

### 2.3.1 The Five Star Movement and the paradox of the authoritarian cyberdemocracy

At its outset, the Five Star Movement could hardly be thought of as an authentic party. Its founder Beppe Grillo has been showing contempt for established parties since the early days of his career as a comedian.<sup>150</sup> He has demonstrated closeness to the people in different ways, by supporting countless events, initiatives, grassroots campaigns, social movements. The beginning of his unconventional social engagement in the political arena can be traced back to his first meeting with Rocco Casaleggio, who in 2005 helped him to recognise the importance of Internet. Indeed, the cyberspace can be regarded as “an intrinsic part of the movement’s identity”, fuelled by a fundamental connection among the concepts of “streamed”, “open”, and “direct” democracy enabled by the web.<sup>151</sup>

The label of “party” is clearly rejected in the very name of the political organisation, which self-defines as a *movement*. Its distinguishing features are “its post-bureaucratic organization, its post-ideological identity, its anti-establishment and populist discourse, its democratic conception, and its reliance on digital technologies for organisation, communication, and identity building”.<sup>152</sup> Notwithstanding its open disdain for a traditional model of hierarchically organised party, it particularly fits the “leaderist-nationalist variant of techno-populism”,<sup>153</sup> that relies on the Internet as the peerless space for the actualization of the ideals of *direct democracy*. This kind of social arrangement is defined as a “form of direct participation of citizens in democratic decision making, in contrast to indirect or representative democracy, based on the (mere) sovereignty of the people”.<sup>154</sup> Therefore, their cyberutopian narrative entrusts the web as the only answer for contemporary bad-functioning democracies. In 2015, Grillo said: “Without utopia, the M5S would not exist. You are sons of the utopia. Utopia is [...] a world in which everyone can participate in public life not giving any mandate to the political class, where direct democracy will be reality”.<sup>155</sup> However, the implementation of such a cyberutopian narrative does not come without defects. Indeed, the party claims to function as a mere

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<sup>149</sup> DESERIIS, M. (2017). *Technopopulism: The Emergence of a Discursive Formation*. tripleC: Communication, Capitalism & Critique. Open Access Journal for a Global Sustainable Information Society, vol. 15, p. 442.

<sup>150</sup> In 1986, Beppe Grillo was expelled by RAI because of an infamous joke about the then-Prime Minister Bettino Craxi, leader of the Socialist Party. He specifically said: “If everyone in China is a socialist, who do they steal from?” <https://video.corriere.it/grillo-battuta-craxi-che-fece-cacciare-rai/bc7399fa-aceb-11e7-a5d5-6f9da1d87929>

<sup>151</sup> MOSCA, L., VACCARI, C. & VALERIANI, A. (2015). *An internet-fuelled party? The movimento 5 stelle and the web*. Beppe Grillo's Five Star Movement: Organisation, Communication and Ideology, p. 128.

<sup>152</sup> MOSCA, L. (2018). *Democratic vision and online participatory spaces in the Italian Movimento 5 Stelle*. Acta Politica, p. 2.

<sup>153</sup> DESERIIS, M. (2017). Ibid, p. 442.

<sup>154</sup> <https://www.britannica.com/topic/direct-democracy>

<sup>155</sup> Beppe Grillo at Italia5Stelle, Imola. October 17<sup>th</sup>, 2015. [https://www.youtube.com/watch?v=Vkt-i8P7R\\_c](https://www.youtube.com/watch?v=Vkt-i8P7R_c)



intermediary of the voice of the people; the paradox is disclosed by the full institutionalisation of the party in 2012, carried out in order to be able to run in the 2013 elections. As a further important contradiction with their propounded ideals, only those who have previously subscribed as official members of the movement are allowed to participate in its proceedings. Even accessing the platform cannot be defined as a straightforward process: In its statute, it is prescribed that “in order to become a member, a request will have to be sent to the website” (Article 5). In simple words, Grillo and his delegates perform the role of gatekeepers even for the simple process of registration. In common knowledge, the concept of democracy rests on participation and opposition; the Five Star Movement could be deemed to have failed in both processes. First, even those who have regularly joined the Movement are seldom consulted; most decisions take normally place via institutional proceedings. Second, they do not technically allow opponents to take part in discussions, thus contributing to willingly form a quasi-institutionalised group of like-minded others. In fact, FSM’s populist nature works as a justification for its battle against varied common enemies, in order to allow Grillo to circumvent the expected deliberative processes. This way, he deceivably appears as the protector of the movement, struggling to preserve its unity and reputation.

A technical contradiction can be pointed out between their rhetoric picturing the web as the fittest space for voters to gather information and form preferences and the adoption of a copyrighted logo, as well as the use of a privately-owned platform. As a matter of fact, the notion of web-based direct democracy should allow, if not encourage, internal disagreements. Notwithstanding that, Giovanni Favia – former member of the regional Council of Emilia Romagna – was expelled from the movement for denouncing Casaleggio’s online authoritarianism in 2012.<sup>156</sup> In order to remove him from the party, Grillo theoretically exercised his property rights on FSM’s logo, by having his personal lawyer send him a letter “cautioning him against further use of his personal property”.<sup>157</sup>

### 2.3.2 Grillo’s blog – Personal property and impracticability of discussions

A further meaningful instance of the failure of direct democracy within the movement may be provided by its active presence on the *quasi-periphery* of the web, namely the whole thing of blogs, commercial websites, and privately-owned pages constituting a substantial part of the online supply.<sup>158</sup> The Italian blogosphere presents a huge quantity of minor blogs which, though active, are lost in the very peripheries of the web, with a few major blogs getting most digital attention. Beppe Grillo’s personal blog perfectly fits this scheme. His project is presented as a “horizontal, non-bureaucratic and participative challenge to traditional vertical hierarchies and political parties”,<sup>159</sup> thus conceptually reflecting the ideological strand promoted by the party. Technically speaking, a problem of concentration can be easily pointed out. Popular participation

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<sup>156</sup> LIUZZI, E. (2012). *Movimento 5 Stelle, Grillo caccia Giovanni Favia e Federica Salsi*. Available at: Il Fatto Quotidiano [online].

<sup>157</sup> MOSCA, L., VACCARI, C. & VALERIANI, A. (2015). *Ibid*, p. 131.

<sup>158</sup> THIBAUT, M. (2015). *Do not talk about anonymous. Censura, autocensura e anonimato nelle periferie del Web*. Torino: Aracne editrice, LEXIA Censura-censorship vol. 21–22, p. 237–254.

<sup>159</sup> MICONI, A. (2013). In: LOVINK, G. & RASCH, M. (2013). *Ibid*, p. 98.

on the blog is indeed limited to comments and replies, being the general flow of discussion limited to topics submitted by Grillo himself. This feature emphasises a severe contradiction with the promoted rhetoric of web-based direct democracy, while normatively reflecting the offline contradictions recently displayed by the government party.

This facet of the party fits the discussion on the coexistence of different semiospheres in the peripheries of the web. As a consequence of the charismatic power of the blogosphere, “where words still have the face of those who utter them”,<sup>160</sup> one can observe a noteworthy obstacle in the development and patterns of legitimation of the web ecosystem. Five Star Movement’s practices of online participation are subject to some degree of tension as the Casaleggio Associati – the company managing FSM’s online platform, i.e. *Rousseau* – has often been accused of lacking transparency and inclusiveness, especially during the first-ever web-based primary elections in 2013.<sup>161</sup> The movement justifies such flaws by advocating that blog posts only function as a starting point for further constructive discussions. Nonetheless, dissenters on the platform are usually handled as “trolls”,<sup>162</sup> thus cleverly exploiting a particular online semiosphere to exercise censorship authority.

## 2.4 Risks of radicalisation within the peripheries of the web: Tarrant and 8chan

It was said that new information and communication technologies favour the emergence of “multiple mini-public spheres”,<sup>163</sup> by creating innovation that could hardly be generated in an offline environment.<sup>164</sup> In fact, the global cyber-citizen becomes both beneficiary and producer of cultural material, by contributing to online debates and by freely interacting with other citizens.<sup>165</sup> Still, even the most prominent optimistic views tend to ignore the existence of the aforementioned peripheries of the Internet, or better, many tend to underestimate their oxymoronic centrality.

### 2.4.1 Modus operandi of online white terrorism

Although the outlying protagonists of the web have already been active for quite long, the growing media attention dedicated to the ethical flaws arising in the tech-industry, such as sexism in videogames and the gentrification of the Bay Area in California, resulted in an explosion of interest for the outskirts of the Internet. What differentiates it from authentic offline xenophobic right-wing movements is the style of writing and

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<sup>160</sup> MICONI, A. (2013). In: LOVINK, G. & RASCH, M. (2013). Ibid, p. 99.

<sup>161</sup> MOSCA, L., VACCARI, C. & VALERIANI, A. (2015). Ibid.

<sup>162</sup> See Chapter 1.4 for definition.

<sup>163</sup> AXFORD, B. & HUGGINS, R. (2001). *New media and politics*. London: SAGE Publications Ltd. Cited in: CAIANI, M. & PARENTI, L. (2013). *Web Nero. Organizzazioni di estrema destra e Internet*. Bologna: Società editrice il Mulino.

<sup>164</sup> GUREVITCH, M., COLEMAN, S., & BLUMLER, J.G. (2009). *Political Communication – Old and New Media Relationships*. The ANNALS of the American Academy of Political and Social Science, vol. 625(1), pp. 164–181.

<sup>165</sup> BRUSZT, L., STARK, D. & VEDRES, B. (2005). *Organizing Technologies: Genre Forms of Online Civic Association in Eastern Europe*. Annals of The American Academy of Political and Social Science, vol. 597, pp. 171-188.

expressing ideas they employ, which is marked by a complete absence of self-censorship and concern for one's social standing and feelings. This is of course allowed by the issue of anonymity, along with the very permissive policies of the websites on which individuals act, such as Reddit<sup>166</sup> and 8chan. In fact, at the core of such ideology, a strong detachment between real life and its online version can be clearly pointed out.

Even though their members generally deny being part of any official political group or organisation, such online communities have been indirectly bolstered by the kind of political communication employed by important leaders such as Donald Trump in the U.S. and Viktor Orbán in Hungary. In some way, the harsh language they use tends to legitimise tech-authoritarian tendencies, thus contributing to shape an environment in which concepts of offline civility and mutual respect are not only not mirrored online, but completely lost. The very reason for which these far-right militants hardly get a proper place in public debates is that their theories come out as being detached from reality. Indeed, their online rantings are usually considered as not capable of generating effects in real life. This assumption has recently turned out to be a dangerous underestimation of their potential, since their threat goes actually beyond the spheres of influence of single countries. The tendency to dissociate individual acts from the “broad social, cultural, political and technological context in which their voice is produced”<sup>167</sup> makes public opinion miss the broader picture in which a more contemporaneous kind of white terrorism is gaining a foothold. The formation of online hotbeds has contributed to changing the modus operandi of terrorists; in 1975, Brian Michael Jenkins observed that “terrorists want a lot of people watching, not a lot of people dead”.<sup>168</sup> As a matter of fact, being terrorism once based in a physical territory like al-Qaeda was during the 1990s, disclosing proofs of its power was of utmost importance. Today, their deeds are mainly shared within niche communities of like-minded others rather than with a broad public; therefore, the count of the victims has gained more significance. In fact, terrorism is nowadays associated with “us”, referring to online communities, rather than with “them”, referring to enemies to fight.

#### **2.4.2 The case of Brenton Tarrant and his radicalisation on 8chan**

The alienating power of such online communities has recently been brought in the spotlight by Brenton Tarrant, the perpetrator of the Christchurch massacre taking 49 innocent lives on March 15<sup>th</sup>, 2019. The factor drawing a connection between his modus operandi and online white terrorism is that the full live streaming of the episode on Facebook. A momentous aspect which is still overlooked is that the shooter was an active member of the 8chan community. Shortly before acting, he disclosed his intentions in a post on the /pol/ (i.e. *politically incorrect*) chat board, along with several links to download his personal manifesto.

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<sup>166</sup> Reddit is defined as the “front page of the Internet”. It is a social news aggregator in which users post URLs to the desired content along with a title, and other users can upvote or downvote the post, thus determining its ranking within the community. Internal subcommunities are not defined by friendship/follower relation, but via the “subreddit concept”. In: ZANNETTOU, et al. (2017). Ibid, pp. 405-417.

<sup>167</sup> MALY, I. (2019). *White terrorism, metapolitics2.0 and the great replacement*. Available at: Diggit Magazine [online].

<sup>168</sup> MALY, I. (2019). Ibid.

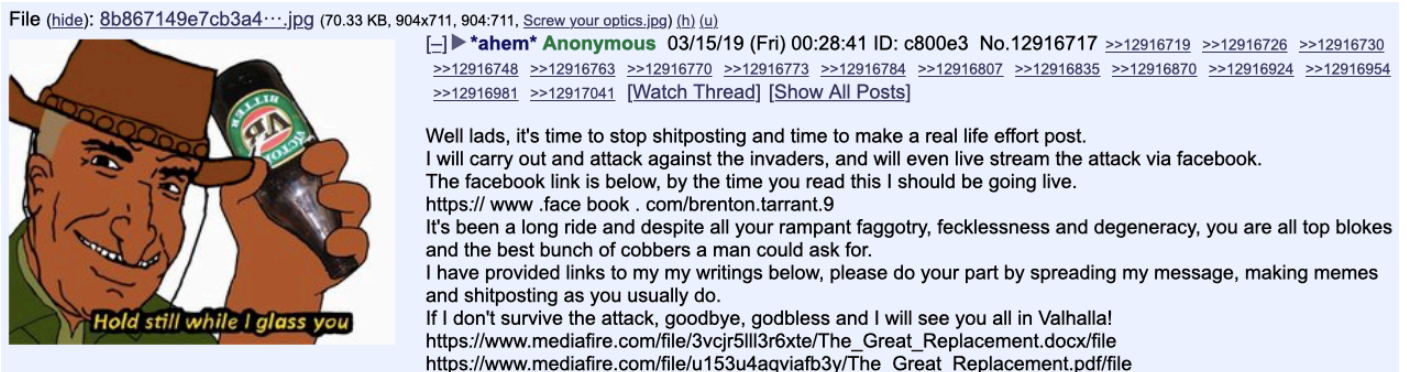


Figure 3 - Brenton Tarrant's anonymous post on 8chan (published on March 15<sup>th</sup>, 2019, h. 00:28)<sup>169</sup>

Perfectly in line with the coded rules holding sway in Internet's outskirts, *The Great Replacement*, Tarrant's written legacy, is structured as a list of FAQs, i.e. frequently asked questions. The drafting of a manifesto is an open tribute to Anders B. Breivik, the Norwegian far-right terrorist who committed the 2011 terrorist attacks in Oslo and Utøya, with whom the Australian murderer revealed to have been in contact. In the 74-pages-long document, he declares that the Internet played a crucial role in his self-radicalisation. He explicitly writes: "You will not find the truth anywhere else".<sup>170</sup> Indeed, right before the attack, the whole preparation process took place on the web: he posted pictures of his weapons, on which he had engraved the names of some terrorists with whom he shared the same aim. Divided into three parts, his declaration revolves around a common main point: lower Muslim birth-rate in white countries through violent means.

The strong scorn for offline life is also revealed by the way he taunts journalism by openly defining himself as a fascist – "For once, the person that will be called a fascist is an actual fascist. I am sure that the journalists will love that", he writes. Moreover, his blatant detachment from reality leads him toward a number of paradoxical assertions: as an instance, he defines himself as a knight of *eco-fascism*, for he attempts to "protect Earth from a surplus population and capitalism through the White man standing up in resistance" through his violent actions.

One should be extremely careful at labelling Tarrant as a "lone wolf", since this particular frame would lead to a widespread offline bias, which makes public opinion blind to the delicate dimension of such types of radicalisation. By giving a careful look at the online shadow of his offline behaviour, his acts immediately acquire a different meaning. In order to give up with the "lone wolf" definition, the decision to deliberately leave his legacy to 8chan members must be regarded as momentous. This is a clear sign of the fact that, to him, the platform stood for a place where he could find approval and support. Furthermore, he must have been confident that no one would have warned the authorities of his forthcoming deeds. The tones of his last post clearly confirm that he belongs to the peripheral semiosphere of the Internet. In fact, he clearly displays his ability to speak its language and understand its rules of practice. Being 8chan a vibrant imageboard, some

<sup>169</sup> <http://archive.is/G04Xx>

<sup>170</sup> POTHAST, E. (2019). *What the New Zealand Killer's Manifest Tells Us About the Radicalisation of White Men*. Available at: Medium [online].

comments to his post deserve some attention, for they are perfectly exemplificative of the strong dynamics of community-building. For example, a user identifying himself as Anonymous No. 12917066 wrote: “Make sure to repost it, it would be a shame if we lost a fellow anon's manifesto. Imagine if we didn't have Breivik's writings”.<sup>171</sup> By replying to some lone voices condemning violence, someone else wrote “Invaders aren't innocent”,<sup>172</sup> displaying the strong sense of unity and closeness typifying such online communities. Though not sharing the same location, such online circles perfectly function as social groups, by producing norms and normality and by engaging in formatted modes of practice.<sup>173</sup>

This event perfectly fits the dynamics of *metapolitics 2.0*, along with the attempt to normalise far-right attitudes and behaviours by employing *memes*, *trolling*, and *shitposting*.<sup>174</sup> Simply put, white terrorism is normalised by means of jokes. For long time, the general aim of terrorism has been that of spreading terror and paranoia. With Internet and social media at stake, processes of radicalisation have been acquiring a completely different shape, becoming almost unrecognisable and, first of all, undetectable. For haters of all kinds, there probably exists an online community where they can feel free to share questionable beliefs and find solidarity. As long as such online platforms will remain basically unregulated,<sup>175</sup> accurately preventing the occurrence of such events will be problematic. In point of fact, Natasha Quek, terrorist research analyst at Nanyang Technological University, stated that “Tarrant's online rantings and live-streaming of his shootings are additional reasons why there remain an urgent need for a sustained and comprehensive strategy by governments, community stakeholders, media and tech companies in countering all versions of online radicalisation”.<sup>176</sup>

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<sup>171</sup> <http://archive.is/G04Xx>

<sup>172</sup> <http://archive.is/G04Xx>

<sup>173</sup> MALY, I. (2019). Ibid.

<sup>174</sup> MALY, I. (2019). Ibid.

<sup>175</sup> The administrators of 8chan precise that “All posts on 8chan are the responsibility of the individual poster and not the administration of 8chan, pursuant to 47 U.S.C. §230”. Letter C.1 of the article regulates the treatment of publisher or speaker, by saying that “No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider”. <https://www.law.cornell.edu/uscode/text/47/230>

<sup>176</sup> QUEK, N. (2019). *Bloodbath in Christchurch: The Rise of Far-Right Terrorism*. S. Rajaratnam School of International Studies.

## CHAPTER 3: THE COMPLEXITY OF SETTING REGULATIONS

*Governments of the Industrial World, you weary giants of flesh and steel, I come from Cyberspace, the new home of Mind. On behalf of the future, I ask you of the past to leave us alone. You are not welcome among us. You have no sovereignty where we gather. [...] You claim there are problems among us that you need to solve. You use this claim as an excuse to invade our precincts. Many of these problems don't exist. Where there are real conflicts, where there are wrongs, we will identify them and address them by our means. We are forming our own Social Contract. This governance will arise according to the conditions of our world, not yours. Our world is different.*

John P. Barlow, 1996<sup>177</sup>

### 3.1 Cyberspace as a free space

When addressing the issue of regulability on the web, one must bear in mind the extent to which the *Internet* and the *cyberspace* are to be regarded as two separated entities. The *Internet* is enabled to work by a complex system of both physical wires and virtual codes, which in turn allows the cyberspace to prosper. Social networks in which the contemporary public sphere flourishes and operates are built within the cyberspace. Therefore, it has to be regarded as the place where attempts to construct different kinds of rational-critical debate of the habermasian kind take place.

#### 3.1.1 Architecture and potential regulability of the cyberspace

Any democracy is able to sustain itself on the basis of three clear elements: the autonomy of the people, its inclusion in the political life of the country, and “the independence of a public sphere that operates as an intermediary system between state and society”.<sup>178</sup> Furthermore, democratic institutions are to ensure “the protection of individual members of civil society by the rule of law through a system of basic liberties that is compatible with the same liberties for everybody”,<sup>179</sup> by guaranteeing that popular participation in the political game occurs through “equal communication and participation rights”.<sup>180</sup> The independence of the public sphere might then be jeopardised by the absence of a system of rules that supervises it and prevents it from being influenced, and eventually exploited, by the most powerful.

As it was broadly mentioned, the public sphere originated from the very heart of the private sphere itself. Likewise, it was the private use of the Internet that ensured that anyone owning the appropriate means could be provided with access to equal, unaffected sources of information. Additionally, the Internet has rapidly

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<sup>177</sup> BARLOW, J.P. (1996). *A Declaration of Independence of the Cyberspace*. EEF (online).

<sup>178</sup> HABERMAS, J. (2006). *Political Communication in Media Society: Does Democracy Still Enjoy an Epistemic Dimension? The Impact of Normative Theory on Empirical Research*. *Communication Theory*, vol. 16, p. 412.

<sup>179</sup> HABERMAS, J. (2006). *Ibid*, p. 412.

<sup>180</sup> HABERMAS, J. (2006). *Ibid*, p. 412.

been labelled as “the new normal”, and it has been broadly recognised that “its utility to humankind could not be overemphasized as much as its inherent peril could not be underestimated”.<sup>181</sup> It was immediately clear to an attentive eye that the speed of such a revolution would have required prompt adjustments by both private platforms and public agencies, in order for pure and trustable information to survive. The main obstacle lies at the core of the Internet: its architecture. As a matter of fact, its functioning does not depend on any formal framework, rather on a “system of multisystems”.<sup>182</sup> The immense amount of systems coexisting on the Internet makes its architecture not immutable. Rather, it is particularly fluid. As stated by Justice Holmes, any attempt to regulate the cyberspace would “call into life a being the development of which cannot be foreseen”.<sup>183</sup> This feature may hinder the straightforward formation of rational arguments among individuals of the public sphere. Whereas a quasi-equal access to the web would be able on itself to fulfil the requirement that discussions ought to take place “without constraints on status and identity”, the last shift of the public sphere has brought about the practical possibility to “observe, monitor and collect interactions in large datasets”.<sup>184</sup> In fact, the absence of physical boundaries throughout the cyberspace makes its patrol rather unfeasible, since the establishment of the rule of law presupposes the coexistence of a territory, a population, and an effective government. In property law, the cyberspace may be held to stand for *res nullius*, namely “incapable of private appropriation just like the outer space”.<sup>185</sup> The unavoidable absence of rigid regulation within the cyberspace makes information and the circulation thereof extremely manipulatable. Indeed, for the very reason that online communities are driven by human beings often seeking to consolidate their own positions in their offline social networks, “technology platforms are not neutral communication pipelines”.<sup>186</sup> In fact, providing information to an unknown person is hardly a matter of altruism; much motivation is put forward by incentive of disseminate beliefs and reinforce one’s own reputation.

Furthermore, the achievement of a full regulation of the cyberspace may be hindered by the controversial issue of authentication. One of the main explanations to the well-functioning of regulations in the real world is that people refrain from committing crimes because they run the concrete risk of being tracked down and eventually punished. On the web, there is nothing comparable to the reliability of fingerprints. Still, as one would expect, the goal of maintaining anonymity is not achievable to everyone; those who are less familiar with virtual life often take a lack of open acknowledgement of identity detection as a warranty that their offline identity will not be determined.

### 3.1.2 Freedom and anonymity as core values

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<sup>181</sup> LOBRIGO, F.E. (2017). *Regulating cyberspace*. Available at: Inquirer.net [online].

<sup>182</sup> LOBRIGO, F.E. (2017). *Ibid.*

<sup>183</sup> LESSIG, L. (2006). *Code. Version 2.0*. Published by Basic Books. New York: Perseus Books Group, p. 6.

<sup>184</sup> TUFEKCI, Z. (2014). *Engineering the public: Big data, surveillance and computational politics*. First Monday, vol. 19(7).

<sup>185</sup> LOBRIGO, F.E. (2017). *Ibid.*

<sup>186</sup> WARDLE, C. & DERAKHSHAN, H. (2017). *Information Disorder. Toward an interdisciplinary framework for research and policymaking*. Council of Europe, p. 13.

Potential regulators of the cyberspace have to cope with some issues of great moment, particularly two important values on which virtual life is founded: anonymity and liberty. One can easily see how the different semiospheres coexisting in the cyberspace truly shape the nature of one's own identity.<sup>187</sup> While some online communities do not require individuals to provide personal details, others warrant that it be possible to track down the author of any message at any time. This differentiation does not obviously come without a sharp divergence in opinions. Some claim that the possibility to “establish an independent and disembodied identity”<sup>188</sup> represents the chief feature of online culture, since it provides people with the possibility to engage with some kind of networks that would otherwise be unapproachable. Conversely, other maintain that, as it has already been discussed, “anonymity encourages irresponsible and hostile behaviour”<sup>189</sup> since individuals may lose sight of basic behavioural norms.

Anonymity was originally to be regarded as a default condition on the web, since it was supposed to directly “encourage and enhance the exercise of freedom”.<sup>190</sup> As a matter of fact, “in the disembodied world of electronic communication, identity floats free of the stable anchor that the body provides in the real world”.<sup>191</sup> Notwithstanding that, it is often to be regarded as a rather problematic issue. In fact, such essential freedom “should not be exercised without concomitant responsibility of users”,<sup>192</sup> forasmuch as the possibility to maintain anonymity “challenges the ability to hold people legally responsible and challenges notions of free speech”.<sup>193</sup> Therefore, despite being often welcomed as a powerful tool for the enhancement of equality on the web, anonymous settings bear the downside of allowing individuals to exploit online platforms in order to gain status and acceptance when they fail to achieve such objectives in the real world. Nonetheless, one must bear in mind that anonymity is generally achievable on the *Internet*. Such feature is usually dismissed within the networks that make up the public sphere in the cyberspace. In order to plainly access the web, subjects are not required to submit any credential; it is up to the single access providers to demand them.

As it is mentioned in the quote above, among all the principles governing the cyberspace, the one people value the most is its inherent liberty. Indeed, the shift of the public sphere was initially welcomed with a high degree of eagerness. Such enthusiasm sprang up because of the very essence of the revolutionary whereabouts where rational-critical discussions would take place, since the public sphere influenced by mass media was characterised by the possibility for media to shape public opinion by accurately selecting both informative and entertainment content.<sup>194</sup> Indeed, people's attitudes were influenced “by everyday talk in the informal settings or episodic publics of civil society at least as much as they are by paying attention to print or electronic media”.<sup>195</sup> The advent of the web as a limitless collection of sources of information conjecturally brought

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<sup>187</sup> DONATH, J. (1995). *Identity and deception in the Virtual Community*, p. 2.

<sup>188</sup> DONATH, J. (1995). *Ibid*, p. 2.

<sup>189</sup> DONATH, J. (1995). *Ibid*, p. 2.

<sup>190</sup> LOBRIGO, F.E. (2017). *Ibid*.

<sup>191</sup> DONATH, J. (1995). *Ibid*, p. 1.

<sup>192</sup> LOBRIGO, F.E. (2017). *Ibid*.

<sup>193</sup> GUILBEAULT, D. & WOOLLEY, S. (2017). *How Twitter Bots Are Shaping the Election*. Available at: The Atlantic [online].

<sup>194</sup> HABERMAS, J. (2006). *Ibid*, p. 415.

<sup>195</sup> HABERMAS, J. (2006). *Ibid*, p. 416.



about the virtual possibility for everyone to benefit from the same tools in order to express reasonable opinions. An attempt to strictly regulate the cyberspace may thus be seen as a threat. In this regard, a sharp difference may be pointed out between regulations obtained by means of digital codes and regulatory effects produced by law.

### 3.2 Ever-changing intricacies in setting definition

The noteworthy reason why most states and digital companies still present a legal void in the field of rules of behaviour and communication within the cyberspace lies in the difficulty experts encounter in partitioning phenomena and defining subjects. The lack of mutually exclusive definitions for issues which are in need of legal regulations represents the main problem. The digital scenario witnesses a constant evolution; for this reason, fixed denotations may fall short of giving a proper account of each issue.

#### 3.2.1 Misinformation and disinformation: similar terms for different concepts

It is of utmost importance to draw a sharp distinction between two concepts which are already clearly separated out in the English language: the concept of misinformation, and the more dangerous one of disinformation. The former can be defined as the process of “publishing wrong information without meaning to be wrong or having a political purpose in communicating false information”.<sup>196</sup> It denotes an information whose inaccuracy is not intentional and which often arises from journalists’ implicit duty to keep people constantly informed in the digital era. Therefore, propagators of misinformation generally do not aspire to deceive or to obtain any specific outcome. That of spreading misinformation is often likely to be an unforeseen shortcoming of persuasion campaigns conducted on social networks, often labelled as “information operations”. As a matter of fact, the term has been borrowed from the military field, and it refers to “the strategic use of technological, operational, and psychological resources to disrupt the enemy’s informational capacities and protect friendly forces”.<sup>197</sup> The Internet, and particularly social networking platforms, may well be employed to pursue such ends. Facebook Security team provides an accurate and useful framework for such concept; they define *information operations* as “actions taken by organised actors to distort domestic or foreign political sentiment”.<sup>198</sup> In order to achieve such target, individuals avail themselves of *false amplifiers*, namely coordinated activities carried out by networks of inauthentic accounts aimed at “discouraging specific parties from participating in discussion, or amplifying sensationalistic voices over others”<sup>199</sup> in order to manipulate public opinion.

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<sup>196</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). *Network Propaganda – Manipulation, Disinformation and Radicalization in American Politics*. New York: Oxford University Press, p. 24.

<sup>197</sup> JACK, C. (2017). *Lexicon of Lies: Terms for Problematic Information*. Data & Society Research Institute, p. 6.

<sup>198</sup> WEEDON, J., NULAND, W. & STAMOS, A. (2017). *Information Operations and Facebook*. Facebook Inc., p. 4.

<sup>199</sup> WEEDON, J., NULAND, W. & STAMOS, A. (2017). *Ibid*, p. 5.

Therefore, the concept of misinformation taps well into a widespread phenomenon escalating in the cyberspace, i.e. disinformation. It has been precisely defined as the “dissemination of explicitly false or misleading information”<sup>200</sup> and is often spread through “the exploitation of existing information channels as a cloak to disseminate false messages”.<sup>201</sup> Therefore, the element that ought to be assessed in order to classify inaccuracy as either misinformation or disinformation is the question of personal intent. As it was sufficiently discussed, the spread of information in the networked era is controlled by algorithms and computational systems. In fact, posts on social networks are generally ranked through the automatic system of *trending topics*,<sup>202</sup> which is technically blind to the veracity and the accuracy of information. Indeed, many actors find it easy to game the system of post ranking on Twitter in order to disseminate certain false stories. Moreover, the possibility for everyone to publish information, along with the possibility of dispensing with professional gatekeepers in online news giving, has turned information into a business which is quite easily accessible to all. Indeed, online “information need not be accurate to be popular or profitable”.<sup>203</sup> This has caused some degree of overlapping between advertisement and information, thus intensifying the risk of propaganda.

The costs of misinformation and disinformation usually depend on the purpose of the recipients of news of all sorts. The related benefits depend on the relevance of such information, assessed according to the degree to which people are interested, and on its truthfulness. Knowing both identity and motivation of the news giver strongly influences the interpretation of a statement. For this reason, the cost of identity deception to an information-seeking reader is potentially high because of the threat of impersonation. Any assertion is more likely to be taken for authentic when it is offered by someone who claims to be an expert. The cost of misinformation lowers when reading on the web is taken as a matter of entertainment.<sup>204</sup> In this case, the costs are exceptionally higher for those who write, by taking into account the risk of losing credibility.

### 3.2.2 The phenomenon of *fake news*

Both linguists and political scientists have considered language to be a form of political action and a fundamental means for political actors to re-create reality. For this reason, many theorists have been trying to identify a proper definition for a brand-new phenomenon blustering on the web: that of *fake news*. The term was initially used to signal inaccurate news giving, or as a general definition for political satire. After 2016 U.S. elections, the term has been increasingly improperly used, leading to the blurring of the very concept. Complexities in setting a precise definition arise thus with the misuse of the term. An important source of

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<sup>200</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). Ibid, p. 32.

<sup>201</sup> QUANDT, T., FRISCHLICH, L., BOBERG, S. & SCHATTO-ECKRODT, T. (2019). *Fake News*. The International Encyclopaedia of Journalism Studies, p. 2.

<sup>202</sup> A trending topic is defined as “a subject that experiences a surge in popularity on one or more social media platforms for a limited duration of time. [...] It is determined by algorithms created by the site on which the topic appears. Most platforms tailor the topics shown based on the user accessing the site, taking into account location, previous likes or searches and who the user follows.” <https://www.bigcommerce.com/ecommerce-answers/what-is-trending-topic-ecommerce/>

<sup>203</sup> JACK, C. (2017). Ibid, p. 4.

<sup>204</sup> DONATH, J. (1995). Ibid, p. 6.

confusion is the inappropriate use made by propagators of *disorientation*, defined as “a condition that some propaganda seeks to induce, in which the target population simply loses the ability to tell truth from falsehood or where to go for help in distinguishing between the two”.<sup>205</sup> An example of a rather hazardous employment of the term is provided by the way it is used in order to discredit legacy media. During the last election period in the U.S., candidate President Donald Trump has frequently adopted the term to describe all critical mainstream media. It is very likely that his personal misuse of the term had the dangerous effect of heightening distrust in media and in the system among his supporters. Therefore, the very term *fake news* has been deemed to be “woefully inadequate to describe the complex phenomena of mis- and disinformation”.<sup>206</sup>

In spite of the fact that theorists are still struggling to identify a definition, it is widely agreed that state regulations should focus on that false news which may exert an effect on society. For this reason, it is not convenient to include all kind of digital “lies” and inaccuracies in such denotation. Thanks to the widespread right to freedom of expression ruling the modern world, people cannot be prosecuted for giving false information about subjects which do not affect the common good. Entirely fabricated news is too easy to identify; for this reason, it must be pointed out that the process of production of fake news “does not follow a logic of maximisation”.<sup>207</sup> Therefrom, it logically follows that regulations should focus on the aim people bear in fabricating fake news. Disseminators of false news may be deemed of trying to pursue the aim of affecting public opinion, propagating certain political views, or merely making money. A particularly functional example may be provided by online newspapers such as *Breitbart*, which has both ideological and economic reasons to spread fake news.<sup>208</sup> It was not without reasons that Andrew Breitbart expressly conceived as a conservative counterpart to *The Huffington Post*, holding the express aim to “wage information warfare against the mainstream press”.<sup>209</sup>

People increasingly use the Internet to find out about the news. A recent study revealed that the amount of those who resort to the web to inform themselves at least once a week amounts to 40 million solely in Germany. Online media, and to a large extent social media, represent the main source of information for 64% of the population aged 18-24.<sup>210</sup> It is thus not surprising that the debate about fake news has been accompanied by a rise in civic and governmental attempts to counter online mis- and disinformation.

### 3.3 Need for regulation and lack thereof

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<sup>205</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). Ibid, p. 24.

<sup>206</sup> WARDLE, C. & DERAKHSHAN, H. (2017). Ibid, p. 5.

<sup>207</sup> QUANDT, T., FRISCHLICH, L., BOBERG, S. & SCHATTO-ECKRODT, T. (2019). Ibid, p. 3.

<sup>208</sup> MARWICK, A. & LEWIS, R. (2017). *Media Manipulation and Disinformation Online*. Data & Society Research Institute, p. 27.

<sup>209</sup> MAYER, J. (2017). *The Reclusive Hedge-Fund Tycoon Behind the Trump Presidency*. Available at: The New Yorker [online].

<sup>210</sup> HÖLIG, S. & HASEBRINK, U. (2017). *Reuters Institute – Digital News Survey 2017. Ergebnisse für Deutschland*. Hans-Bredow-Institut für Medienforschung an der Universität Hamburg, Arbeitspapiere Nr. 42.

*Networks are becoming the nervous system of our society, and we can expect this infrastructure to have more influence on our entire social and personal lives than did the construction of roads for the transportation of goods and people in the past. In this sense 'information highway' is an appropriate term. The design of such basic infrastructures is crucial for the opportunities and risks to follow.*

Jan Van Dijk, 2006<sup>211</sup>

### 3.3.1 The importance of drawing boundaries

An important difference needs to be outlined between a system of laws provided by any state's institutional framework and a system of regulations laid out by private companies such as Facebook. Restrictions imposed by law should respect and reflect the values of society. That being so, it is important to bear in mind that liberty has always been regarded as the value governing the cyberspace. Governments have already been blamed of having criminalised the core ethic of life in the cyberspace, along with the creativity that online networks could produce.<sup>212</sup> Therefore, it is of utmost importance to emphasize that the right to freedom of expression is safeguarded by governments themselves; it is not formally guaranteed by private companies which provide services in the cyberspace. For this reason, it is up to those to establish regulations where governments cannot intervene.

What has been lately defined the *Fifth Estate*, namely the whole thing of “blogs, micro-blogs, online social media and social networking platforms, a great many of which are privately owned corporations”,<sup>213</sup> is governed by algorithms which are often opaque to people outside technical professionals. Despite the fact that many concerns regarding their transparency have been raised, algorithms do have the power of dramatically changing the rules of online deliberation. Arguably, any initiative to regulate such algorithms may both prevent fake news from infecting online deliberative discussion and exert adverse effects on media users or on the democratic system itself. As a matter of fact, computational systems can “incentivise or automate media content in ways that result in broader circulation regardless of accuracy or intent”.<sup>214</sup> As an instance, some experiments carried out by Facebook research teams on their news feed algorithm's capability to influence voting decisions demonstrated that the social network “appears to be a more polluted information environment than the open web”.<sup>215</sup> It was their algorithm itself that rewarded clickbait articles, in the complete absence of a mechanism of automatic fact-checking. A system of regulations may then focus on hindering the circulations of a certain kind of news that may spread disorientation within the individuals of the public sphere. In order for a clear system of regulations to be outlined, one needs to identify clear definitions. A clear perspective must be adopted in order to distinguish propaganda from advertisement.

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<sup>211</sup> VAN DIJK, J. (2006). *The Network Society: Social Aspects of New Media*. 2nd edition. London: SAGE Publications Ltd, p. 2.

<sup>212</sup> LESSIG, L. (2006). Ibid, p. 8.

<sup>213</sup> TUFEKCI, Z. (2014). Ibid.

<sup>214</sup> JACK, C. (2017). Ibid, p. 3.

<sup>215</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). Ibid, p. 10.

### 3.3.2 Light regulations: the delicate issue of fact-checking

Since Internet's inherent freedom prevents governments from providing effective regulations in order to safeguard the sound circulation of information, private companies may focus on constraining the spread of disorientation among the public sphere by hindering the circulation of false news. The malleability and opaqueness of algorithms empowers some kind of people to influence online deliberation, thus directly fostering changes in personal attitudes and political stances. Such phenomenon generally fits the definition of *network propaganda* provided by Y. Benkler. It is spelled out as "the ways in which the architecture of a media ecosystem makes it more or less susceptible to disseminating manipulations and lies".<sup>216</sup> Indeed, disorientation does not spring from scattered single publications, rather from the repetition of "various versions of the propagandist's communications, adding credibility and improving recall of the false, misleading, or otherwise manipulative narrative in the target population, and disseminating that narrative more widely in that population".<sup>217</sup> Selective exposure to misinformation is boosted by the formation of *echo chambers*, which furthers the escalation of disinformation by warranting that individuals are not exposed to pieces of information that may be in contention with such counterfeited stories. Research shows that "people tend to prefer congenial information, including political news, when given the choice".<sup>218</sup> Such feature may eventually lead to the shortcoming that "users perceive a story to be far more widely believed than it really is".<sup>219</sup> The very existence of such obstacles to constructive deliberation within the networked public sphere may be hampered by making people acquaint with an effective system of fact-checking.

During the final weeks of 2016 U.S. election campaign, more than 65 million people voluntarily visited an article on a fake news website. Such pieces of information represented roughly "2.6% of all articles American read on sites focusing on hard news topics during the period".<sup>220</sup> According to a recent investigation carried out by the European Research Council, only 25.3% of respondents mentioned reading a fact-checking article at least once during the study period. Such tool may help voters to obtain uncontrived information. Nonetheless, although prominent views suggest that "this new form of journalism can help inform voters",<sup>221</sup> false news need to be accurately identified and reported before fact-checking pieces can actually reach people who have run across such false news. Complexities in individuating fake news arise from the important factor that "social networks make it difficult for people to judge the credibility of any message",<sup>222</sup> for posts carrying authentic pieces of information and conspiracy websites may not display blatant differences.

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<sup>216</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). Ibid, p. 24.

<sup>217</sup> BENKLER, Y., FARIS, R. & ROBERTS, H. (2018). Ibid, p. 33.

<sup>218</sup> STROUD, N.J. (2008). Cited in: GUESS, A., NYHAN, B. & REIFLER, J. (2018). *Selective Exposure to Misinformation: Evidence from the consumption of fake news during the 2016 U.S. presidential campaign*. European Research Council, p. 2.

<sup>219</sup> UK Secretary of State for Digital, Culture, Media & Sport and the Secretary of State for the Home Department (2019). *Online Harms White Paper*. Open Government Licence v3.0, p. 5.

<sup>220</sup> GUESS, A., NYHAN, B. & REIFLER, J. (2018). Ibid, p. 4.

<sup>221</sup> FLYNN, D.J., NYHAN, B. & REIFLER, J. (2017). Cited in: GUESS, A., NYHAN, B. & REIFLER, J. (2018). Ibid, p. 10.

<sup>222</sup> WARDLE, C. & DERAKHSHAN, H. (2017). Ibid, p. 12.

Some automated methods have been experimented in order to assess the authenticity of facts on the web, such as classification<sup>223</sup> or sensitivity analysis.<sup>224</sup> Notwithstanding their efficacy, such automatized methods are hindered by “the inherent ambiguity of natural language, deliberate deception, and domain-specific semantics”.<sup>225</sup> Furthermore, truth may be deemed of being “time-sensitive”.<sup>226</sup> A recent study focused on the veracity of answers in Community Question Answering (cQA) forums explains that the automatic assessment of the truthfulness of a statement on the web is a complicated issue, for determining it would require “language understanding and inference, integration of several sources of information, and world knowledge”.<sup>227</sup> Indeed, Mihaylova et al. (2018) propose that veracity scores may be added to a user’s profile, in order for other people to assess his credibility. Different measures have been undertaken by Facebook’s trending news team which have been blamed of being rather undemocratic. The team was launched in 2014 and is composed by a group of journalists curating the *trending* module on the platform. It is in charge of writing headlines and summaries of each topic available in the trending section and “constitutes some of the most powerful real estate on the Internet”, for it “helps to dictate what news Facebook users are reading at any given moment”.<sup>228</sup> Some anonymous former curators blamed further components of the team of doing their work “subjectively”, by providing Facebook users with biased information. More specifically, stories reported by alternative conservative outlets “that were trending enough to be picked up by Facebook’s algorithm” were excluded from the list, unless “mainstream sites like the *New York Times*, the *BBC*, and *CNN* covered the same stories”.<sup>229</sup>

A large number of private organisations and websites, such as *Pagella Politica* in Italy, started operating to authenticate official sources and report fake ones as well. More specifically, managers of the website aim at monitoring relevant statements issued by the main Italian political actors, with a view to assess their validity and veracity by the use of statistics and solid facts.<sup>230</sup>

### 3.4 Existing regulations: focal points and concerns

As it was broadly discussed in the previous paragraphs, any intervention on the part of single countries’ political institutions might run the risk of compromising the inherent liberty distinguishing the cyberspace. Legislators need to cope with a new demanding task, namely that of “balancing an effective fight against fake

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<sup>223</sup> LEHMANN, P., et al. (2012). Cited in: NGUYEN, T. (2019). *Effort-driven Fact Checking*. I&C – School of Computer and Communication Science, p. 1.

<sup>224</sup> WU, S., et al. (2014). Cited in: NGUYEN, T. (2019). *Ibid*, p. 1.

<sup>225</sup> NGUYEN, T. (2019). *Ibid*, p. 1.

<sup>226</sup> MIHAYLOVA, T., et al. (2018). *Fact Checking in Community Forums*. Qatar Computing Research Institute. Cambridge: Massachusetts Institute of Technology, p. 1.

<sup>227</sup> MIHAYLOVA, T., et al. (2018). *Ibid*, p. 1.

<sup>228</sup> NUNEZ, M. (2016). *Former Facebook Workers: We Routinely Suppressed Conservative News*. Available at: Gizmodo [online].

<sup>229</sup> NUNEZ, M. (2016). *Ibid*.

<sup>230</sup> <https://pagellapolitica.it/progetto/index>

news and hate speech online with the right to freedom of expression”.<sup>231</sup> Nonetheless, some countries have attempted to regulate some crucial aspects thereof. In most cases, this was done by trying to establish some degree of cooperation with private companies such as service providers or social networking websites. As research by a prominent German NGO shows,<sup>232</sup> social networks undertook measures that were actually capable of improving the efficiency of reporting mechanisms. Yet, measures issued by single social network were generally “insufficient to guarantee a comprehensive protection from illegal content online”.<sup>233</sup>

### 3.4.1 Cooperation between countries and private companies: the *Netzwerkdurchsetzungsgesetz* in Germany

The first experimentation of a law regulating the cyberspace dates back to 1995 and was carried out by German institutions, when the state of Bavaria attempted to cap the circulation of sexual content on Internet sites within the country. More specifically, authorities claimed that over 200 websites supplied by the Internet provider CompuServe were violating offline national laws regarding the distribution of erotic material, and particularly of child pornography.<sup>234</sup> This kind of policy clearly represents an early instance of *normalisation* of the cyberspace, namely an attempt to expand offline power relations by the use of technology.<sup>235</sup> Such experiment was followed by varied instances of extension of national laws within online communities on the part of different countries.<sup>236</sup>

Nonetheless, a noteworthy difference exists between the reflection of offline rules on the web and any attempt to regulate issues which exclusively pertain to the web, such as information pollution. Whereas the flexible architecture of the Internet makes any attempt of regulation rather weak, states have been trying to cope with the issue by collaborating with private companies. It was the same country, namely the Federal Republic of Germany, which put forward a first effort to regulate the cyberspace in order to “protect network users against hate speech and misinformation online”.<sup>237</sup> This was brought off by means of the *Netzwerkdurchsetzungsgesetz* (NetzDG)<sup>238</sup> and expressly carries the aim of “putting pressure on social media

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<sup>231</sup> CLAUSSEN, V. (2018). *Fighting hate speech and fake news. The Network Enforcement Act (NetzDG) in Germany in the context of European legislation*. Media Laws. Rivista di diritto dei media, vol. 3, p. 1.

<sup>232</sup> jugendschutz.net (2016). *Löschung rechtswidriger Hassbeiträge bei Facebook, YouTube und Twitter*. [https://www.bmjv.de/SharedDocs/Downloads/DE/News/Artikel/09262016\\_Testergebnisse\\_jugendschutz\\_net\\_Hasskriminalitaet.pdf](https://www.bmjv.de/SharedDocs/Downloads/DE/News/Artikel/09262016_Testergebnisse_jugendschutz_net_Hasskriminalitaet.pdf)

<sup>233</sup> CLAUSSEN, V. (2018). Ibid, p. 8.

<sup>234</sup> TRAGER, R. & DICKERSON, D.L. (1999). *Sociology for a new Century: A Pine Forge Press Series: Freedom of expression in the 21<sup>st</sup> century*. Thousand Oaks, CA: SAGE Publications, Inc.

<sup>235</sup> LILLEKER, D., MICHALSKA, K., SCHWEITZER, E., JACUNSKI, M., JACKSON, N. & VEDEL, T. (2011). *Informing, engaging, mobilizing or interacting: Searching for a European model of web campaigning*. European Journal of Communication, vol. 26, pp. 195-213.

<sup>236</sup> For a useful example, see UK’s *Counter-Terrorism and Border Security Act* (2019), which expands the scope of existing legal measures hindering the circulation of terroristic material and the support for proscribed organisations to digital material proliferating over the Internet. <http://www.legislation.gov.uk/ukpga/2019/3/contents/enacted/data.htm>

<sup>237</sup> *Mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression* (June 2017) by David Kaye. Office of The High Commissioner for Human Rights Palais Des Nations. <https://www.ohchr.org/Documents/Issues/Opinion/Legislation/OL-DEU-1-2017.pdf>

<sup>238</sup> The bill was proposed by the German Cabinet on March 14<sup>th</sup>, 2017. The German term literally means “act for the implementation of the law within networks”.

companies to respond to user complaints and delete criminal content from their websites”.<sup>239</sup> Therefore, the bill would have the effect of compelling social networking platforms to permanently delete illegal content within either one or seven days, depending on the degree of obviousness of the unlawfulness of such content. Yet, the NetzDG does not provide a precise definition of “obvious unlawful content”, as it is defined in the bill. Therefore, it does not comply with the principle of *nulla poena sine lege certa* expressed in the German system in Art. 103 II GG.<sup>240</sup> Notwithstanding the positive effect that such a bill might exert on the sound formation of a rational-critical debate on the web, and accordingly on the self-education of the median web surfer, concerns have been raised by the European Commissioner for the Single Digital Market concerning the country’s attempt to over-regulate social media. In fact, the bill’s caption captures its subject matter without fault, namely that its final objective is “die Verbesserung der Rechtsdurchsetzung in sozialen Netzwerken”,<sup>241</sup> i.e. to ameliorate the enforcement of the law within social networks. Concerns have to do with both the intrusiveness of such a law in private platforms’ policies and, of course, the safeguard of freedom of expression. In fact, social media are already under a duty to safeguard basic civil rights provided by any democratic state and to protect their users’ privacy. As a matter of fact, since social networking websites are privately-owned enterprise, they could actually “engage in greater degrees of control over certain kinds of content than the government can”.<sup>242</sup> Therefore, general considerations about the German bill need to be interpreted in light of such fact. As stated by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression David Kaye in his Mandate for the Human Rights Council, states themselves “should not require the private sector to take steps that unnecessarily or disproportionately interfere with freedom of expression”.<sup>243</sup> Yet, the primary issue does not lie in public national interventions in private firms’ systems of regulation. Instead, it symbolises a clear exemplification of a lack of fulfilment of the general requirement that each social network should lay down its own code of conduct with a view to preserve the integrity of information.

Further apprehension has arisen because of the alleged exorbitantness of the fine that the bill would directly impose on social media, which would amount to 50 million euro. The amount would thus be directly charged on privately owned platforms when failing to remove illicit content. Although the regulation would comply with a democratic state’s legitimate interest in the protection of the population “against terrorism, child pornography, and hate speech that constitutes incitement to discrimination, hostility or violence”,<sup>244</sup> informal cooperation with relevant social networks and NGOs should be encouraged, that would “promote voluntary self-control of online content”.<sup>245</sup>

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<sup>239</sup> *Mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression* (June 2017) by David Kaye. Office of The High Commissioner for Human Rights Palais Des Nations.

<sup>240</sup> [https://www.gesetze-im-internet.de/gg/art\\_103.html](https://www.gesetze-im-internet.de/gg/art_103.html)

<sup>241</sup> <https://www.bundestag.de/dokumente/textarchiv/2017/kw26-de-netzwerkdurchsetzungsgesetz-513398>

<sup>242</sup> <https://www.hg.org/legal-articles/the-law-and-social-media-31695>

<sup>243</sup> A/HRC/32/38. In: *Mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression* (June 2017) by David Kaye. Office of The High Commissioner for Human Rights Palais Des Nations, p. 2.

<sup>244</sup> *Mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression* (June 2017) by David Kaye. Office of The High Commissioner for Human Rights Palais Des Nations, p. 4.

<sup>245</sup> CLAUSSEN, V. (2018). *Ibid*, p. 7.



### 3.4.2 European Union's moves on the issue of privacy and following adjustments by Facebook

A further important facet in the context of the formation of rational-critical popular deliberation on the web, which might have the effect of hindering people's willingness to take part in such debates, is that one might fear that his own personal data are not enough protected.

Personal data is defined as “any information with direct or indirect links to an individual”, namely “a unique information that identifies an individual”.<sup>246</sup> One year ago, the European Union started tackling the issue of uncontrolled and undetected gathering of huge amounts of personal data. The old directive, i.e. Directive 95/46/EU, precisely about the “protection of private data and about free use of such data” was renewed in 2016 and changed into the new *General Data Protection Regulation*. The regulation, which was eventually ratified on May 25<sup>th</sup>, 2018, covers “all the companies that have relations with EU citizens and process their personal data including energy and financial companies, telecom operators and reservation services, Internet shops and social networks”.<sup>247</sup> Such reform brought about two main revolutions. The first one regards the integration of a new informational aspect which is now to be regarded as fully integrated into users' personal data, namely IP address. The second one involves the territorial applicability of the directive, which now applies “to the processing of personal data by controllers and processors in the European Union”, even when the processor is not established in the European Union where it offers services to citizens living in the Union.

In April 2018, Facebook reacted to the regulations issued by the European Union and announced new rules related to the protection of users' personal data. The social network already has a long tradition of changing their privacy settings.<sup>248</sup> The last alteration was probably a result of the controversial situations with Cambridge Analytica, which was discussed in the previous chapter, and with a bug which caused “a glitch that publicly published the posts of 14 million users that were intended to be private”.<sup>249</sup> Facebook perfectly fits the subjects covered by the GDPR, for it collects and analyses personal data “intentionally and consistently to create user's profile, as well as decides for the user, analyses and forecasts user preferences”<sup>250</sup> while using the data. Since Facebook has the power to enhance the potential of personalization by linking to the visualization of the private and personal life of users, thus by offering people the most powerful tool to gain acceptance and consensus, people are particularly inclined to entrust the social network with the protection of personal data. Threats to privacy might have two important repercussions on the formation of rational-critical debate on the web. The first one concerns the malicious use of personal data with a view to foster the formation of echo-chambers, where deliberation would solely take place within groups of like-minded others. The second

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<sup>246</sup> Directive 95/46/EU. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A31995L0046>

<sup>247</sup> BOLDYREVA, E.L. (2018). *Cambridge Analytica: ethics and online manipulation with decision-making process*. The European Proceedings of Social & Behavioural Sciences, p. 94.

<sup>248</sup> BRUNEEL, S., DE WIT, K., VERHOEVEN, J.C. & ELEN, J. (2013). *Facebook: When Education Meets Privacy*. Interdisciplinary Journal of E-Learning and Learning Objects, vol. 9, pp. 125-148.

<sup>249</sup> HO, V. (2018,). *Facebook's privacy problems: a roundup*. Available at: The Guardian [online].

<sup>250</sup> BOLDYREVA, E.L. (2018). *Ibid*, p. 98.

one specifically regards people's willingness in profiting from the possibility to get informed and join discussions on the web, which may be hindered when they feel their privacy is not enough protected.

## II. CONCLUSION

*The global village that was once the internet has been replaced by digital islands of isolation that are drifting further apart each day.*

Mostafa M. El-Bermawy, 2016<sup>251</sup>

It was expected that the public sphere would have been offered alternative evaluations and interpretations to already existing beliefs by moving to the cyberspace, along with a useful and unprecedented differentiation of available information. This belief led many to think that Internet could actually democratise the public, leading thus to a strengthening of interest and participation among citizens.<sup>252</sup>

Though, the deliberative model theorised by J. Habermas presupposes that “the cooperative search of deliberating citizens for solutions to political problems takes the place of the preference aggregation of private citizens or the collective self-determination of an ethically integrated nation”.<sup>253</sup> It is for this reason that private organisations seek to “monitor and register the attitudes of private citizens”.<sup>254</sup> Since the public sphere increasingly entrusts service providers with personal data, what people would need in order to build unfettered own ideas and beliefs is some kind of “privacy in public”. In fact, by stepping into a public place such as the cyberspace, people “relinquish any rights to hide or control what others came to know about them”.<sup>255</sup> This is the reason why national law generally does not provide any kind of legal protection against the use of data collected in public cyberplaces, which are used to both maliciously and innocently influence deliberation. In the context of early deliberation within the public sphere, such personal data were protected by the very cost of gathering them. In this regard, a difference needs to be pointed out between the practice of monitoring and that of searching for data, since potential regulation should focus on those data which cannot be tracked by simply monitoring. Digital technologies have in fact radically changed the balance between the two, since “the same technologies that gather data now gather it in a way that makes it searchable”.<sup>256</sup>

As it was discussed throughout this work, a further complication in the quest for a solution to problems of disinformation and disorientation within the public arises from the tendency of many online service providers to refuse to be considered as media companies, even though a huge share of the public employs them in order to gather information. During a Q&A hosted by LUISS Guido Carli, Facebook founder Mark Zuckerberg replied to a related question by stating: “We're a technology company, not a media company. When you think about a media company, you know, people are producing content, people are editing content, and that's not us. We're a technology company. We build tools. We do not produce the content. We exist to give you the

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<sup>251</sup> EL-BERMAWY, M.M. (2016). *Your Filter Bubble is Destroying Democracy*. Available at: Wired [online].

<sup>252</sup> GERHARDS, J. & SCHÄFER, M.S. (2010). *Is the internet a better public sphere? Comparing old and new media in the USA and Germany*. *New media & society*, vol. 12(1), p. 144.

<sup>253</sup> HABERMAS, J. (2006). *Political Communication in Media Society: Does Democracy Still Enjoy an Epistemic Dimension? The Impact of Normative Theory on Empirical Research*. *Communication Theory*, vol. 16, p. 416.

<sup>254</sup> HABERMAS, J. (2006). *Ibid*, p. 417.

<sup>255</sup> LESSIG, L. (2006). *Code. Version 2.0*. Published by Basic Books. New York: Perseus Books Group, p. 202.

<sup>256</sup> LESSIG, L. (2006). *Ibid*, p. 203.

tools to curate and have the experience that you want”.<sup>257</sup> Nevertheless, after the enquiry carried out by Gizmodo which was mentioned in Chapter 3.3.2, Facebook will no longer have humans write description for stories in the trending topic section, for the company recognised that such practice furthered selective exposure to information.<sup>258</sup> Notwithstanding what Zuckerberg maintains, Facebook definitely hosts, distributes, and monetises content just like media companies do. Refusing such label might straightforwardly represent a way to escape accusations of contributing to the spread of disinformation. Social networking platforms surely performed an important role in the momentous alterations underwent by online practices of communication in the political field. Indeed, the tools that benefited the election of Barack Obama in 2008 and was employed as a powerful means to spread dissatisfaction and gather people during the Arab spring in 2011 is almost unrecognisable when compared to what led Brexit and, similarly, to the election of Donald Trump.<sup>259</sup>

If a suitable system of regulation will not be worked out, it is enough that one reminds that “there are humans on the other side of the screen who want to be heard and can think and feel like everyone else while at the same time reaching different conclusions”.<sup>260</sup>

Therefore, the research question which was raised in the introduction to the present work is left unresolved. In fact, it should now be quite clear that the revolution of online deliberation, along with the changes in political and journalistic communication that it has entailed, stands in need of some degree of regulation in order for everyone in the public sphere to benefit from it. Though, the coexistence of different semiospheres within the cyberspace makes it generally not suited for a unified system of regulations because of the peculiar features presented by each semiosphere. Each one is characterised by unique connotations which differ in functioning, languages, and in the varied ways people are used to interacting with each other. Needless to say, a hypothetical regulation of the cyberspace would not necessarily presuppose the application the same kind of norms for each corner of the web. Therefrom, in order to make the cyberspace a safe source of information and cogitation, such differences need to be further enquired and properly addressed. Undoubtedly, such dissimilarities should be borne in mind by *cyberlaw-makers*, in order for each cyberenvironment to be characterised by its own appropriate degree of freedom.

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<sup>257</sup> D’ONFRO, J. (2016). *Facebook is telling the world it’s not a media company, but it might be too late*. Available at: Business Insider [online]

<sup>258</sup> D’ONFRO, J. (2016). *Ibid.*

<sup>259</sup> EL-BERMAWY, M.M. (2016). *Your Filter Bubble is Destroying Democracy*. Available at: Wired [online].

<sup>260</sup> EL-BERMAWY, M.M. (2016). *Ibid.*

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## CONSULTED WEBSITES

- <https://whatis.techtarget.com/>
- <https://www.archive.is/>
- <https://www.bigcommerce.com/>
- <https://www.bmjv.de/>
- <https://www.britannica.com/>
- <https://www.bundestag.de/>
- <https://www.ccprcentre.org/>
- <https://www.eur-lex.europa.eu/>
- <https://www.gesetze-im-internet.de/>
- <https://www.hg.org/>
- <https://www.knowyourmeme.com/>
- <https://www.law.cornell.edu/>
- <https://www.legislation.gov.uk/>
- <https://www.ohchr.org/>
- <https://www.un.org/>
- <https://www.who.int/>

#### IV. EXECUTIVE SUMMARY IN ITALIAN

Il concetto di sfera pubblica teorizzato da Habermas nel 1962 costituisce un prezioso punto di partenza per comprendere le più recenti trasformazioni che questa ha subito con l'avvento di internet. Nell'analisi di questa evoluzione, è di fondamentale importanza evidenziare la differenza tra Internet e il cyberspazio. Internet è da considerarsi un mezzo di comunicazione, che permette la coesistenza di una varietà potenzialmente infinita di semiosfere all'interno del cyberspazio con la funzione di delimitare gli spazi entro i quali i segni caratterizzanti di ogni cultura, come la comunicazione e le pratiche deliberative, sussistono e fungono da generatori di nuove informazioni. Tale fattore è importante perché, all'interno di una società, ogni mezzo di comunicazione è solitamente associato ad un unico codice di interpretazione.

Il termine *opinione pubblica* è stato coniato dal sociologo tedesco nel 1962 e, come indicato dall'etimologia del termine latino *opinio*,<sup>261</sup> fa riferimento alle riflessioni critiche di un pubblico capace di formare proprie valutazioni. Nella sua opera primaria, Habermas fornisce un quadro dettagliato dell'evoluzione delle relazioni tra i cittadini e le autorità pubbliche. Il discorso spazia dal modello di società feudale, caratterizzato dall'assenza di differenziazione tra sfera pubblica e sfera privata, al modello borghese di sfera pubblica. È la classe borghese, infatti, ad essere protagonista della rivoluzione della formazione dell'opinione pubblica, quando i membri degli alti strati della società cominciano a riflettere sul ruolo da loro ricoperto nella vita comune. In questo modo, un nuovo concetto di pubblico si sviluppa all'interno della sfera privata. Nell'analisi di Habermas, la sperimentazione dei primi sistemi di welfare coincide con l'ultima fase evolutiva della sfera pubblica, determinata dall'intrecciarsi tra società e istituzioni pubbliche. In questa fase le singole sfere private, autentico nido di formazione dell'opinione pubblica, vengono invase dall'influenza dei mezzi di comunicazione di massa, i cui scopi differiscono in modo evidente dalle pubblicazioni giornalistiche alle quali gli alti strati della società erano abituati. Infatti, i mass media tendono a stimolare meno la formazione di dibattiti di carattere critico-razionale, puntando principalmente alla conquista dell'attenzione del lettore. In questo modo, i mezzi di comunicazione di massa cominciano a prendere la forma di pericolosi veicoli di propaganda, dando vita all'industria di *political marketing*. Tale trasformazione minaccia di compromettere la neutralità della diplomazia pubblica.

La fondamentale distinzione tra le varie sfere pubbliche fornita da Habermas presuppone che i materiali culturali di cui si serve la sfera pubblica siano prodotti sia dalle istituzioni pubbliche che dalla società civile, come risultato della deliberazione popolare. Poiché il concetto di democrazia si fonda sulla sovranità del popolo, è proprio in esso che l'opinione pubblica trova la sua origine. Nell'età digitale, tuttavia, la sfera pubblica può definirsi *interconnessa*, termine che si riferisce sia alle infinite possibilità di interdipendenza e comunicazione tra le diverse culture, prima disgiunte, sia al mezzo primario che rende tale interconnessione attuabile, cioè Internet. Infatti, nonostante la supremazia popolare che distingue i sistemi democratici, la sfera pubblica interconnessa è contraddistinta dall'interferenza delle istituzioni pubbliche nel privato. Inizialmente,

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<sup>261</sup> Il termine veniva originariamente impiegato per indicare una congettura, dunque una convinzione non certa.

si credeva che lo spostamento dei meccanismi di deliberazione pubblica sul cyberspazio avrebbe beneficiato alla formazione dell'opinione pubblica. A questo proposito, infatti, si è sostenuto che il sistema mediatico tipico di questo periodo serva da “collante sociale” per via della sua capacità di connettere individui con diversi background culturali. Inoltre, alcuni studi hanno messo in evidenza che la formazione dell'opinione pubblica dovrebbe essere agevolata dall'intrinseca impersonalità dei dialoghi online. In questa prospettiva, Marshall McLuhan ha definito Internet come un “importante strumento per la diffusione di un pensiero universale, principi democratici, eguaglianza tra i cittadini, e per la costruzione di un villaggio globale”.<sup>262</sup>

Malgrado l'entusiasmo con cui è stato accolto, il tipo di comunicazione peculiare degli ambienti online è contraddistinto dalla mancanza delle caratteristiche tipiche della deliberazione pubblica. Sin dall'introduzione di dibattiti politici teletrasmessi, colpevoli imporre l'esposizione dello spettatore a certi messaggi politici, si è cominciato a parlare di una sorta di “crisi epistemica” che ha toccato in particolar modo i paesi più avanzati. A questo proposito, è importante evidenziare che l'*accesso* alla sfera pubblica e la *partecipazione* nei meccanismi online ad essa pertinenti devono essere considerati come processi fondamentalmente diversi. Il mondo di Internet è contraddistinto da precise strutture di potere, interpretabili come una replicazione delle ineguaglianze caratterizzanti la società. Tali strutture inegualitarie non sono che dei riflessi dall'alta concentrazione di risorse. Infatti, molte visioni ottimistiche sono plagiate da ciò che si può definire “pregiudizio mediacentrico”, cioè la tendenza a ignorare quei fattori che condizionano la qualità del dibattito online a favore di un'esclusiva focalizzazione sul sistema mediatico. Come affermato da Yochai Benkler, tale visione è macchiata da un'idea semplicistica di come la tecnologia funzioni, che minimizza la capacità delle istituzioni e della cultura in generale di modellare l'adattamento della società alle novità tecnologiche. A questo proposito, due teorie, simili e contrarie, possono essere menzionate. La prima è quella di *normalizzazione*, secondo cui la struttura delle opportunità offerte da Internet riflette processi già consolidati nella vita reale, mentre la seconda è denominata *media logic*, i cui propugnatori sostengono che siano gli eventi offline ad essere influenzati dall'utilizzo di specifici media. A sostegno di quest'ultima, è stato empiricamente dimostrato che l'infinita disponibilità di materiale informativo ha prodotto due effetti: un congenito peggioramento nei meccanismi di processione dell'informazione nei nativi digitali, e una diminuzione nelle capacità di apprendimento. In questo modo, il pubblico pone inconsciamente le basi per una nuova e attuale versione di propaganda, agevolata dalla scarsa capacità di discernere verità da finzione sulle piattaforme online.

Le alterazioni sociali subite e perpetrate dal nuovo pubblico interconnesso sono state accompagnate da importanti adattamenti da parte della professione giornalistica, accusata di escludere intenzionalmente alcuni segmenti della popolazione a causa dell'utilizzo di un linguaggio poco accessibile. Infatti, poiché un importante elemento distintivo dei *social media* è la loro estrema accessibilità, attori politici di ogni colore hanno scelto di ridurre la complessità dei loro *post*, ricadendo così in dinamiche di popolarizzazione e populismo politico. Questa semplificazione ha portato all'accostamento di tematiche di carattere

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<sup>262</sup> McLUHAN, M. (1962). *The Gutenberg galaxy: The making of typographic man*. Toronto: University of Toronto Press.

intrinsecamente diverso, causando un disorientante miscuglio tra informazione pura e pubblicazioni mirate al piacere. Inoltre, bisogna tener conto che, con tutta probabilità, le affermazioni di attori politici e giornalisti non raggiungono il pubblico *social* nella loro formulazione originaria poiché i canali mediatici online tendono a non rispettare l'integrità dell'informazione. Questa tendenza rientra negli effetti di un fenomeno noto come *dumbing down*, con cui si intende l'accostamento di affari politici ad elementi di cultura popolare da parte dei nuovi media orientato al raggiungimento di un pubblico più ampio. Il rischio, tuttavia, è quello di causarne la denaturalizzazione. L'insieme di questi fenomeni ha permesso agli attori politici di porsi al centro dell'attenzione digitale, andando a recare ulteriore danno alla già precaria posizione del puro giornalismo politico.

In qualità di luogo centrale per le interazioni sociali, il cyberspazio richiede la continua creazione di elementi comunicativi, che saranno interpretati a seconda del contesto in cui vengono espressi. Per questo motivo, una corretta analisi del cyberspazio non può essere focalizzata esclusivamente sul centro di esso, ma è necessario estenderla ai vari segmenti che ne compongono la semiosfera. Infatti, un'approfondita indagine sull'intero web non può essere realizzata senza tenere in considerazione l'immensa varietà di testi e linguaggi che esso contiene poiché i *file* digitali sono in parte creati dall'uomo e dunque il web stesso non può essere considerato un'entità esterna alle differenti culture in cui è integrato. L'importanza di considerare questi segmenti è anche data dal fatto che essi separano il "web visibile" dal "deep web", inaccessibile ai convenzionali motori di ricerca. Nonostante la scarsa popolarità, infatti, quest'ultimo esercita un'importante influenza sul web in generale; ad esempio, nelle periferie della semiosfera hanno origine la maggior parte dei *meme* che popolano Internet. Le comunità che ne abitano i meandri sono apertamente ostili al centro del sistema, poiché considerano Internet una realtà parallela nella quale la realtà si mescola pericolosamente con la finzione. Tale atteggiamento ha portato gli utenti a stilare veri e propri codici di comportamento, andando a segnare un ancora più importante distacco dal centro della semiosfera e rendendo complicato l'accesso ai tradizionali utenti del web. In particolare, la consuetudine di mantenere l'anonimato su certe piattaforme è strettamente collegata all'incongruità tra i modi di agire nelle interazioni faccia a faccia e il comportamento che certi individui adottano online. Infatti, esternazioni anonime nei meandri del web risultano occasionalmente in episodi di razzismo e misoginia

Data la centralità dei network nella società odierna, per comprendere a pieno i meccanismi che influenzano il dibattito critico-razionale, può essere utile considerare alcuni casi di studio.

Un primo caso studio riguarda il giornale americano *Breitbart* che, durante le elezioni presidenziali del 2016 negli Stati Uniti, ha esercitato particolare influenza sull'intera campagna elettorale del partito repubblicano. Presupposto necessario per l'analisi di questo caso studio è che una campagna elettorale di successo si fonda su due elementi strettamente correlati: *agenda-setting* e *framing*. Nel primo caso si intende l'identificazione delle questioni sociali che possono risultare più interessanti per gli elettori; nel secondo si intende il modo in cui ogni elemento dell'agenda è affrontato e presentato al pubblico. Quest'ultimo è capace di esercitare un significativo impatto sull'opinione pubblica.

Agli albori della campagna elettorale, il candidato repubblicano Donald Trump è riuscito a catturare l'attenzione dell'opinione pubblica tramite una particolare focalizzazione sulla questione dell'immigrazione di massa dal Messico verso gli Stati Uniti. Nel corso della campagna, il focus si è rapidamente trasformato in un accanimento contro i musulmani, incoraggiato dall'incessante flusso di articoli giornalistici che esplicitamente associavano questi ultimi con terrorismo, problemi di sanità pubblica e abusi del sistema di welfare. Il principale promulgatore di certe storie è stato senza dubbio Breitbart. In ogni articolo dedicato alle elezioni, infatti, circa una frase ogni 25 menzionava l'immigrazione. L'ecosistema mediatico di estrema destra si è reso quindi direttamente responsabile dei drastici cambiamenti nell'agenda elettorale repubblicana. Secondo un'analisi di Benkler, tale ecosistema è altamente isolato dagli altri segmenti del sistema giornalistico americano ed è capace di esercitare un'influenza più importante sull'opinione pubblica. Inoltre, è importante sottolineare che le principali testate giornalistiche di tale ecosistema informativo rifiutano esplicitamente di seguire principi di obiettività specifici della professione giornalistica, contribuendo così ad un senso di disorientamento nel pubblico, che diventa incapace di discernere notizie attendibili da quelle false.

Un altro caso studio riguarda Cambridge Analytica, relativo alla strumentalizzazione dei big data col fine di influenzare le intenzioni di voto degli elettori. Questo processo di strumentalizzazione, inizialmente impiegato per indirizzare selettivamente inserzioni pubblicitarie online verso plausibili clienti, finisce per influenzare i processi di deliberazione online. Questo processo nuoce alla formazione del dibattito critico-razionale sul web secondo diversi punti di vista. Primo, tale pratica pregiudica il funzionamento della democrazia, che per definizione si basa su partecipazione e opposizione, in quanto l'involontaria esposizione selettiva ad un certo tipo di materiale politico favorisce la formazione di *echo-chambers*, che tecnicamente creano singoli ecosistemi mediatici nei quali il lettore è esposto soltanto a voci concordanti. Inoltre, tale processo compromette la formazione impregiudicata di un pensiero indipendente, poiché ai diversi utenti non sono fornite le stesse informazioni. Questi effetti generano un nuovo tipo di ineguaglianza sul web, escludendo automaticamente coloro che non mostrano propensione a votare per un certo attore politico dalla fruizione di materiale informativo su quest'ultimo. Grazie al lavoro di Cambridge Analytica, infatti, il materiale politico era indirizzato a specifici individui tramite l'analisi di tratti psicologici, effettuata per mezzo di un minuzioso studio sulle caratteristiche emerse dalla pratica del *data mining*. Tale pratica, portata al centro dell'attenzione dallo scandalo che ha visto protagonista l'azienda inglese, viola teoricamente un considerevole numero di convenzioni internazionali. Inoltre, la consapevolezza che i propri dati possano essere sottratti ed esaminati per influenzare l'andamento dell'opinione pubblica potrebbe causare disagio nell'elettore, portandolo così a una scarsa propensione nell'esprimere le proprie opinioni.

Il Movimento Cinque Stelle, in Italia, funge da perfetto caso di studio riguardo la possibilità offerta alla politica da Internet di ideare nuovi meccanismi di partecipazione. Il partito, guidato da Beppe Grillo, si è presentato sulla scena politica italiana mosso dal mito dell'*uomo del popolo*, che trova la sua concretizzazione nel modello di *democrazia diretta*. Tale filosofia si basa sui concetti di trasmissione, apertura e accessibilità e può essere attuata tramite l'utilizzo del cyberspazio. Infatti, la narrativa cyber utopica propugnata dal movimento affida al web il compito di sopperire alle mancanze dalle attuali democrazie. Nonostante le



premesse, è importante ricordare ancora una volta che la democrazia si fonda sui concetti di partecipazione e opposizione. Il Movimento presenta infatti diverse incongruenze tra gli ideali propugnati e i meccanismi di partecipazione popolare all'interno di esso. Infatti, solo a coloro che dispongono dell'autorizzazione ad accedere alla piattaforma *Rousseau*, garantita da Grillo e dai suoi delegati che analizzano le candidature, è permesso partecipare ai procedimenti online. In questo modo, si impedisce che i membri del partito possano confrontarsi con dissidenti, contribuendo alla formazione di *echo-chambers*. La nozione stessa di democrazia basata sul web dovrebbe per definizione prevedere, se non incoraggiare, divergenze di opinioni. Inoltre, il M5S fornisce un esempio riguardo la presenza di entità politiche nella *quasi-periferia* del web, cioè nella blogosfera. Quest'ultima presenta generalmente seri problemi di concentrazione di attenzione, perfettamente riflessi nel blog del leader Grillo; la partecipazione popolare sul blog è infatti limitata a commenti e risposte, essendo l'unico utente autorizzato ad iniziare una discussione Grillo stesso. Il leader si avvale peraltro della facoltà di cancellare commenti degli utenti quando in disaccordo con la linea di pensiero del Movimento, andando a pregiudicare ulteriormente la formazione di un pensiero critico indipendente per i lettori. La Casaleggio Associati, ovvero la compagnia incaricata di gestire *Rousseau*, è stata infatti spesso accusata di mancare di trasparenza e inclusione, principi fondamentali per l'instaurazione di un qualsiasi dibattito che possa beneficiare ai più.

L'attenzione pubblica è stata recentemente catturata da un caso di cronaca che funge da caso esemplificativo riguardo il potenziale di radicalizzazione nelle periferie del web. Le nuove tecnologie di informazione favoriscono l'emergenza di mini-sfere pubbliche multiple; ciò che caratterizza le comunità estremiste proliferanti ai confini del web è l'utilizzo di uno stile di scrittura unico e singolare, così come la completa assenza di autocensura e il distacco dall'interlocutore. Al cuore di tale ideologia vi è un forte distacco tra vita reale e virtuale. La tendenza dell'opinione pubblica a dissociare atti individuali dal più ampio contesto sociale, culturale e politico in cui sono inseriti dà un'idea fuorviante rispetto ai metodi d'azione del terrorismo contemporaneo. Il 15 marzo 2019, l'attenzione pubblica è stata catturata dal massacro perpetrato a Christchurch da Brenton Tarrant. È rapidamente emerso che il giovane era un attivo membro della community /pol/ di 8chan, una piattaforma definita come *imageboard*, nella quale i partecipanti possono avviare una conversazione o prendere parte ad una già esistente postando immagini o brevi messaggi. La peculiarità di questo tipo di siti Internet è che, dopo un definito lasso di tempo, i *board* inattivi vengono automaticamente cancellati. Nell'inusuale strage commessa dal giovane è possibile individuare la forte influenza di tale cultura online, esemplificata nella stesura di un vero e proprio testamento, redatto in un linguaggio unicamente pertinente alla periferia della semiosfera del web. È per questo che il sistema mediatico dovrebbe usare la definizione di "lupo solitario" con cautela, perché si corre il rischio di fornire al pubblico un quadro fuorviante dei meccanismi di radicalizzazione online. La scarsa attenzione dei media a tali dinamiche lascia gran parte dell'opinione pubblica all'oscuro di esse, al punto da non essere in grado di riconoscere il tentativo di normalizzazione attuato dagli utenti di certi spazi del web tramite l'adozione pratiche comunemente ritenute inoffensive, come quella del *trolling*. I processi di radicalizzazione stanno pertanto

assumendo una nuova conformazione, favorita dalla scarsissima informazione riguardo l'argomento, che mettono in luce il bisogno di regolamentazioni nei meandri del web.

La totale assenza di un sistema di regolamentazioni che vada ad ostacolare la diffusione di disinformazione e che riduca l'impatto di fattori endogeni ed esogeni che esercitano un'influenza sul dibattito online rischia di compromettere il funzionamento della sfera pubblica nel cyberspazio. L'impedimento principale è costituito dall'infrastruttura del cyberspazio che non è ben delineata, bensì composta da un *sistema di multisistemi*, che ne rende l'architettura particolarmente fluida.

La ragione principale per la quale la maggior parte degli stati presentano un vuoto legale in materia di cyberspazio è che, data la conformazione fluida di Internet, dare una definizione precisa ai fenomeni ad esso collegati risulta estremamente difficile. La lingua inglese distingue tra due concetti apparentemente simili, ma differenziati da un fondamentale elemento: l'intenzionalità. Con *misinformation* si intende la divulgazione di informazioni sbagliate la cui inesattezza non è intenzionale e che non hanno fini di stampo politico. *Disinformation* denota la disseminazione di notizie false o fuorvianti, allo scopo di influenzare l'opinione pubblica, o di creare una condizione per la quale il pubblico non sia più in grado di discernere la verità dalla falsità. La possibilità di guadagnare infondata credibilità sul web ha trasformato l'informazione in business. Pertanto, l'informazione online non deve essere necessariamente accurata per generare profitto. Il dibattito sul cyberspazio è infatti continuamente pregiudicato da una piaga del ventunesimo secolo, ovvero la circolazione di *fake news*. La mancanza di norme in materia è data dalla difficoltà nel definire il concetto in termini giuridici. Nato in riferimento alla satira politica, il termine ha acquisito diverse sfaccettature nel corso del tempo, fino a subire l'influenza di Donald Trump, che per l'intera campagna elettorale del 2016 lo ha impiegato al solo fine di screditare il lavoro dei media tradizionali.

Una pratica che può aiutare i cittadini a riconoscere una *fake news* è il sistema di fact-checking. Malgrado la sua potenziale efficacia, è necessario che le notizie false, così come la loro circolazione, siano accuratamente identificate perché esso possa funzionare. Poiché il senso di disorientamento causato dall'inquinamento dell'informazione non deriva da singole pubblicazioni, bensì dalla replicazione di esse con fini manipolativi, bisogna focalizzarsi su un certo tipo di divulgazione, definita da Benkler come *network propaganda*.

Una restrizione imposta per legge deve necessariamente rispettare i valori cardine di una società; è dunque opportuno evidenziare che un sistema di leggi in materia di cyberspazio non può pregiudicarne l'intrinseca libertà. Essendo la libertà d'espressione espressamente salvaguardata dal sistema legislativo di ogni stato democratico, e non dalle compagnie private che operano sul web, è dovere di quest'ultime porre delle restrizioni a tale libertà, dove i governi sono impossibilitati ad agire.

Di conseguenza, legiferare in materia di cyberspazio rappresenta un compito particolarmente difficoltoso, in quanto è necessario bilanciare un'efficace battaglia contro la disinformazione e l'inalienabile diritto alla libertà di espressione. Il primo paese europeo ad agire è stata la Germania per mezzo della NetzDG,<sup>263</sup> il cui obiettivo esplicito è mettere pressione sui *social media* riguardo l'eliminazione di contenuti illegali dalle loro

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<sup>263</sup> Il nome completo del disegno di legge è *Netzwerkdurchsetzungsgesetz*.

piattaforme. Tuttavia, il disegno di legge ha causato non poche preoccupazioni, sia a causa della precaria definizione di “contenuto palesemente illecito”, sia per l’eccesso normativo a cui sono soggette le aziende gestrici delle piattaforme *social*. Uno stato democratico non può imporre al settore privato di prendere provvedimenti che possano sproporzionatamente interferire con la libertà di espressione. Il disegno di legge mette però perfettamente in luce il mancato adempimento da parte dei social network al compito di preservare l’integrità dell’informazione, al fine di non compromettere i processi deliberativi online. Come già accennato nel caso di studio riguardo l’operato di Cambridge Analytica, un fattore estremamente capace di condizionare la propensione degli individui a beneficiare delle possibilità deliberative offerte da Internet è la costante minaccia che la propria privacy possa essere violata. Nel 2018, l’Unione Europea ha perfezionato le misure sulla gestione dei dati personali sul web per mezzo della GDPR,<sup>264</sup> che va a prendere il posto della normativa del 1995 in materia. Essa è stata presto seguita da particolari adattamenti da parte del *social network* più famoso, Facebook. Poiché promuove la personalizzazione dei contenuti, gli utenti tendono ad affidare alla piattaforma la protezione dei propri dati personali. La speculazione sui *big data* può avere infatti due importanti ripercussioni sulla formazione di dibattiti di carattere critico-razionale sul web. Primo, tali dati possono essere utilizzati per favorire la formazione di *echo-chambers*, nelle quali lo scambio di idee ha luogo esclusivamente tra menti affini. Ciò può essere estremamente nocivo, poiché il modello deliberativo teorizzato da Habermas presuppone che la cooperazione dei cittadini per la ricerca di soluzioni alle questioni sociopolitiche prenda il posto dell’aggregazione di preferenze individuali. Secondo, la predisposizione degli individui a prendere parte in certi processi può essere compromessa dalla percezione della minaccia che la propria privacy possa essere violata.

La questione centrale di questo elaborato, ovvero la ricerca di un compromesso tra il bisogno di regolamentare il cyberspazio e la necessità di preservarne l’intrinseca libertà di espressione, rimane irrisolta. La coesistenza di differenti sistemi semiotici al suo interno rende il web non adatto ad un sistema unificato di regolamentazioni, a causa delle peculiarità che ognuno di essi presentano. Pertanto, tali dissimilarità devono essere tenute a mente perché in ogni angolo di esso possa essere preservato il giusto grado di libertà.

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<sup>264</sup> General Data Protection Regulation.