

TRANSLATION FROM THE ORIGINAL SUMMARY IN SPANISH

Seminar 'Digital Footprint: Servitude or Service?'

Data processing in media and communications

(Summary of the session of May 21, 2020)

The fourth session of the Permanent Seminar 'Digital footprint: servitude or service?' took place on May 21, 2020. This time the central theme was that of ethical issues in the treatment and exploitation of data in the communications sector.

Juan Benavides, Professor of Communication at the Complutense University of Madrid and president of the Communication Forum, presented the topic, followed by the comments of Alberto Artero, General Director of the digital newspaper El Confidencial.

New formats and communication concerns

The Internet has brought a paradigm shift in the social structure. Within this new scheme, a structural change continues to take place in the reality of the media with the transition from digital support to the mobile device, which today represents, for example, 85% of daily accesses to a news website such as El Confidencial. In this new situation, it is still valid to distinguish between conventional (or **controlled**) media such as radio, television, press, and cinema, including their digital editions, and unconventional (or **estimated**) media, such as social networks and other spontaneous and uncontrolled publications, derived from the use of the Internet and digitization.

Among the mainstream media, there has been a considerable amount of concentration (the television "duopoly"), and many media have a marked "editorial line." However, a good number of independent mainstream media are still alive and working. Among the unconventional, the decisive influence of large "big tech" companies prevails. Conventional media are content producers, unconventional media are mostly distributors (although not always), and often not subject to the necessary and compulsory responsibility that information organs must assume.

The current situation of the media presents three main areas of uncertainty. The first is the fragmentation and immediacy in the media derived from the development of digital technology and the multiplication of formats and tools. This change has its primary effect in the new role of users, who increasingly determine the medium when they choose what they want to see or read, in conformity with their own opinions. Besides, by 'clicking,' they provide data to compose consumer behavior patterns.

The second area of uncertainty has to do with content. A considerable proliferation of media content leads to saturation and a tendency to lose quality in contents or in language used, until reaching the phenomenon of "fake news."

The third area of uncertainty can be called enterprise and purpose; this refers to the media business model based on advertising. In this sense, there is a reduction in the traditional role of agencies (disintermediation), while advertisers play a new role. In the current scenario, advertisers are concerned

about their reputation, and that leads them to exercise influence in contents by not wanting to associate with programs that could harm their credibility. Companies increasingly seek to appear in media that position them in terms of value. In this context, conventional media could gain legitimacy in front of social networks.

Credibility can be a shield for the media that, unlike social networks, have a content production system developed by professionals. Thus, problems such as "fake news" should not arise in the media managed by journalists and communication professionals. Consequently, the training of journalists is essential. An example of this can be found in the information chaos that emerged during the current pandemic. False information on political, social, and scientific aspects of Covid-19 has spread throughout the crisis. Managing this situation was considered a challenge for governments. In the news chaos of the health crisis, the professional media have positioned themselves as reliable sources in many aspects (although not all), compared to the information disseminated by social networks.

The battle for the user

Data processing in the media plays a leading role in their commercial activity, where it replaces the traditional method of sampling. More than "big data" (that is, the high-speed exploitation of "lakes" of unstructured data), what media do is more or less advanced management of the user data available to them. This function pursues the knowledge of the audience and influences the construction and positioning of information. On these lines, the data fulfill a mainly financial role insofar as they serve as a management aid. Data management has a very aligned direction towards marketing and offers the possibility of deepening in the knowledge of the user. With data processing, media can know who reads, or who sees the content, what impact the information sent has on you, what interests you have and how much you like what the medium offers you, all related to other parameters of location, age, profession, etc. There is a reciprocal exchange between the media and companies specializing in data processing ("big tech"): I give you data, and you give me patterns or trends.

New media business models seek to address the challenges of mobile transformation, which goes beyond digitization. In this scheme, the so-called "attention economy" appears in which the aim is to seduce and retain the user. Currently, users read the news while at the same time receiving instant messages, phone calls, and notifications from various apps. To achieve user loyalty, and to create engagement, the media turn to companies specializing in data collection and data processing.

Some believe that in the new reality of the media, although the use of Big Data responds to a commercial need, the complexity and change brought by these new tools may not necessarily affect the essence of the sector. Despite all the changes, the media continue to see themselves as the "Fourth Estate," which implies that trained journalists report and evaluate information with responsibility. Understanding the contrast between the circumstantial (competition for users) and the essential (the mission of journalism) may be the differential value of professional media that produce content, compared to other information media that are mostly distributors, such as social networks. If the media control the use of data analysis tools and do not abandon their essence to survive, this could ultimately reinforce a legitimacy that would translate into trust from society. But this would suppose also more maturity among users; it is paradoxical that readers are willing to transfer "free" information to "big tech" companies while resisting giving these same data in the form of identification or direct subscription to news websites.

“Fourth” & “Fifth” Estate

When understanding the essence of journalism as "Fourth Estate," information is shaped not only based on marketing but according to professional principles of service to society. Faced with this, social networks and data processing companies are emerging as new intermediaries and as a "Fifth Estate," which does not recognize the fundamental values of communication professionals. Unlike social networks, the media do not have entertainment as their main function but information and comment.

Following this line, if the front page of the newspapers responds solely to commercial criteria, the battle for the click could lead to a crisis of legitimacy that ends up destroying the differential value of the media in question. In other words, the debate is not about whether the offer should be shaped or not to get the user's attention, but rather what molds are used in the search for engagement. To offer information based on the thematic interests of a reader - which may be reasonable - is not the same as to segment along supposed ideological benefits, which can lead to improper manipulation.

From deontology to communication ethics

The application of new data analysis tools in the media opens an ethical scenario in which moral obligations have to go beyond the financial sustainability of business models. Other sectors have assumed the ethical concerns that arise about the use and treatment of data. However, the media have not yet publicly spoken about it, not beyond the "style guides" or some ethical codes that don't address the problem directly.

These norms remain within the limits of traditional deontological principles, which are not sufficient to address adequately the problems that arise in current media practice. They do not represent an ethical framework with which journalists and all interested parties can rely upon and carry out their work in the digital environment. For example, with or without a pandemic, with or without digital transformation, one cannot forget the harsh economic and social reality, both near and far, where many problems are "invisible" if not given ethically motivated care. In this sense, it is essential to identify the ethical subjects and the role that each one plays in the new scenario of data management in the media and to elaborate lines that redefine the guarantees of content quality, political and commercial independence, and respect for privacy in the current context. It is necessary to rethink the responsibility of all parties: users, journalists, advertisers, businessmen, and large communication groups, without neglecting everything related to "big tech."

It seems clear that data processing to know the reader is beneficial to the media. Adapting the offer to the reality of those interested does not have to bring per se any added ethical problem for journalists. The key is to work with data management as a subsidiary tool and not as the primary purpose. If business is not a subsidiary to the product itself, then the media end up being just a business. On the other hand, data may be essential to look for solutions to the three current battles of media: audience, influence, and economic sustainability.

Attendees:

1. **Albert Cortina**, Lawyer, Expert in Transhumanism Director of the DTUM study
2. **Alberto Artero**, General Director of El Confidencial
3. **Alfonso Carcasona**, CEO, AC Camerfirma
4. **Alfredo Marcos Martínez**, Professor of Philosophy of Science, Universidad de Valladolid
5. **Ángel Gómez de Agreda**, Colonel Chief, Geopolitical Analysis Area, DICOES/ SEGENPOL
6. **Ángel González Ferrer**, Executive Director, Digital Pontifical Council for Culture
7. **Carolina Villegas**, Researcher, Iberdrola Financial and Business Ethics Chair, Universidad Pontificia de Comillas
8. **David Roch Dupré**, Researcher, Instituto de Investigación Tecnológica
9. **Diego Bodas**, Lead Data Scientist Mapfre
10. **Domingo Sugranyes**, Director, Seminario de Huella Digital
11. **Esther de la Torre**, Responsible Digital Banking Manager, BBVA
12. **Francisco Javier López Martín**, Former Secretary-General, CCOO Madrid
13. **Gloria Sánchez Soriano**, Transformation Director, Legal Department, Banco Santander
14. **Idoia Salazar**, AI ethics expert, Universidad CEU San Pablo
15. **Ignacio Quintanilla Navarro**, Philosopher, Educator, Universidad Complutense de Madrid
16. **Jesús Avezuela**, General Director of the Pablo VI Foundation
17. **Jesús Sánchez Camacho**, Professor, Faculty of Theology, Universidad Pontificia Comillas
18. **José Manuel González-Páramo**, Former Executive Director, BBVA
19. **José María Viñals**, Partner, Squire Patton Boggs
20. **José Ramón Amor**, Coordinator, Bioethics Observatory of the Pablo VI Foundation
21. **Juan Benavides**, Professor of Communications, Universidad Complutense de Madrid
22. **Pablo García Mexía**, Digital Jurist, Of Council Ashurst LLP
23. **Richard Benjamins**, Data & IA ambassador, Telefónica
24. **Samuel Privara**, cybernetics, robotics and artificial intelligence expert