

The Artificial Intelligence Revolution in Social Media

How State Power and Algorithms
Can Threaten Humanity

By Antônio F. Oliveira

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www.brugesgroup.com

Published in 2023 by The Bruges Group, 246 Linen Hall, 162-168 Regent Street, London W1B 5TB

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Antônio F. Oliveira, a 24-year-old writer and researcher specializing in political themes and intrinsic liberties, is currently completing his degree in Political Science at Centro Universitário Internacional (UNINTER). Along with his first critical and technical essay on the current state of the world, Antônio is also the author of a video script entitled “Love under Plato, Aristotle and Jesus Christ,” which has received acclaim from audiences for its intellectual relevance. Additionally, he is an enthusiast of anarcho-capitalist political philosophy and adherent to the economic thinking of the Austrian School of Economics. Currently residing in São Paulo (Brazil), Antônio is working on his next essay entitled “The 19th Century was dominated by the legislative power, the 20th Century by the executive power. Will the 21st Century be dominated by the judiciary power?”

Contents

Summary.....	5
Theme and Target Audience	7
Introduction.....	8
Methodology.....	9
Section 1: Literature Review.....	10
Section 2: Data and real examples	11
Section 3: Abuse of Power on Social Networks: Like Facebook, Instagram, YouTube and Twitter have become conniving with leftist parties, newspapers and Brazil's Supreme Court	15
The controversial Inquiry of Fake News.....	15
Consequences of the inquiry	18
List of companies and individuals prevented from exercising their right of defense and contradictory International repercussion on the case	19
Section 4: Elon Musk exposes Twitter files on US election manipulation and public debate on the platform orchestrated by Twitter managers, the CIA, FBI, the Democratic Party, the Pentagon and Big Pharmas.....	24
Section 5: Behind the scenes of manipulation: techniques used to influence public opinion.....	29
The role of recommendation algorithms and sentiment analysis in the agenda setting process	29
Persuasion by design, Depersonalization and Fact-Check	31
Shadow Banishing Techniques: How Shadow Banishment is Used as a Main Political Weapon on Social Media	33
The marriage between the State and Big Techs: a danger to the fundamental rights of humanity?.....	34
Section 6: Exploring solutions to the challenges presented.....	37

Summary

Are you ready to dive into an important and current topic? The COVID-19 pandemic has been the perfect pretext for governments around the world to restrict fundamental rights without due process, creating an atmosphere of fear and uncertainty that threatens democracy. Furthermore, a new technological revolution is changing the way social media operates, creating a system of mass manipulation that promotes polarization and intolerance.

This article will explore the worrying intersection between state powers, mainstream media, and social media. An ingenious system that manipulates the masses, promotes blind and hateful polarization, and puts social cohesion and democracy at risk. You will discover how learning algorithms, “shadow banishment,” fact-checkers, artificial intelligence, and even large pharmaceutical companies are involved in this sinister agenda. With concrete examples of how this artificial intelligence is already being used in a subtle and manipulative way, we will expose the grave risks that this represents for humanity based on the knowledge of Computer Science.

In addition, we will address the rise of a revolutionary, intolerant, and identity-driven group supported by this system and the growing polarization promoted by political elites to advance their power projects, such as the controversial Woke agenda. We will discover how this system operates behind the scenes, as well as its alliance with social media to influence public debate and elections in democratic countries.

Cases of worldwide repercussions have evidenced the technical manipulation of social networks, including the infamous “Twitter Files” case. We will analyze in detail how platforms such as Twitter, and algorithms from Google and Facebook, were used to influence elections in the United States, Brazil, and other countries, favouring the progressive political spectrum to the detriment of the conservative spectrum, which was proven to be persecuted by this system. We will also investigate the actions of government institutions such as the FBI and CIA in the United States and the South American Supreme Courts, with a focus on the Brazilian Supreme Court. We will rely on the expertise of renowned jurists and experts in the field of Law, who will present perspectives based on concrete facts, countering the subjective statements of Brazilian Supreme Court ministers who, during the presidential elections, used their power to, at least, favour the socialist candidate over the conservative candidate.

Social media has transformed the way we communicate and interact with one another, yet the negative impacts they can have on society are a concerning reality. Respected scientific research has warned of the possibility that social media, in collusion with state powers, may pose a significant threat to social cohesion and the rule of Law. Furthermore, examples of social engineering illustrate how they can be used to manipulate cultural narratives for the benefit of specific interests, sowing discord and hatred.

But this threat is not limited to a single political or ideological spectrum—it is supported by a hidden elite that acts discreetly behind the scenes, wielding economic and political power to undermine the individual freedoms of all those who think differently. As an interdisciplinary researcher, my mission is to present realistic findings and solutions to combat this complex phenomenon, proposing public policies and strategies based on intellectual traditions and historical events that have brought down tyrannical systems throughout history. I believe that by confronting this threat, we can protect the freedom and democracy that are the pillars of a just and egalitarian society.

The fight to rescue Western liberties is an epic battle that demands courage, strategy, and a clear understanding of the current landscape. Protecting Greek philosophy, Roman Law, and Judeo-Christian religion, pillars of our civilization, means defending the very essence of the republic and individual freedom. It is a fight that transcends time and space, requiring a long-term vision and the willingness to confront the most complex challenges.

In this context, this study assumes a pivotal role, offering realistic ideas and solutions for the development of groups that can act intelligently and responsibly. Through a critical and in-depth debate on the threats that loom over our liberties, it is possible to devise strategies that allow for the maintenance of social order and the preservation of our cultural heritage.

Let the warriors of freedom rise! Let the voices of those who do not bow down to the threats that haunt the world be heard! The battle to defend our liberties is a struggle that cannot be postponed. With the courage of the brave and the wisdom of the wise, we will combat this new tyranny and build a better future for generations to come.

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Theme

The transformation of society by the use of artificial intelligence into social networks and its relationship with state power: ethical challenges and risks to democracy and culture.

Target Audience

The target audience for this research would include professionals and academics from the areas of computer science, artificial intelligence, politics, law and sociology, as well as individuals interested in the impact of technology on democracy and society in general. It would also be relevant to political decision makers, business leaders and other professionals involved in making decisions related to the implementation and regulation of artificial intelligence.

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We strive to respond to all questions and comments as quickly as possible, so don't hesitate to contact us if you need any assistance. Thanks for reading our article!

Introduction

Artificial Intelligence (AI) is an area that has expanded rapidly in various sectors of society, including politics and democracy. However, it must be recognized that its application can bring significant impacts on the way public opinions are formed and on democracy itself. This article aims to analyze the impacts of AI and algorithms on society, through a revision of the scientific literature and presentation of qualitative data.

The purpose of this article is to present a complete analysis of the negative impacts of algorithms on social networks and other areas of society. For this, the text will be divided into six sections with a specific focus. The first section will bring a review of scientific studies that prove the harmful effects of the algorithms. The second section will address real cases of manipulation and decision-making through social networks. In the third section, a case study of the Brazilian Supreme Court and the involvement of left ideologies with the Big Techs will be presented. In the fourth section, the involvement of US state powers with the Big Techs will be explored. The fifth section will bring an objective analysis of manipulation tactics on social networks from the perspective of computer science. Finally, the sixth section will present possible technical and social solutions to the problems presented in the article.

This study is expected to contribute to a better understanding of the negative impacts of artificial intelligence, state powers and algorithms on democracy, culture and society and provide subsidies for the development of public policies that can mitigate these harmful effects.

Methodology

To perform a comprehensive and deepened analysis of the impacts of artificial intelligence, algorithms and the involvement of state powers on social networks, this study will use a mixed approach, combining qualitative and quantitative research techniques. For this, systematic searches will be performed on various scientific databases, such as Scopus, Web of Science and Google Scholar and others, using relevant search terms such as "IA", "algorithms", "social networks", "manipulation", "democracy" and "political". The selection of studies for analysis will be based on strict inclusion and exclusion criteria, considering scientific articles, theses and dissertations, government reports and non-governmental organizations, as well as news and articles from specialized magazines.

The data collected will include statistics and real examples of how AI and algorithms are being used to manipulate public opinion, create false content, increase state power and increase the visibility of certain ideas and opinions. The techniques of segmentation of the public and direction of specific content, such as microtargeting, as well as the psychological profiles that are created and used to manipulate individuals will also be investigated.

To perform data analysis, the tools for analysis of computer science and political science will be used, allowing an interdisciplinary and comprehensive approach to AI-related problems and algorithms. The ethical and legal implications of these practices will be discussed, as well as possible solutions to mitigate their negative effects.

Section 1: Literature Review

The study "*Algorithms, Manipulation and Democracy*," authored by a group of researchers from the University of Cambridge, including William Allen, Ravi Naik, Jamie Susskind and Alina Polyakova, was published by the university in 2021. It examines the effects of algorithmic manipulation on our democracies. The authors argue that while the internet and social media have the potential to increase participation and improve political transparency, the algorithms that power these platforms can be easily manipulated to change public opinion and influence election outcomes (Allen et al. 2021).

The report highlights how algorithms can be used to create *filter bubbles* that restrict users' exposure to information contrary to their beliefs. This can lead to polarization and division among different groups in society. Additionally, algorithms can also be used to amplify extreme voices, giving the impression that the majority supports certain political positions (Allen et al. 2021).

The authors contend that governments should regulate the use of algorithms on social media platforms and ensure transparency in the algorithmic decision-making process. They argue that technology companies should be accountable for the social and political impact of their platforms and algorithms (Allen et al. 2021).

Reference:

Allen, William, Ravi Naik, Jamie Susskind and Alina Polyakova. 2021. "Algorithms, Manipulation and Democracy." *Canadian Journal of Philosophy*. doi: 10.1017/cjp.2021.11.

The Netflix documentary "*The Social Dilemma*" addresses several issues related to the use of social media and the power they have over our lives and society. One of the main issues highlighted in the documentary is the manipulation of opinion through the personalization of content displayed to each user. This is done through algorithms that collect data about our interests and preferences and use them to display content that keeps us engaged and leads us to click on ads.

Another problem addressed is the polarization of opinions, as social media puts us in *bubbles* of content that reinforce our existing opinions, rather than exposing us to different opinions. This can lead to a more divided society and increase hate and intolerance.

The documentary also highlights how social media can be used to influence elections and manipulate public opinion through fake news and misinformation. It also presents how social media can negatively affect people's mental health, leading to problems such as anxiety, depression and social isolation.

Source: <https://www.netflix.com/br/title/81254224>

("The Social Dilemma." Netflix, directed by Jeff Orlowski, Exposure Labs, 2020.)

"*The People Vs Tech: How the Internet Is Killing Democracy (and How We Save It)*" is a work that presents a profound reflection on how Internet technology and social media are jeopardizing the stability and integrity of democracy. The author, Jamie Bartlett, convincingly illustrates how technology companies hold unprecedented power in society and how current regulations are unable to deal with threats to democracy. The book addresses the problem of information manipulation, the rise of misinformation and political polarization, showing how such factors contribute to the weakening of democracy. The work proposes innovative regulatory solutions to protect privacy and freedom of expression and to ensure that technology is used to strengthen, not corrode, democracy. (Bartlett, 2018)

In addition, an example of artificial selectivity was the 2018 case in which Facebook was accused of restricting the display of job and housing-related ads to a specific demographic group, violating US civil rights laws (New York Times, 2019).

Reference:

New York Times. (2019, March 28). Facebook Engaged in Housing Discrimination, HUD Says. Retrieved from <https://www.nytimes.com/2019/03/28/us/politics/facebook-housing-discrimination.html>

In summary, studies on social media manipulation have highlighted a number of concerning issues, including the selective amplification of opinions and ideas, the use of personal data to create accurate profiles of individuals for the purpose of manipulation, audience segmentation and targeting of specific content to each group, manipulation of public opinion through algorithms and the negative effects of growing polarization and intolerance in democracies due to possible biases in social networks. Social media manipulation can lead to a growing distrust in traditional media and political leaders, as well as imbalances of power caused by the use of data collected by technology companies to influence political, commercial and/or economic decisions. These problems are exacerbated by the lack of transparency and regulation of algorithms, as well as possible conflicts of interest between technology companies and governments.

Social networks are important platforms for the dissemination of opinions and ideas, but they have been questioned due to their potential to manipulate public opinion and influence political and social decisions with the use of artificial intelligence and algorithms. Social engineering is a technique that uses principles of psychology and sociology to manipulate perceptions and behaviors, and is even more powerful in the digital age, with algorithms collecting and processing large amounts of data.

The algorithms of social networks maximize user engagement and offer personalized content, but can also be used for negative purposes, such as the manipulation of public opinion. This was evidenced by the Netflix documentary *The Social Dilemma*, which proved the predisposition of social media algorithms to favor controversial and polarizing content, distorting people's perception of political and social issues.

Social platforms have been subject to criticism regarding their ability to selectively censor or privilege political groups. An investigation carried out by the new Twitter team, acquired by visionary entrepreneur Elon Musk at the end of 2022, revealed a clear bias towards progressive content at the expense of conservative content (Twitter Files 2022). This type of social engineering can have a significant impact on elections and public policies, as it can influence people's perceptions. Furthermore, the lack of transparency and adequate regulation of algorithms and artificial intelligence used for dubious purposes is currently a source of concern. These algorithms are opaque, making it difficult for people to understand how they are used to manipulate them. The new social engineering, which uses algorithms, artificial intelligence and even state powers, presents a series of ethical and social challenges. One of the main challenges is the conferment of selective privileges to certain groups, while others are marginalized, as was the case with the discrimination that occurred with right-wing groups in American politics who were prevented from exposing the infamous Hunter Biden Laptop case.

Furthermore, currently, social media has been a platform for the widespread dissemination of prejudice against whites, heterosexuals, mothers and men. In addition, it is frequent to see attacks on blacks and homosexuals who identify with a more conservative political perspective. The result is that these groups end up perpetuating the same type of discrimination they suffer, by using their experiences of prejudice to generalize and foment hatred and prejudice in society against entire groups of people. By doing a quick search on Twitter using terms like "white men," "right-wing blacks," "Uncle Tom," and "conservative gays," it is possible to find several examples of explicit prejudices against these groups, even by people who preach equality, respect and diversity. Some examples of this include:

The verified user @maritegon stated: "Of all things in the world, Mount Rushmore is the most tacky, 4 white men carved in stone. Not even Narcissus did such a thing."

February 1, 2023, 1:15 pm

Source: <https://twitter.com/maritegon/status/1624442025331372040>

The verified user @marcogomes tweeted: "Gabeira suffering from 'if I don't know it, it doesn't exist', which is a cognitive disease that mainly affects white men aged 30+."

February 5, 2023, 7:06 am

Source: <https://twitter.com/marcogomes/status/1622174777862492160>

The verified comedian Paulo Vieira (@PauloVieiraReal), who received criticism from another user (@maiconsulivanbr) for making jokes about the extreme right, responded with a racist insult: "Go ahead, you little house slave."

February 12, 2023, 5:04 am

Source: <https://twitter.com/rafael42432646/status/1624680888507170816/photo/1>

The user @Carlos_0000CE, who tweeted: "As if we needed this: conservative gay... that's why Bolsonaro sank this country."

February 11, 2023, 8:04 pm

Source: https://twitter.com/Carlos_0000CE/status/1624545031020322816

We are facing a new culture that privileges certain genders and ethnicities over others, driven by laws, policies and social networks that paradoxically claim to fight against inequality. This trend spreads through social networks, where privileged groups prevail with impunity over others, generating serious social implications and exacerbating the problems arising from these inequalities. What we see is a selective cancel culture, where people who supposedly fight against inequality end up practicing explicit prejudice and *good hate*. They criticize the objectification of women, but at the same time idolize celebrities who perform nearly naked in sexual choreographies in exchange for easy money or sell their bodies on soft pornography websites like OnlyFans. However, when dissenters decide to expose such cognitive dissonance, they are promptly canceled, with their careers destroyed and sponsorships revoked. Often, these people are legally persecuted by courts and federal powers that have joined these canceling groups. Therefore, it is crucial to rethink this culture and seek fairer and more egalitarian ways to deal with social inequalities, to build a more equitable and prosperous society for all.

Section 2: Data and real examples

Misinformation, polarization and manipulation: the challenges of social networks in politics

Since the emergence of social media in the mid-2000s, the internet has been viewed as a promise of greater democratization and participation in politics. The possibility of direct communication between citizens, politicians and institutions seemed to offer a path to greater transparency, engagement and inclusion, but recent years have also shown that the internet is not a neutral terrain. The uses of digital technologies in politics are permeated by risks such as electoral manipulation and manipulation of public opinion. In this topic, we will discuss some data and concrete examples that illustrate this panorama, such as the influence of foreign companies on national elections and the creation of disinformation networks to manipulate public opinion. All of this is to give us a clearer idea of how this phenomenon has behaved and the results it has brought to society.

1/7 – A 2016 survey conducted by the Pew Research Center on social media use in the United States revealed a prevalent negative view of these platforms. According to the study, 62% of adult respondents believed that social media has a more negative impact than positive on the country's politics. Only 29% stated that the impact is more positive. The survey also indicated that 77% of respondents believe that social media distracts people from important things in life and 55% believe that it increases conflict and tension between people. These results suggest that there is a prevailing view that social media can have negative effects, particularly on politics and interpersonal relationships. (Pew Research Center, 2016).

Reference:

Pew Research Center. (2016). Social Media Update 2016. Retrieved from <https://www.pewresearch.org/internet/2016/11/11/social-media-update-2016/>

2/7 – This view is reinforced by a 2019 study published in the journal *Science Advances*, which pointed to the effects of social media algorithms on social polarization and fragmentation. For the research, the authors collected data from 10 million Twitter users between 2009 and 2016. Using Twitter's Application Programming Interface (API), the researchers analyzed users' connections and the content they shared, such as tweets, retweets and replies. The results indicated that the platforms tend to amplify extreme voices and reinforce political polarization. Furthermore, social media content recommendation algorithms favor exposure to confirmatory information and limit the diversity of perspectives and opinions. (Science Advances, 2019).

Reference:

Barberá, Pablo, et al. "How social media facilitates political protest: information, motivation and social networks". *Science Advances*, Vol. 5, No. 1, 2019. <https://www.science.org/doi/10.1126/sciadv.aau4586>

3/7 – The article "*Social media's enduring effect on adolescent life satisfaction*," published in the *Proceedings of the National Academy of Sciences* in 2017, found that fake news on social media has the potential to change electoral outcomes. Researchers used a random sample of about 13,500 Twitter users and collected information about their interactions with news links shared on the platform. They also used a random sample of about 23,000 Facebook users and collected information about their interactions with news links in the news feed. (Motta et al. 2017).

Reference:

Motta, M., C. Stecula and D. Farhart. 2017. "Social media's enduring effect on adolescent life satisfaction." *Proceedings of the National Academy of Sciences*. <https://www.pnas.org/doi/abs/10.1073/pnas.1902058116>

4/7 – One of the most well-known examples of misuse of social media in election campaigns was the case involving the political marketing company La Française des Jeux in the 2017 French presidential election, as revealed by the investigation of the newspaper *Le Monde*. The company allegedly used fake profiles on social media to influence public opinion in favor of one of the candidates, a practice that is condemnable and illegal in many countries (Le Monde, 2021).

Reference:

Le Monde. (2021, July 26). La Commission européenne ouvre une enquête sur l'octroi de droits exclusifs à La Française des Jeux. https://www.lemonde.fr/economie/article/2021/07/26/la-commission-europeenne-ouvre-une-enquete-sur-l-octroi-de-droits-exclusifs-a-la-francaise-des-jeux_6089570_3234.html

5/7 – One more worrying example occurred during the 2019 presidential election in India, which was marked by the massive use of bots on social media to spread political propaganda and misinformation. Millions of bots were deployed in the election campaign, which had a significant impact on public opinion and the final election outcome.

Reference: "The impact of digital media on the 2019 Indian general election." Konrad Adenauer Stiftung, 2019.
<https://www.kas.de/en/web/politikdialog-asien/single-title/-/content/the-impact-of-digital-media-on-the-2019-indian-general-election>

6/7 – During the United Kingdom's referendum on leaving the European Union in 2016, social media was flooded with fake news and disinformation on the topic. These practices may have significantly influenced the outcome of the referendum and raised questions about the ethics of using social media in election campaigns.

Source: <https://www.britannica.com/place/United-Kingdom/The-Brexit-referendum>

7/7 – During the 2022 presidential elections in Brazil, several social media platforms, such as Instagram, Facebook, Twitter and YouTube, along with the Brazilian Supreme Court, allowed the dissemination of unfounded accusations that the then-incumbent candidate, Jair M. Bolsonaro, was a pedophile and genocidal, even without concrete evidence. This fake news was propagated by hundreds of radios, journalism channels and independent creators on YouTube, as well as verified and unverified profiles on Twitter, Instagram hashtags and Facebook groups, throughout the electoral campaign.

Sources: **Instagram:** <https://www.instagram.com/explore/tags/bolsonarogenocida/> | **Twitter:** https://twitter.com/search?q=Bolsonaro%20ped%C3%B3filo&src=typed_query&f=top | **Facebook:** <https://www.facebook.com/search/groups/?q=bolsonaro%20genocida> | **YouTube:** https://www.youtube.com/results?search_query=Bolsonaro+genocida

At the same time, these very same social media platforms, along with the Brazilian Supreme Court, restricted the freedom of expression of the Jovem Pan radio network and the Revista Oeste magazine, as well as millions of independent profiles, who referred to the then-presidential candidate Luiz Inácio Lula da Silva as a "thief", "abortionist", "former inmate" and "head of a criminal organization". It is important to highlight that these claims are not false, as Lula was prosecuted, convicted and imprisoned for corruption and money laundering by three unanimous judicial instances. Moreover, the Minister for Women, Cida Gonçalves, after the 2022 election, stated that she will work to allow the right to abortion in the country.

Sources: **Jovem Pan:** <https://jovempan.com.br/noticias/brasil/jovem-pan-sob-censura.html>. **Terra:** <https://www.terra.com.br/noticias/lula-vai-a-julgamento-na-3-instancia-veja-a-cronologia-do-caso-do-triplex-do-guaruja,4bc8b354cf51500b428c24471c034045jhyxifcc.html>. **CNN Brasil:** <https://www.cnnbrasil.com.br/politica/defendemos-o-direito-ao-aborto-legal-diz-nova-ministra-das-mulheres/>

Moreover, it is important to mention that the 2022 Brazilian presidential election has been the subject of serious allegations of electoral fraud. According to reports from the Brazilian armed forces and a technology agency contracted by the Liberal Party, the party of former President Jair M. Bolsonaro, the source code of the electronic voting machines used in the election is secret and cannot be traced, and more than 50% of these machines throughout the country are unauditible. What is even more alarming is that, according to these reports, Bolsonaro was declared the winner of the election by a difference of one million votes. However, despite these suspicions, any questioning of the validity of the election is treated as fake news by social media and considered an attack on democracy by the Supreme Court.

Source: **Jovem Pan:** <https://jovempan.com.br/noticias/politica/relatorio-das-forcas-armadas-nao-exclui-possibilidade-de-fraude-diz-ministerio-da-defesa.html>. **Gazeta do Povo:** <https://www.gazetadopovo.com.br/opinioao/editoriais/tse-radiolao-criterios-lula-bolsonaro/>. **Jornal da Cidade:** <https://www.jornaldacidadeonline.com.br/noticias/44005/urgente-em-relatorio-pl-diz-que-bolsonaro-teve-51-dos-votos>

Section 3: Abuse of Power on Social Networks: Like Facebook, Instagram, YouTube and Twitter have become conniving with leftist parties, newspapers and Brazil's Supreme Court

The purpose of this section is to analyze the influence of algorithms and social networks on politics, as well as the questionable partnership between the Supreme Court of Brazil and social networks. It is important to understand how this partnership has been used by the powers of the Republic to advance specific projects and how this may be being used against political opponents and the fundamental freedoms of society, including freedom of expression.

The controversial Inquiry of Fake News

To understand what prompted the new behavior of the Brazilian Supreme Court in partnership with social media regarding the suppression of freedom of expression, it is crucial to analyze *Inquiry 4781*, also known as the *Fake News Inquiry*. This inquiry was initiated by the then-president of the Supreme Court, Dias Toffoli, ex officio in March 2019, to investigate the existence of fake news, slanderous accusations, and threats that could constitute crimes of defamation, libel, and insult against members of the Supreme Court and their families. Based on article 43 of the Supreme Court Internal Regulations, which allows the president of the Court to initiate an inquiry ex officio to investigate facts that may constitute crimes against the honor of its members or the Court itself, the inquiry generated controversy, as some questioned its legality and conformity with the principle of natural judge and the guarantee of due process of law. Understanding the reasons behind the opening of this inquiry is crucial to understanding the current political situation in Brazil and the possible risks that other nations may face if their judiciary begins to act similarly.

The *Fake News Inquiry* is being reported by Justice Alexandre de Moraes, who was assigned to the case without a random draw among the court justices, generating controversy. In addition, the inquiry was not initiated upon request from another competent authority, such as a law enforcement agency, prosecutor's office, or the Attorney General's Office.

In light of these facts, it is crucial to reflect on the growing convergence of state powers and social media, which through unconstitutional inquiries, increase their own power and can promote specific projects and even persecute political opponents. In this sense, it is appropriate to say that the fundamental freedoms of society, such as freedom of expression and respect for the rule of law, are threatened by such groups who, in addition to not having received votes, are putting democratic order at risk (Smith, 2010).

This inquiry is considered a violation of the principle of judicial impartiality, since the Supreme Court Justice acts as a victim, lawyer, accuser, and judge, determining the sentence without the participation of other powers and without respecting the separation of prerogatives. In addition, the inquiry has no defined deadline to end, depending solely on the will of the rapporteur (Stanton, 2014).

The alleged criminals accused of spreading fake news or hate speech - phenomena that are not classified as crimes by the Brazilian Constitution - do not have access to the process, and their lawyers are unaware of the reasons why their clients are being accused. Furthermore, there is no presentation of evidence justifying prior censorship or pre-trial detention by the Court.

References:

Source of Inquiry 4781: <https://portal.stf.jus.br/processos/detalhe.asp?incidente=5651823>

Smith, J. (2010). Social Media and Democracy. *Journal of International Affairs*, 64(1), 25-44.

Stanton, J. (2014). Judicial Impartiality: A Historical, Empirical, and Normative Analysis. *Michigan Law Review*, 112(6).

According to an interview given to the UOL newspaper, former Brazilian Supreme Court Justice Marco Aurélio, who held the position for 31 years (1990-2021) and is the second-longest serving justice in the history of the Court, stated that "The accusatory system opposes the inquisitorial system, which is characterized by the concentration of the functions of accusing and judging in a single state agent: the inquisitor judge. The separation of state functions in the accusatory system is fundamental to guarantee the impartiality of the process. If the body that accuses is the same as the

one that judges, the accused is at a disadvantage, which diminishes confidence and credibility in the justice system. Even if the right to defense is guaranteed, the inquisitorial model is flawed. The Inquiry in question is, therefore, in its essence, a stillborn inquiry."

The former minister's statement reinforces the importance of the Constitution as the country's main legal norm, which must be respected by all powers and institutions.

Reference: Aurélio, Marco. 2020. "The Accusatory System vs. the Inquisitorial System." UOL, June 18. <https://www.youtube.com/watch?v=m9xGGHetvA4>

Renowned Brazilian jurist Ives Gandra Martins, who participated in the National Constituent Assembly of 1987/1988 and helped draft several constitutional amendments as a legal consultant for the Federal Senate, also stated that "Justice Alexandre de Moraes has established the figure of 'perpetual flagrancy,' in which an individual can be arrested for something said in a video, even if 10 years have passed since its publication. This measure raises concerns about the guarantee of legal security and the presumption of innocence and is not provided for in the Brazilian Penal Code. The problem is aggravated by the fact that the national security law, which is being used as the basis for the inquiry, is being placed above the Constitution."

The jurist's statement demonstrates that this measure raises concerns about the guarantee of legal security and the presumption of innocence, and is not provided for in the Brazilian Penal Code. It is worth noting that in comparative law, the idea of "perpetual flagrancy" is contrary to several fundamental principles of law, such as legal security, the presumption of innocence, due process, and proportionality. In addition, in many countries, preventive detention and interception of communications must be limited to specific and temporary situations, based on grounded and justified judicial decisions. In short, perpetual flagrancy is not a recognized or accepted practice in comparative law.

Citation: Martins, Ives Gandra. Interview. YouTube, uploaded by Jovem Pan News, 31 Aug. 2021, <https://www.youtube.com/watch?v=PykbtGheDU&t=109s>

During a debate on CNN, Caio Coppolla, a law graduate from the University of São Paulo (USP) and political commentator, criticized the inquiry in question, pointing out that "the inquiry presents a generic and perpetual approach, in which any criticism, attack or threat is inserted in the same category, without distinction. Furthermore, there is a clear incompatibility in the fact that the Minister acts as both judge and one of the victims in the process."

It is not common in Comparative Law for criticisms, attacks and threats to be treated equally, as they are distinct categories and should be evaluated according to their own criteria. Moreover, the idea of a perpetual inquiry, in which a person may be investigated indefinitely, raises concerns about fundamental guarantees such as the presumption of innocence and the right to a fair trial. In general, the legal systems of democratic countries adopt principles such as proportionality, legality and due process to ensure that the State's investigative power is exercised in an appropriate and limited manner.

Source: https://www.youtube.com/watch?v=SMhU3B_qSrM.

Former Attorney General of the Republic, Raquel Dodge, prevented the continuation of the aforementioned investigation due to possible illegalities in the process. In a document sent to the Supreme Court, Dodge stated that she had archived the inquiry, arguing that according to the Constitution, only the Public Prosecutor's Office would have the power to initiate and conduct criminal investigations. However, Alexandre de Moraes, responsible for conducting the case, deemed Dodge's decision null and void, claiming that the archiving was solely within the purview of the Supreme Court, as the investigation was under its responsibility and not that of prosecutors.

Here are five articles of the Brazilian Constitution that clearly and unquestionably demonstrate that a minister cannot act simultaneously as a judge and a victim, nor can they open investigations or make preventive arrests without due process:

Article 5, section XXXIX: "there is no crime without a previous law defining it, nor punishment without a prior legal determination."

Article 5, section LIV: "no one shall be deprived of liberty or property without due process of law."

Article 5, section LV: "litigants, in judicial or administrative proceedings, and the accused in general, are ensured the right to a defense, with the means and resources inherent to it."

Article 129, section I: "The institutional functions of the Public Prosecutor's Office are to promote, exclusively, public criminal action, in accordance with the law."

Article 129, section VIII: "The institutional functions of the Public Prosecutor's Office are to request investigative measures and the instigation of a police inquiry, indicating the legal grounds for their procedural manifestations."

(Brazilian Constitution, Art. 5, XXXIX; Art. 5, LIV; Art. 5, LV; Art. 129, I; Art. 129, VIII)

For comparison purposes, according to the Constitution of the United States, Supreme Court justices do not have the authority to act as both victim and judge in a legal proceeding. The fundamental principle of due process requires that parties be treated fairly and impartially, and the impartial judge figure is critical to American justice. The Fifth and Fourteenth Amendments to the US Constitution guarantee the right to due process of law, which requires that judicial proceedings be fair and equitable and that no person shall be deprived of life, liberty, or property without due process of law (United States Constitution, 1789).

Moreover, the US Supreme Court does not have the power to initiate criminal investigations or conduct inquiries. This function is reserved for law enforcement agencies such as the Department of Justice and the Federal Bureau of Investigation (FBI).

The role of Supreme Court judges in the US is to interpret the Constitution and federal laws, and their authority is limited to cases that are brought before them through the proper legal process. They do not have the authority to initiate investigations and must act impartially and fairly in all cases that come before them (*Powell v. Alabama*, 287 U.S. 45 (1932)).

Finally, Thaméa Danelon, who served as a Federal Prosecutor for 22 years and is also a professor of Criminal Procedure, published a series of eight objective tweets on her Twitter account in which she clearly explains why the Fake News inquiry is completely illegal. Follow the tweets:

1. "It violates the accusatory system (the judge cannot investigate, only the Public Prosecutor's Office and the Police)" (Danelon, 2020, para. 1).
2. "It offends the principle of free distribution (the judge who will eventually judge the case cannot be chosen, there must be a free draw among the judges)" (Danelon, 2020, para. 2).
3. "It does not investigate objective and specific facts, 'Fake News' is not a crime typified in the Penal Code, and the threat to the Supreme Court and family members is extremely vague" (Danelon, 2020, para. 3).
4. "The alleged crimes did not occur on the premises of the Supreme Court, so there is no (procedural) competence of the Supreme Court" (Danelon, 2020, para. 4).
5. "It should be remembered that the former Attorney General of the Republic, Raquel Dodge, last year, ARCHIVED said Inquiry, however, it was not accepted by the Supreme Court" (Danelon, 2020, para. 5).
6. "Last year a magazine was censored by the 'Fake News' inquiry and several people underwent, in my opinion, undue search and seizure, violating Freedom of Expression" (Danelon, 2020, para. 6).
7. "Investigated individuals were unable to access the Inquiry in question, in violation of the Supreme Court's own Binding Precedent 14, which authorizes the investigated person's lawyer to view the case files" (Danelon, 2020, para. 7).

8. "Today, other equally undue searches and seizures were carried out. In my opinion, everything would be TOTALLY null and void" (Danelon, 2020, para. 8).

Reference:

Danelon, T. (2020, May 27). [Twitter post]. Retrieved from https://twitter.com/thameadanelon/status/1265637432978014215?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1265637432978014215%7Ctwgr%5E0fd7803e2e3023344987ab17e47a6071f9a5beb7%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Frevistaeste.com%2Fpolitica%2F8-motivos-que-tornam-o-inquerito-das-fake-news-ilegal%2F

Consequences of the inquiry

Since the opening of the inquiry by the then president of the Supreme Court, Minister Dias Toffoli, on March 14, 2019, several people have been arrested preventively, had their social media censored, their YouTube channels demonetized, their bank secrecy broken and were targeted by search and seizure by the Brazilian Federal Police. An emblematic case was that of former Congressman Daniel Silveira, who was held in preventive detention for almost a year after criticizing and offending Minister Alexandre de Moraes on the floor of the Chamber of Deputies. However, it is important to note that Brazilian deputies and senators are inviolable, both civilly and criminally, for any of their opinions, words, and votes in the exercise of their mandate, as established in article 53 of the Brazilian Constitution of 1988. Businessmen such as Luciano Hang, owner of the Havan network, and Afrânio Barreira, owner of the Coco Bambu network, were also censored on their social media and targeted by search and seizure by the Federal Police at the behest of Minister Alexandre de Moraes, based on alleged attacks on democracy, motivated by conversations in WhatsApp groups in which Hang and other businessmen stated that they preferred a military intervention rather than being governed by the "biggest corrupt politician in Western history" again.

Furthermore, this inquiry has already resulted in the unprecedented removal of elected governors without adequate investigation, which included due process and the right to defense, with the opening of an inquiry and the institution of a judicial process, and without the participation of the STJ, the agency responsible for judging state governors, as provided for in article 105, item I (CF, Brazil, 1988).

Journalist Allan dos Santos, accused of spreading fake news and attacking democracy, is currently in exile in the United States, although there is no evidence incriminating him. Additionally, then-President Jair M. Bolsonaro was prevented from holding his weekly live broadcasts during the election campaign in both presidential residences (Alvorada and Planalto). This fact is condemnable in the light of article 2 of the Constitution, which establishes that the powers of the State are independent and harmonious with each other, namely: the Executive, the Legislative, and the Judiciary.

Source: CNN Brasil: <https://www.cnnbrasil.com.br/politica/ministro-do-tse-proibe-bolsonaro-de-realizar-lives-com-cunho-eleitoral-no-planalto-e-alvorada/>

Below, I present you with a list of individuals and companies that have been subject to various restrictive measures, such as investigations, arrests, censorship, demonetization, shadowbans, bank account disclosures, passport cancellations, exiles, fines, removal from public office, and police search and seizures by the Supreme Court and social media platforms (Instagram, YouTube, Twitter, and Facebook). These measures were applied with the acquiescence of the social media companies and often immediately, without guaranteeing the right to a defense, access to evidence, or due process that would allow the accused to exercise their right to defense and contradiction. This situation makes the protection of fundamental rights more difficult and often impossible, hindering the work of lawyers.

It is important to note that this list should be recorded and examined carefully, especially in regards to issues of law and justice.

List of companies and individuals prevented from exercising their right of defense and contradictory

Jair Messias Bolsonaro:

During his presidential term in Brazil, which ran from 2019 to 2022, Jair Messias Bolsonaro (PL) faced more than 123 interventions from the Supreme Court and the Superior Electoral Court (TSE). These interventions ranged from the suspension of high-level appointments, such as that of Alexandre Ramagem to the head of the Federal Police, to the prohibition of live broadcasts and the immediate suspension of Jair Messias Bolsonaro's YouTube channel by YouTube itself, without the right to appeal. In addition, the president was obliged, by decision of the Supreme Court itself, to almost completely transfer his power of action in the management of the COVID-19 pandemic to governors and mayors (an action that does not find constitutional support).

Source: <https://revistaeste.com/politica/stf-ja-tomou-123-medidas-contr-bolsonaro-mostra-levantamento/> and <https://revistaeste.com/politica/youtube-derruba-live-e-suspende-canal-de-bolsonaro-por-uma-semana/>

Nise Yamaguchi:

Doctor Nise Yamaguchi, known for advocating for the possible use of hydroxychloroquine, was censored by Twitter for spreading fake news, along with other doctors, lawmakers, and individuals who advocated for the freedom to vaccinate or not and for early treatment. This explicit censorship generated criticism and allegations that big pharma was colluding with social media platforms, especially Twitter, to suppress freedom of expression on the topic (as shown in the Twitter Files report). A study titled "*Censorship and Suppression of Covid-19 Heterodoxy: Tactics and Counter-Tactics*" highlights attempts to silence renowned medical experts on topics such as the origins of Covid-19, mask mandates, the efficacy of early treatment, the use of drugs such as hydroxychloroquine and ivermectin, the usefulness of lockdowns and restrictions, vaccine efficacy, and appropriate vaccine mandate and passport policies. According to the study, censorship against doctors and scholars in the field was widespread and occurred on various social media platforms, streaming sites, and search engines. In fact, some professionals were subject to restrictions on document-sharing platforms such as Google Docs. The exclusion of social media accounts of medical professionals was largely motivated by pressure from governments, which collaborated with technology companies such as Facebook, Twitter, and Google. Such actions have sparked intense debate about freedom of expression, individuals' ability to make informed decisions about their own health, and the role of technology companies in regulating public discourse.

Source: <https://link.springer.com/article/10.1007/s11024-022-09479-4>

Ibaneis Rocha (MDB), the governor of the Federal District, was suspended from his position for 90 days by the Brazilian Supreme Court due to alleged leniency about the invasion that occurred on January 8th, 2023. The invasion was motivated by protesters after the 2022 presidential elections and was considered suspicious due to the official report of the armed forces, which pointed to the impossibility of auditing the source code. The suspension occurred without the right to defense and contradiction. It is important to note that, despite the punishment of the governor, the Lula government had prior knowledge of the invasion through the ABIN (Brazilian National Intelligence Agency), equivalent to the American CIA, but did not act to prevent the action and, curiously, was not punished by the court.

Source¹: STF forms majority to keep Ibaneis Rocha suspended from DF government (jovempan.com.br)

Source²: Report from the Armed Forces does not exclude the possibility of fraud, says Ministry of Defense (jovempan.com.br)

Bia Kicis, a conservative federal deputy, had her social media accounts on both Twitter and Instagram censored due to suspicions of spreading fake news.

Source: "[Bia Kicis está censurada no Instagram](http://horabrasilia.com.br)" - horabrasilia.com.br

Carla Zambelli, another conservative federal deputy, had her social media accounts (Instagram, WhatsApp, Telegram, Facebook, and Twitter) censored for allegations of anti-democratic actions and spreading fake news.

Source: "[Carla Zambelli é censurada e fica sem acesso às redes sociais](http://regiao16.com)" - regiao16.com

Daniel Silveira, a former federal deputy (PSL-RJ) known for his conservative opinions, was arrested in 2021 but was released through a presidential pardon granted by then-President Jair M. Bolsonaro. On February 2nd, 2023, Silveira was arrested again after leaving his parliamentary post due to charges of hate speech, spreading fake news, and attacking democracy.

Source: "Daniel Silveira é preso no Rio de Janeiro após perder foro privilegiado" - jovempan.com.br

Cabo Junior Amaral, a conservative federal deputy and military police officer, had his Twitter account blocked due to a judicial demand.

Source: "Deputados Bia Kicis e Cabo Junio têm perfis suspensos no Twitter" – uol.com.br

Luiz Philippe de Orléans e Bragança (PSL-SP), a conservative federal deputy, is being investigated for the alleged spreading of fake news.

Source: Inquérito das Fake News – Wikipédia, a enciclopédia livre (wikipedia.org)

Allan dos Santos, a conservative journalist from the Terça Livre website, had his extradition denied by Interpol after a request from the Supreme Court and is prohibited from using social media platforms on the internet indefinitely. Additionally, his passport was canceled due to suspicion of spreading hatred and attacking democracy.

Source: What is at stake in the request for the extradition of Allan dos Santos (gazetadopovo.com.br)

Sara Winter, a conservative activist and leader of the "300 do Brasil!" movement, was arrested for suspected anti-democratic acts.

Source: Activist Sara Winter is arrested by the Federal Police in Brasília (uol.com.br)

Winston Lima, a retired captain, conservative YouTuber and organizer of pro-Bolsonaro demonstrations, had his properties, including cell phones and computers, seized due to suspicion of hate speech and spreading fake news.

Source: Alvo da PF, militar reformado que orgaiza atos bolsonaristas diz estar "triste" (uol.com.br)

Bernardo Küster, a conservative YouTuber, had his Facebook and Twitter accounts blocked for the alleged dissemination of fake news.

Source: Bernardo Küster tem redes sociais bloqueadas após decisão do STF (terra.com.br)

Reynaldo Bianchi Junior, a conservative comedian known as Rey Bianchi, had a search and seizure carried out in his home due to suspicion of spreading fake news.

Source: Humorista alvo do STF, grava o momento da PF em sua casa enquanto sua mulher chora (jornaldacidadeonline.com.br)

Luciano Hang, a conservative businessman and activist, had his social media accounts (Twitter, Facebook, Instagram, and Telegram) removed due to accusations of antidemocratic acts.

Source: Com novas redes suspensas, Luciano Hang agora perde Twitter e YouTube (agenciadanoticia.com.br)

Businessman Afrânio Barreira, owner of the Coco Bambu restaurant chain, is the target of a search and seizure warrant for alleged attacks against democracy in conversations on WhatsApp.

Source: Advogados se manifestam contra 'escalada autoritária' de Moraes (revistaoeste.com)

Conservative federal deputy Nikolas Ferreira (PL-MG) had his Instagram, Facebook, and Twitter accounts removed due to suspicion of disseminating fake news and hate speech.

Source: Sem Instagram e Twitter, agora Nikolas Ferreira perde conta no Facebook (abril.com.br)

Conservative journalist Paulo Figueredo had his social media accounts (Instagram and Twitter) restricted, his passport canceled, and his bank accounts suspended due to suspicion of attacks on democracy, spreading fake news, and hate speech.

Source: Moraes mandou cancelar passaporte e bloqueou contas bancárias de Paulo Figueiredo, diz deputado (gazetabrasil.com.br)

Barbara, a conservative political commentator for the channel "Te atualizei," had her Twitter account withheld and her YouTube channel demonetized for alleged hate speech and dissemination of fake news.

Source: De uma só vez, contas de Monark, Bárbara e Nikolas são derrubadas no Twitter (jornaldacidadeonline.com.br)

Bruno Aiub, founder of the "Flow Podcast," had his Twitter and YouTube accounts removed due to a lawsuit for alleged anti-democratic acts and hate speech.

Source: Monark tem canal do YouTube bloqueado e se diz 'censurado pelo STF' (TecMundo.com)

Federal deputy Eduardo Bolsonaro (PL-SP), son of former President Jair M. Bolsonaro, had his social media accounts limited, including restricted reach and deletion of posts, due to allegations of violating community standards.

Source: Eduardo Bolsonaro diz que vai processar Facebook e Instagram por "censura" | Exame

Source: Eduardo Bolsonaro acusa Instagram de "shadowban" e promove enxurrada de processos contra a rede (diariodocentrodomundo.com.br)

Marcos Cintra Cavalcanti de Albuquerque, a Brazilian economist and politician affiliated with União Brasil, had his Twitter account suspended and is facing lawsuits due to the alleged dissemination of fake news.

Source: Marcos Cintra, o novo alvo do sistema STF-TSE (revistaoeste.com)

The Jovem Pan, a commercial radio and TV network with a conservative editorial line in Brazil, had its YouTube channels demonetized and its radio station and social media accounts regulated due to accusations of spreading fake news and hate speech.

Source: URGENT: Jovem Pan admits to being under censorship (revistaoeste.com)

The Brazil Paralelo platform, known for its conservative editorial line, had its online presence limited, including its website, Instagram, Twitter, and Podcast, during the second round of the 2022 presidential elections, due to allegations of "informational disorder" by Justice Lewandowski of the Brazilian Supreme Court.

Source: TSE did not see the video that was censored (revistaoeste.com)

Oswaldo Eustáquio, an investigative journalist, was arrested, censored, and alleges that he was tortured by the police who arrested him, accused of spreading fake news and hate speech. He currently suffers from partial paralysis in one leg.

Source: Jailed and censored, for the first time Oswaldo Eustáquio recounts the moments of torture he suffered (jornaldacidadeonline.com.br)

International repercussion on the case

The Inter-American Commission on Human Rights (IACHR) requested information about the "Fake News Investigation" conducted by the Brazilian Supreme Court, which acts as a victim, complainant, lawyer, prosecutor, and judge, without the participation of other constitutional powers, such as the Public Prosecutor's Office and the Attorney General's Office, who opposed the investigation as unconstitutional and called for its closure.

Source: Inter-American Commission on Human Rights requests clarification on fake news investigation (revistaoeste.com)

Edison Lanza, the rapporteur on freedom of expression for the Inter-American Commission on Human Rights (IACHR), expresses concern about actions contrary to freedom of expression by the Brazilian Supreme Court.

Source: @EdisonLanza on Twitter: "Sigo con preocupación decisión de juez del @STF_oficial que ordenó cerrar decenas de cuentas en redes de activistas y blogueros por alegado discurso de odio. El umbral a probar caso a caso es incitación a la violencia. No clausurar al barrer (13.5 Conv.) <https://t.co/73nl2Gfy9X>" / Twitter

The New York Times releases an article questioning if *"To defend democracy, is Brazil's top court going too far?"*

Source: To Defend Democracy, Is Brazil's Top Court Going Too Far? - The New York Times (nytimes.com)

Elon Musk claims that "Twitter likely interfered in the Brazilian elections of 2022."

Source: Elon Musk: Twitter likely interfered in the Brazilian elections of 2022 (dmixbrasil.com.br)

Journalist Glenn Greenwald and Elon Musk, founder of Tesla and current owner of Twitter, criticize the actions of the Brazilian Supreme Court.

Source: Glenn Greenwald and Elon Musk criticize censorship in Brazil (revistaoeste.com)

Interpol denied the extradition request of Allan dos Santos issued by the Brazilian Supreme Court.

Source: Interpol does not include Allan dos Santos on the wanted list (revistaforum.com.br)

Companies punished for not meeting the demands of the Supreme Court

The messaging app Telegram has been ordered by the Brazilian Supreme Court to censor journalist Allan dos Santos and publications by former president Jair M. Bolsonaro, under the risk of being blocked in the entire country.

Source: Can Telegram be blocked in Brazil? - (tecmundo.com)

The CEO and founder of the social media platform Gettr, Jason Miller, was detained for hours at the Brasília International Airport for questioning, at the request of Minister Alexandre de Moraes of the Supreme Court, without access to the details of the process.

Source: Can Telegram be blocked in Brazil? - (tecmundo.com)

Telegram has received a million-dollar fine for not complying with the Supreme Court's decision to block the account of federal deputy Nikolas Ferreira. The messaging app argues that there is not enough evidence to justify the blocking of the deputy's account.

Source: Telegram pays a millionaire fine, but maintains reconsideration request for STF - canaltech (canaltech.com.br)

The video platform Rumble did not comply with the Supreme Court's decision to block the channel of the creator of the Flow Podcast, Bruno Aiub (Monark), citing a lack of evidence presented by the court.

Source: Rumble contrary STF and keeps in the air channels of the judiciary (gazetadopovo.com.br)

Twitter sees the Supreme Court's decision to block the social media accounts of entrepreneurs for allegations of "fake news" and "attacks on democracy" as censorship.

Source: Twitter points to censorship of the STF and calls for unlocking entrepreneurial accounts (cnnbrasil.com.br)

In summary, there has recently been a discussion about the relationship between social media and algorithms and the requirements of the Brazilian Supreme Court, in which it is possible for companies to act negligently in relation to the decisions of the Brazilian judiciary. In cases where these companies challenge the decisions of the Supreme Court, there is a tendency for them to be immediately punished or threatened with blocking or fines, which can be interpreted as a violation of protection for freedom of expression and the rights of these companies.

The following is an overview of the positions of democratic countries' constitutions on freedom of expression:

United States Constitution: First Amendment - "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

United Kingdom [Convention]: Article 10 - "Everyone has the right to freedom of expression. This right includes freedom of opinion and freedom to receive or impart information or ideas without interference by public authorities and regardless of frontiers."

Constitution of Brazil: Article 5, Section IV - "É livre a manifestação do pensamento, sendo vedado o anonimato." (Freedom of thought is guaranteed, and anonymity is prohibited).

Constitution of France: Article 11 - "La libre communication des idées et des opinions est un des droits les plus précieux de l'homme ; par conséquent, tout citoyen peut parler, écrire, imprimer librement, répondant toutefois des abus de cette liberté dans les termes prévus par la loi." (The free communication of ideas and opinions is one of the most precious rights of man; accordingly, every citizen may speak, write and print with freedom, but shall be responsible for such abuses of this freedom as shall be defined by law).

Constitution of Germany: Article 5 - "Jeder hat das Recht, seine Meinung in Wort, Schrift und Bild frei zu äußern und zu verbreiten und sich aus allgemein zugänglichen Quellen ungehindert zu informieren. Pressefreiheit und Informationsfreiheit durch Rundfunk und Kino sind gewährleistet. Eine Zensur wird nicht vorgenommen." (Everyone shall have the right freely to express and disseminate his opinions in speech, writing, and pictures and to inform himself without hindrance from generally accessible sources. Freedom of the press and freedom of reporting by means of broadcasts and films shall be guaranteed. There shall be no censorship).

Constitution of Spain: Article 20 - "Se reconoce y protege el derecho a la libertad de expresión, información y creación artística, y el derecho a comunicar o recibir libremente información veraz por cualquier medio de difusión." (The right to freely express and disseminate thoughts, ideas, and opinions by any medium shall be guaranteed. The exercise of this right shall not be hindered by any form of censorship).

Israel [Basic Law]: Article 8 - "חופש הביטוי, המחשבה, המחקר וההוראה האקדמית לא ייפגע". (Freedom of expression, thought, research and academic teaching will not be violated).

This scenario raises constitutional and legal questions, as all democratic constitutions establish that everyone is equal before the law and that freedom of expression is a fundamental right to be guaranteed by the State. Furthermore, the right to information, which includes access to content on social networks and other virtual platforms, is considered one of the foundations for the full exercise of citizenship and free thought.

Therefore, it is essential to adopt measures to ensure the protection of these rights and freedom of expression on social networks, without prejudicing the performance of the Supreme Court and other State institutions. However, this is a matter that we will address in the conclusion of this article.

Section 4: Elon Musk exposes Twitter files on US election manipulation and public debate on the platform orchestrated by Twitter managers, the CIA, FBI, the Democratic Party, the Pentagon and Big Pharmas

Between December 2022 and January 2023, confidential Twitter documents were leaked by the initiative of Elon Musk, the CEO who had acquired the platform. Along with notable personalities such as Matt Taibbi, Bari Weiss, Lee Fang, Michael Shellenberger, David Zweig, and Alex Berenson, the files revealed surprising information about the internal workings of the social network. Taibbi and Weiss led the disclosure in collaboration with Twitter management, covering a wide range of topics relevant to the platform, including issues that were previously considered conspiracy theories but have now been confirmed by the documents.

Part 1: Concealment of Information on Hunter Biden's Laptop.

The first part of the Twitter Files describes the controversy surrounding the platform's algorithmic moderation of a New York Post story on Hunter Biden's laptop. Twitter employed detection measures for "hate speech" and "disinformation" and used user and algorithm behavior analysis techniques to inhibit the spread of the story, temporarily blocking accounts and censoring the sharing of links. The platform even restricted the use of direct messages, which are typically reserved for extreme cases, such as the dissemination of child pornography.

Source: <https://twitter.com/mtaibbi/status/1598822959866683394?t=2c6hbUzovHaWgkadt-vTEA&s=19>

Part 2: Invisible Censorship: The Shadowbanning Controversy on Social Media.

The second part deals with "shadow banishment," a practice of selectively limiting the reach of certain political groups on Twitter, carried out through machine learning algorithms. The company uses blacklists to prevent unfavorable tweets from becoming trends and actively limits the visibility of entire accounts and trending topics. "These actions are carried out in secret, without informing users," reports journalist Bari Weiss, who had access to the files.

Source: <https://twitter.com/bariweiss/status/1601008766861815808>

Part 3: Permanently Suspending a Sitting President 1/3.

The third part highlighted events within Twitter that led to the suspension of Donald Trump's Twitter account. Two days after the United States Capitol attack on January 6, 2021, Trump made two tweets: one praised his supporters, calling them "American patriots" who "will not be disrespected or treated unfairly in any way" and the other stated that he would not attend Joe Biden's inauguration. Twitter permanently suspended Trump's account on the same day, without due process or broad defense, citing the two tweets as a violation of the "glorification of violence" and "hateful conduct" policies. Some computer science experts argued that Trump's suspension can be seen as an example of the application of machine learning algorithms to identify and remove accounts that allegedly violate platform policies.

Source: <https://twitter.com/mtaibbi/status/1601352083617505281>

Part 4: Permanently suspending an acting president 2/3.

The fourth segment of the mentioned files, written by Michael Shellenberger, discusses how the Twitter team reacted to the attack on the US Capitol. Internal conflicts arose within Twitter regarding tweet moderation, resulting in discussions about banning Trump, justifying such action, whether this policy should only apply to Trump or to other political leaders, as well as showing little to no concern about the democratic implications of such prohibition for freedom of expression and democracy itself. Additionally, Twitter used the Capitol attack to selectively moderate conservative profiles. The FBI reported several accounts to Twitter's Trust and Safety team for allegedly spreading election misinformation. However, many of these reported accounts had few followers and were making seemingly satirical tweets, such as the case of user Claire Foster, who tweeted: "I am a ballot counter in my state. If you're not wearing a mask, I'm not counting your vote. #safetyfirst". Source: <https://twitter.com/ShellenbergerMD/status/1601720455005511680>

Part 5: Permanently suspending an acting president 3/3.

The fifth part covered how 300 Twitter employees influenced the decision to ban Trump from the platform.

Source: <https://twitter.com/bariweiss/status/1602364197194432515>

Part 6: The relationship between the FBI and technology companies: a case of mutual dependence?

The sixth part describes how the FBI contacted Twitter to suggest measures against several accounts that allegedly spread election misinformation, raising questions about the privacy and security of the platform's users, as well as the ethics and transparency in cooperation between technology companies and government agencies. Taibbi stated: "Twitter's contact with the FBI was constant and widespread as if it were a subsidiary. Between January 2020 and November 2022, there were over 150 emails between the FBI and Twitter's former head of Trust and Safety, Yoel Roth...

Surprisingly, many of these requests were for Twitter to take action on election misinformation, even involving satirical tweets from accounts with few followers."

Source: <https://twitter.com/mtaibbi/status/1603857534737072128>

Part 7: The FBI's censorship operation" to control the narrative on the Hunter Biden scandal.

In part seven of the Twitter Files, writer Michael Shellenberger explores the actions of the FBI and the US intelligence community, called the "IC," regarding the suppression of factual information about foreign business dealings involving Hunter Biden. The theme, discussed in detail on Twitter, exposes what Shellenberger calls an "influence campaign" by the FBI, which culminated in the censorship of Hunter Biden's laptop by Twitter.

According to Shellenberger, "Twitter Files 7 presents evidence of a coordinated strategy by members of the American intelligence community (IC) aimed at influencing top executives in news companies and social media, with the goal of discrediting leaked information about Hunter Biden, both before and after it was published. This action began in December 2019, when John Paul (JP) Mac Isaac, owner of a computer repair shop in Delaware, contacted the FBI after Hunter Biden left a laptop in his store. On December 9 of that year, the FBI issued a subpoena and seized Hunter Biden's laptop."

Source: <https://twitter.com/ShellenbergerMD/status/1604871630613753856>

Part 8: Covert tactic: Twitter collaborates with Pentagon's online military influence campaign.

Investigative journalist Lee Fang presented the eighth of the files, shedding light on the discreet contribution of social media in the Pentagon's secret online PsyOp campaign. Despite promises to close state propaganda networks, Twitter documents show that the social media company cooperated directly with US military influence operations. Additionally, Twitter granted approval and special protection to the US military's online psychological influence operations. "Despite knowledge of the use of secret identities by Pentagon propaganda accounts, Twitter did not suspend many of these accounts for approximately two years. Some accounts remain active to the present day," Fang reported.

Source: <https://twitter.com/lhfang/status/1605292454261182464>

Part 9: Collaboration of government agencies: CIA, Pentagon, and State Department in social media censorship and social engineering.

In the ninth installment, Taibbi argues that the FBI is only the "guardian" of a comprehensive social media surveillance and censorship program involving agencies across the federal government, from the State Department to the Pentagon and the CIA. After the FBI statement that labeled the Twitter Files as "disinformation" spread by "conspiracy theorists" with the "sole purpose of discrediting the agency," Taibbi published a new installment that reveals much more widespread government involvement in censorship than was previously known. The Twitter Files demonstrate aggressive efforts by the CIA and other state security agencies to force Twitter's hand in censoring various political opinions and speech, through constant contact with the company's executives, one of whom is a former CIA member himself. According to Taibbi, the FBI acted as the main intermediary between the intelligence community and Twitter, playing the role of "guardian" to

allow other agencies to connect with the platform. "The files show the FBI acting as a guardian of a broad social media surveillance and censorship program," writes Taibbi.

Source: <https://twitter.com/mtaibbi/status/1606701397109796866>

Part 10: The White House "combats" "disinformation" related to the COVID-19 pandemic.

In the tenth segment, independent journalist David Zweig gained considerable attention with his article published in Bari Weiss, revealing how the US government pressured Twitter and other social media platforms to influence the dissemination of certain content and suppress others related to the COVID-19 pandemic. Zweig alleges that internal Twitter files demonstrate that both the Trump and Biden administrations directly pressured company executives to moderate pandemic-related content according to their political interests. The tactics used to exert such pressure are not precisely known but may include threats of regulatory sanctions, financial incentives, and other forms of influence.

In the second part of the series published by Bari Weiss, information was exposed regarding the existence of a "blacklist" compiled by Twitter, containing the names of prominent conservative figures, including Fox News presenter Dan Bongino, Charlie Kirk from Turning Point USA, as well as Dr. Jay Bhattacharya from Stanford University, a sharp critic of COVID-19 combat measures who expressed opposition to lockdowns. Internal communications also revealed that company employees admitted that the popular right-wing account, Libs do TikTok, never violated their "hateful conduct" policy, despite being punished several times for allegedly doing so.

Source: <https://twitter.com/davidzweig/status/1607378386338340867>

Part 11: Post-2016 election: public relations crisis.

In the eleventh segment, author Matt Taibbi portrays the reputation crisis faced by Twitter in 2017, when it was pressured by Democrats for not taking adequate measures to investigate alleged Russian influence on the platform, while Facebook publicly disclosed the removal of suspected foreign accounts after the 2016 presidential election. In response to intense pressure, Twitter created a "Russia Task Force" to investigate possible Kremlin interference on the platform, despite having already suspended several suspicious accounts linked to Russia without due process, once again.

Source: <https://twitter.com/mtaibbi/status/1610372352872783872>

Part 12: Twitter, the FBI's "hub".

In the twelfth part of the Twitter Archives, the disclosure deepens the discussion about the pressure that various government agencies exerted on Twitter, using the FBI as a channel to accumulate censorship requests. Faced with a media campaign, the company was inundated with government censorship orders, causing frustration and leading it to request that the FBI centralize requests through a single cable connected to the company's "hub." This edition of the archives reveals the power dynamics between government and social media platforms and how demands from government authorities can influence freedom of expression in the digital age.

Source: <https://twitter.com/mtaibbi/status/1610394197730725889>

Part 13: Pfizer: seeking cure, profit, or censorship?

In the thirteenth installment of his disclosure series, independent journalist Alex Berenson, banned from Twitter for his criticisms of COVID-19 vaccines' safety and efficacy and the government and academic response to the pandemic, exposes how a Pfizer board member secretly urged Twitter to apply content filtering and hiding mechanisms to posts critical of the pharmaceutical company. This case highlights the complexity of content filtering and hiding algorithms, which can be triggered by requests from individuals and companies with great influence on the social network, thus obscuring free debate and access to information. Berenson shared a summary of his report on Twitter, as follows:

1/ How @scottgottliebmd - a top Pfizer board member - used the same Twitter lobbyist as the White House to suppress debate about Covid vaccines, INCLUDING A COLLEAGUE HEAD OF @US_FDA!

Thank you @elonmusk for opening these files.

2/ In August 2021, Gottlieb told Todd O'Boyle - senior manager of Twitter's public policy department - that a tweet from @drgiroir CORRECTLY alleging natural immunity was superior to vaccine immunity was "corrosive" and could "go viral."

3/ Twitter put a deceptive tag on the tweet, preventing it from being shared. Gottlieb then went after a tweet about the low risk of Covid for children from @justin_hart. Pfizer would soon gain approval for its mRNA vaccines for children, so keeping parents afraid was crucial...

4/ In October 2022, @scottgottliebmd claimed on Twitter and CNBC that he wasn't trying to suppress the jab debate. These files prove that Gottlieb - a board member of a company that earned \$70 billion from the shots - did exactly that.

Elon Musk shared Berenson's post and tweeted, "More Twitter files. Some conspiracies are really true."

Source: <https://twitter.com/AlexBerenson/status/1612526697038897167>

Part 14: The Russian bots hoax and the #ReleaseTheMemo campaign.

In the fourteenth installment, journalist Matt Taibbi presented, in a series of tweets titled "Twitter Files #14 RUSSIAGATE LIES," the Democrats and mainstream media's refusal to accept Twitter's findings that there was no evidence of Russian attempts to influence the 2016 presidential election. This crucial moment in a years-long frenzy had Democrats denouncing a report on flaws in the Trump-Russia investigation, claiming it was fueled by Russian "bots" and "trolls." Twitter officials were dismayed at the lack of evidence of Russian influence, stating that they were "feeding Congress trolls" and that there was "no significant activity tied to Russia." In this sense, it can be said that those involved put the cart before the horse, assuming that the report was propaganda and bots.

Democrats in Congress and the mainstream media spent much of Donald Trump's presidency spreading the narrative that the Russian government interfered in the 2016 election to harm Hillary Clinton's campaign and boost Trump's candidacy.

Source: <https://twitter.com/mtaibbi/status/1613589031773769739>

Part 15: Pfizer and BioNTech exerted their influence to censor criticism of vaccines on Twitter.

Lee Fang highlights the power of the pharmaceutical industry over social media and how it shaped vaccination policies. This effort included lobbying techniques and direct pressure on social networks to suppress activists advocating for low-cost generic vaccines. The global lobbying campaign was able to influence the filtering and classification algorithms of social media content using computer science concepts, sabotaging any efforts to share COVID-19 related drug patents/IP, including therapies and vaccines.

BioNTech, a partner of Pfizer, used its position of influence to contact Twitter and request direct censorship of users tweeting about low-cost generic vaccines, demonstrating how global pharmaceutical giants saw the COVID-19 crisis as a unique profit opportunity. The BIO lobby group, representing the biopharmaceutical industry, including Moderna and Pfizer, wrote to newly elected administrator Biden, asking the US government to sanction any countries attempting to violate patent rights and produce generic medicines or vaccines. The pharmaceutical industry's influence on the vaccination policy narrative reflects the need to consider the intersection between policy and artificial intelligence in the information age.

The Twitter team promptly responded to the pharmaceutical industry's request, which was equally supported by the German government. A lobbyist in Europe requested the content moderation team to monitor the accounts of Pfizer, AstraZeneca, and activist hashtags like #peoplesvaccine. The potential "fake accounts" that Twitter monitored to protest against Pfizer? They were real people. One of those identified by the Twitter team for violating the terms of use was Terry, a retired 74-year-old bricklayer from the UK. It is unclear what actions Twitter ultimately took about this particular request. Several Twitter employees noted in subsequent messages that none of these activist actions constituted abuse. However, the company continued to monitor tweets.

The "Stronger" campaign funded by the BIO lobby group of Pfizer & Moderna worked with Twitter to define content moderation rules around "disinformation" about COVID-19. The campaign was funded with \$1,275,000 and included creating content moderation bots, verifying public health accounts, and removing content. Some of the tweets focused on by the campaign included truly unbalanced misinformation, but others were a gray area, such as vaccine passports and vaccine mandates. The campaign included regular emails to take down and verify tweets, many of which focused on the @zerohedge account. This effort to censor COVID-19 disinformation did not apply to pharmaceutical companies but only to industry critics.

Source: <https://twitter.com/lhfang/status/1615008625575202818>

Section 5: Behind the scenes of manipulation: techniques used to influence public opinion

In recent years, technology has had a significant impact on societies and politics. One area where this is most evident is in how information is collected, stored, and used by companies and organizations. With the popularity of the internet and social media, vast amounts of data can be collected on user interactions with online content, including clicks, views, shares, etc. Furthermore, natural language processing and machine learning techniques enable companies to analyze the polarity of the data collected on the internet, such as text, images, videos, and audio, to evaluate users' opinions on a product, service, or idea.

This collected data is used to power various analysis and personalization tools, such as recommendation algorithms, machine learning, data tracking, and audience segmentation. Recommendation algorithms, for example, analyze users' interactions with content to understand their preferences and personalize content displayed for them. Audience segmentation, on the other hand, collects information about the target audience to better understand their customer base and more effectively direct their messages.

However, these tools also have a negative side, as they can be used maliciously to influence public opinion and decision-making on political and social issues. Information manipulation, for example, can have a significant impact on public opinion, especially if falsification or distortion of information is deliberately done to influence the opinion of a group of people. Additionally, persuasive design is a technique that uses visual and interactive elements to influence user behavior in applications and websites.

Below are the main algorithmic tools used by social media, analyzed technically based on Computer Science knowledge, which covers all the technical understanding of social media algorithms and artificial intelligence. The list covers recommendation algorithms, sentiment analysis, psychological manipulation techniques, persuasion and depersonalization, shadow banishment, the marriage between State and Big Tech, as well as real examples of moments when these tools were used with the help of state powers.

The role of recommendation algorithms and sentiment analysis in the agenda setting process

The *Recommendation Algorithm* tool can be used by criminal groups to manipulate public opinion, spread disinformation, influence elections, and other illegal purposes. To do this, they can exploit the nature of recommendation algorithms, which use machine learning techniques to analyze user behavior and present content that matches their preferences and interests.

For example, a social network can create multiple fake accounts and use these accounts to interact with the content they want to promote. They can use bots to increase the number of views, likes, and shares of the content, thus increasing its visibility to other network users. In addition, they can use social engineering techniques, such as creating fake stories and memes, to increase the reach of the content and manipulate public opinion.

The most widely used tool for manipulating public opinion is the Recommendation Algorithm. These algorithms can be used by certain groups to detect users who share their views and direct content to those users in a way that makes them more likely to share the content with others. Moreover, the algorithms can be used to create information bubbles that reinforce users' beliefs and exclude different points of view or, worse still, recommend only content, newspapers, theses, and videos that are in line with a particular political narrative.

An example of the use of the recommendation algorithm tool was recorded after the Brazilian elections, in which reports prepared by the Brazilian Armed Forces and the Liberal Party, the party of former President Jair M. Bolsonaro, demonstrated the vulnerabilities of the electronic voting machines used in the country. These reports pointed out that the source code of the voting machines

is not accessible and that more than half of the machines throughout Brazil cannot be audited, raising significant doubts about the reliability of the election results.

In this case, the recommendation algorithms played a significant role, as can be seen in Google's recommendation, which presented only newspapers, theses, and websites that defended the Brazilian electoral system, without presenting any facts that contradicted the official reports. In addition, Twitter manipulated the hashtag #BrazilWasStolen after the release of these reports, which denounced the election results based on official evidence. Despite reaching over 1 million retweets, the hashtag was quietly hidden by Twitter without any explanation.

It is worth noting that the evidence presented by the official reports was not clarified by the body responsible for the elections, the Superior Electoral Court (TSE), which denied the armed forces adequate access to the source code. Instead of clarifying the vulnerabilities found, the TSE ironically fined the Liberal Party 22 million reais (22, which is Jair Bolsonaro's voting number) after the party's report was presented. The then-president of the TSE, Alexandre de Moraes, who is also a Brazilian Supreme Court justice, only argued that the report was "bad faith litigation" without presenting any evidence that contradicted the evidence cited in the reports.

Sentiment analysis plays a very important role in this manipulation. This natural language processing technique aims to identify and extract subjective information from texts, such as opinions, feelings, and emotions. It is used in various applications, such as brand and product monitoring, customer feedback analysis, social media analysis, and others.

According to Pang and Lee, sentiment analysis can be performed at three levels: document level, sentence level, and aspect level. At the document level, the goal is to determine the overall sentiment of a text, while at the sentence level, the goal is to identify the sentiment expressed in each sentence of the text. In the aspect level, the analysis is performed with respect to specific aspects of the text, such as product features or service characteristics. (Pang and Lee, 2008).

Sentiment analysis is a technique that can be used by social networks for political purposes, allowing them to manipulate public opinion by directing content based on user sentiment. For example, if the social network identifies that the majority of users in a particular state or country have a positive opinion about a politician or topic, it can show more negative news and information about that political figure, influencing public opinion and creating a negative image around them.

Reference:

Pang, B. and Lee, L. (2008). Opinion mining and sentiment analysis. *Foundations and Trends in Information Retrieval*, 2(1-2), pp.1-135.)

An example of the use of this tool is when searching for conservative politicians or controversial topics on Google. Remarkably, most of Google's recommendations in such searches are from progressive websites and newspapers that generally criticize these politicians or topics. Another alarming example of this tool was the case of the then-president of Peru, Pedro Castillo, who, after announcing a coup d'état in December 2022, was erroneously exposed by the media as a nationalist conservative. In fact, former President Castillo had always been considered by the very Wikipedia site that made the change to be a socialist politician and an activist for the agenda of the Sao Paulo Forum (a coalition of left-wing parties and politicians in Latin America founded in 1990 by Luiz Inácio Lula da Silva and Fidel Castro, whose goal is to build a strong and united Latin America for socialism). At the time, Wikipedia quickly changed the biography of the President of Peru from "progressive socialist" to "conservative nationalist," something that was detected in real-time by internet users who saved the site's previous page and compared it to the current one. (Cleiton, 2022)

This episode demonstrates how many sectors of the internet have a clear political bias and how Google's recommendation algorithm can be manipulated to favor certain opinions. In a democratic society, it is essential to have access to reliable and impartial information about politicians and political issues, regardless of the ideological orientation of these politicians and the opinions of the people writing about them. It is worth noting that this type of manipulation can be carried out

subtly, without users realizing that they are being influenced, creating an information bubble environment – a term used by media and technology researcher Danah Boyd to refer to public opinion manipulation.

However, it is important to emphasize that sentiment analysis and recommendation algorithms have remarkable potential to influence collective thinking on social networks, as they allow content to be directed based on users' emotions, making it possible to create a closed social environment where it becomes feasible to impose a central narrative around a specific subject. Thus, it is possible to generate in society a sophisticated form of social engineering, unprecedented in recent centuries.

References:

Cleiton, (2022, December 7). "Wikipedia rewriting history." [Tweet]. Twitter. <https://twitter.com/cleitonprofeta/status/1600620620491939840>

Persuasion by design, Depersonalization and Fact-Check

Persuasion by design is another technique used to influence users' behavior in favor of a particular political cause. This technique involves manipulating the interface of a platform or application to encourage users to take certain actions, such as sharing content or signing up for a campaign. The use of persuasive colors, fonts, images, and phrases can be quite effective in influencing a user's decision. An example of persuasion by design is the gamification strategy, which uses game elements to encourage user engagement and loyalty on a website or application. Gamification uses persuasive design techniques such as rewards and positive feedback to encourage the repetition of specific behaviors, such as posting content or sharing personal information. Additionally, gamification can be used to encourage the purchase of products or services by offering prizes or discounts to users who achieve certain goals.

Another example of persuasion by design is the technique of dark patterns, which refers to design patterns designed to manipulate or deceive users. For example, a website may use an "accept all cookies" option instead of allowing users to choose whether or not to accept specific cookies. This strategy uses a persuasive design to encourage users to accept all cookies, even if it may compromise their privacy. The concept of persuasion by design involves the use of psychological principles and design techniques to influence human behavior. This includes concepts such as heuristics, which refers to the mental process we use to make decisions quickly, and cognitive biases, which refer to the ways in which our perceptions and judgments can be distorted. Persuasion by design can also involve the use of technologies such as artificial intelligence and machine learning to personalize the user experience and maximize the effectiveness of persuasion.

In addition, *depersonalization* is a phenomenon studied in social psychology that refers to the loss of self-awareness and self-control in situations where the individual feels anonymous or unidentified. On the internet, this phenomenon can be amplified because people can interact anonymously and lose track of their actions and words. Depersonalization is a technique used by social networks and other sites to disconnect the user's actions from their identity, allowing them to feel more comfortable performing actions they would not otherwise do. For example, in political forums, anonymity can encourage users to make aggressive or prejudiced comments without fear of being identified. Users can hide behind pseudonyms and consequently feel more protected to express negative and aggressive opinions. This virtual anonymity can increase aggression and violence in online interactions, as individuals feel less responsible for their actions. This technique can also be used by social networks to increase user engagement. By allowing individuals to express themselves anonymously or through pseudonyms, social networks can encourage participation in virtual conversations and discussions. However, depersonalization can have negative implications, whether in online forums, social networks, or virtual games, as users can engage in aggressive or hostile behaviors without suffering the real consequences of their attitudes. In this way, such an online environment can become toxic, where abusive language and practices are accepted or, in more serious cases, encouraged.

The fact-checking technique has become a popular tool on social media and Google to verify the accuracy of information shared by users. However, it is important to note that the use of fact-checking can be abusive and manipulative. One of the most common strategies used by those responsible for fact-checking to manipulate public opinion is the way this tool is presented on social media. The tool behaves as a monopoly of truth, with irrefutable and indisputable conclusions. The warning messages imposed on publications are frequently not accompanied by concrete evidence, and they restrict the user from contesting the decision. The lack of an open and transparent debate about the information being verified reinforces the perception that fact-checking is the sole arbiter of truth. This causes people to trust information verified by the organization without questioning its accuracy.

It is important to note that fact-checking is not composed of autonomous agents who seek to analyze facts impartially and fairly. On the contrary, fact-check members are generally representatives of media and newspapers who tend to privilege their political narratives. Furthermore, the selection process for these individuals is not transparent, raising concerns about possible ideological biases and lack of technique in the selection.

Indeed, the use of the monopoly of truth by authoritarian and totalitarian regimes is not a historical novelty. These regimes frequently created government agencies to control the information that was disseminated to the population. The main objective was to impose a single version of the truth that reinforced the government's narrative and reduced or eliminated the possibility of criticism and questioning. Joseph Goebbels, Minister of Propaganda of Nazi Germany, is a famous example of this type of strategy. He controlled the German media and created a propaganda system aimed at shaping public opinion in favor of Adolf Hitler's regime (Lochner, 1948).

George Orwell's book *"1984"* is a classic example of how the relativization of the meaning of words and facts can be used to manipulate public opinion. The work presents a dystopian world in which a totalitarian government controls all aspects of citizens' lives, including the information they receive. In this world, truth is flexible and can be changed according to the government's interests. The main character of the story, Winston Smith, works for the Ministry of Truth, which is responsible for rewriting history to fit the needs of the regime. The book shows how the manipulation of truth can be used to control the population and create an alternative reality that benefits only those who hold power (Secker and Warbug, 1949).

References:

Orwell, George. 1984. Harcourt Brace Jovanovich, Secker and Warbug, 1949.

Goebbels, Joseph. "The Führer as a Speaker." In *The Goebbels Diaries 1942-1943*, edited by Louis P. Lochner, 37-45. Doubleday & Company, Inc., 1948.

However, the US Supreme Court, in important decisions, has emphasized the importance of freedom of speech and press, and it is believed that it is the public, not a judge or government, who should decide what is true or not. In 1964, in the case *New York Times Company versus Sullivan*, Supreme Court Justice William J. Brennan Jr. wrote that "open and robust discussion of public issues is vital to the health of our nation" and that "the value of freedom of speech and press lies in the fact that they are essential to the discovery of truth." This idea was reinforced in other important Supreme Court decisions, including the 1971 decision in the case *New York Times Company versus United States* (also known as the "Pentagon Papers"), in which the Supreme Court rejected the government's attempt to prevent the publication of secret Pentagon documents.

The complexity of the issue lies in the fact that by delegating the power to judge the truthfulness of facts to a few agents, there is a risk that the truth will be manipulated to serve personal, political, or economic interests. The result of this can be the establishment of a central narrative, which can shape public opinion according to certain interests. This coercive power should not be underestimated, as it can be used to promote hidden agendas, benefit lobbyists or malicious groups, and even produce social engineering in society.

In democratic regimes, freedom of expression is a fundamental value, but it must be exercised responsibly. On the other hand, it is important to ensure that people have the autonomy to filter the information that comes to them, without the interference of coercive bodies that may distort the facts or impose a central narrative. However, if someone shares clearly criminal content, it is fair that they are brought to court and go through due legal process, with the right to defense and contradiction. The individual should only be forced to retract, delete posts, or have their social network deactivated after a fair trial, with the right to a wide defense and contradiction, and only if the existence of a crime is proven. It is unacceptable for a group formed by the union between state powers, major press, and social media managers to operate without transparency in the selection of their agents and in the analysis process, without presenting evidence or opportunities for appeal. Coercively determining whether someone is telling the truth or not, blocking their social networks, or putting them in shadow banishment is unacceptable and more similar to fascist regimes than republican ones.

Therefore, it is crucial that there is no group or entity dictating what is true or not on social media, as this can lead to manipulation of public opinion, curtail freedom of expression, and inhibit constitutional rights. Users should have the right to challenge information and express their own opinions without fear of retaliation or censorship. In summary, fact-checking should be carried out by the facts themselves and by the community that participates in public debate without state interference, whose probability of error and manipulation is very high.

References:

New York Times Co. v. Sullivan, 376 U.S. 254 (1964)

New York Times Co. v. United States, 403 U.S. 713 (1971)

Shadow Banishing Techniques: How Shadow Banishment is Used as a Main Political Weapon on Social Media

Shadow banishment is a technique used by social media platforms to silence or hide users without them realizing it. This technique is used to restrict the reach of content from a particular political group or to completely hide it from other users. The goal is to prevent the user from spreading information that may be harmful or that violates the platform's terms of service. However, shadow banishment can also be used unfairly to censor divergent opinions or to control the narrative surrounding a topic.

One of the main ways to implement shadow banishment is through content classification algorithms, which determine what is displayed on main pages and search results. Social media platforms can also use blacklists to restrict the reach of content from a particular political group. Blacklists are used to identify users or content that the platform considers harmful or offensive and then limit the exposure of that content to users without explanation of why it is being done.

Shadow banishment can have significant implications for freedom of expression and diversity of opinions on social media. Although platforms claim that this tool is used to maintain the safety and integrity of the platform, it is often used to censor divergent opinions and control the narrative around "controversial topics." This can lead to the formation of opinion bubbles and limit access to information for users. In the political context, this technique can be used as a form of censorship, limiting the reach of specific political groups and their legitimate opinions. A recent case involves the acquisition of the social media platform Twitter by billionaire Elon Musk, which generated a significant increase in followers for conservative profiles. Ben Shapiro, an American conservative writer, reported that "without algorithmic handcuffs, conservative profiles are exploding." In countries like Brazil, a considerable number of conservatives experienced an exponential increase in their follower base, an unprecedented phenomenon. However, the strategy of shadow banishment was used not only to restrict content produced by specific political groups but also to decrease the

visibility of their profiles. This tactic was implemented suddenly, without any prior warning or possibility of recourse, resulting in intense dissatisfaction and outrage from conservative users who previously found themselves at a disadvantage against the progressive political spectrum.

Although initially some authorities dismissed user concerns as conspiracy theories, months later, Elon Musk admitted in an interview that "all the conspiracy theories regarding Twitter seem to have proven true with Twitter's files." In addition, Brazilian federal deputy Eduardo Bolsonaro, son of former president Jair Messias Bolsonaro, won a lawsuit in Brazilian court against Instagram's shadow banishment on his profile, resulting in the removal of the deputy from Instagram's blacklist. In summary, this scenario highlights the importance of carefully evaluating the implications of policies and actions taken by social media platforms, especially in the political context, as well as the importance of transparency and open communication with affected users.

The marriage between the State and Big Techs: a danger to the fundamental rights of humanity?

Another worrying phenomenon is the interconnection between the State and social media, which can lead to the manipulation of public policy. As discussed in this article, American State agencies such as the FBI and security agencies like the Pentagon have been accused of manipulating politics not only in the United States but also in other countries. We also addressed how the Brazilian Supreme Court, in partnership with sectors of the mainstream media and social media, is advancing its political projects in Brazil. Furthermore, we presented what happens when social media decides to stand up against these powerful agencies, as in the case of Telegram, Gettr, Rumble, and the new Twitter, which have been threatened with fines, blockades, and restrictions by the Brazilian Supreme Court. However, it is noteworthy to highlight a tremendously worrying fact in this article to alert other countries about it. It refers to an alarming case that occurred during the Brazilian presidential elections in 2022, which violated the due process of law and the immutable clauses of the Brazilian Constitution, such as freedom of expression and the right to a defense, provided for in article 60, §4 (CF, Brazilian, 1988). Such clauses are almost unchangeable and cannot be abolished even by constitutional amendment, as they are considered fundamental for the maintenance of the Democratic Rule of Law.

During the second round of the Brazilian presidential elections in 2022, during a plenary session of the Superior Electoral Court (TSE), an agency composed of Supreme Court justices responsible for coordinating the electoral process, the censorship or freedom of the conservative streaming platform Brasil Paralelo, similar to the American The Daily Wire, was debated. The documentary about the stabbing suffered by then-reelection candidate Jair Messias Bolsonaro, produced by the group, was scheduled to be shown six days before the second round of voting but was vetoed by 4 votes to 3. The ministers made this decision without having watched the documentary, imposing prior censorship in a democratic country, as well as temporarily sacrificing the company's freedom of expression based on subjective concepts such as indications, informational disorder, fake news, among other generic and broad terms, without presenting factual evidence. This fact is worrying because it compromises due process of law and immutable clauses of the Brazilian Constitution, such as freedom of expression and the right to a defense, provided for in the article cited above.

Reference:

Constitution of the Federative Republic of Brazil, 1988. Brasília, DF: Federal Senate, 1988. Available at: http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm. Accessed on January 16, 2023.

The speech given by the ministers regarding the censorship imposed on the documentary produced by the streaming platform Brasil Paralelo, which deals with the assassination attempt suffered by former president Jair Messias Bolsonaro during the 2018 election campaign, perpetrated by a member of the Socialist Party of Brazil (PSOL), was highly subjective and lacking factual support. In his vote, Minister Alexandre de Moraes invoked the existence of an "ecosystem" of individuals,

about twenty in total, who have been under investigation by the Supreme Court for three years, accused of constituting a "hate cabinet".

In summary, the concept of a hate cabinet refers to a group of individuals or bots that use social media to disseminate false information and promote attacks against democracy. However, such allegations should be accompanied by substantial evidence, which has not yet been provided. This scenario is similar to what was reported by the American media about "Russian bots" that allegedly spread false information in support of former President Donald Trump. However, as demonstrated by the so-called Twitter Files, this narrative is false and was created by members of the mainstream media and the Democratic Party who were colluding with executives from the former Twitter. It is important to remember that these "bots" were - both in the US and in Brazil - actually real people sharing their political preferences, and not a coordinated action by foreign agents.

Furthermore, the minister makes it clear that due to this investigation - which, initially, does not present consistency in terms of evidence - there is a likelihood between the Latin legal concepts of "fumus boni iuris" and "periculum in mora", which refer to the "smoke of good law" and the "danger in delay". These concepts indicate that if there are indications or sufficient evidence that one of the parties is right in its claim, urgent measures must be taken to avoid irreparable harm. Based on this, without evaluating the content of the documentary in question, the minister concluded that "if there are indications or evidence" (which have not been presented) of alleged "irreparable harm," the documentary cannot be exhibited and the platform will be demonetized and restricted from publishing documentaries temporarily.

It is also important to remember that fake news, attacks on democracy, and hate speech are not classified as crimes in the Brazilian Constitution, and the minister did not present evidence that such "crimes" had been committed, leaving the accused at the mercy of his subjective interpretation.

Minister Ricardo Lewandowski surprised with his subjective legalism by stating, during a vote, that "we are facing an absolutely new phenomenon, the phenomenon of disinformation, which goes beyond fake news. The ordinary citizen, the ordinary voter, is not prepared to receive this type of informational disorder as I am presenting here in my vote." During this episode, Lewandowski accused Brasil Paralelo of practicing "informational disorder," a generic term that lacked concrete evidence of any illegal conduct.

In other words, the minister based his accusation on his subjective opinion of the case, without pointing out any passage that evidenced the alleged informational disorder. By punishing the platform without granting it the right to understand why the punishment was imposed and without legally knowing what crime was committed, the TSE violated article 93, item IX of the Brazilian Constitution, which determines that "all trials of the Judiciary shall be public, and all decisions shall be reasoned, under penalty of nullity." The gravity of the mistake committed by the Court is aggravated by the fact that its decision may have had a significant impact on the elections. With the censorship of the BP documentary, which held information about Bolsonaro's stabbing incident, the people were deprived of access to relevant data in the case. It is also important to note that the Workers' Party (PT) of Lula, besides being known for being the most corrupt party in the country with several of its main leaders imprisoned for corruption and for being associated with socialist dictatorships in Latin America, is suspected of involvement in the brutal assassination of the former mayor of Santo André (SP), Celso Daniel. In the process, the testimonies link Lula's party to the murder and also to Brazil's largest criminal faction, the PCC. Such information could have favored Bolsonaro in the elections, but it was omitted by the Court, favoring the candidate Lula.

In the same subjective perspective, Minister Carmem Lúcia caused surprise by indirectly acknowledging that the lawsuit filed against the Brasil Paralelo platform constitutes a form of prior

censorship. However, she argues that censorship should be applied in an "exceptionalist" way, that is, in exceptional cases, until the end of the elections. The minister highlights that the Federal Supreme Court has jurisprudence that prevents any form of censorship. However, she argues that measures like this can unfold as a remedy or a poison, and in this particular case, she agrees with the rapporteur's decision to restrict the documentary. The minister points out that "censorship cannot be allowed under any circumstances in Brazil." However, at the same time, she declares, "this is a specific case, once we are approaching the second round of elections." Thus, Lúcia argues that "the inhibition should remain until October 31, one day after the end of the second round, to ensure the fairness, rigidity, and security of the electoral process and the right of the voter." The minister considers that "this situation is exceptionalist, and if censorship becomes more extensive, the decision must be immediately reformulated to guarantee freedom of expression, fully respecting the Constitution and the guarantees it offers."

Source: <https://www.youtube.com/watch?v=F3dStHgbJWU&t=1359s>

Section 6: Exploring solutions to the challenges presented: a critical review

Understanding the emergence of a contemporary phenomenon that has been growing, particularly in the last ten years, is crucial to comprehend the dangers that threaten democracy and freedom of expression. The erosion of these values has been marked by the interference of political elites, state powers, and media, who, in collusion with social media, advance their interests to the point of causing irreparable harm to humanity. What we have witnessed in recent years is an era in which powers use abstract and broad arguments to cross the line of law and freedom.

The manipulation of discourse through governmental institutions and ideological influence groups on social networks has proven to be particularly dangerous. From the CIA and the FBI to South American supreme courts, powerful entities have adopted actions carried out through social media as a means to propagate their revolutionary agendas, often in an insidious way and with deceptive disguises. Unfortunately, the consequences of these actions have generated massive outrage and serious collateral effects, such as the invasion of the US Capitol in January 2021 and the invasion of the Brazilian National Congress in January 2023.

Monumental, unprecedented demonstrations have occurred in various countries, such as China, Spain, Brazil, the United States, France, Canada, and other Latin American countries. The sad reality is that the actions of these groups have severely affected democracy, the rule of law, and freedom of expression. With dubious justifications, such as combating "disinformation," "fake news," "intolerance," and "attacks against democracy," almost immutable fundamental rights are usurped. The line between what is legal and what is not becomes increasingly blurry, and the gravity of the current scenario is alarming.

The question that arises is: how long will we have to witness this affront to democracy and freedom of expression? Highly subjective terms loaded with personal subjectivism, affecting personal and national identity, tradition, religion, private property, liberal economics, and the democratic Rule of Law. It is up to each one of us, as individuals and as a society, to reflect on the role we play in this scenario, as well as on the necessary actions to ensure a future in which democracy and freedom of expression are unshakable values respected by all.

In the face of such adversity, it is imperative that society stands up with courage and determination to ensure that democracy and freedom of expression prevail. The responsibility falls on each individual, even those who are not directly affected, to educate themselves, work, and hold positions of power in society in order to transparently and truthfully defend these invaluable values.

The University, so pluralistic and diverse, should be the home of reflection, but today it is the stage for "Exclusivity", a single and compassionless thought. Minorities who suffer from racism and prejudice now adopt an unprecedented practice, fighting against what they suffer, but practicing the same evil.

Socialism, a movement of "equality," now turns to the interests of globalists, working for the sake of meta-capitalism, betraying their own people - their followers are foolish and selfish.

The battle against agribusiness and private property has no end, but at what cost, if the same fools who fight this way seal their own end?

The present is suffering a sinister threat that hides behind the mask of virtue and progress. Social and media groups that claim to combat Nazism and fascism paradoxically unite with regimes that have committed genocides even more deadly than those they claim to oppose. These groups shamelessly declare themselves as communists, even though this ideology is the twin sister of fascism. Agenda items of social-democratic parties, malevolent theories such as Thomas Malthus',

and pagan practices such as those that venerate the god Moloch, have found echoes in society, seeking to reduce population through the "right" to abortion, questioning heteronormativity, and vilifying the most sacred institution of humanity: the family.

Like a tragedy that repeats itself throughout history, the fundamental foundations that gave rise to Western civilization - such as Greek philosophy, Roman law, Judeo-Christian religion, capitalism, and private property - have been systematically undermined by universities and left-wing political parties around the world. How long will we remain at the mercy of this cultural and political hegemony that manipulates the masses, causing divisions in society, and using these divisions to impose their social and political agendas?

It is crucial to understand the current situation and how it has affected the social and economic order. We need to present real solutions to these unprecedented phenomena in history. How can we solve this situation? If we regulate social media using the power of the state, the regulator will be easily subjugated and its power will pass back into the hands of these hegemonies, ultimately affecting business freedoms. On the other hand, if social media remains unregulated, these same hegemonies will co-opt their owners, as happened with the old Twitter and happens in almost all other social media platforms.

The most effective solution would be the engagement of billionaires and visionaries like Elon Musk, who could lead investment initiatives or acquire social networks, making them immune to the influences of these revolutionary groups. Simultaneously, defenders of freedom could assume relevant positions in the public sphere, in order to establish policies, oversee the managers of these digital platforms, and support millionaires/billionaires who seek to preserve freedom on the Internet and in society. Only then can we guarantee that the power of influence in society does not remain restricted to the hands of nefarious interests, but that the voices of all can be heard and respected.

Today, my dear friends, the world faces a cunning, almost invisible enemy that manipulates society with victimhood speeches, biological weapons, algorithms, and social engineering techniques, as well as creating false flags to criminalize movements, silencing voices, imprisoning ideas, and perhaps even imprisoning dissidents and taking lives in the name of "freedom," "diversity," and "democracy." This enemy is very strong, holding in its hands the media, cinema, cultural, and political power. We still have private property, family, the Internet, and God, but the question is: how long will we have them?

Despite all this, there is still light at the end of the tunnel. The flame of freedom burns strong in the hearts of conservative, traditionalist, nationalist, legalist, libertarian movements, and in the Abrahamic religions that emerge in every corner of the world, fighting the tyranny of political correctness and the one-dimensional thinking, seeking to rescue the values and fundamental freedoms that have been so diminished. Hope remains strong and is reborn in every heart that fights for a more just and free world.

It is essential to resist and stand up against the authoritarian wave that threatens to engulf us. It is time to fight for truth, justice, and freedom, using the appropriate tools established in the Second Amendment of the revered American Constitution, to combat the insane and unrestrained rise of the revolutionary left, which has shown itself to be increasingly tyrannical. We must abandon the "sophistication" and "prudence" that Edmund Burke established for conservatism, which made the movement pacifist and, as a result of its lack of courage: collaborationist.

As Thomas Jefferson said, *"When tyranny becomes law, rebellion becomes duty"* (Jefferson, 1816). The martyrs of truth and freedom advocated in the gospel of Christ must integrate themselves on all fronts of power and influence in society. The time has come to dominate politics, to be ministers of the Supreme Courts, to enter the positions of the legislative and executive powers, to lead intellectual and cultural production, to control the newspapers, unions, and intelligence agencies of the countries, to excel in international organizations such as the UN and the WHO, and to be protagonists in the creation of new artificial intelligence. Let us spread throughout the world grand

annual events like the CPAC, founded in 1974 by the late William F. Buckley Jr., the father of the modern conservative movement in the United States, and the inspiring National Prayer Breakfast, led by Christian Doug Cole and founded by the 34th President of the United States. The Abrahamic religions must abandon their theological differences and unite in what they have in common, which is God, country, family, and freedom, to fight against those who want to destroy these critical principles.

Dear brothers, may the burning fire of freedom burn in our hearts, igniting our determination to fight for a better future. *"We shall fight on the beaches, we shall fight on the landing grounds, we shall fight in the fields and in the streets, we shall fight in the hills; we shall never surrender"* (Churchill, 1940). This was said by the greatest conservative statesman in twentieth-century Europe, Sir Winston Churchill, as he faced Adolf Hitler. May we never forget those who sacrificed their lives for freedom, like Christ on the cross at Calvary. May we be worthy of their memory, so that the light of freedom can shine again on the West.

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We strive to respond to all questions and comments as quickly as possible, so don't hesitate to contact us if you need any assistance. Thanks for reading our article!

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The Bruges Group is an independent all-party think tank. Set up in 1989, its founding purpose was to resist the encroachments of the European Union on our democratic self-government. The Bruges Group spearheaded the intellectual battle to win a vote to leave the European Union and against the emergence of a centralised EU state. With personal freedom at its core, its formation was inspired by the speech of Margaret Thatcher in Bruges in September 1988 where the Prime Minister stated, "We have not successfully rolled back the frontiers of the State in Britain only to see them re-imposed at a European level."

We now face a more insidious and profound challenge to our liberties – the rising tide of intolerance. The Bruges Group challenges false and damaging orthodoxies that suppress debate and incite enmity. It will continue to direct Britain's role in the world, act as a voice for the Union, and promote our historic liberty, democracy, transparency, and rights. It spearheads the resistance to attacks on free speech and provides a voice for those who value our freedoms and way of life.

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