Bane of Fake News and Democracy

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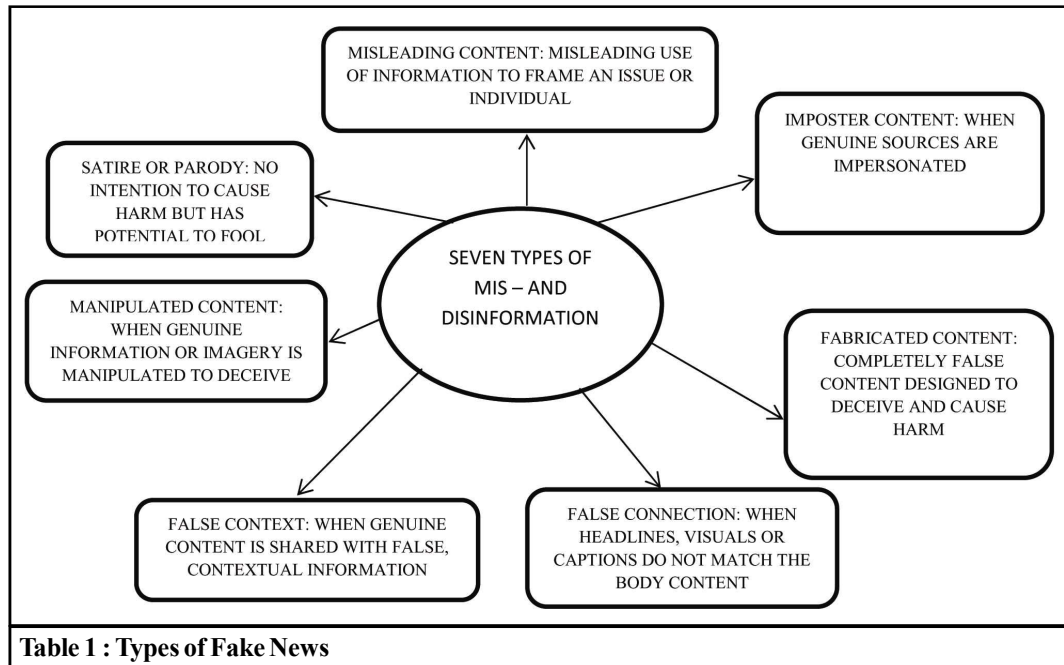
ABSTRACT

This paper fundamentally proposes that the ease with which fake news, misinformation, and false allegations are spreading worldwide across democracies is now a disturbing hallmark of modern politics. The viral nature of fake news has established a culture of lies and misinformation which continues to grow unchecked and its implications for democracies and election administration are deeply troubling. As if pursuing Harold Laski's aphorism, '(e)ternal vigilance is price of liberty', there is a reckonable rise in surveillance through counter-gaze at agenda-driven production of fake news. The same technology, which has facilitated quantum increase of fake news, offers the sieve to sort out the fake. Introduction of variety of legal responses without destroying free speech, towards regulation of dissemination of fake news may help combat this problem some bit.

Key Words : Social media, Fake news, Democracy, Cyber troops, Policy responses

INTRODUCTION

Media and democracy, as we all know, are inseparable and there cannot be one without the other. The free exchanges of ideas, information and symbols that nourish citizens have long been the leading foundation of democratic countries. With the gradual progression of democracy, media has also risen to the role of an independent watchdog and monitor of unchecked power, a tribune of the people, a defender of minorities, a fourth estate and a public sphere (Fenton and Freedman, 2018). However, in these same western liberal democracies, there has been a wane of the positive role of the media. The latter's crusade for justice and truth has been replaced by the mantras of the free market with concomitant loss of legitimacy and authority. This is a new media which facilitates commitment to the consumer tilting away from free expression with the collapse of trust and responsibility. The apparent proliferation of inaccurate and misleading news stories has given rise to the concept of 'fake news'.

The term fake news generally refers to baseless allegations republished in the guise of a genuine news story (Hunt, 2018). However, as Claire Wardle (2017) shows, the universe of fake news is much larger than sheer false news stories. Fake news is the logical result of a market economy that privileges short-term rewards and commercial impact. Because it is relatively easy to set up websites and monetize web content through advertising platforms, fake news finds a carrier in the social media. News articles that go viral on social media draw significant advertising

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│                    │ MISLEADING CONTENT: MISLEADING USE│                   │
│                    │ OF INFORMATION TO FRAME AN ISSUE OR│                  │
│                    │           INDIVIDUAL              │                   │
│                    └──────────────────────────────────┘                   │
│  ┌──────────────────────┐                        ┌──────────────────────┐ │
│  │ SATIRE OR PARODY: NO  │                        │ IMPOSTER CONTENT: WHEN│ │
│  │ INTENTION TO CAUSE    │      ╭─────────╮       │ GENUINE SOURCES ARE   │ │
│  │ HARM BUT HAS          │      │SEVEN TYPES OF│   │ IMPERSONATED         │ │
│  │ POTENTIAL TO FOOL     │      │  MIS – AND   │   └──────────────────────┘ │
│  └──────────────────────┘      │DISINFORMATION│                            │
│  ┌──────────────────────┐      ╰─────────╯       ┌──────────────────────┐ │
│  │ MANIPULATED CONTENT:  │                        │ FABRICATED CONTENT:  │ │
│  │ WHEN GENUINE          │                        │ COMPLETELY FALSE     │ │
│  │ INFORMATION OR IMAGERY IS│                     │ CONTENT DESIGNED TO  │ │
│  │ MANIPULATED TO DECEIVE│                        │ DECEIVE AND CAUSE    │ │
│  └──────────────────────┘                        │ HARM                 │ │
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│        │ FALSE CONTEXT: WHEN GENUINE│ FALSE CONNECTION: WHEN│              │
│        │ CONTENT IS SHARED WITH FALSE,│ HEADLINES, VISUALS OR│             │
│        │ CONTEXTUAL INFORMATION │   │ CAPTIONS DO NOT MATCH THE│           │
│        └──────────────────────┘   │ BODY CONTENT         │                │
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│ Table 1 : Types of Fake News                                              │
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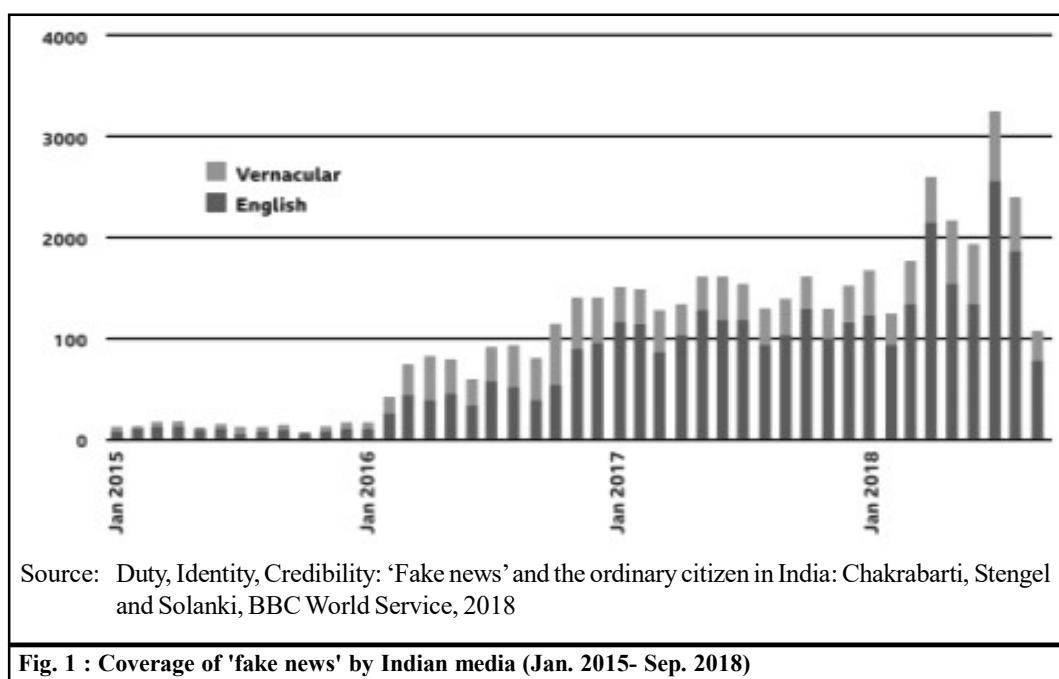**Table 1 : Types of Fake News**

revenue when users click to the original site. The costs of entering the market and producing content are very small on social media, thereby increasing the relative profitability of the small-scale, short-term strategies often adopted by fake news producers. This, in turn, reduces the relative importance of building a long-term reputation for quality. Also the way social media news comes up – small bits of information viewed on handsets or news feed windows – make it difficult to judge the authenticity of an article. Also, as Bakshy *et al.* (2015) show, Facebook friend networks are ideologically segregated – that people who get news from Facebook (or other social media) are less likely to accept evidence about the true state of the world that would counter an ideologically aligned but false story from mainstream news sources. A study by Stanford University (Donald, 2016) has found that even young people, who are usually technologically more sophisticated than the older counterparts are "easily duped" by fake news presentations. Various studies have brought out that people usually have difficulty in distinguishing a fact from a fiction on the internet and this makes the internet an ideal forum for disseminating misinformation (Renard, 2005).

The wave of fake news in the world of politics gained momentum during the Presidential Elections of the United States in 2016. In an unprecedented development, the CIA and the FBI concluded that the Russian government had hacked and leaked Democratic Party emails in an effort to help the then- Presidential candidate Donald Trump win the election (Entous and Nakashima, 2016). Many of the fake news websites that sprung up during the US election campaign have been traced to a small city in Macedonia, where teenagers brought out sensational stories to earn fast money from advertising. This business model eventually became successful, and had an impact on public opinion too (Kirby, 2016).

Coming over to India, it is seen that the phenomenal increase in fake news and debate over it is happening at the conjunction of significant populism within the fold of almost every political party, the neo-liberal economic turn desperate to secure market rationality, the rise of the political right, and technological provision for connectivity. According to a BBC research report (Chakrabarti *et*

al., 2017) which worked extensively in India, Kenya and Nigeria, the motivation behind sharing and spreading fake news in India is complex. It says people (a) share fake news to verify within a network, (b) they consider sharing as a civic duty, (c) they share because of a rising tide of nationalism within them, and (d) they also share to express one's socio-political identity. The survey discovered that asserting one's socio-political identity plays a lead role in sharing of fake news. "While there have been multiple distinct identities emerging within the right, all bound by common narratives, there is no real unified sense of a 'left' identity in India; instead there are micro identities (eg. Tamil, Bengali, Dalit), and even within that a deeply held socio-political identity can sometimes get reduced to the level of an issue for others within the broad 'left' (BBC Report, 2017). Fake news messages circulating amongst the right, play consistently on themes of Hindu identity and national progress, while the left use of multiple data points to establish veracity; and there are attempts too, to use doctored images to establish their points. There are examples found also of using distortions of history to land anti-Hindutva points. It further brought out that coverage of 'fake news' in the Indian media over the last three odd years has grown by nearly 200%. In all there have been 47,5437 news articles online about 'fake news' between January 2015 and September 2018 (Chakrabarti *et al.*, 2017).

Source: Duty, Identity, Credibility: 'Fake news' and the ordinary citizen in India: Chakrabarti, Stengel and Solanki, BBC World Service, 2018

Fig. 1 : Coverage of 'fake news' by Indian media (Jan. 2015- Sep. 2018)

The following examples have not been chosen from any political position, but are rather representative of a range of parties and politicians. First are instances when Indian politicians fell for fake news (The Logical Indian, 2018):

1. Nirmala Sitharaman, Minister of State (Independent Charge) – Ministry of Commerce and Industry, in 2017 retweeted a widely shared image depicting singing maestro A.R. Rahman welcoming the "initiatives taken by the central government to curb cow slaughter". As it turned out, Rahman had never tweeted the same in the first place! Sitharaman undid her retweet politely mentioning that "this seems unverified information".

2. Arvind Kejriwal, the Chief Minister of Delhi, 2016 retweeted a picture which stated that a man from Madhya Pradesh had committed suicide in a bank because he could not get new notes or withdraw cash for four days. Chief Minister Kejriwal retweeted the same post without verifying the facts behind the incident and added a comment on how demonetization is killing people and urged Prime Minister Narendra Modi to notice the helplessness and plight of the people of the country. As per media reports, the man was not at the bank to withdraw money, but to rob it during the night. The locals and neighbours heard the noise and raised an alarm at which point he realized that the police had surrounded him and that he could not escape. Using the towel that he was covering his face with, he hanged himself and committed suicide. However, even though Twitter users pointed to CM Kejriwal that the tweet was wrong and gave correct information, the Chief Minister did not apologize for the error, much less correct it himself.

Next are the instances when the Indian media became perpetrators of fake news:

1. News channel Times Now began to telecast an item with the headline 'Conversion rate card unearthed in Kerala'. The channel began to shoutover a seven year-old photo-shopped image with its CEO Rahul Shivshankar screaming: "I can't even begin to tell you ladies and gentlemen the kind of insidious fine print that is on this rate card, to convert Hindus. A Hindu Brahmin girl – five lakhs, seven lakh rupees for a Sikh Punjabi gal, for a Gujarati Brahmin and so on and so forth, Hindu Khastriya gal – four and a half lakhs, Hindu OBC/SC/ST – two lakhs, Buddhist girl – one and a half lakh, a Jain girl 3 lakh rupees, the caliphate has put a price on your faith." As it turned it, this news item had already come up in the Shiv Sena mouthpiece *Saamna* some seven years ago (Times Now, 23.06.2017). When the true story came out, none of the anchors expressed sorrow over the debacle.

2. Several big media outlets including *The Times of India (Kochi edition)* and *News18* embarrassed themselves after they fell for a fake story planted by RSS fake profiles about comments on cricketer Tom Moody's Facebook page. The incident followed the upgrading of India's sovereign debt ratings by credit rating agency Moody's. RSS-supporting profiles posed as Left supporters and lambasted Tom Moody for the ratings upgrade, claiming that Moody had done this at the behest of Narendra Modi. Soon, several media outlets began publishing stories claiming that CPI(M) supporters had mistaken Tom Moody for Moody's Investors Service. Meanwhile, Tom Moody took to Twitter to respond to the comments and reports. "Thanks to all of you who have realise I don't work in the finance ratings industry!" As the true story unfolded on social media, it was clearly *Times of India* that had become the laughing stock. Needless to say, the newspaper did not acknowledge its error despite the uproar on social media (Times of India, Kochi edition, November 18, 2017).

3. AajTak, India Today, Zee News, ABP News and India TV began to flash a news item on May 1, 2017: 'Pakistani posts of Kirpan and Pimpal destroyed by Indian Army in an immediate retaliation to beheading of soldiers'. Soon after the news of killing and mutilation of two Indian security personnel along the Line of Control (LoC) was reported, many news outlets started reporting retaliation by the Indian Army. AajTak was the first to share this news followed by elaborate reports on retaliation by Indian Army by other news channels. As it turned out, the Kirpan was actually an Indian post and the news of an immediate retaliation by the Indian army was fake. TV channels had gone overboard without seeking an official confirmation from the army. The next day, a senior officer with the army's northern command confirmed to Hindustan Times that "There was no retaliation whatsoever by us in the KG sector on Monday night. They (TV channels) go ballistic without asking us anything. We will retaliate and when we do, we will come out with an official

statement" (Hindusthan Times, May 2, 2017).

The politically-motivated information and untrue baseless allegations have made fake news in the 2016 United States elections a reckonable peril. The pre-election period saw the spread of fake news like never before. A study by BuzzFeed (Craig, 2016) concluded that in the final three months of the 2016 campaign, the twenty most popular fake election stories on Facebook reached more than 8.7 million readers, whereas the twenty most popular real election news articles on Facebook only reached 7.3 million readers. The report further brought out that the most popular fake election news stories on Facebook generated more involvement than the top stories from major news outlets such as the New York Times, Washington Post, Huffington Post, NBC News, and others (CBS News, 2016). Google and Facebook realized the situation and its urgency, and immediately after the election, both announced plans to fight the spread of fake news on their websites (Dwoskin *et al.*, 2016). As a University of Oxford research figures, not just the United States, in various other countries too "divisive social media campaigns have heightened ethnic tensions, revived nationalistic movements, intensified political conflict, and even resulted in political crises—while simultaneously weakening public trust in journalism, democratic institutions, and electoral outcomes" (Bradshaw and Howard, 2018). The research has found evidence of formally organized social media manipulation campaigns in 48 countries, up from 28 countries in 2017. In each country there is at least one political party or government agency using social media to manipulate public opinion domestically (Bradshaw and Howard, 2018).

The same research warns of a fake news epidemic in 2019 elections in India. The national elections are very likely to increase cyber-troop activity. "Cyber troops" are defined here as government or political party actors tasked with manipulating public opinion online (Bradshaw and Howard, 2018). So, cyber-troop activities are formally organized social media-manipulation campaigns by a government or a political party. Their activities include: "the spread of misinformation on social media platforms, illegal data harvesting and micro-profiling, the exploitation of social media platforms for foreign influence operations, the amplification of hate speech or harmful content through fake accounts or political bots, and clickbait content for optimized social media consumption" (Bradshaw and Howard, 2018). In India, according to predictions, such cyber-troop activities would be facilitated by the wide-spread practice of 'user-curated public and private groups' 'to connect with friends, family, and the broader community.' This will largely be helped by 200 million active users of WhatsApp in India. The report further predicts that the 2019 elections will see the national leaders, political parties and individual political candidates using social media platforms to spread fake information. Though negative campaigning is nothing new in the run-up to elections for a long time now, what will make the phenomenon unique is the deliberate use of computational propaganda to manipulate voters and shape the outcome of elections (Bradshaw and Howard, 2018).

Predictions further suggest, political campaigners will hire public relations or consulting firms to spread online propaganda. Various communication strategies are on the cards for disseminating computational propaganda in the social media platforms. Cyber troops are expected to create their own content, including news websites, fake videos, blogs, pictures or memes. These content strategies are important sources of conspiratorial information and junk news that can be used to support a broader manipulation campaign. The range of platforms on which such false news would be published and circulated will also continue to grow soon and fast. These platforms will be extremely effective at directly reaching a large numbers of people, micro-targeting individuals with personalized messages at the same time. This will go a long way to shape public opinion and public discourse. Because there is a certain elusiveness about the production and circulation because

'teams tend to form around political campaigns and dissipate when they are over', such platforms will continue to grow and flourish manifold before the upcoming national elections (Bradshaw and Howard, 2018).

This brings us to a critical query: why is the phenomenon of fake news spreading like wildfire? Who benefits from fake news? There are three main beneficiaries: (a) The new populists across political parties who benefit because they use the notion of "fake news" to undermine legitimate opposition, and resist fourth estate accountability. The Trump administration in the United States speaks of fake news in a blanket way to identify news content it disagrees with;(b) Those on the wrong side of recent historical events claim that political changes result from misinformation. Both the EU referendum vote in the UK and the Trump victory in the US have been blamed on 'fake news'. Some even go to the extent of suggesting that a result based on fake information is not legitimate. (c) The established "mainstream media" wants a return of trusted news brands. The media benefit from the "fake news crisis" in their long-term battle with the new tech intermediaries like Google and Facebook. By claiming that the social media news platforms are performing irresponsibly, with none of the responsibilities that traditional media have taken on, they can seek to get them regulated as such, and recoup lost ad revenue (Bradshaw and Howard, 2018).

The growing threat of fake news proliferation-whether perceived or real - is now an important concern for governments across countries. Many governments and politicians are proposing countermeasures spanning from Orwellian "thought police" to issuing fines. This leads to a troublesome paradox: whether it is acceptable to censor social media to safeguard media freedom. Since 2016, over 30 countries have introduced legislation designed to combat fake news on the Internet (Bradshaw, Neudert, and Howard, Forthcoming). Moreover, many democracies have established new government agencies or mandated existing organizations to combat fake news and foreign influence operations. The response often involves generating and disseminating counter-narratives or creating reporting, flagging, and fact checking portals to support citizen awareness and engagement (Bradshaw and Howard, 2018).

During 2013-2014, China made a crackdown on 'online rumours'. The Chinese authorities intensified their policy of deleting posts on social media, make operators of social networks responsible, suspend the accounts spreading misinformation and jail terms for those found responsible. It was further decided that social networks must be in receipt of several different licences from central government (Tambini, 2017). Some countries have created government regulations to censor content on social media platforms. In Germany, a June 2017 legislation forces digital platforms to delete hate speech and misinformation. It asks large social media platforms to "delete illegal, racist or slanderous comments and posts within 24 hours" (Eddy and Scott, 2017). Indonesia has come up with a government agency to 'monitor news circulating online' and 'tackle fake news' (Straits Times, 2017). The Philippines has introduced a bill that would impose a jail term of up to five years for those who publish or distribute fake news. The activities which cause such a penalty include the ones that "cause panic, division, chaos, violence, and hate, or those which exhibit a propaganda to blacken or discredit one's reputation" (Palatino, 2017). In Ukraine, an organization called StopFake depends upon 'peer-to-peer counter propaganda' to do away with false news. Its researches try to identify the sources of misinformation campaigns and manipulated contents through this propaganda (Haigh *et al.*, 2017). British regulators want all online political campaign material to include information on the organisation that published it and who paid for it, including the establishment of a public register for political advertising (Tambini, 2017).

However, given the inconsistency of the category of 'fake news' and the wide variation of

interests underlying calls for its regulation, as the Oxford research (2018) suggests, it is necessary to offer different solutions for the different categories along the fake speech continuum. Different recommendations apply to the different categories: deliberate falsehood with national security implications, fake news for financial gain, and other categories such as satire and critical journalism. The only category where there may be an argument for statutory regulation is the category of deliberate falsehood with intent to compromise national security**.** Under the European Convention on Human Rights there is a legitimate justification for restricting free speech on national security grounds. The main way governments have responded thus far is through monitoring, but the next stage would be requiring takedown of such messages (Oxford study, 2018).

Why is the epidemic of fake news a concern for democracy? Fake news hurts more where it should not: the 'free exchange of ideas, information, and symbols that nourish citizens and replenish the system as a whole' (Fenton and Freedman, 2018:01). This is more so when it combines with politicization of public space and partisan control of election administration (Gaughan, 2017). It decomposes the 'complex normative paraphernalia … to describe the key responsibilities placed on media in the emergence and sustenance of democracy: as an independent watchdog and monitor of unchecked power, a tribune of the people, a defender of minorities, a fourth estate, and a public sphere' (Fenton and Freedman, 2018). Most vitally**,** it destroys political trust among the stakeholders of democracy.

The construction, circulation, consumption and contestation of fake news are related to securing or challenging hegemony of a political entity – a party, a class or community, an ideology. Fake news industry is a profit-yielding one, and riding on the shoulders of the neo-liberal market it has found democratic spaces as useful sites for profit making. It is the greed of the mainstream media which drives them to unscrupulous use of sensational falsehood, and surrender of its autonomy to unscrupulous politicians. It has turned citizens into consumers of fake information which reaches them in attractive packages. The dramaturgy in fake news deflects public attention from more fundamental political economy issues of growth without social justice. Thus, it is a part of a larger and complex narrative on corruption of democracy.

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