



Disinformation – A Virus Infecting Democracy

***How Big a Threat? What Can Be
Done?***

How Big a Threat to Democracy? Questionable Elections Not New



“somethings not on the level”

Hillary Clinton 2016

Motion to selectively complete a manual recount denied by Supreme Court effectively awarding Florida’s 25 electoral votes to George Bush

Dec. 12, 2000

Congress selected electors for Rutherford Hayes from southern states over electors for Samuel Tilden

Presidential of 1876 settled in 1877



But Until Recently We've Been Willing to Eventually Accept Preponderance of Evidence



- Jan. 6. 2021 – more than 2,000 protestors stormed the U.S. Capitol to stop the formalization of the 2020 election of the Biden-Harris ticket
- The protestors erroneously believed the election had been stolen through fraudulent voting
- People died



Mid Term Results Suggest This Most Damaging Piece of Disinformation Losing Traction



As of Nov. 13:

- 8 of 12 election denying secretary of state candidates lost
- 12 of 24 election denying gubernatorial candidates lost
- 9 of 19 election denying senatorial candidates lost
- Nonetheless the threat remains
 - As of Sept. 22 nearly a third of Americans (61% of Republicans) believe Biden won only because of voter fraud



Cisco Aguilar defeated Jim Marchant for Nevada SOS. Marchant led Trump/Michael Flynn led PAC behind a national campaign for election denying SOS's.

Level Setting – Beware of Absolutism



- **Truth** – Relative. Except for a few facts e.g. there are always 1000 millimeters in a meter.
- **Misinformation** – Unintentional error
- **Disinformation**- Setting out to mislead. Often based on logical fallacy, out of context and other tricks
- **Propaganda**-sponsored by government or commercial entity.



Also, Disinformation Takes At Least Two – Sometimes Three Parties



<u>Senders</u>	<u>Gatekeepers</u>	<u>Receivers</u>
<ul style="list-style-type: none"> • Word of mouth 	<ul style="list-style-type: none"> • Group approval; societal emphasis on honesty 	<ul style="list-style-type: none"> • “My Tribe” in person still most trusted
<ul style="list-style-type: none"> • Traditional media: newspapers, radio, TV <ul style="list-style-type: none"> • Advertising • Reporting 	<ul style="list-style-type: none"> • Journalistic standards, potential defamation and libel lawsuits, FCC and other regulation (mostly in the past for broadcast) <ul style="list-style-type: none"> • Business model: subscriptions, ratings, advertising 	<ul style="list-style-type: none"> • Big fall off in print; splintering of broadcast channels
<ul style="list-style-type: none"> • Social Media 	<ul style="list-style-type: none"> • Limited <ul style="list-style-type: none"> • Per section 230 protected from traditional libel • Business model – all advertising • Some fact checking and refusal to carry 	<ul style="list-style-type: none"> • Unique ability to multiply misinformation

The Ultimate Receiver – Humans – Heart of the Problem



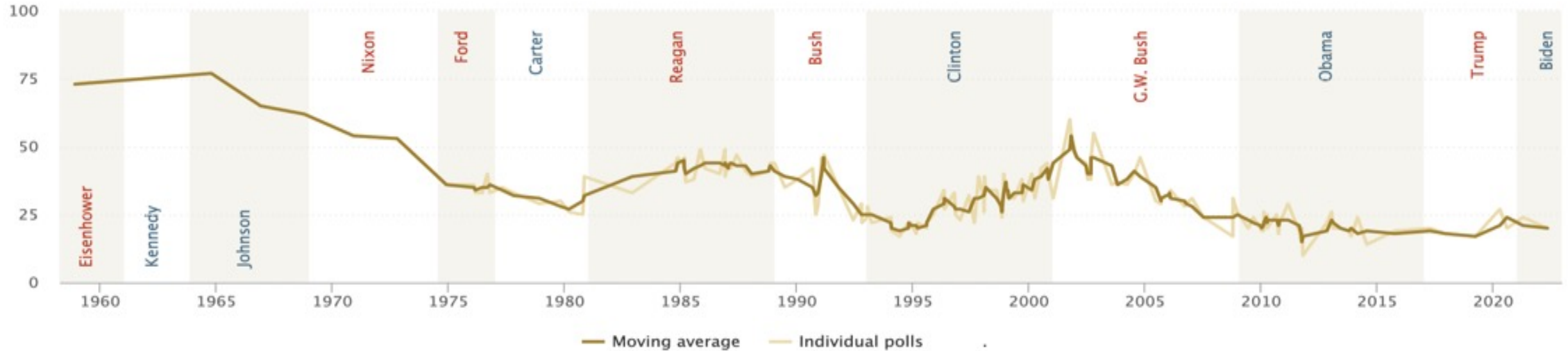
- **Emotion** – particularly fear – often overwhelms reason
- **And Our Reason Imperfect - Logical Fallacies**
 - *Cognitive Dissonance*
 - *Repetition*
 - *Context*
 - *Proportion*
 - *And lots of other tricks we play on ourselves*



Questioning Authority

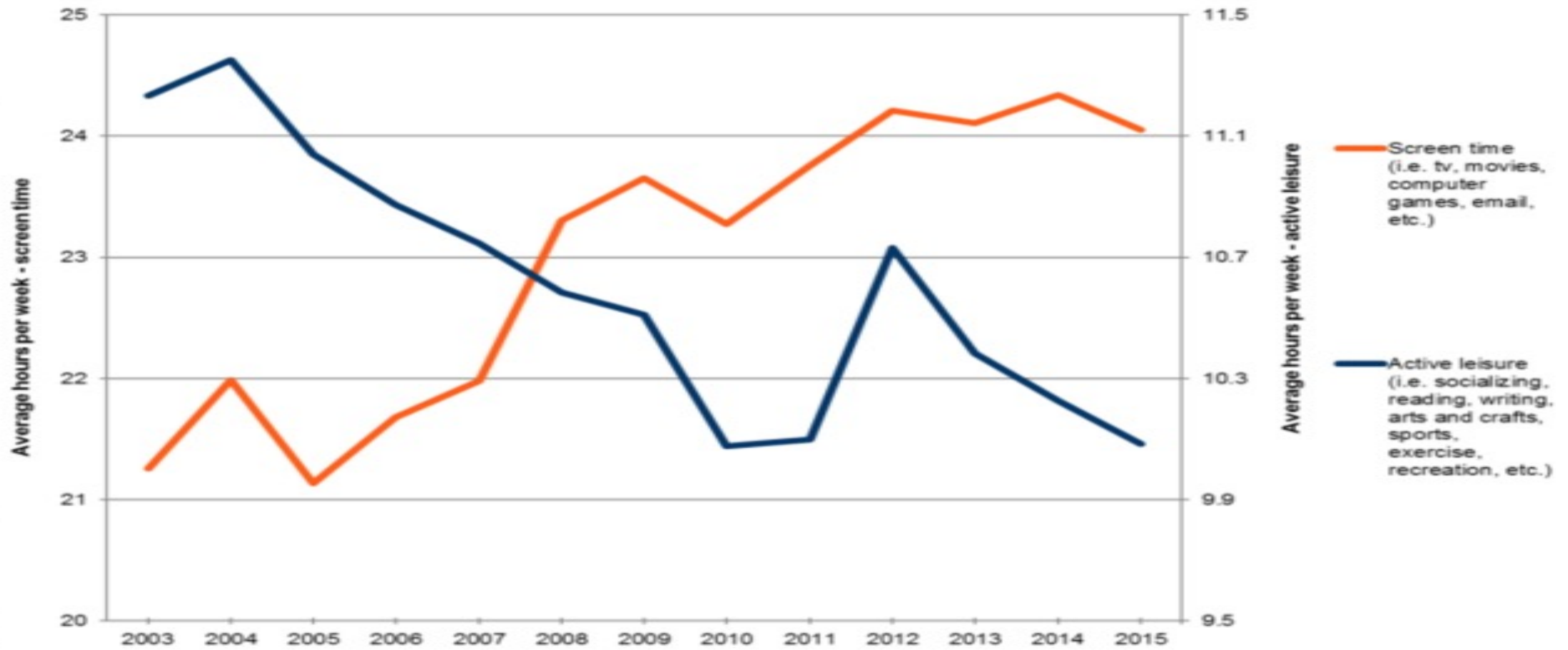
Faith in Government Has Gone from 77% in 1964 to 20% in May of this Year

% who say they trust the government to do what is right just about always/most of the time



Less Personal Interaction

How free time became screen time

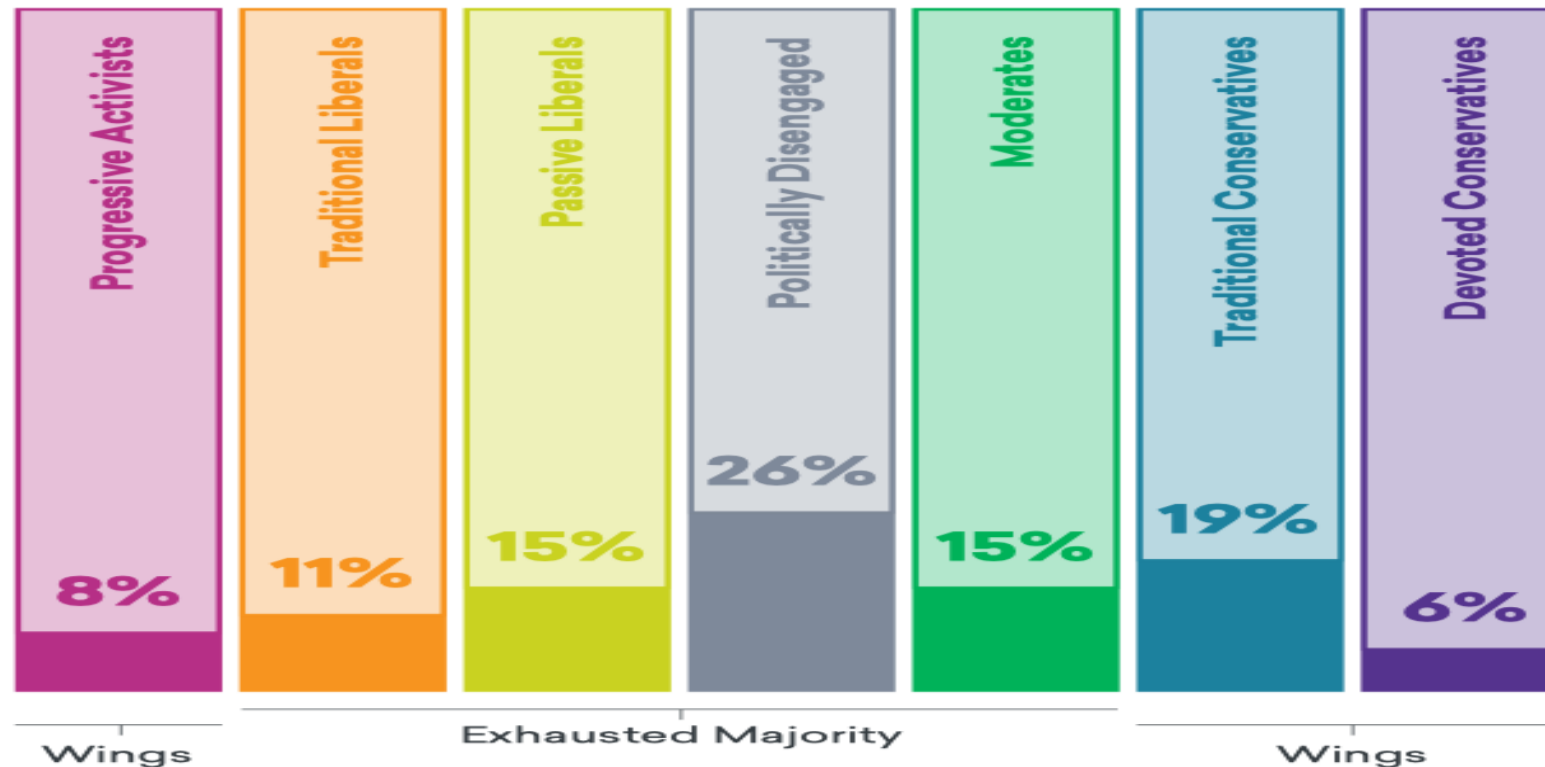


Source: Bureau of Labor Statistics 2003-2015 ATUS-CPS

Polarization – Particularly from the 14% at the Left and Right Extremes



The Hidden Tribes of America



Traditional Media Has Evolved In Ways That Reduce Filtering of Disinformation



	Then	Now
Print	<p>Revenue from subscriptions and advertising</p> <p>Content costly to produce</p> <p>Every town had at least one paper – often two debating each other</p>	<p>Newspaper ad model decimated by Internet</p> <p>Subscription revenues more important than in past</p> <p>Local papers particularly hard hit</p> <p>Still fact checking – vulnerable to libel</p>
Radio	<p>Limited bands available</p> <p>Local, AM</p> <p>FCC administered</p> <p>Mostly music and sports</p>	<p>Unlimited – made FCC largely irrelevant</p> <p>National, FM</p> <p>Music, sports but also highly targeted talk shows</p>
TV	<p>Three networks, limited channels available</p> <p>Content costly</p> <p>Fairness doctrine required both sides of controversial subjects covered</p>	<p>Fairness doctrine repealed</p> <p>Technology allowed proliferation of channels</p> <p>General audience channels but also highly targeted</p> <p>Opinion – talk shows lower cost than news</p> <p>Can drive ad revenue with controversial content</p>

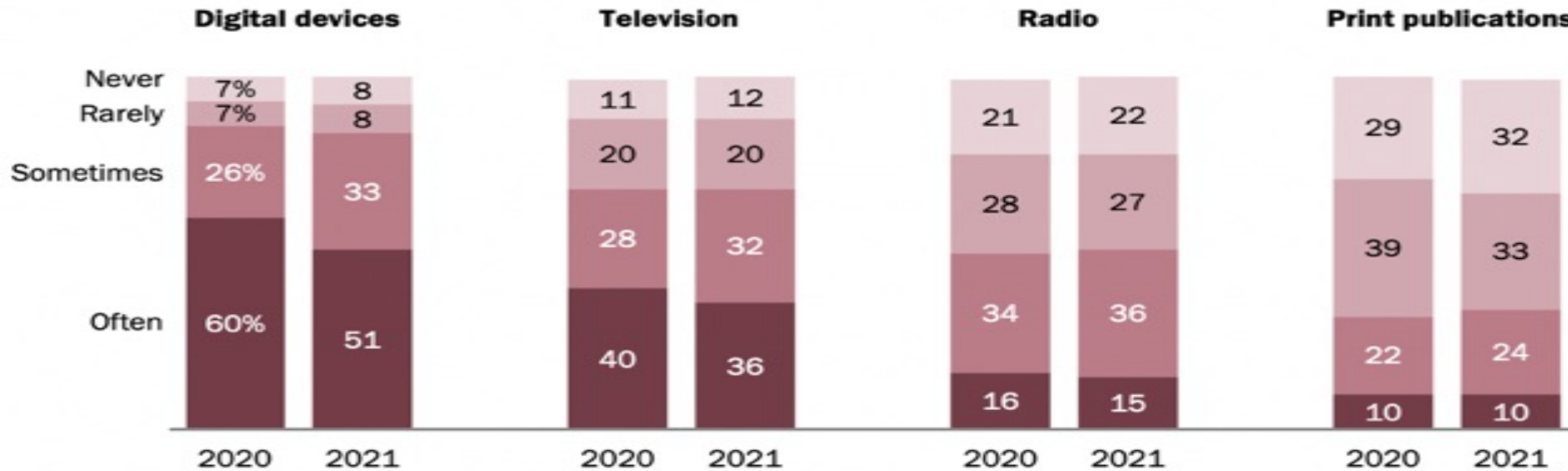
People Getting More of Their News from Digital Sources



News consumption across platforms

% of U.S. adults who ____ get news from ...

Decline in newspapers (particularly local), proliferation of cable and radio channels – can be highly targeted, and, of course, social media



Note: Figures may not add up to 100% due to rounding.
 Source: Surveys of U.S. adults conducted July 26-Aug. 8, 2021 and Aug. 31-Sept. 7, 2020.

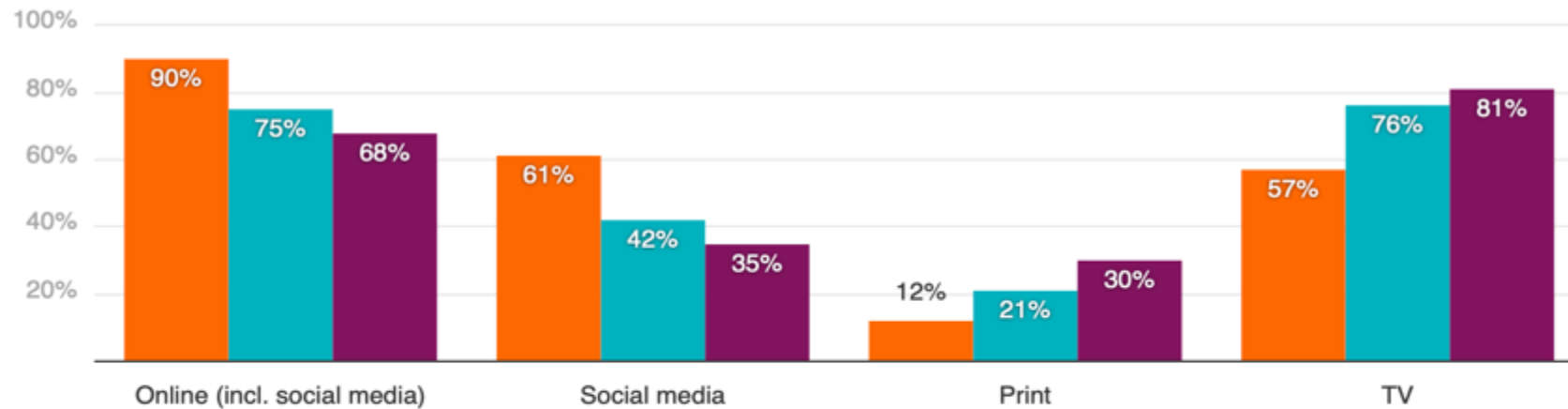
Particularly Young People

PROPORTION THAT USED EACH AS A SOURCE OF NEWS IN THE LAST WEEK (APRIL 2020)

United Kingdom

Under 35's Getting Most of Their News From Digital Media

U35 35+ 55+



Q4 (Apr. 2020). Which of the following have you used in the last week as a source of news?

Base: U35/35+/55+: UK = 548/1643/923. Note. Showing change from Jan. 2020. Figures adjusted to exclude non-news users for comparability.

New Digital Media: Fast, Cheap, Targeted, High Volume, and Revenue Built on Controversy



- Advertising sole revenue source
- The more traffic and the longer time at a digital destination, the greater the \$
- Controversy, reaffirming existing beliefs = traffic
- Unlike other media – spending on engineering (delivery to huge audience, algorithms, targeting) – not content
- Anyone can create content and “publish” instantaneously
 - No editors or other gatekeepers
- Can be highly targeted
 - In fact, only limited control of information received
 - Controlled by algorithm
- Volume almost unlimited
 - Facebook is now getting over 4 billion views at day vs. highest rated cable channel - Fox News getting 1.3 million daily viewers
 - Digital volume also includes non-human content
 - Of the 330 million Twitter Accounts 5% are (although more according to Elon Musk) are reported to be Bots

Now: A Small Piece of Disinformation Can Blow Up and Set Off Violent Reactions

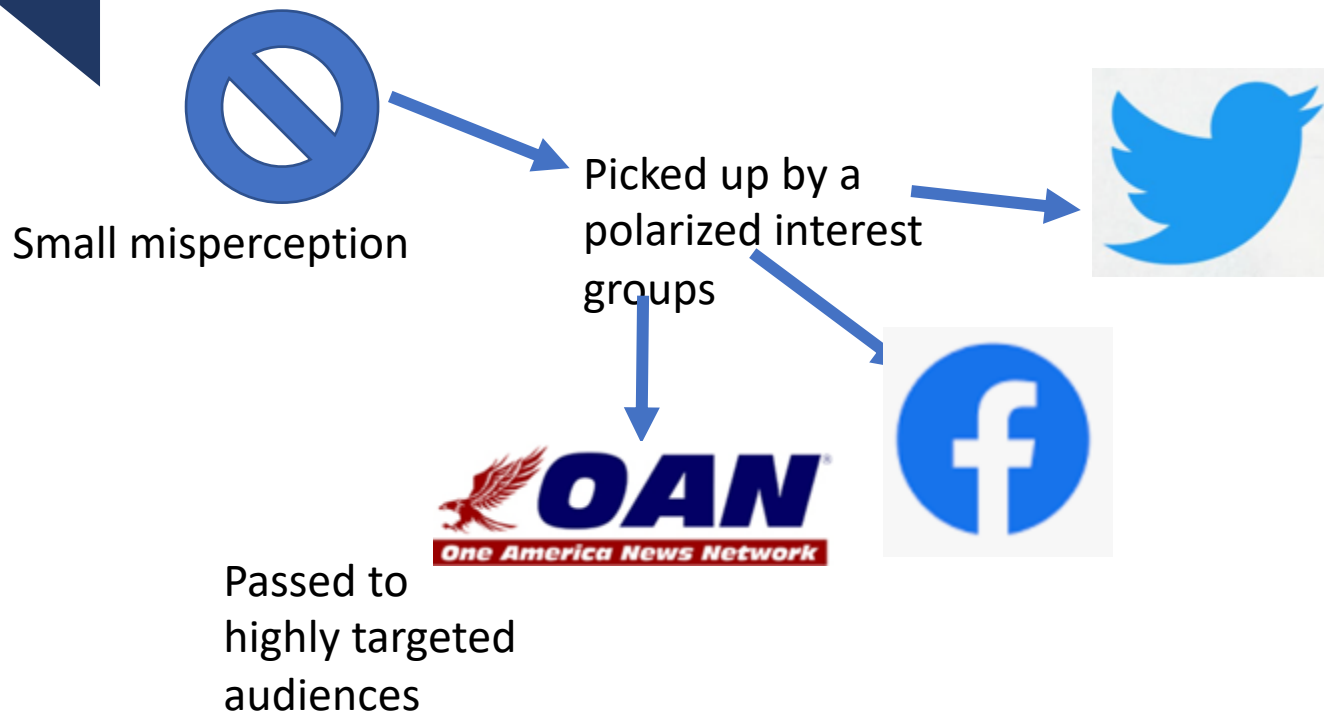


- Andrea “Shaye” Moss, a Fulton County, GA election worker was accused of adding a suitcase of fake mail ballots and passing a USB with fake information
 - In fact she and her mother, Ruby – also working on the election, moved a standard box of ballots to the table and passed a ginger mint
- Rudy Giuliani showed the video of their actions as proof of Georgia voting fraud
- One America News Network picked it up and it rapidly spread on social media
- The women got death threats and the false accusation became one of many “proofs” of the fraudulent 2020 election



Wandrea "Shave" Moss, a former Georgia election worker, is comforted by her mother Ruby Freeman. ...

Distrust, Polarization, and Information Now Form a Poisonous Mix



Almost instantly spread to millions.

Wide Audience opinion channels "People are saying", "I wonder if", etc.

A day later – small news outlet –oops this seems to be a mistake

So What Can Be Done? Traditional Legal Recourse?



- Libel/Defamation
 - Don't underestimate impact on traditional media (Dominion v. Fox)
 - Section 230 protects digital providers from libel suits
- But not poster/tweeter/author
 - Difference v. print, broadcasters – both author and media can be sued
- Inuendo v. facts
 - Protection of opinion
- Libel/Defamation Difficult to prove in best of circumstances
 - Disappearing evidence (delete postings)
 - Anonymity
 - Speed and volume of transmission v. legal process



Musk called British cave explorer (Thailand cave rescue) "Pedo Guy" and won

Regulation? Juggling an Elephant?



- Regulating non-traditional media – overwhelming? Every minute there are
 - 510,000 comments on Facebook
 - 456,000 tweets on Twitter
 - 4.48 Billion users worldwide (2021)
- Repeal Section 230? Know Your Customer (KYC) requirements?
 - KYC heavily regulated for financial institutions, other commercial transactions
 - OkHi – other new third party services (precedent in domain name management?)
 - ID Bots?
 - Musk proposal: pay for Tweets from verified users
- As of July 2022 European Union requiring content moderation
 - Proving difficult to enforce
- Intellectual property protected
 - Also proving difficult to enforce
- Companies can (without violation of First Amendment) have policies that limit acceptable content
- States starting to regulate
 - CA – against COVID Disinformation
 - But TX opposite direction – prohibits banning users based on their political views

But New Regulation Not Out of the Question



- Threat of regulation = powerful incentive for self regulation
 - Movies, computerized airline regulation systems, TV ad content. Most have occurred when there was a credible threat of government regulation *HBR 1/15/2021*
 - Some already happening (Facebook tagging disinformation in political ads)' subcontracting to fact checkers
 - Considerable Congressional attention around harm to children, privacy
 - CA Bill holding social media companies liable for harm to minors
- Congress – constituents want reform
 - In a recent survey 86% of respondents agreed there are individuals or groups deliberately spreading political disinformation
 - 30% said misinformation was the most significant threat to democracy – more than gerrymandering and voter fraud
 - Klbochar legislation-focus on harm to kids; requiring data, algorithms

New Business Models Could Make Scrutinized Content More of a Revenue Source



- Might advertisers pay a premium to be placed with fact checked content?
- Subscriptions? (see Twitter)
- The most regulatory progress so far has been on restricting the use of personal data – which is critical to current social media targeting
 - Apple imposing on social media providers
 - Need to meet European standards
- Extensive research may drive continued evolution
 - Much oriented to cyber security or law but produces extensive findings on user reactions
 - Stanford Internet Observatory, Yale Information Society Project, Harvard Kennedy School Misinformation Review, etc/
 - One interesting theory “inoculation” against misinformation with information
 - Election administrators using against election deniers



11/15/22

Growing Fact Checking Industry

- 195 independent fact checking organizations as of 2019
Columbia Journalism Review Fall 2019
- Some such as Poynter Institute philanthropy funded (including funding from Google and social media providers)
- Washington Post and other traditional newspapers now include in weekly features



American Journalism Project



Traditional News -
Maybe the Truth
Hunting Middleman
Survive?

- Newspaper circulation has gone from 63.2 MM in 1990 to 24.8 MM (print and digital) in 2020 *Pew Research State of the News*
- Some of the loss has been picked up by not for profits



What Solutions Do You Think Have the Most Hope of Reducing the Damage from Disinformation?



- A. Traditional libel/Defamation
- B. Know your customer requirements
- C. Required content moderation
- D. Industry self regulation

What Solutions Do You Think Have the Most Hope of Taking Effect?



- A. Traditional libel/Defamation
- B. Know your customer requirements
- C. Required content moderation
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Can We Address Some of the Root Causes That Make Disinformation So Dangerous? Encourage F2F Debate



- Reimagine opportunities for face to face Debate
 - Regularly scheduled forums sponsored by neutral organizations such as the League of Women Voters
 - Year of national service required of all by age 25
 - Put citizens of different beliefs and from different geographies together
 - Potential to increase positive national pride

Can We Address Some of the Root Causes That Make Disinformation So Dangerous? Reform Government to Improve Trust

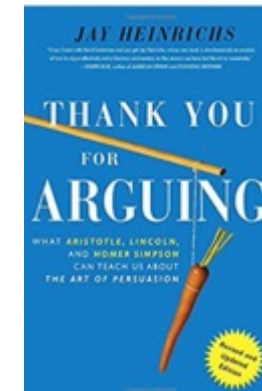


- Improve trust in government to reduce susceptibility to conspiracy theories
- Reform Elections Now recommendations to improve trust in government
 - Open non-partisan primaries (top two or top four)
 - Reduces dominance of partisan extremists
 - Reduce gerrymandering
 - Make politicians compete for our votes instead of having a “dependable” seat in Congress
 - Improve access to voting and trust in election administration
 - If we can’t eliminate massive political contributions, make them more transparent

There are Thing You Can Do Right Now to Fight Disinformation



- School yourself on logical fallacies and your own mental cul de sacs
 - There are lots of resources – here are two
- Sign up for fact check newsletters
- Subscribe to your local paper and a national paper
- Engage in face-to-face community debate
- Listen to “opposition” news media
- Donate to NFP journalism and public broadcast
- Continue to work on REN recommended reforms



Working Conclusions



- Disinformation remains a danger to democracy
 - Highly targeted cable TV and radio continue to skew content they choose to cover; audiences confuse opinion and news
 - New digital media – still the wild west; largely regulation free
 - Traditional mediated channels – network TV news, print journalism – losing audiences to these new media alternatives
- Changes in civil society have made it worse
 - Reduced trust in government
 - Lack of cross-cultural personal interaction and debate
 - Public discourse often dominated by extreme minority
- But there are things that can be done
 - Be honest with yourself about your own predispositions
 - If you're an advertiser, don't support disinformation
 - Support business models – including traditional journalism – that put a premium on logic and evidence
 - Support legal actions and regulation that make sense

Next Steps



Disinformation a huge topic under study by NFP's, universities and government

- REN will be continuing to track

Election denial

- A serious disinformation symptom
- Again and again, major election fraud has been disproven
- But a significant % of the population still don't accept results
- REN will also be following up on this specific disinformation issue
 - What are the concerns of election deniers?
 - What can be done to address their concerns?