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Contending with Deliberate Online Falsehoods: Constructing Underlying Principles for the Selection of Responses

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I. Introduction

1. Fake news is not new – consider for example the panic caused by the radio transmission of an adaptation of H. G. Wells’ *The War of the Worlds* in 1938 in the United States as well as the role played by the rumor of tallow and lard-greased cartridges in the Sepoy Mutiny of 1857 in India. Notwithstanding this, the issue poses a greater challenge now.
2. The challenge stems from both the velocity, intensity, and extensity of information. Information today moves far more rapidly (velocity), comes at a greater volume (intensity), and reaches more people than ever before (extensity). Confronted with this torrent of unrelenting information, individuals can inadvertently believe, and sometimes act, on incorrect information – a condition of modern society ripe for manipulation by those seeking to destabilize society.
3. This paper is based on two truth conditions. (1) There is no silver bullet capable of shielding society from deliberate online falsehoods. (2) Any response to deliberate online falsehoods has to be both multidimensional and comprehensive.
4. If the menu of responses is extensive, what guiding principles should inform selection? How can Singapore decide on the measures it should take in order to protect itself from what it does not want (i.e. deliberate online falsehoods) in order to protect what it wants (i.e. the availability of the information necessary for a polity able to debate issues). This paper forwards two guiding principles to aid the selection of responses. The first principle would be that any response should target only falsehoods purposefully distributed to undermine a society. The second principle would be that measures put in place will not reasonably be expected to stifle the frank and healthy exchange of opinion and ideas required for a functioning democracy.
5. The paper has two parts. Part one constructs the first principle by establishing the kinds of deliberate online falsehoods Singapore should be concerned with. Part two develops the second principle by discussing the kind of information requiring protection for the free and open discussions essential for a democratic polity.

II. Unpacking Falsehoods for the First Principle

6. Online falsehoods should be understood as a range of phenomena split into six categories on a spectrum based on the degree of threat they pose to society.¹ Listed in descending order based on the degree of threat posed, they are:
 - a. Falsehoods knowingly distributed to undermine society;
 - b. Falsehoods distributed for financial gain;
 - c. Sloppy/poor journalism;
 - d. Relativization of fact for political purpose;
 - e. Differing interpretation of facts based on ideological bias;
 - f. Parody.
7. Category (a) is the greatest threat to society. Examples abound and several discussed in the *Green Paper on Deliberate Online Falsehoods: Challenges and Implications*. These include claims of Russian organizations distributing disinformation to support election in the Baltics, the US and France.
8. For category (b), falsehoods are distributed to attain revenue from advertising. Examples include the Macedonian disinformation “boiler houses” that invented fake stories on the US presidential election.² While the destabilization of a state may not be the intended outcome, this form of fake news can have a similar destabilizing effect on a polity as those in the first category.
9. Category (c) – misinformation from sloppy/poor journalism – has been something states have had to contend with since the birth of journalism. An example would be the UK’s *Sun* newspaper publishing falsehoods of the actions of Liverpool Football Club supporters during the Hillsborough tragedy.³
10. Category (d) emanates from groups or individuals seeking to relativize facts for political gain. The most recent example of this would be Trump’s labelling of any news report that challenges his own perspective of events as “fake news”.

¹ There are other attempts to categorize fake news. See for example, Damien Tambini. (2017). “Fake News: Public Policy Responses”. *Media Policy Brief 20*. London: Media Policy Project, LSE.

<http://www.bbc/future/story/20170301-lies-propaganda-and-fake-news-a-grand-challenge-of-our-age>

² Samantha Subramanian, (2017). “Inside the Macedonian Fake-News Complex”, *WIRED*, Feb 15.

<https://www.wired.com/2017/02/veles-macedonia-fake-news/>

³ David Conn, (2016). “How the Sun’s ‘truth’ about Hillsborough unraveled”, *The Irish Times*, April 27.

<https://www.irishtimes.com/news/world/uk/how-the-sun-s-truth-about-hillsborough-unravelling-1.2625459>

11. Category (e) stems from the different manner events and issues are framed and understood stemming from individual ideological biases. For example, conservative news outlets may interpret harsh new immigration laws in a positive light while liberal outlets would not.
12. Category (f) is the creation of fake stories for entertainment. Examples would include the UK's *Punch* magazine and the online site *The Onion*. A by-product of this form of fake news is that some may take the parody to be true. For example, China's *People's Daily* republished an *Onion* article claiming that North Korea's Kim Jong Un was voted 2012's sexiest man alive.⁴
13. Arguably, with regard to the threat posed to a polity, the effects of categories (a) and (b) demand some form of state response. The malicious spreading of disinformation can undermine elections, sow discord, and lead to conflict.
14. Measures are already in place to correct the mistakes made in Category (c). Professional journalistic standards of sourcing determine what can be published, different press houses watch each other, and legal action if need be can be taken. Category (d) – the relativization of facts – cannot be attended to as it is part of political hustling while Category (e) and (f) are part and parcel of the fourth estate.
15. What Category (a) and (b) share in common besides being the most threatening to a polity on the spectrum is that there is malicious intent stoking their creation.
16. As such, the first principle guiding the selection of deliberate online falsehoods should be: “Responses selected should solely focus on online falsehoods created deliberately in order to undermine the state”.

III. Information We Require: The Second Principle

17. Following from knowing what we have to protect against, the second principle should act as a guide to protect what is required for a democratic polity to thrive.
18. With no one in possession of absolute truth, responsible open discussion and the free exchange of opinion and ideas are key to a healthy democracy. Hence, what we require is for the flow of information – through the guarding of free speech – to be protected. This point is of course not novel. The need for both free expression and discourse was expressed by Socrates in Athens during his trial; Erasmus was of the view that ‘[i]n a free state, tongues too should be free’; and John Stuart Mill warned against the policing of the market place of ideas as it would turn uncontested beliefs into meaningless dogma.

⁴ Simon Scott, (2012). “Sexiest Man Alive Gets 'The Onion' Taken Seriously”, NPR Weekly Edition Saturday, Dec 1. <https://www.npr.org/2012/12/01/166293306/the-onion-so-funny-it-makes-us-cry>

19. The danger of subjecting information to the vetting of a select few tasked with deciding whether it is true or false cannot be overstated. As a senator in France, Bruno Retailleau, has warned, perhaps in a democracy “misinformation is better than state information”.⁵ This situation – where discourse may be contaminated by disinformation – may not be ideal but the alternative – the policing of information – is far worse.
20. As such, the second principle guiding the selection of deliberate online falsehoods should be: “Responses selected will not reasonably be expected to stifle the frank and healthy exchange of opinion and ideas required for a functioning democracy”.

IV. Recommendations

21. To reiterate, the two possible guiding principles based on the form of disinformation we should protect ourselves from and the type of information we require to be a democracy are:
 - a. Responses selected should solely focus on online falsehoods created deliberately in order to undermine society;
 - b. Responses selected will not reasonably be expected to stifle the frank and healthy exchange of opinion and ideas required for a functioning democracy.
22. If indeed these are to be the two principles guiding decision-making, what forms of responses require more debate as opposed to others? In general, suggested responses to deliberate online falsehoods can be clustered into five categories.⁶ They are:
 - a. Government legislation to make the spreading of falsehoods illegal;
 - b. Self-regulation on disinformation by social media platforms;
 - c. The debunking of falsehoods;
 - d. Reducing the financial incentive for the creation of falsehoods;
 - e. Instilling critical thinking and media literacy within the polity.
23. From the five, it is possible to argue that category (a) and (b) requires a careful application of the two principles when responses are discussed. For category (a), laws frequently fail to keep pace with technological development and are often easy to implement. In addition, it is difficult to anticipate second and third order effects after their employment and they can also be challenging to alter. For category (b), it is prudent to be cautious on how much the regulation of information should be left in the hands of private enterprise. Profit-driven

⁵ Yasmeen Serhan, (2018). “Macron’s War on ‘Fake News’”, *The Atlantic*, Jan 6.

<https://www.theatlantic.com/international/archive/2018/01/macrons-war-on-fake-news/549788/>

⁶ For a discussion on these five categories, see, for example, Norman Vasu, Benjamin Ang, Terri-Anne Teo, Shashi Jayakumar, Muhammad Faizal Bin Abdul Rahman, Juhi Ahuja, (2018). “Fake News: National Security in the Post-Truth Era”, *RSIS Policy Report*, January 18. https://www.rsis.edu.sg/wp-content/uploads/2018/01/PR180119_Fake-News-National-Security-in-Post-Truth-Era.pdf

enterprises may not be equipped to make decisions on what is false, and moreover, may not have the public good at heart.

24. For categories (c) to (e), none offers a silver bullet solution. They require different lengths of time to have a positive impact – for example, finding a manner in which to reduce the financial incentive for the creation of falsehoods will result in an almost immediate reduction in its creation but the instilling of critical thinking and media literacy within the polity will take time before rewards are attained. Others have to work in unison – the debunking of falsehoods will only find full traction with a significant proportion of society when critical thinking and media literacy are instilled. Regardless, none of the three conceivably are affected by the two principles significantly.
25. While the principles constructed here may not unanimously be agreed upon, the suggestion that there is a need for a clearly articulated set of principles to guide the selection of policy responses surely will encounter little resistance.