

THE MENACE OF FAKE NEWS AND ROLE OF SOCIAL MEDIA: A STUDY IN INDIAN CONTEXT.

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Introduction:

Fake news or false news includes news, stories or hoaxes, purposefully created to misinform or deceive the people at large. These are aimed at creating confusion, push a political agenda or influencing public's views on certain issues. Fake news is not a new phenomenon. In the 18th and 19th centuries, fake news was an accepted norm in the print media. Further in the year 1830 and onwards, the penny press were introduced which brought into its wake sudden proliferation of sensational news and gossips. The rapid growth of such type of sensational and cheap journalism proved to be a major catalyst for pushing United States into war with Spain in 1898.

The present era belongs to the Internet and social media. In the words of Rod Smolla, "The Internet and social media have made our public discourse more robust than ever. Everyone with a connection has a voice. No longer are mainstream media outlets the gatekeepers on the settlers of agendas. This is an epoch of democratization, few barriers to entry, virtually universal access, and (for those who choose it) anonymity."² With the onset of Internet era, there is a paradigm shift in the dissemination process of news, stories etc. Traditionally, our daily newsfeed used to arrive from trusted sources, journalists and media outlets. These were required to follow strict code of practice. However, the internet-enabled news and information have very little regulation or editorial standards. Further, there is explosion of communication and discourse through internet-driven social media. As a consequence, there may be less thoughtfulness, less reflection, less attention to factual accuracy. There is always a possibility of the beginning of a channeling tendency, through which like-minded people communicate with like-minded people, with less exposure or authentic dialogue with people having different wavelengths. The renowned journalist and political commentator Walter Lippman has aptly described the situation by observing that people "live in the same world, but they think and feel in different ones."³

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² Rod Smolla, Free Speech, Fake News, and Social Media, available at <https://www.mediainstitute.org/2017/10/18/free-speech-fake-news-and-social-media/>, accessed on 1.7.2018.

³ Rogers Brubaker, Hyperconnectivity Allows Demagogues to Micro Target and Manipulate the Masses, available at <http://www.Zocalopublicsquare.org/2017/11/29/forget-fake-news-special-media-making-democracy-less-democratic/ideas/essay/>, accessed on 1.7.18.

In *Packingham Vs. North Carolina*,⁴ U.S. Supreme Court, through Justice Kennedy has rightly observed regarding the overall impact of the so-called Internet revolution thus:

"While we now may be coming to the realization that the Cyber Age is a revolution of historic proportions, we cannot appreciate yet its full dimensions and vast potential to alter how we think, express ourselves, and define who we want to be."⁵ Thus, we have to remain cautious about the outcomes of so-called "Internet-age". There are undoubtedly, many good things coming out of this era like expansion of knowledge domain and connectivity with each- other, to name a few, yet there are certain dark corners also. Fake news is, certainly, one of them. Rogers Brubaker has observed in an article that "Digital hyper connectivity has created a media and information ecosystem that is distinctively vulnerable to the propagation of fake news in the service of profit or propaganda. But fake news is only the tip of a much larger iceberg."⁶

Recently, three researchers associated with Massachusetts Institute of Technology- Soroush Vasoughi and Deb Roy of the MediaLab, and Sinan Aral of Sloan School of Management- joined together to study how true and false news spread in social media.⁷ The researchers studied 1,26,000 stories tweeted by approximately three million people more than 4.5 million times between 2006 and 2017. As per the findings of the research, the false news spreads "farther, faster, deeper and more widely" than true news. This difference was not due to bots and automations, but to the efforts of human tweeters. The persons tweeting false stories typically have fewer followers, follow fewer people, and have been on twitter for a relatively short time. The study also found that false news diffused to between 100 and 100,000 people routinely, whereas truth only reached up to 1,000 people. They also found that falsehood was 70% more likely to be retweeted. According to the researchers, the emotions inspired by the two types of news, are the key reasons behind this. It was also found that false news inspired surprise and disgust, truth caused sadness, anticipation, joy and trust. Evidently, the former set is more powerful.

⁴ 137 s.Ct. 1730 (2017).

⁵ Cited in Rod Smolla, Free Speech, Fake News, and Social Media, available at <https://www.mediainstitute.org/2017/10/18/free-speech-fake-news-and-social-media/>, accessed on 1.7.2018.

⁶ Rogers Brubaker, Hyperconnectivity Allows Demagogues to Micro Target and Manipulate the Masses, available at <http://www.Zocalopublicsquare.org/2017/11/29/forget-fake-news-special-media-making-democracy-less-democratic/> ideas/ essay/, accessed on 1.7.18.

⁷ Soroush Vosoughi, Deb Roy, and Sinan Aral, The Spread of True And False News Online, available at Science, [googl/ ohFa68](https://doi.org/10.1126/science.1257530), accessed on 19.7.2018.

“There is a term for explaining this phenomenon- confirmation bias. This means that people are more likely to accept information that confirms their world view. Confirmation bias leads to creation of echo chambers where closed groups of virtual friends reinforce a pre-existing perception of the world, no matter how flawed that is.”⁸

The above -mentioned results of the research clearly shows that still people do believe in fake news. According to Arie Kruglanski's article from Huffington Post,⁹ it is due to the "psychology of motivation". He further observes that "Basically, we humans have a conscious desire for information, and because of that natural desire for information we will be likely to respond to any messages that agree with our wishes and desires." Kruglanski notes that "two types of motivation are particularly relevant here; the need for certainty in times of turmoil and change, and the need to specific outcomes."

The present study focuses on the fast-spreading phenomenon of fake news, types of fake news, its impact worldwide, especially in the U.S.A. and India and also the preventing measures to combat this menace.

Types of Fake News:¹⁰

1. Clickbait

With a view to gain more website visitors, certain stories are deliberately fabricated. This is also done to increase revenue for website from advertising. Sensationalist headlines are taken care of to concoct clickbait stories at the expense of truth and accuracy.

2. Propaganda

These are the stories which are meant to mislead audiences and to promote biased point of view or particular political cause or agenda.

3. Satire / Parody-

Fake news stories are also published on some websites and social media sites for entertainment and parody. Some notable examples are: The Onion, Waterford Whispers, The Daily Mash, etc.

⁸ Editorial, Times of India, dt. 18.12.2016.

⁹ available at <https://www.huffingtonpost.com/why/do/people/believe-fake-news-us-59bc73dde4b06b71800c396f>, accessed on 19.7.2018.

¹⁰ Explained: What is Fake News?, available at <https://www.webwise.ie/teachers/what-is-fake-news/>, accessed on 1.7.2018.

4. Sloppy Journalism

This is a form of journalism where reporters or journalists publish a story with unreliable information or without checking all of the facts which can be misleading for the viewers. For example, Urban Outfitters, a fashion retailer, published an Election Day Guide during U.S. elections, asking the voters for a 'voter registration card' which was not required by any state in the U.S. for the purpose of voting. This was a clear attempt to mislead the people.

5. Misleading Headings

Sometimes stories that are not entirely false are distorted by using misleading or sensationalizing headlines. These news spread quickly where only headlines or snippets are displayed on the website.

6. Biased/ Slanted News

People are generally, drawn to news or stories which confront their own beliefs or biases. Fake news can prey on these beliefs and biases. Basing on the personalised searches, social media news feeds tend to display news and articles as per the likes of their audiences.

7. Spam¹¹

Spam is fake news that targets a specific person. This is very common experience when a private message stating that an account has been compromised, and personal information is demanded by the person who delivers the private message. Another example of spam on social media is the various links that exist in comment sections. These are both examples of fake personal news.

Fake News: Impact in U.S.A.

“The last decade,” observes Rogers Brubaker, "has seen a transition from connectivity to hyper connectivity." He further states that the share of the United States population over age 14 with a smart phone soared from a mere 11 percent at the end of 2008 to 75 percent at the end of 2014. The same period saw the explosive growth of social media. Regular Facebook users amounted to only 13 percent of the US population at the end of 2008 but just four years

¹¹ Fake News, How Do We Know What's Real?, available at <http://jordananne.com/uncategorized/essay/1-fake-news->, accessed on 1.7.2018.

later they made up more than half the population (and of course a much higher fraction among younger people). Worldwide, Facebook had 10 times as many users by the end of last year- nearly 2 billion- as it had in 2009. Twitter users increased more than six- fold in the United States from 2010 to 2014, growing from 10 million to 63 million. More Americans under 50 today regularly get news online than from television.¹²

During 2016 US presidential elections, these media platforms conspicuously played a vital role. According to the research titled " Social Media and Fake News in the 2016 Election" authored by Hunt Allcott and Matthew Gentzkow, "Social Media platforms, such as Facebook, have a dramatically different structure than any previous media technology. Content can be relayed among users with no significant third party filtering, fact checking, or editorial judgment, and an individual user with no track record or reputation can in some cases reach as many readers as Fox News, CNN or the New York Times."¹³

After Donald Trump's victory in U.S. Presidential Polls in 2016, the political role of Facebook and the Google is being scrutinized. So many fingers are being raised towards the fake news stories online as a reason for this incredible victory. Craig Silverman, BuzzFeed News Media Editor, in his article, "Here are 50 of the Biggest Fake News Hits on Facebook From 2016,"¹⁴ has observed thus: "Twenty-three of the 50 top-performing fake news hoaxes we found on Facebook were focused on U.S. politics. Overall, fake news about US politics accounted for 10.6 million on the 21.5 million total shares, reactions, and comments these English-language stories generated on Facebook this year, according to the analysis."

During the 2016 presidential election, the republican candidate, Donald Trump, is alleged to have created couple of false news in his favour and got them posted online. To begin with, one such fake news was regarding Pope supporting him, which was titled as "Pope Francis Shocks World, Endorses Donald Trump for President, Releases Statement."¹⁵ Many people got carried away by this false news and their perspectives towards Donald Trump were changed, though temporarily, because of it. Another example of false news on social media

¹² Rogers Brubaker, Hyper connectivity Allows Demagogues to Micro-Target and Manipulate the Masses, November 29, 2017, available at <http://www.Zocalopublicsquare.org/2017/11/29/forget-fake-news-social-media-making-democracy-less-democratic/ideas/essay/>, accessed on 1.7.2018.

¹³ Hunt Allcott and Matthew Gentzkow, Social Media and Fake News in 2016 Election, available at <https://web.stanford.edu/~gentzkov/research/fakenews.pdf>, accessed on 19.7.2018.

¹⁴ available at <https://www.buzzfeednews.com/article/craigsilverman/top-fake-news-of-2016>, accessed on 19.7.2018.

¹⁵ Brett M. Christensen, No. The Pope Has Not endorsed Donald Trump for President, available at <http://www.hoax-slayer.net/no-the-pope-has-not-endorsed-donald-trump-for-president/>, accessed on 19.7.2018.

that was published titled as "Hillary Clinton was too ill to serve as president." This false news had a tremendous effect on people's opinions about the election and it was posted on social media sites by many Trump's supporters that Clinton had AIDS. Thus, false news had been widely used in 2016 presidential election and such news, arguably played a huge role in shaping the outcome of the election.

Public discussion and argument are the core elements of democracy. Democracy depends on these basics. If political persuasion is operated behind the scenes through individualized targeting, inaccessibility to public debate is the natural outcome. The individual so targeted remains unaware of being targeted and as a consequence, it cannot be engaged or countered. Siva Vaidyanathan, in his recent book, 'Anti-Social Media- How Facebook Disconnects us and undermines Democracy' has aptly described the situation as such: "Whether one called the phenomenon" fake news", "propaganda", "garbage", or "disinformation", the result was the same" a constant and alarming undermining of public trust in expertise and the possibility of rational deliberation and debate. This struggle to reinforce standards and methods of asserting truth and establishing trust hit the United States in 2016, after Americans woke to the realization that Donald Trump had masterfully exploited Facebook during his campaign and that forces aligned with Russia had spread misinformation widely across various Facebook groups in hopes of undermining faith and trust in democracy."¹⁶

Fake News and the Indian Scenario:

As mentioned earlier, fake news with the technological back-up in the present era can travel to farthest points with a lightening speed. It has become a potent instrument of spreading rapidly panic and anger. This is happening in different ways across the world, but in India the problem has assumed distressing proportions. For example, an unrelated video of an act of violence went viral out of blue and fuelled communal riots in Muzaffarnagar (U.P.) in 2013. Similarly several fake social media videos and messages containing similar themes of outsiders stealing children have claimed multiple lives across the country in the past few months. The spread of fake news and its evil consequences are not limited to the problem of law and order only. There are other fields also which can be summarized as under.

¹⁶ Siva vaidhyathan, Anti-Social Media- How Facebook Disconnects us and Undermines Democracy, Oxford University Press, New York, 2018, p.11

1. Fake news and Mob Lynching:

According to an investigation done by the Indian Express, published on 6 July, 2018, 27 people lost their lives in 15 cases of lynching spanning 9 states of the Indian Union by frenzied mobs blinded by viral rumours of child-kidnapers on the prowl in the last one year. The States that were affected with the incidents comprised Assam, Tripura, Jharkhand, West Bengal, Chhatisgarh, Telengana, Tamil Nadu, Karnataka and Maharashtra.¹⁷ In the last three years, 50 people were killed by cow protection vigilantes attacking traders for transporting cattle and beef.¹⁸

The most commonly used social media platform as a source of misinformation has been none other than WhatsApp. "Indian accounts for nearly a fourth of WhatsApp's 1 billion global users. Each day, over 200 million users wake up and hunch over their Smartphones to exchange 'Good morning' greetings, pictures, videos and messages. It is a powerful communication tool used by governments and citizens to instantly disseminate information to multiple recipients, thanks to its ability to support group chats."¹⁹

In a Writ Petition, Tehseen S. Poonawalla Vs. Union of India and others,²⁰ the Hon'ble Supreme Court while deciding on the issue of mob lynching, issued certain guidelines also in this regard. The Supreme Court directed as following:

"(x) It shall be the duty of the Central Government as well as the State Governments to take steps to curb and stop dissemination of irresponsible and explosive messages, videos and other material on various social media platforms which have a tendency to incite mob violence and lynching of any kind.

"(xi) The police shall cause to register FIR under Section 153A of IPC and/or other relevant provisions of law against persons who disseminate irresponsible and explosive messages and videos having content which is likely to incite mob violence and lynching of any kind."

The Central Government has issued advisory to the States and it has also urged the States to check lynching fuelled by child-lifting rumours.²¹ The Government has also warned WhatsApp that it cannot evade accountability and responsibility" over its platform being used

¹⁷ The Indian Express, dt. 6.7.2018.

¹⁸ India Today, dt. 23.7. 2018, p.44.

¹⁹ Sandeep Unnithan, Death by WhatsApp!?, India Today, dt. 23.7. 2018, p.46.

²⁰ Writ Petition (Civil) No. 754 of 2016, decided on July 17, 2018.

²¹ Economic Times , dt. 6.7.2018.

to spread rumours that have resulted in the death of innocent people in India. It has asked the Facebook owned messaging platform to use technology to curb such rumours.²² WhatsApp published an advertisement on 10.07.2018 giving out 'easy tips' that can help users decide if "something sent to you or WhatsApp is true."²³ No further technological corrective measures have been taken so far by WhatsApp in this regard.

(ii) Fake News and Elections:

Fake news online too play a crucial role in the general elections. The recent example is the 2016 U.S. Presidential elections where, according to a whistleblower, Christopher Wylie, UK based company, Cambridge Analytica used illegally- obtained data of 50 million Facebook users to influence the result of the US presidential election and the voting on Brexit. Though controversy has not yet finally settled and the probe is on at different levels in different countries, yet the debate is raging regarding misuse of social media data of the users to influence important political outcomes. The Election Commission of India has also taken cognizance of the matter and the role of Cambridge Analytica in context of Indian elections is under scanner.

“In early March, ‘Siddaramaiah dance’ was among the most searched words on google. The phrase which would throw up the video of a farmer, bearing an uncanny resemblance to the State's Chief Minister, dancing to a raunchy Kannada song. The video clip was widely inculcated to discredit the Karnataka Chief Minister, Siddaramaiah, who was trying to win the assembly elections a second time. The spread of this fake news was halted only after a farmer from the state's Mysuru region owned up that it was him and not the CM doing a jig. The ‘Siddaramaiah dance’ is only the latest in a slew of false news that has been spreading like wildfire on social media.”²⁴ This is just an example of false and fake news which find an easy way through social media to influence the mood of the voters. This is a danger signal for the democratic process of elections in a democratic country like India. The Election Commission of India is seized of the matter and "is working to establish a mechanism to prevent fake news from influencing poll outcomes and vitiating the atmosphere during the democratic exercise."²⁵

²² Economic Times, dt. 4.7. 2018.

²³ Together We Can Fight False Information, WhatsApp, Hindustan Times, dt. 10.7. 2018.

²⁴ Surabhi Agarwal, In Poll Season, Experts Fear Onslaught of Fake News, Economic Times, dt. 26.3. 2018.

²⁵ Smriti Kak Ramachandran, Fake news now on Election Commission's radar, Hindustan Times, dt. 6.7. 2018.

3. Terrorism and Fake news:

India is currently witnessing the ugly face of terrorism, especially in the state of Jammu and Kashmir. The role of fake news is quite evident in aggravating the situation there. Social media platforms like Twitter and WhatsApp are the main sources of spread of fake news. Viral video that capture militants of leisure, video of alleged rights excesses by forces and frequent gags on internet are proving to be potent influencer of certain sections of Kashmiri populace. WhatsApp is being used to gather stonepelters whose admins in large number are staying abroad. The State Govt. has to resort to block twitter accounts of local people umpteen times. The militants and terrorist from across the border are proving a big stumbling block in the peace process in Kashmir with the help of spread of fake news, stories and video clips on social media.

Preventive Measures:

1. False news stories are manifestly a symptom or indicator of a deeper or more systemic problem of public knowledge. Hence, it is imperative that while addressing the problem of fake or false news, the strategies must take into account this larger problem and not focus merely on fake news.
2. That problem is multi-faceted i.e. it includes economic, political, and cultural aspects also. It is not confined to technological aspect only. Hence, one cannot simply look for technological solutions.
3. Social media platforms like Google, Facebook, Twitter, and other social media platforms must be held accountable and responsible as public institutions and de facto news publishers. The plea of 'being neutral platforms' does not hold water. They have to step up ex-post-checking on the stories that have been flagged as problematic.
4. This is the high time to strengthen the public broadcasting system and the forms of public journalism in the backdrop of the crisis of public knowledge.
5. There is an urgent need to relook at the existing system of educating the public and making them aware of such menace like fake news. This has become imperative to reinvent proper measures to quality wise increase the level of digital literacy of the people.
6. More efforts need to be directed towards reclaiming and rebuilding a space of genuinely public discussion and debate to counter the growing negative influence of digital ecosystem.

7. Primarily, the way to control fake news lies within oneself. One should check their own self to believe or not, rather than verifying it through different websites and fancy tools. Application of mind is most important in this regard.
8. The phenomena of fake news can be effectively controlled through collective responsible actions by the means of governmental regulation, education policy, literate society, technology and application.

Conclusion:

Justice Oliver Wendell Holmes had observed in *Abrams Vs. United States* that "the best test of truth is the power of the thought to get itself accepted in the competition of the market." The speed at which the fake news or false news is spreading and influencing the minds of the people through social media is a real portent of things to come in future which is, indeed, ominous. It appears that power of thought or the truth is losing in the competition of the market. Fake news is taking the toll of very basis of a democracy i.e. the electoral process. It is a great destabilizing factor in regard to inner peace and stability of a country through the expansion of terrorism with the help of fake news easily available on social media. The world is witnessing newer kinds of damages to world polity with the growing menace of fake news.

In Indian context also, all is not well. What is urgently needed is a strong data protection law. It is hoped that recommendations of Justice B.N. Srikrishna Committee will pave the way in this regard. But putting blame on social media platforms like WhatsApp alone will not do. While such sites owe a primary duty to introduce necessary technological changes in order to put a check on the dissemination of fake news, the role of law enforcement agencies and the civil society is no less important. The former is required to apprehend the culprits without undue delay and sincerely pursue the criminal cases to their logical end. At the same time, civil society has a greater role to play. Creating awareness among masses to filter fake news from the truthful content dishing out by the social media online is urgently needed. This needs to be done continuously. Secondly, countering of fake news stories, videos etc. by producing correct and factual video clips and propagating them among the masses by many aware and educated people will go a long way in curbing this pernicious menace. Governments should also do it using the audio-visual mediums of Radio and Television. Only a holistic approach can work in curbing the evil effects of fake news and for this the government and the civil society will have to work together. We should always remember the haunting words of Albert Einstein: "It has

become appallingly obvious that our technology has exceeded our humanity". Our combined endeavour only can stem the rot before it is too late.

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