



SERRC
Social Epistemology
Review & Reply Collective

<http://social-epistemology.com>
ISSN: 2471-9560

The Trouble With 'Fake News'

David Coady, University of Tasmania, David.Coady@utas.edu.au

Coady, David. 2019. "The Trouble With 'Fake News'." *Social Epistemology Review and Reply Collective* 8 (10): 40-52. <https://wp.me/p1Bfg0-4w5>.

There is a growing body of literature, both popular and academic—including Alfano and Klein and Meyer’s contributions to this special issue—that holds that the world (or at least the Western World) is facing a new and growing problem that goes by the name ‘fake news’. I argue that this all wrong. It’s true that the world (and especially the Western World) is facing a new and growing problem, but the problem is not fake news, it is the term ‘fake news’.

This term has been deployed by governments and other powerful institutions (especially technology companies) to restrict the dissemination of claims they find objectionable, and, in the process, to restrict basic freedoms, including freedom of speech and freedom of the press. I argue that although the term “fake news” has no fixed meaning it does have a fixed function, that of restricting permissible public speech and opinion in ways that serve the interests of powerful people and institutions. A recent survey by Gallup/Knight Foundation found that the majority of Americans consider fake news to be a very serious threat to democracy.¹ They are right that there is a serious threat to democracy, but the threat is not fake news; the threat is the term “fake news”.

I will not be adding my own definition of the term “fake news” to the plethora of, often contradictory, definitions to be found in the burgeoning literature. That is because I don’t think there is a correct (or even a good) definition of this term. I am committed to the normative thesis that, for both ethical and epistemic reasons, we should refrain from using the term “fake news” or any of the neologisms associated with it (such as “post-truth”) altogether.

The term “fake news” can be compared to the somewhat older term, “conspiracy theory” (another term without a fixed meaning), and both terms can be compared with the far older word “heresy”. All three terms have functioned to narrow the range of acceptable opinion and restrict the terms of acceptable debate. They are, in effect, policing devices, for the enforcement of orthodoxies, for herding opinion in ways that conform to the agendas of powerful people and institutions. The label “heresy” was once used of anyone who said anything that challenged the power of the church. In a similar way, the label “fake news” is now used of anyone who says anything that challenges the most powerful institutions of our age: nation-states and international corporations.

The epistemic panic over the putative phenomenon of fake news is very recent. Though it’s not clear who first used the term (it was used in an article in *Harper’s Magazine* as early as 1925), it only seriously entered public consciousness in the aftermath of the American Presidential election at the end of 2016. It was the *Collins Dictionary* word of the year in 2017 and though, strictly speaking, it is not a word (it is two words), it will be convenient for me to follow Collins’s lead in calling it a word for the purposes of this paper.

Although Donald Trump has claimed that he coined the word, it actually appears to have first gained traction amongst opponents of Trump, as a way of referring to certain pro-

¹ <https://knightfoundation.org/reports/american-views-trust-media-and-democracy>.

Trump news-sites originating in Macedonia.² Since then, of course, Trump has used the term repeatedly to refer to virtually any claim made by virtually anyone whom he doesn't like. Many of his critics take exception, not to the term itself, but to his alleged misuse of it, implying that the term has a legitimate meaning, a meaning that he has distorted and "weaponised". This is sometimes followed by an attempt to specify what that meaning is. Although there is a widespread consensus that Trump has misunderstood the term or is intentionally misusing it, there is no consensus at all about how it should be understood or used. If my analysis of the situation is right, this is not the first time that the emergence of a new word has been mistaken for the emergence of a new phenomenon, which is the supposed referent of that word (it's a kind use-mention error).

In what follows, I will discuss some of the ways in which several nation-states and international technology/media corporations have used the term "fake news" to narrow debate and marginalize opinions that challenge their power. I will then turn to the ways it has been deployed by academics (especially social scientists) to illegitimately marginalize and pathologise the views of people they disagree with.

Pernicious Uses of the Term "Fake News" by Nation-States and Global Corporations

On January 9 last year, the official Twitter account of Brazil's Federal Police made the following announcement:

The Federal Police will begin in the next few days, in Brasilia, the work of a special group to combat false news during the election process. The program has the objective to identify and punish authors of "fake news" for or against candidates.

This is an extremely worrying development. What do the police mean by the term "fake news"? The communication treats "fake news" as a synonym for "false news". So the Brazilian state is, in effect, claiming for itself the right to censor any news it deems to be false, and punish anyone (apparently without recourse to the judicial system) whom they judge to be responsible for it. The absence of any law that would authorize this censorship regime is no deterrent, as a top police official, Federal Police Director of Investigation and Organized Crime Eugênio Ricas, has said that if no new law is enacted to authorize it, they will invoke the archaic Law of National Security, from the former military dictatorship, which made it a felony to "spread rumours that cause panic". Eugênio Ricas went on to say that this law was too lenient because it only imposes penalties of a few months imprisonment, which he called a "very low punishment". This is a very alarming development in the world's fifth most populous nation, all the more so given that political opponents of the current regime have recently been imprisoned and, in at least one case, assassinated with serious suspicions of police collusion.³

² <https://www.youtube.com/watch?v=xN88-pb2dFo&feature=youtu.be>.

³ <https://g1.globo.com/rj/rio-de-janeiro/noticia/municao-usada-para-matar-marielle-e-de-lotes-vendidos-para-a-policia-federal.ghtml>.

Malaysia has gone one step further than Brazil, actually passing a “fake news law” that bans “any news, information, data and reports which are wholly or partly false”. Anyone who falls foul of this law faces up to 6 years in jail or fines that can exceed 100,000 American dollars.⁴ Even though the principal purpose of the law was to prevent Mahathir Mohamad from becoming prime minister again, Mahathir Mohamed is now prime minister again and one of his first acts as prime minister was to announce that he would not be honouring his pledge to repeal this law.⁵ People have already been jailed as a result of this law, and at least one of them was jailed for insulting Prime Minister Mahathir Mohamed.^{6,7} This is a salutary reminder of the unforeseen consequences of censorship regimes, and, in particular, of the way in which they can be used to turn the tables on their authors.

In April last year the Indian Government’s Ministry of Information and Broadcasting announced that it would penalize journalists who spread “fake news”, a term that it did not define. Fortunately, the government backed down later that same day after widespread outrage from India’s Fourth Estate. In the last few months, at least three African countries, Uganda, Tanzania, and Kenya, have passed laws criminalising the spreading of “fake news”. In each case there are lengthy prison terms for offenders.

Lest you think this is only a problem in the developing world, where basic rights such as freedom of the press and freedom of speech are particularly vulnerable, I’ll turn my attention to the three most powerful European countries, which are each at various stages in the process of trying to censor political speech under the pretext of stopping so-called “fake news”.

The first such attempt occurred in Germany, which in June 2017 passed the *Netzwerkdurchsetzungsgesetz* (Network Enforcement Act) which compels social media platforms to remove certain postings deemed to be either “hate speech” (another dubious term of art) or “fake news”. As a result of this new law, Twitter has suspended the account of a satirical magazine for making fun of a racist politician, Facebook has suspended the account of a Jewish group for posting a video of a man receiving anti-Semitic abuse, and YouTube has removed a Project Syndicate video examining the revival of Holocaust denial.

The man behind this particular censorship regime is Heiko Maas, Germany’s former justice minister (and now foreign minister), who rushed it into law so that it would be in place for the most recent German election. This has meant that it has (fortunately) been ill-thought out and that many of its consequences to date have been more farcical than tragic. For example, Twitter deleted one of Mass’s own tweets after people complained about him calling an anti-immigrant author an “idiot”. Having one’s tweet’s deleted or one’s social media account suspended are of course fairly mild punishments, compared to imprisonment, but these examples highlight once more the fact that the best-intentioned censorship regimes

⁴ <https://www.theverge.com/2018/3/26/17163920/malaysia-fake-news-law-proposal-election-najib-razak>.

⁵ <https://www.cnet.com/news/malaysias-fake-news-law-is-here-to-stay-new-prime-minister-says/>

⁶ <https://www.channelnewsasia.com/news/asia/mahathir-speaks-out-against-arrest-of-man-who-allegedly-insulted-10246448>.

⁷ <https://www.reuters.com/article/us-malaysia-palestinian-fakenews/danish-national-first-to-be-convicted-under-malaysias-fake-news-law-idUSKBN1110I9>.

(and this one does seem to be well-intentioned, despite being objectionably paternalistic) always result in harms that the authors of those regimes did not foresee, and often (as I noted earlier) come back to haunt them.

Developments in France are much more worrying. France has now introduced a law banning so-called “fake news” on the internet during French election campaigns. President Macron described the purpose of the law as follows:

For fake news published during election seasons an emergency legal action could allow authorities to remove that content or even block the website. If we want to protect liberal democracies, we must be strong and have clear rules.⁸

It is no exaggeration to say that Macron is advocating that we abandon liberal democracy in order to protect it. This is a particularly worrying development, because of Macron’s record of hostility to attempts by members of the French press to do their job.⁹ But this isn’t really the most important point. Even if you are naïve enough to trust Macron or the French judiciary with this power, is it a power you would trust future leaders with? Is it a power you would trust Marine Le Pen to use responsibly?

In the UK, a spokesman for prime minister Theresa May in 2018 announced plans to set up a new National Security Communications Unit to counter the growth of what he called “fake news”.¹⁰ Details are sketchy, but it appears to be modelled on the Foreign Office’s Cold War Information Research Department (IRD), which, like the proposed Fake News Unit, was set up in response to a perceived threat of Russian disinformation. The IRD’s history of targeting dissenting voices, as all secretive state-run organisations charged with controlling “information quality” do, has been well-documented.¹¹

It’s not only governments that have moved to control free speech and publication in the name of stopping this allegedly new (or, at any rate, allegedly growing) problem of fake news. Major corporations, especially media/technology giants have also exploited this emerging epistemic panic. Google, arguably the most powerful organisation in the world, not excluding nation-states, has recently changed its search algorithm, a change that it justifies in the name of stopping the spread of “fake news”. Since this is a recent development and the details of the new algorithm are secret, it’s hard to assess its impact. However, there is evidence that, not surprisingly, it favours institutions over individuals and large institutions over smaller institutions. More particularly, the change appears to have dramatically lowered the flow of traffic to independent outlets (i.e. outlets that are independent of nation states and global corporations), such as *Alternet*, *Truthout*, *Consortium News*, and the *World Socialist Web Site*.^{12, 13} This appears to be a clear attack on the democratic and egalitarian ideals of the World Wide Web and of the internet itself.

⁸ <https://www.theguardian.com/world/2018/jan/03/emmanuel-macron-ban-fake-news-french-president>

⁹ <https://fee.org/articles/macron-is-using-the-fake-news-excuse-to-attack-press-freedom/>.

¹⁰ <https://theconversation.com/british-governments-new-anti-fake-news-unit-has-been-tried-before-and-it-got-out-of-hand-90650>.

¹¹ <https://theconversation.com/british-governments-new-anti-fake-news-unit-has-been-tried-before-and-it-got-out-of-hand-90650>.

¹² <https://www.alternet.org/media/editorial-googles-threat-democracy-hits-alternet-hard>.

Facebook, the largest social media corporation in the world, has also jumped on board this latest epistemic panic. It has responded to the “fake news” hysteria by making it harder for its two billion or so users to see any news at all. According to the *New York Times*, this has helped the spread, at least in some countries, of fake news as users find it harder to check claims they encounter online (though it is worth noting the *New York Times* does not say what it means by “Fake News” in this article).

My final example of the harms caused by the neologism “fake news” comes from the revered *Washington Post*. It’s true that the *Post* is not itself an international corporation like *Google* or *Facebook*, but it is owned by Jeff Bezos, who is the founder, chairman, and Chief Executive Officer of *Amazon*. On November 24 2016 the *Washington Post* published an article by Craig Timberg headlined “Russian propaganda effort helped spread ‘fake news’ during election, experts say”.¹⁴

The “experts” referred to in the title are a group of unnamed people, who run a shadowy website called *PropOrNot*. This website has compiled a list of over 200 allegedly fake news websites. Well-known websites that make the list include Wikileaks and the Drudge Report, left-wing websites, such as *Truthout*, *Black Agenda Report*, *Truthdig*, and *Naked Capitalism*, and libertarian websites, such as *Antivar.com* and the *Ron Paul Institute*. The putative experts who have identified these sites as purveyors of “fake news” are not named by the *Post*, and we are told nothing about them except that they are “a collection of researchers with foreign policy, military and technology backgrounds”.

What does *PropOrNot*, or the *Washington Post* for that matter, mean by “fake news”? They don’t say, though *PropOrNot* make it clear that the only kind of so-called “fake news” that concerns them is that which helps Vladimir Putin’s propaganda efforts by being critical of NATO expansion or US foreign policy. It describes its criteria for inclusion on its fake news blacklist as “behavioural” and “motivation agnostic”. In other words, you don’t have to be engaged in intentional Russian Propaganda to make the list. It is enough if you are one of Putin’s “useful idiots”.

What is a reader to make of this? Are we really expected to accept the authority of the *Washington Post* that virtually every popular internet news source in the English-speaking world that challenges the foreign policy orthodoxies of the Washington Beltway can safely be dismissed as fake news, on the basis of claims by putative experts who refuse to be identified? It is worth remembering that this is the same newspaper, now leading the campaign against so-called “fake news”, that published an article in September 2016 that seriously considered the possibility that Hillary Clinton collapsed on 9/11 day because she had been poisoned by Putin, and has more recently published a number of sensationalist and false stories about alleged Russian attacks on the American way of life.^{15,16}

¹³ <https://www.wsws.org/en/articles/2017/07/27/goog-j27.html>.

¹⁴ https://www.washingtonpost.com/business/economy/russian-propaganda-effort-helped-spread-fake-news-during-election-experts-say/2016/11/24/793903b6-8a40-4ca9-b712-716af66098fe_story.html?utm_term=.c801f6f62b7b.

¹⁵ <https://www.washingtonpost.com/>.

Do these false stories mean that the *Washington Post* is itself fake news (or at any rate a fake news source)? This of course depends in part on how one defines “fake news”. Some definitions, such as that by philosopher Lee McIntyre, require fake news to be not merely false but intentionally false.¹⁷ Others, such as *PropOrNot* and (at least implicitly) the *Washington Post* do not. As we have seen, their position is that whether or not a report is “fake news” has nothing to do with the intentions behind it. It’s all about behaviour (i.e. what gets reported).

If, for the sake of argument, we adopt a definition that requires a fake news story to be deliberately false, and we also grant, for the sake of argument, that the *Post* was being recklessly careless with respect to the truth of these news items, rather than actually engaging in deliberate deception, would that really mark an important distinction between this kind of bullshitting and outright lies?

If you’re an epistemic consequentialist, you will see no important distinction here. Whatever the motives, the effects of these false stories are virtually indistinguishable from those of whatever one regards as ‘Fake News’. The false claims travel widely across the internet, and are believed by large numbers of people. The propagators of the falsehoods profit from this, and there is no accountability of a kind that would give them an incentive not to repeat the behavior.

It’s true that the *Post* ultimately corrected some of the falsehoods in question, but its retractions were not given anything like the prominence of the articles themselves, and were certainly seen by many fewer people than saw the original stories. What is more, these retractions do not distinguish *the Post* from the kind of news sources it characterizes as fake news, which also sometimes retract false stories. The *Denver Guardian*, for example, which became one of the paradigms of a fake news source after it published a notorious false story entitled “FBI agent Suspected In Hillary Email Leaks Found Dead In Apparent Murder-Suicide”, ended up retracting the story.¹⁸

Even if you’re not an epistemic consequentialist and you see an important distinction between (what we are supposing) is the *Post*’s repeated recklessness with regard to the truth and what is presumably the straight-out lie of the *Denver Guardian*, it’s not necessarily a distinction that works in the *Post*’s favour. If the *Post* is guilty of bullshitting (i.e. being indifferent to the truth of its reports) rather than actual lying, Harry Frankfurt at least would say that is worse:

Someone who lies and someone who tells the truth are playing on opposite sides, so to speak, in the same game. Each responds to the facts as he understands them, although the response of the one is guided by the authority of the truth, while the response of the other defies that authority

¹⁶ <https://theintercept.com/2017/01/04/washpost-is-richly-rewarded-for-false-news-about-russia-threat-while-public-is-deceived/>.

¹⁷ Lee McIntyre, *Post-Truth* (2018) MIT Press, 112. McIntyre has another definition which doesn’t seem to require fake news items to be intentionally false or even that they be false at all. I will discuss this shortly.

¹⁸ <https://twitter.com/adamjohnsonNYC/status/816364572554698754>.

and refuses to meet its demands. The bullshitter ignores these demands altogether. He does not reject the authority of the truth as the liar does, and oppose himself to it. He pays no attention to it at all. By virtue of this, bullshit is a greater enemy of truth than lies are.¹⁹

I think it may be useful to think of lying (like terrorism) as a weapon of the weak. Those working in the establishment media often don't have to lie, they simply push responsibility for false reporting back to their sources. Judith Miller, for example, who published numerous stories making false claims about Iraqi Weapons of Mass Destruction in 2002 and 2003, notoriously had this to say about her role morality:

My job isn't to assess the government's information and be an independent intelligence analyst myself. My job is to tell readers of *The New York Times* what the government thought about Iraq's arsenal.²⁰

It seems to me that this kind of reprehensible indifference to the truth is at least as bad as lying. The smaller outlets that are more likely to be labeled fake news don't have access to insider sources that establishment media has, so they don't have the luxury of being able to shrift responsibility for false reporting on to them.

An Objection

At this point I want to anticipate an objection to my overall argument. It's all very well, the objection goes, to point out various ways in which the term "fake news" has been put to pernicious ends, but this doesn't show that we should abandon the term. Rather it shows that we need to find an unambiguous, precise, and rationally justifiable definition of the term. In support of this position, the objector might point to terms, such as "terrorism" and "propaganda", both of which have been used to advance objectionable causes, but which arguably can also be used in legitimate ways. The fact that these words have a history of being abused, the objection goes, is no reason for abandoning them.

Indeed the fact that a word has been abused entails that there is a correct way to use it, and that we should rise to the challenge of trying to identify it. This is essentially the line that a prominent group of more than a dozen social scientists and legal scholars, the best known of whom is Cass Sunstein, took recently in a letter published in the prestigious scientific journal *Science* entitled "The Science of Fake News", in which they claim that the term "fake news" should be retained, despite Trump's alleged misuse of it. According to them "we can't shy away from phrases because they've somehow been weaponized. We have to stick to our guns and say there is a real phenomenon here"; they go on to call upon their profession to "help fix democracy by studying the crisis of fake news".²¹

¹⁹ Harry Frankfurt, *On Bullshit* (2005), 40-1.

²⁰ <https://www.smh.com.au/opinion/the-new-york-times-role-in-promoting-war-on-iraq-20040323-gdilbl.html>

²¹ <https://www.theatlantic.com/technology/archive/2018/03/why-its-okay-to-say-fake-news/555215/>.

I respond to this objection in four ways. First, I'm not convinced that either of the words mentioned above (i.e. "terrorism" and "propaganda") have any legitimate use, though it would be too much of a digression to pursue those matters here. Second, because the term "fake news" has only been in popular use a short time and has not yet become deeply entrenched, the goal of consigning it to the dust-bins of history is much more realistic. Third, none of the existing definitions that I am aware of are satisfactory. And fourth, as I hope to make clear, the unsatisfactory nature of extant definitions is not mere happenstance; there are criteria that any adequate definition would have to meet, which there is good reason to believe no definition can meet.

The "Science" of Fake News

This is the definition of "fake news" that appears in Sunstein et al.'s letter: We define "fake news" to be fabricated information that mimics news media content in form but not in organizational process or intent. Fake-news outlets, in turn, lack the news media's editorial norms and processes for ensuring the accuracy and credibility of information.²²

What are the "editorial norms and processes" that are said to characterise the (presumably real) media? The authors deliver a brief history lesson about this, according to which journalistic norms of "objectivity and balance" developed after the First World War as a backlash against the widespread use of propaganda (including by the journalists who later embraced these norms) and the rise of corporate public relations in the 1920s. These norms, they go on to say, were sustained by the local and national oligopolies that dominated the 20th century technologies of information distribution (print and broadcast). Now in the 21st century, we are warned, these norms are being undermined by internet driven "fake news".

Objectivity and Balance

What do Sunstein et al. mean by the norms of "objectivity and balance"? They don't tell us. Yet neither of these terms exactly wears its meaning on its sleeve, and the word "objectivity" is one which has particularly bedeviled philosophy. Sometimes the term is simply used as a synonym for "truth", but that obviously isn't what it means here. It simply wouldn't be credible to maintain that the norm of truth only gained traction in the media after the First World War.

A nice illustration of why the norm of "objectivity and balance", as it is interpreted by corporate and state run media, should not be regarded as a means of acquiring truth can be seen in its reaction to a 2016 column by National Public Radio journalist Cokie Roberts warning of the dangers of a Trump presidency (Trump was at the time still running for the Republican nomination).²³ This led NPR vice president Michael Oreskes to write an internal memo to staff warning them not to criticize Trump, and, in an interview that Oreskes

²² <http://science.sciencemag.org/content/359/6380/1094.full>.

²³ <http://www.cjonline.com/opinion/2016-02-26/steve-and-cokie-roberts-gop-must-stop-trump-now>.

directed Roberts to do with Morning Edition about the matter, the host David Greene chastised Roberts for expressing negative views of Trump in the following terms:²⁴

Objectivity is so fundamental to what we do. Can you blame people like me for being a little disappointed to hear you come out and take a personal position on something like this in a campaign?²⁵

This abdication of the fundamental principle of journalism that one should speak the truth, especially in the face of power, for the sake of “objectivity” understood here as political neutrality between the major parties, is not new (though, as we will see, it is not nearly as old as Sunstein et al. think). It was particularly evident during the Bush presidency when every large media outlet in America (and many outside America) suppressed criticism of torture and other well-documented war crimes in the name of objectivity.

Particularly infamous were the explicit policies of outlets including NPR, the *Washington Post*, and the *New York Times*, not to use the word “torture” for practices that had long been universally recognised as such, and which they continued to describe as torture when used by governments other than the United States and its close allies.²⁶ All of this was justified in the name of “objectivity” and “balance”, which are understood to mean being non-partisan, which in turn is understood as not taking sides in disputes between leaders of the major political parties. In 2009, Alicia C. Shepard, the NPR ombudsman, defended NPR’s policy of refusing to report that the Bush administration were practicing torture in the following terms:

It’s a no-win case for journalists. If journalists use the words “harsh interrogation techniques,” they can be seen as siding with the White House and the language that some US officials, particularly in the Bush administration, prefer. If journalists use the word “torture,” then they can be accused of siding with those who are particularly and visibly still angry at the previous administration.²⁷

This is indeed a no-win situation for journalists if winning consists in keeping everyone (or everyone who matters) happy. However, it is not a no-win situation for journalists whose goal is to report the truth.

It’s true that there have been some recent signs of a shift in attitude about this issue. Since Trump was elected, *The New York Times*, and some other conventional media outlets, have taken to calling out some of Trump’s lies.²⁸ But the habit of thinking that it’s not their place to call politicians liars remains deeply ingrained.

²⁴ <https://www.npr.org/sections/npr-extra/2016/03/14/470352605/from-mike-oreskes-commentators-and-politics>.

²⁵ <https://www.npr.org/templates/transcript/transcript.php?storyId=470340825>.

²⁶ <https://www.theatlantic.com/daily-dish/archive/2010/07/the-nyt-we-changed-reality-because-cheney-wanted-us-to/185229/>.

²⁷ https://www.npr.org/sections/ombudsman/2009/06/harsh_interrogation_techniques.html

²⁸ It’s a shame they didn’t feel they could do that before the election, but better late than never.

Contrary to what Sunstein et al., and the oligopoly-controlled media itself, would have us believe, the norm of objectivity or balance, understood as neutrality between the leaders of the major parties is not a long-standing tradition. In the US, the UK, and Australia at any rate, it appears to date back to the beginning of the 1980s when deregulation of media laws led to the consolidation of family owned media outlets into conglomerates owned by major (often international) corporations.

Such corporations dislike taking controversial stands, because it alienates customers, and they particularly hate offending those who have (or might soon have) political power, because it's bad for business. As a result, the political journalist's role as a truth-speaker has often been neutered in the name of "objectivity and balance", and, those employed in the corporate media, have been often been reduced to little more than stenographers giving equal time and space to the assertions of each side of the political duopoly. This trend was exacerbated by the transformation of the concept of *journalism* itself, at around the same time, from being 'a trade' to being 'a profession', accompanied by professional codes of ethics that reinforce the idea that political neutrality is part of their role morality. All of this, it needs to be emphasised, pre-dated the internet.

The fact that "objectivity" or "balance", understood as neutrality, is not the long-standing tradition its advocates like to pretend is detailed (at least for American journalism) in a book called *Muckraking: The Journalism that Changed America* by Judith and William Serrin. That openly and proudly partisan journalism in mainstream media outlets thrived well past the middle of the twentieth century is evident from the fact that the most honoured American journalists of the 20th century, Edward R. Murrow and Walter Cronkite, are best known for their most openly partisan work: Murrow for denouncing Senator Joseph McCarthy, and Cronkite for denouncing the Vietnam War. There can be little doubt that they would be fired for such acts if they were working in today's corporate or publicly owned media.

Fact Checking

So much for the media norms that Sunstein et al. favour. What do they mean by the "practices" of media that fake news is allegedly undermining? The only practice they mention is fact-checking. Now it is certainly true that the kind of small independent news sources that are most likely to be labelled "fake news" are usually unable to employ specialised fact checkers. But it would be too hasty to conclude from this that reports of the latter are more likely to be true. In the first place, corporate and state media have always exaggerated the role fact checkers play in their reporting.

The long-standing "Guidelines on Integrity" for the *New York Times*, for example, state that "writers at the *Times* are their own principal fact checkers and often their only ones". It's certainly true that competition from the internet has led several large media companies to lay off fact-checkers along with other staff. But this does not mean that fact-checking has gone

<https://www.nytimes.com/interactive/2017/06/23/opinion/trumps-lies.html?mtrref=www.google.com&gwh=3ACAE77876DC87E1DFC1726DE9C56D06&gwt=pay&assetType=REGIWALL>

away. On the contrary, it is enjoying a remarkable renaissance. A number of organisations, such as *PolitiFact* and *Snoopes* in the United States, have emerged in recent years and similar organisations have since appeared in the UK and Australia.

This new form of fact checking differs from the old in at least two ways. First, the old fact checkers evaluated information in their own publications. The grand tradition of big media fact checking was actually less about an ethical commitment to the truth than it was about minimizing the dangers of expensive defamation suits and negative publicity. By contrast, the new fact checkers are assessing the claims of others, usually politicians. Second, the old fact checkers were working behind the scenes prior to publication. The public would only be aware of their work if they made a glaring mistake. The new fact checkers by contrast are working in the public arena, and the public has the opportunity to see their work and evaluate it for themselves.

What we should expect to find in the new media landscape therefore is what in fact, it seems to me, we do find. There are more false statements in the news (however you define it) than ever before, but this is not having the kind of adverse effects on the public's epistemic states that the promoters of the fake news panic would have us believe. False stories are only a problem to the extent that they are believed, and thanks to the research and outreach afforded to citizens by the internet, they are in a much better position to evaluate the merits of reports they come across in dialogue with other citizens.

Resisting the Epistemic Panic

The epistemic panic about so-called fake news is the latest manifestation of a broader epistemic panic that has been going on, principally amongst older professional men, since the emergence of the internet. Behind it, there is a misguided nostalgia for the days of broadsheet newspapers with their solemn pronouncements, designed to be read by the head of a household before going off to work. In those days there was such a thing as “the news” (with a very definite definite article), both the accuracy and completeness of which was simply assumed. As Lee McIntrye laments, now things are different:

There are so many “news” sources these days that is nearly impossible to tell which of them are reliable and which are not without some careful vetting.²⁹

The implication that we shouldn't have to carefully vet what we are told is telling. A great American once said “eternal vigilance is the price of liberty”. The current epistemic panic over “fake news”, “post-truth” etc. is, above all, the panic of a managerial class horrified by the prospect of the great unwashed being able to exercise vigilance over what they are told.

Elsewhere I have compared this epistemic panic with the one that gripped many ecclesiastical and worldly authority figures in Europe when printing technology first emerged.³⁰ Suddenly people had access to a great deal more information (including of course

²⁹ *Post-Truth* (2018), 97.

³⁰ David Coady “An Epistemic Defence of the Blogosphere” *Journal of Applied Philosophy* 28 (3): 2011.

false information), and as a result people were less likely to believe what authority figures told them and, as a result, less likely to do what they were told to do.

There is no doubt that people now have access to more false statements presented as news than they ever have in the past. But for two reasons I see no need to panic about this. First, as I have already indicated, people now have more resources available to them to evaluate the veracity of information they come across. The merchants of panic talk as if people are entirely passive in the face of what they are told. This is what makes Sunstein et al.'s agenda of (in their own words) "making structural changes aimed at preventing exposure of individuals to fake news" so profoundly authoritarian and sinister. It presupposes that "we" (i.e. whoever is making the structural changes in question) already know which reports are true and which are false, regardless of the subject matter of those reports. If there really were a group of people with this form of universal expertise whom we could trust to determine on our behalf which news is real and which is fake, then we would have no need to rationally inquire into the facts ourselves or debate them amongst ourselves. Indeed we would have no need to vote ourselves. We could leave all of these activities to these god-like figures.

The second reason I'm not panicking about the indisputable fact there are now more false news reports than ever before is that avoiding falsehood (whether it be false reports or false beliefs resulting from those reports) is not the only value we should be concerned about. Suppose for the sake of argument that on average people now believe more falsehoods about politics than in the past. This sounds alarming, but arguably it is an inevitable consequence of them having more information, and in the process gaining more knowledge, than they did in the past. The acquisition of false beliefs is an inevitable consequence of the enterprise of knowledge acquisition. If all we were concerned about were avoiding false beliefs, we'd stay at home with our heads under our pillows trying to avoid acquiring any beliefs at all. William James famously ridiculed philosophers who were obsessively concerned with avoiding false beliefs, in the following terms:

It is like a general informing his soldiers that it is better to keep out of battle forever than to risk a single wound. Not so are victories either over enemies or over nature gained. Our errors are surely not such awfully solemn things. In a world where we are so certain to incur them in spite of all our caution, a certain lightness of heart seems healthier than this excessive nervousness on their behalf.³¹

We have more knowledge than our ancestors, both collectively and as individuals. An inevitable corollary of this is that we now (almost certainly) have more false beliefs than they. The expansion of our knowledge is, in part, a result of us not being overly concerned about false beliefs. That's part of the price we pay, and it seems to me that it's been a price worth paying.

Conclusion

Almost all of the pernicious uses of the term "fake news" I have been discussing have been driven by fears of the Russian state using the internet to interfere with Western political

³¹ William James "The Will to Believe", 1896.

systems. This is usually driven by people who blame Putin for Trump's rise to power, and seem to regard Trump as some sort of Manchurian Candidate, even though Trump has demonstrably had a much more anti-Russian foreign policy than Obama. It is worth remembering in the midst of all this hysteria that only a very small percentage of American adults get their news from social media.³² And most Americans, especially the older ones who are more likely to vote for Trump, get their news from television where they're exposed to a much older and entirely homegrown brand of disinformation.³³

Since Trump was elected, establishment Democrats in the US and their allies around the world have used the fake news scare (along with the "Post-Truth" and "Russia-Gate" scares) as a distraction from the disastrous Democratic election campaign, and as a way to avoiding dealing with their own role in the profound degeneration of the American polity that allowed a demagogue like Trump to rise to power. The establishment Democrats abandonment of their base over the last 25 years gave the world Donald Trump as surely as the Blairite Labour Party's abandonment of its base over roughly the same period gave the world Brexit. At bottom, the fake news scare is yet another distraction from our desperate need for a radical rejection of the political and media establishment that got us into this mess.

³² <http://web.stanford.edu/~gentzkow/research/fakenews.pdf>.

³³ <http://inthesetimes.com/article/20938/fake-news-russia-meddling-democracy-media-right-wing-indictment>.