

Viewpoint: Regulating political misinformation isn't easy, but it's necessary to protect democracy

November 2 2023, by Christopher Arnott



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The recent [open letter](#) to the prime minister and parliamentarians broke the week-long silence from Indigenous leaders after the country rejected

the proposed First Nations Voice to Parliament. The letter emphasized the damage caused by the "lies in political advertising and communication" prevalent in the recent campaign.

Many outlets have [documented](#) these lies, including RMIT [CrossCheck](#).

The immediate consequences of these campaign messages have been profoundly damaging. There have been reports of [rising racism](#), with Indigenous-led mental health helpline 13 YARN receiving an [108% increase](#) of Indigenous people reporting racism, abuse and trauma—mostly in August and September, during the run-up to the October 14 referendum.

The [federal government](#) has proposed to introduce legislation to address the risks of political [misinformation](#).

However, the Voice to Parliament is not the first time we have seen this kind of misinformation. And there are greater risks arising from political misinformation beyond politicians lying and misleading voters about their policies.

The risks of political misinformation

Societies around the world have suffered harmful consequences from political misinformation, including:

- anti-vaxxer conspiracies around [COVID](#)
- claims that the 2020 US presidential election was rigged, a belief [reportedly shared by 30% of Americans](#)
- delayed action on [climate change](#)
- a rise in the use of [disinformation tactics](#) by nations such as Russia and China to wage proxy wars and influence national governments.

During the referendum campaign in Australia, high-profile politicians have sought to undermine the integrity of the Australian Election Commission. In [August](#), Opposition Leader Peter Dutton claimed the commission was attempting to "skew this in favor of the Yes vote." After the referendum result, Senator Jacinta Price also suggested the results of remote polling booths in the Northern Territory, which showed majority yes votes, were tampered with.

The commission took the [unusual step](#) of denouncing both Dutton and [Price's](#) claims.

In June, I predicted that misinformation would increase throughout the Voice referendum campaign.

This is because political misinformation is an increasingly popular campaign tactic in general. The past three Australian federal election campaigns have been characterized by widespread false or misleading statements.

In 2016 and [2022](#), the Labor opposition alleged that the Turnbull government would privatize Medicare.

In 2019, the Coalition accused Labor of planning introduce a [death tax](#).

In 2022, Labor claimed the Coalition would roll out the [Cashless Debit Card to pensioners](#).

The proposed misinformation bill

Earlier this year, the Joint Standing Committee on Electoral Matters proposed laws to combat [political misinformation](#).

The government has released an [exposure draft bill](#), which suggests

mandating digital platforms to implement measures against misinformation. This includes creating policies for identification and removal of misinformation, educating users, and collaborating with fact-checkers.

As part of the proposed bill, the Australian Communications and Media Authority (ACMA) would also enforce rules for record-keeping and reporting by digital platforms.

The draft bill defines misinformation as false content that could cause serious harm, and disinformation as intentionally deceptive misinformation.

The bill defines serious harm as any of the following:

- hatred against a group in Australia on the basis of ethnicity, nationality, race, gender, [sexual orientation](#), age, religion or physical or mental disability
- disruption of public order or society in Australia
- harm to the integrity of Australian democratic processes or of Commonwealth, state, territory or local government institutions
- harm to the health of Australians
- harm to the Australian environment
- economic or financial harm to Australians, the Australian economy or a sector of the Australian economy.

Not everyone wants a misinformation bill

A dissenting report from the Coalition argues there is no need for a misinformation [bill](#). It says, "Elections and election campaigns are and should remain a marketplace of ideas. If candidates or political parties make statements or release inaccurate policy positions, it is the role of the media, civil society and other political actors to hold their statements

to account. "

This position ignores three crucial factors:

(1) Fake news and information [spreads](#) faster than real news, and is very hard to stop once it gets going. Misinformation can be posted on [social media](#) and reach a large audience before the information can be taken down. It's easier to ensure politicians and political actors are prevented from saying it in the first place.

(2) The [public](#) is often largely unaware when information is incorrect, and don't necessarily have the skill or engagement to verify facts for themselves.

(3) Belief in misinformation continues even after [correction](#)—this is known as the [continued influence effect](#).

Relying solely on the media, the public and rival political candidates to correct false statements is like expecting rain to extinguish a bush fire without any intervention from emergency services. While rain might sometimes help douse the flames, it's inconsistent and unreliable. Similarly, while media and public scrutiny can occasionally correct misinformation, it's not a guaranteed or systematic solution. Political misinformation spread online is like thousands of small fires simultaneously being lit.

These risks are exacerbated by the clear incentive for some [political parties](#) to use misinformation to their advantage. Wider distrust of politicians and institutions can fuel [belief](#) in political misinformation, and drive voting for populist parties.

If politicians seek to weaponise distrust in institutions such as the Australian Electoral Commission, they risk sowing the very seeds that

can help undermine [democracies and civil liberties](#). This could potentially trigger a vicious cycle of political candidates undermining democratic institutions for their own gain.

While it's crucial to protect political discourse and expression, it's equally vital to implement safeguards against the dissemination of false and misleading content. Not doing so would be the same as failing to take proactive measures such as hazard reductions, acting on climate change, and funding emergency services to shield communities from bushfires.

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