

# NEW PROBLEMS, OLD SOLUTIONS? A CRITICAL LOOK ON THE REPORT OF THE HIGH LEVEL EXPERT GROUP ON FAKE NEWS AND ON-LINE DISINFORMATION

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KOMENTAR / PRIMLJENO: 01.04.2018.

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In March 2018 a High Level Expert Group set up by the European Commission published a report on fake news and on-line disinformation. The goal of the report was to advise on policy initiatives to counter these negative phenomena. Although the document is generally valuable, we believe that it remains fixed on “evergreen” policies that may be suited for traditional journalism, but that are deficient in solving the problems of the new digital media matrix.

The development and popularization of social media has redefined core media practices. Never before have the media been so fast, interactive and engaging: “The immediacy, responsiveness and social presence of interaction via new media channels constitute a qualitatively and substantively different experience than that was possible via mass media channels” (Lievrouw and Livingstone, 2006: 7). Social media have also changed users’ media habits and needs. The rise of participatory culture (Jenkins, 2006) and user empowerment, as well as the growing role of producers in contemporary media rationale (Bruns, 2006) is transforming definitions “of both ‘social’ and ‘media’” (Hinton and Hjort, 2013: 2). As Lance Bennett (2015: 154) points out, “new technologies and channels enable more fine-grained ‘many-to-many’ communication within fragmenting societies” while “individuals become active agents in the production and transmission of information”.

In the past years, the Reuters Institute for the Study of Journalism<sup>1</sup> has pointed to a rising impact and a more intensive use of social media as information platforms. According to 2017 data “more than half of all online users across the 36 countries (54%) say they use social media as a source of news each week.” On the other hand, a stagnation in use of social media for information purposes was recorded in 2018, especially when it comes to Facebook, but there was a “rise in the use of messaging apps for news as consumers look for more private (and less confrontational) spaces to communicate.” The use of WhatsApp for news has almost tripled since 2014 and has overtaken Twitter in many countries. This shows that users are looking for a more personal, interactive and faster access to information and that a massive change in media habits can be observed year after year.

Due to speed with which the media ecosystem changes and the specifics of these changes, the existing theories, terms and concepts developed within journalism, communication or media studies seem to have been struggling to adequately address these processes. In the last two decades, discussions and studies have focused on the development and influence of technology (e.g., Boczkowski and Siles, 2013; Fidler, 1997; Kaye and Quin, 2010; Lapham, 2001; Steensen, 2011;), convergence of journalism (e.g., Deuze, 2004; Domingo *et al.*, 2014; Erdal, 2011; Mico *et al.*, 2013; Oblak, 2005), multimedia (e.g., Deuze, 2004; Everett and Caldwell, 2003; Harper, 2005; Jacobson, 2012; Pauly, 2014; Pincus *et al.*, 2016; Stepp, 2001; Vobič, 2011), and concepts of participatory media and participatory culture (e.g., Alhabash and McAlister, 2014; Dewdney and Ride, 2006; Hermida, 2010; Huang, 2014; Jenkins, 2006; Jenkins *et al.*, 2013; Kumpel *et al.*, 2015; Steensen, 2011; Villi and Matikainen, 2015). Recently the focus has shifted to the need of redefining *the truth, the facts* and *objectiveness*. For example, Pierre R. Berthon and Leyland F. Pitt (2018: 1) welcome us to a “post-fact world: a world in which the validity of something is based

<sup>1</sup> [http://www.digitalnewsreport.org/survey/2017/\(07/03/2018\)](http://www.digitalnewsreport.org/survey/2017/(07/03/2018)).

on how it feels (truthiness) and the world is what you wish it: regardless of objective, verifiable statements about the world (post-fact).” Similarly, Tarlach McGonagle (2017:208) notes that concepts such as “fake, false, fraudulent, dishonest, bogus, scam, hoax, phoney, phoney-baloney” have become “emotionally-charged terms to disparage, question and refute the truthfulness of content or content-producers”.

The 2018 Reuters Report shows that there was a drop in the level of trust in online news, a rise in fake news dissemination and a decrease in trusting media content: “more than half of global sample (54%) expresses concern or strong concern about ‘what is real or fake’, when thinking about online news.”<sup>2</sup> Likewise, Edelman Trust Barometer (2018) reports:

*For the first time media is the least trusted institution globally. In 22 of the 28 markets surveyed it is now distrusted. The demise of confidence in the Fourth Estate is driven primarily by a significant drop in trust in platforms, notably search engines and social media. Sixty-three percent of respondents say they do not know how to tell good journalism from rumor or falsehoods or if a piece of news was produced by a respected media organization.*

Interestingly, the decline of trust in media is accompanied by a rise of trust in information, recommendations and comments posted by online users. Even though the Edelman Trust Barometer (2018) data show that there has been a drop in the level of trusting other online users compared to 2017, it is still fairly high: 54% respondents from around the world consider that other online users, “a person like yourself”, are very or extremely credible.

Liesbet van Zoonen (2012) uses the term “I-pistemology” to explain this phenomenon, suggesting that traditional authorities (governments, media, universities, experts) are no longer the source of truth, which now belongs exclusively to ‘us’, ‘ordinary people’, and people ‘like us’, whose experiences can be easily reached through social media. In other words, the term “I-pistemology” captures “this turn into the self as the origin of all truth” (van Zoonen, 2012: 57). She goes on to explain that I-pistemology “is a contemporary cultural process in which people from all walks of life have come to suspect the knowledge coming from official institutions and experts and have replaced it with the truth coming from their own individual experience and opinions” and that “online and offline popular culture have raised personal experience to the level of the only relevant truth” (van Zoonen, 2012: 56). The notion of *truth* has been redefined but it is still present “in the self, in personal experiences and feelings, in subjective judgement, in individual memory” (van Zoonen, 2012: 57). This means that the taste and preferences of users in the digital environment have become a key variable in consumption of media content because the architecture of social platforms supports the selectivity in choosing and tracking information. The so-called “filter bubble” (Pariser, 2011) enables us to select the information from digital environment based on our own interests and preferences, avoiding news, information and opinions that do not fit into our mindset. In doing this we create our own media world (media bubble) based solely on our own interests,

<sup>2</sup> [http://www.digitalnewsreport.org/survey/2018/ \(08/05/2018\).](http://www.digitalnewsreport.org/survey/2018/ (08/05/2018).)

values, preferences and selections. By filtering content, as opposed to getting general information, we create a partial reality which is highly subjective, personalised, emotional, nuanced and selected based on our interests.

Dominic Spohr (2017: 150) explains that in the past years “fake news and the effect of the social media filter bubble have become of increasing importance both in academic and general discourse.” Spohr (2017: 152) argues that “social media plays an increasing role in the consumption of news and information and that the effects of ideological polarization in information consumption become arguably more apparent”. While explaining the term “filter bubble” Eli Pariser (2011: 9) mentions that “the basic code at the heart of the new Internet is pretty simple: the new generation of Internet filters looks at the things you seem to like – the actual things you’ve done, or the things people like you like – and tries to extrapolate”. Gil de Zuniga and Trevor Diehl (2017: 3) use the term “news-finds-me-perception”, which is “the extent to which individuals believe they can indirectly stay informed about public affairs – despite not actively following the news – through general Internet use, information received from peers, and connections within online social networks”.

Due to these trends and characteristics of digital environment a need to redefine *the truth* has emerged. EBU Media Intelligence Service 2018 report confirms the allegation that the truth is becoming more and more difficult to define and that it is more difficult to achieve trust in the new media environment: “In the age of media abundance, trust is important in the relationship between media and their audience. However, maintaining a high level of trust is more and more challenging in a world of filter bubbles, echo chambers and fake news” (EBU Media Intelligence Service, 2018).

Since Donald Trump was elected president of the USA, fake news has become a symbol of media changes happening before our eyes and a trigger for heated discussions on the features and quality of contemporary consumer-centred media. Chris J. Vargo *et al.* (2017) show that in November and December 2016, more people in the USA Googled “fake news” than the combined previous 15 months (Google Trends, 2017). “Fake news” has become a much-used and much-hyped term in the so-called “post-truth” era that we now live in (McGonagle, 2017: 203). Fake news, post-truth, alternative facts *etc.* have become the buzzword of today, a part of the global language, or the symbol of media changes that we are witnessing.

According to Ethical Journalism Network (2017) “fake news is information that has been deliberately fabricated and disseminated with the intention to deceive and mislead others into believing falsehoods or doubting verifiable facts”<sup>3</sup>. Harikrishnan Bhaskaran *et al.* (2017: 42) use the example of India in the paper to explain that “Fake news is not a new phenomenon. It has always been present in one form or another.” The names of world renowned journalists Joseph Pulitzer and William Hearst are mentioned as ambassadors of the concept of “fake news”. They claim that “fake news” has been present in journalism

<sup>3</sup> Ethical Journalism Network, <http://ethicaljournalismnetwork.org/tag/fake-news> (25/4/2018).

for decades “with the only difference being that the rise of the Internet and different social media platforms has made the spread of fake news lightning fast” (Ibid.). Controversial YouTube guru Mark Dice (2017:1) similarly asserts that fake news stories have been around for centuries although they had usually just been called disinformation, propaganda, yellow journalism, conspiracy theories, or hoaxes; but this modern incarnation was different. All of the sudden it was supposedly everywhere, and just cost Hillary Clinton the election.

Jacob L. Nelson and Harsh Taneja (2018) explain that there has been a big change in understanding the concept of “fake news”. Until 2012 the term “fake news” mainly referred to “The Daily Show” and “The Colbert Report”, that is, to “the late night television shows that blurred the line between news and comedy” (Borden and Tew, 2007; Day and Thompson, 2012, as quoted in Nelson and Taneja, 2018: 2). Today the term more commonly refers to false or misleading information made to look like a fact-based news story in order to “influence public opinion or cull digital advertising dollars” (Uberti, 2017, as quoted in Nelson and Taneja, 2018: 2). For Nick Richardson (2017: 1) “the phrase ‘fake news’ represents the existential challenge to journalists dealing with an audience losing its faith in what journalism does.”

In sum, fake news has become a symbol of the new media paradigm, characterized by tectonic changes in the media system and a general decline of trust in media:

*while politicians and the media often talk about fake news in terms of Russian propaganda or for-profit fabrication by Macedonian teenagers, it is clear that audience concerns are very different, relating to different kinds of deception largely perpetrated by journalists, politicians, and advertisers (Reuters Institute Digital news report, 2018).*

Alerted by the spread of fake news the European Commission gathered a high-level group of experts (“the HLEG”) whose task was to analyse the current media situation and give recommendations and solutions to prevent the problem of disinformation: “The HLEG’s task was to advise the Commission on all issues arising in the context of false information speed across traditional and social media and on possible ways to cope with its social and political consequences”<sup>4</sup>.

Based on the analysis of the current media state, the high-level group has issued a report called “A multi-dimensional approach to disinformation: Report of the independent High-level Group on fake news and online disinformation.” The report is not focused exclusively on ‘fake news’, but on the broader concept of ‘disinformation’ “that goes well beyond the term ‘fake news’” (HLEG report, 2018). The report contains 5 guidelines focused on preventing disinformation designed to: (1) enhance transparency; (2) promote media and information literacy; (3) develop tools for empowering users and journalists to tackle disinformation; (4) safeguard the diversity and sustainability of the European news media ecosystem; (5) promote continuous research on the impact of disinformation in Europe.

<sup>4</sup> European Commission (2018) A Multi-Dimensional Approach to Disinformation. Report of the Independent High Level Group on Fake News and Online Disinformation. [https://blog.wanifra.org/sites/default/files/field\\_blog\\_entry\\_file/HLEGReportonFakeNewsandOnlineDisinformation.pdf](https://blog.wanifra.org/sites/default/files/field_blog_entry_file/HLEGReportonFakeNewsandOnlineDisinformation.pdf) (20/3/2018).

Recommendations related to transparency are focused primarily on the transparency of advertising space in digital environment. Moreover, a higher level of transparency can be achieved by highlighting journalistic sources and journalistic processes, as well as by accessing information and data. The report states that there is a need to cooperate within EU Member States and across the EU "to support the creation of European Centres for interdisciplinary and independent evidence-based research" (HLEG report, 2018). Recommendations on media and information literacy focus on designing better curricula and developing competences of schools and universities around Europe. Education of teachers, as well as other citizens is mentioned in the context of achieving a greater level of media literacy, and thus reducing the rate of disinformation. In the context of empowerment of users and journalists, the report proposes development of online tools for user empowerment, *i.e.* "platforms should consider ways to encourage users' control over the selection of the content to be displayed as results of a search and/or in news feeds" (HLEG report, 2018). It also proposes development of tools for journalists, such as "professional automatic content verification tool", as well as journalist training and Europe-wide cooperation. The recommendation for achieving diversity and sustainability of the news media ecosystem is focused on activities in the context of the European Union, as well as in the national context. On the European level the recommendations are oriented towards activities supporting freedom of reporting and pluralism, as well financing projects and research supporting journalism quality, while recommendations on the national level are focused on putting an emphasis on editorial independence and protection of fundamental rights. Finally, recommendations on processes and evaluation suggest the implementation of multi-stakeholder Code of Practices in the context of disinformation and call for an independent and permanent evaluation.

However useful, the report created by the European Commission is primarily focused on recommendations and postulates arising from the "old" understanding of journalism, while it puts too little emphasis on the rationale behind the new media environment. Although the report goes further to explain the understanding of the nature of new media and including different stakeholders in the media process, it does not offer solutions that match the dynamics of contemporary media processes. The conventional approach, which calls for information transparency, naming news sources and the need for media literacy, does not address trends that the new media paradigm is conditional upon, such as the changing media habits of users accustomed to following news on their smartphones, who inform themselves solely through fragments of news or "chunks of content" (Deuze, 1999); strengthening of the 'filter bubbles'; decreasing role of the media as gatekeepers; increasing speed of reporting; changes to the distribution system; changes in the concept of news; growing impact of advertisers on media content; the rise of the click-based "attention economy" (Goldhaber, 1997) *etc.*

The report is targeted at explaining and regulating disinformation as one of the negative byproducts of transformation from one communication paradigm into another. However, the impression is that the European Commission guidelines do not adequately acknowledge the logic or the dynamics of the new media environment. Fake news is solely

a surface reflection of a deeper change, which needs to be addressed systematically, while solutions to problems should arise from the logics of the transformed digital environment.

One of the concepts containing the awareness of the changed media environment is the concept of 'viral journalism' (Bebić and Volarević, 2016). It was introduced in order to cover the changes created in the process of communication and the way in which media content is created, shared and distributed via social media. Viral journalism implies creating content in a digital environment that does not follow the traditional media rationale, but combines all media formats and forms (photo, video, text) into content suitable for fast, dynamic and interactive social media forms. Content created in this way is aimed at getting attention and adjusting to media habits of today's users. This type of content cannot be defined as news in the traditional sense of the word. It is perceived as viral news – created in order to draw attention and intended for sharing. The aim of viral journalism is not to decrease the role and importance of journalism standards and journalist profession, but to adjust contemporary journalism to the needs of 21st-century media audiences. This type of journalism creates content suitable for sharing on social media, it gets users involved in the process of distributing content in an online environment and it does not follow the traditional rationale of media reporting, but the media habits of users.

Based on the idea of 'viral journalism', we propose to upgrade the HLEG guidelines with 5 elements:

**1) Understanding the new media paradigm:** the starting point of media discussions should be focused on understanding current communication trends and the new media habits of users. By following current trends and behaviours we can develop models and solutions suitable for a new media environment, without constantly going back to the 'old days and old ways'. For example, one of the most popular websites of today, BuzzFeed, is a paradigmatic example of a media outlet adapted to the 21st-century media needs, from engagement to content sharing. Interactivity and speed brought about by social media in communication and journalism require new patterns of content placement and call for re-evaluation of the entire media rationale (see Alhabash *et al.*, 2014; Bebić and Volarević, 2016; Boczkowski, 2013; Domingo *et al.*, 2014; Hermida, 2010; Jenkis *et al.* 2013)

**2) Developing new media models:** advertisers are one of the key stakeholders in today's media environment. Media, especially its digital forms, depend on ads posted on sites, overshadowing reporting (factual, objective and systematic). The media industry is faced with new challenges of getting trust back and redefining the industry. Developing new business models which will not depend on advertising and clicking, but will be focused on the truth and ethical and professional journalism standards is certainly a step in that direction. For several years Reuters Institute has been examining the possibility of developing paid media models around the world. The 2018 data show that the number of users willing to pay for content is on the rise, especially in the Scandinavian countries:

*Many Norwegian newspapers use a hybrid paywall model (a combination of a monthly page view limit and some premium content) supported by data driven editorial and marketing teams looking to convert users. Using these techniques, AftenPosten reached 100,000 digital subscribers in December 2017 after just two years (Reuters Institute Digital News Report, 2018).*

Developing a paid media model has attracted new users:

*In Finland quality news provider Helsingin Sanomat has returned to growth after 25 years of declining circulation – thanks to digital. They have 230,000 readers who pay for digital access, of whom 70,000 are digital only (up 40% in the last year) – part of a total subscriber base of almost 400,000. (Reuters Institute Digital News Report, 2018).*

The Scandinavian model might not be universally applicable, but it is certainly food for thought and an incentive to suggest new business models.

**3) Regulating online environment:** regulation of online content is one of the hottest media topics. In the past years both on national and EU levels effort has been made to set out and establish regulations and directives aimed at decreasing hate speech in digital environment and putting an end to false and unverified information dissemination. For example, in early 2018 Germany adopted an act called NetzDG, *i.e.* Act to Improve Enforcement of the Law in Social Networks, regulating hate speech dissemination on social media. The Act provides regulatory rules the aim of which is to transfer responsibility to online users:

*Providers of social networks which receive more than 100 complaints per calendar year about unlawful content shall be obliged to produce half-yearly German-language reports on the handling of complaints about unlawful content on their platforms, covering the points, and shall be obliged to publish these reports in the Federal Gazette and on their own website no later than one month after the half-year concerned has ended. The reports published on their own website shall be easily recognizable, directly accessible and permanently available (NetzDG, 2018).*

The Act is particularly targeted at social media sites with more than 2 million users, and the content is regulated by deleting illegal and inappropriate content from the website. “Under the act platforms are required to maintain effective and transparent procedures for handling complaints about unlawful content through which users can flag problematic content” (Report by the Internet Policy Observatory at the Annenberg School, 2018). Despite facing a lot of criticism related to censorship and unclear regulation of deleting social media content, the Act is unique because it deals exclusively with regulating social media content and, among other things, it is an important step in finding a solution for the issue of fake news. Although the European Commission report suggests regulation by establishing a Code of Practices and it lists the principles it should encompass, the report does not go into detail, nor does it list existing practices and regulation models or ways to implement this type of regulation – both within the EU and in individual Member States.

**4) Educating and training on new media trends:** education and training on new media trends leads to grasping, understanding and critically reflecting on media content. The education with regard to trends and possibilities of digital platforms is a step towards



decreasing distrust in media content on social media. Media trends evolve fast, and media habits of users keep changing year after year. This is why the education system should keep up with the changes in media environment and it should be understood and adapted better to the new media paradigm. Raising the level of media literacy is an important part of the European Commission report (2018): "The strength of media and information literacy is that it is a preventive, rather than a reactive solution, engendering critical thinking skills that are crucial for the 21st century citizen living in an increasingly digital environment (HLEG report, 2018)".

However, in addition to raising the level of media literacy, media-related education should be focused on understanding the new media paradigm and factors that influence changes and ensure tools and methods for mastering the new media environment.

**5) Exploring the impact of the new media paradigm:** social media has caused changes in all spheres of communication. The change taking place in the media environment is neither one-off nor one-dimensional, but it is comprehensive and requires continuous monitoring and impact analysis. Going back to old platforms, passive users and daily reporting is certainly not the option. In a dynamic, interactive and fast media environment, trends largely change year after year. In order to adjust, we need to monitor, track and discuss changes and behaviours in the media environment. This is the only way we can (try to) project future trends.

The goal of this brief essay is to point to the fact that fake news is neither the only nor the biggest problem of contemporary media environment. Moreover, we wanted to accentuate that the problems related to new media environment cannot be solved using conventional methods. Fake news may be an old problem but it is a problem that has taken a new form in a digital environment. At the same time, fake news symbolizes general disorientation and incapacity of the stakeholders to adapt to the emerging media paradigm. We therefore call for a less conventional approach and more progressive media policies that are anchored in the new digital media paradigm, in which users represent an important instance of content creation and distribution.

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