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FAKE NEWS AND DEMOCRACY

Merten Reglitz

THIS PAPER offers a philosophical explanation of the moral relevance of online fake news. Fake news has become a sweeping political catchphrase that sparks worries about political manipulation. It is used by some to discredit political opponents, the free press, or any dissenting political opinion in general. However, behind this buzzword lies a serious problem, made possible by the internet and social media, for democratic institutions. The British House of Commons' Digital, Culture, Media, and Sport Committee deems fake news a potential threat "to our democracy and our values."¹ Likewise, a report of the Directorate-General for Communication Networks, Content, and Technology of the European Commission sees fake news as generating "threats to democratic political processes, including integrity of elections, and to democratic values that shape public policies."² Thus, at the highest level of some of the most powerful democratic institutions, online fake news has been identified as an important problem. But also in academia, prominent social scientists worry about the impact of fake news on public discourse.³

However, there is a problem with these concerns about fake news: the most significant empirical studies of the phenomenon conclude that fake news is quite ineffective in convincing people of the veracity of its content. It is thus not obvious *how exactly* fake news threatens the operations and values of democratic institutions. Allcott and Gentzkow's study of voters' overall exposure to fake news in the 2016 US presidential election suggests that fake news did not decisively influence this election because voters were not exposed to false news reports often enough.⁴ More importantly still, their study indicates that only a

1 Digital, Culture, Media, and Sport Committee, *Disinformation and "Fake News,"* 3.

2 European Commission, *A Multi-Dimensional Approach to Disinformation,* 5.

3 Lazer et al., "The Science of Fake News."

4 Allcott and Gentzkow, "Social Media and Fake News in the 2016 Election," 232. They estimate that "the average US adult might have seen perhaps one or several [fake] news stories in the months before the election" (213).

small minority of voters actually *believed* the fake news stories they read.⁵ Another study that analyzes user engagement with fake news on social media finds that the vast majority of Facebook users did not share articles from fake news websites during the 2016 US presidential elections at all.⁶ A third study investigating how Twitter users engaged with fake news during this election states that “engagement with fake news sources was extremely concentrated. Only 1% of individuals accounted for 80% of fake news source exposures, and 0.1% accounted for nearly 80% of fake news sources shared.”⁷ A study of the prevalence of computational propaganda in the run-up to the elections for the 2019 European Parliament finds that “less than 4% of the sources circulating on Twitter during our data collection were junk news, with users sharing higher proportions of links to professional news sources overall; on Facebook, junk news outlets tended to receive more engagement per story, but are seen, shared, and liked by far less people overall.”⁸ Moreover, fake news is often thought to cause irreconcilable political difference among voters in liberal democracies. However, an important study finds that political polarization in the United States started to increase well before the internet was widespread.⁹ Polarization, according to this study, is particularly prevalent among older US voters who are less active on the internet and thus less exposed to online fake news. This suggests that existing political polarization is a climate in which fake news can become a problem, rather than fake news itself being the cause of political polarization. Finally, political disinformation and propaganda are as old as human politics. So why exactly should liberal democracies worry about fake news?

It might appear that the philosophical inquiry into the moral relevance of fake news could stop right here. After all, fake news is believed by fewer people than is thought. Thus, fake news might seem to be a nonissue. However, the situation is not that simple. Fake news *does* present a problem because what citizens believe matters for their opinions of their democratic institutions and the moral justifiability of these institutions. And fake news is indeed believed by citizens to be influential—regardless of whether that belief is true. Surveys among voters show that there is widespread concern about fake news among democratic citizens. According to a poll conducted by *The Hill*, 65 percent of Americans

5 “After weighting for national representativeness, 15 percent of survey respondents recalled seeing the Fake stories, and 8 percent both recalled seeing the story and said they believed it” (Allcott and Gentzkow, “Social Media and Fake News in the 2016 Election,” 227).

6 Guess, Nagler, and Tucker, “Less Than You Think.”

7 Grinberg et al., “Fake News on Twitter during the 2016 US Presidential Election,” 374.

8 Marchal et al., *Junk News during the EU Parliamentary Elections*, 6.

9 Boxell, Gentzkow, and Shapiro, “Is the Internet Causing Political Polarization?”

believe that fake news is prevalent in the mainstream media.¹⁰ A different poll shows that American voters have very concrete concerns about the effects of fake news: 88 percent are worried that fake news has spread confusion among voters.¹¹ Another survey by the Pew Research Center indicates that Americans consider fake news a bigger threat than terrorism.¹² This concern about misinformation spread online is not exclusive to the United States. A survey on fake news and disinformation online conducted by the European Commission in all twenty-eight European Union member states among twenty-six thousand participants finds that “more than eight in ten respondents (85%) think that the existence of fake news is a problem in their country.... A similar proportion (83%) say that it is a problem for democracy in general.”¹³ And a survey by PwC reports that 71 percent of German voters were concerned about the influence of fake news on the 2019 elections for the European Parliament.¹⁴ Perceptions, not only facts, matter in politics, and that is why fake news stories can be a problem for democracies even though their content is not widely believed. Philosophical analysis can help clarify this connection between concerns about fake news and the legitimacy of democratic institutions.

Accordingly, my argument in this paper is that online fake news threatens democratic values and processes by playing a crucial role in reducing the perceived legitimacy of democratic institutions. This decrease in perceived legitimacy is the outcome of the primary effect that fake news has on citizens: even if its content is not believed, fake news can be a major cause of a loss of citizens’ epistemic trust in each other’s political views and judgment. Such a loss of trust in each other is problematic for democratic institutions since these rely for their acceptance and functioning on citizens seeing them as morally justified. Critiques of fake news often focus on citizens’ loss of trust in their mainstream media. While this is indeed part of the problem, I will argue that the main threat of fake news pertains to the loss of epistemic trust citizens have *in each other*. Fake news is thus a moral problem insofar as we think of democracies as a morally special, or at least a particularly valuable, form of government.¹⁵ This paper is significant because—unlike most discussions of fake news that assume that citizens are likely to accept these falsehoods as true—it takes seriously the empirical studies

10 Easley, “Poll: Majority Says Mainstream Media Publishes Fake News.”

11 Barthel, Mitchell, and Holcomb, *Many Americans Believe Fake News Is Sowing Confusion*.

12 Mitchell et al., *Many Americans Say Made-Up News Is a Critical Problem that Needs to Be Fixed*.

13 European Commission, *Fake News and Disinformation Online*, 4.

14 PricewaterhouseCoopers, “Fake News,” 8.

15 Christiano, *The Constitution of Equality*.

that assert that most people do not believe the content of fake news and explains why we should nonetheless consider fake news a morally significant problem.

Contemporary fake news has a debilitating effect on relatively well-functioning democracies because it is spread via social media platforms that operate according to a particular business model. Facebook, for example, generates profit by enabling third parties to pay to influence the behavior of its users by sending them advertisements, political messages, and almost any kind of information—whether factually correct or not.¹⁶ It is ultimately online information technology and social media platforms that make fake news a threat to every democratic system's foundation—namely, citizens' belief that the system is morally justified as a whole and deserves their allegiance.

My argument is developed as follows: section 1 offers a characterization of fake news. Section 2 explains the role that epistemic trust plays for the functioning of democracy, which is the crucial resource eroded by fake news. Section 3 subsequently shows how fake news undermines epistemic trust among democratic citizens—even if it is not widely consumed, shared, or believed—and considers an important objection to this argument. Section 4 spells out the most likely ways in which the loss of epistemic trust undermines the sociological legitimacy (the perceived moral justification), and potentially the normative legitimacy (the actual moral justification), of democratic institutions. Finally, section 5 suggests a number of obligations that democratic institutions can be said to have in light of the trust-undermining effect of fake news. Ultimately, online fake news is but a symptom illustrating a larger problem: the internet has enormous effects on democratic processes that we have yet fully to understand. Nonetheless, fake news is a powerful enough influence on democratic values and processes to deserve political action and a thorough philosophical analysis of its own.

1. CHARACTERIZING FAKE NEWS

Before I analyze the effects of fake news on democracy, it is necessary to delineate the meaning of the term itself. “Fake news” has become a term that is used to denote very different things: it is employed to discredit political opponents or the respectability of particular news outlets, and it is used colloquially to simply refer to untruths in any given context. However, the phenomenon that public institutions like the European Commission and the British Parliament are concerned about most plausibly entails at least three features:

1. Fake news contains false information.

16 Zuboff, *The Age of Surveillance Capitalism*, 508–12.

2. Fake news is created with deceptive intent.
3. Fake news is presented as resembling traditional news items (even though it is not produced in accordance with editorial standards).

First, if fake news did not contain false information, it would be genuine news that would not present a concern. Second, deceptive intent necessarily is involved in the creation of fake news; otherwise, honestly but improperly researched information (e.g., inaccurate reporting) would be an instance of fake news.¹⁷ The deceptive intent can take different forms: The creator of fake news might intend for the false information simply to be shared. Alternatively, they might want a fake news story to attract visitors to the hosting website to generate advertisement revenue. What is decisive is that the real motivation of the creator of fake news is not transparent, and that their intention is *not* to distribute accurate information.¹⁸ Finally, the phenomenon at the heart of the concerns of institutions like the European Union or the British Parliament is not simply any kind of falsehood shared online but rather false information dressed up as a genuine news item.¹⁹ This final feature of fake news is important for understanding its negative effects on citizens' trust in the information environment of their democratic societies.

Examples of the politically relevant phenomenon in the focus of this article include stories such as candidate Donald Trump being endorsed by the pope, candidate Hillary Clinton selling weapons to ISIS and being a member of a child pornography ring, or refugees raping women in German public baths.²⁰ Many of these false news stories have been produced for political reasons, others as click-bait for economic gain.²¹ Fake news is not a new phenomenon.²² However, what is new in our virtual age is that such falsehoods can be disseminated cheaply, quickly, and globally via the internet because the internet has lowered the costs of sending and receiving information and widened the potential audience of all published content. People's ability to set up websites and to post information and messages means that the traditional news sources and gatekeepers of facts,

17 Fallis and Mathieson, "Fake News Is Counterfeit News."

18 Rini, "Fake News and Partisan Epistemology," 44–45.

19 Fallis and Mathieson, "Fake News Is Counterfeit News."

20 Silverman, "This Analysis Shows How Viral Fake Election News Stories Outperformed Real News on Facebook"; *Der Spiegel*, "Is There Truth to the Refugee Rape Reports?"

21 Silverman, "This Analysis Shows How Viral Fake Election News Stories Outperformed Real News on Facebook."

22 See McKernon, "Fake News and the Public"; and Soll, "The Long and Brutal History of Fake News."

such as traditional media and public institutions, have been demoted to some among many sources of information to which citizens are exposed.²³

It might be tempting to dismiss the relevance of these new possibilities that the internet and social media platforms offer by pointing to the aforementioned studies about the ineffectiveness of fake news. If few are exposed to and believe these falsehoods, how could such falsehoods undermine entire democratic systems? I argue that the danger of fake news lies in citizens' (incorrect) belief that fake news is actually effective in manipulating their fellow citizens. Social media platforms offer channels through which such manipulation is at least theoretically possible. However, in order to see why citizens' concerns render fake news an important problem for democratic politics, we require an understanding of those essential features of liberal democracies that are particularly susceptible to the effects of fake news.

2. DEMOCRACY AND EPISTEMIC TRUST

There are many conditions for the functioning of democracy. There are, for instance, minimal institutional requirements such as formally equal votes, equal basic freedoms (e.g., free speech and the right to run for public office), and an independent judiciary.²⁴ Without these elements, states are unlikely to respect the political liberties of their citizens. There are also socioeconomic conditions for the viability of democracy, such as limited material inequality.²⁵ If wealth and income become increasingly unevenly distributed, citizens are no longer likely to consider a democracy as working for them, and instead they may turn toward nondemocratic political options. However, for the purpose of understanding the dangers that fake news can pose to democratic processes and values, we need to look specifically at the essential element of epistemic trust.

Democracies are based on collective public decision-making that expresses the moral equality of all eligible members of the community, who have an equal say in the process. Democracies are thus special as the only form of government that realizes the moral equality of its members publicly in its collective decision-making.²⁶ Because of this, democracies are also unlike other forms of government in that their members are epistemically dependent on each other. That is to say that the life of every citizen is determined to a significant degree by what all others think is morally correct or factually the case, because the quality of the

23 Lazer et al., "The Science of Fake News."

24 Christiano, "Self-Determination and the Human Right to Democracy," 461.

25 Milanovic, *Global Inequality*, ch. 4.

26 Christiano, *The Constitution of Equality*, ch. 3.

laws made by the democratic body depends, to a significant extent, on the quality of the judgments of all those who elect the lawmakers. As Michael Fuerstein puts this point: “As democratic citizens, we are epistemically interdependent in the respect that our epistemic status on politically significant issues is contingent on the knowledge of others and our ability to trust them in accepting it.”²⁷ If, for instance, a large part of the population is misinformed about the risks and benefits of vaccinations and consequently elects politicians that restrict or ban vaccinations, my options for being vaccinated become limited as well—even though I would correctly believe that the benefits of vaccinations vastly outweigh the risks. To take another example, achieving herd immunity against a novel virus might require a population vaccination rate of 90 percent. However, a significant number of citizens might be unwilling to be vaccinated against the virus because they hold implausible or unsubstantiated beliefs about the vaccine, so that herd immunity is unattainable. Additionally, there might be no democratic support for imposing vaccine mandates. In this situation, even those who are vaccinated and hold plausible beliefs regarding the vaccine remain at risk from the virus because it might mutate or infect them and cause serious illness as it continues to circulate in the population.

Because we are epistemically interdependent as democratic citizens, we need to have a significant degree of epistemic trust in our political community to accept its laws and decisions as morally justified and binding. “Epistemic trust” denotes the idea that a person accepts information and reasons offered by another “because of the belief that the speaker is sufficiently epistemically reliable, where reliability concerns both the epistemic *competence* of the speaker—the likelihood that her beliefs in some domain are true—and her *sincerity*—the likelihood that she will represent what she believes accurately.”²⁸ Pervasive disagreement about our collective goals or about how to achieve them creates a situation in which citizens frequently are not convinced by each other’s reasons. Yet voters do not have to agree to accept the democratic decision procedure as morally justified. Rather, voters must have some trust in their cocitizens’ competence and sincerity to accept as politically binding their judgment and the political decisions based on it. Thus, the less I am convinced that political decisions are based on the best available evidence, the more grounds I have to reject their legitimacy.

Importantly, for citizens to accept their democratic institutions and procedures as morally justified, they need to have epistemic trust in a number of people. First, political candidates or officeholders who are deemed to be ignorant

27 Fuerstein, “Epistemic Trust and Liberal Justification,” 181–82.

28 Fuerstein, “Epistemic Trust and Liberal Justification,” 181.

or disingenuous normally do not carry democratic majorities. Citizens may, of course, deem knowledge and sincerity less important qualities if a political candidate promises to promote their most important goals. Yet, normally, achieving one's desired outcomes requires taking into account relevant facts. Thus, political candidates or officeholders need to be perceived to act on the basis of the best available evidence and on the objectives they profess to promote. Second, citizens must trust their primary sources of information. Politics is too complex for every individual to know all the relevant facts. Thus, it is traditionally the primary function of the free press to supply citizens with the information they require to form political opinions and make political choices. If citizens distrust most of the main information outlets, they can become distrustful of their fellow citizens who are exposed to the same outlets as well.

Third and most importantly, citizens need to have epistemic trust in *each other* because of their interdependence. If I believe that the vast majority of my fellow citizens hold beliefs that are completely factually mistaken, our conflict is not simply a moral disagreement. Rather, this disagreement is aggravated by our expectations about others' beliefs about what is factually the case. If my distrust in others' competence and sincerity reaches critical levels, I will stop trusting them to be capable of making joint decisions that fundamentally shape and determine my life. Epistemic distrust toward my fellow citizens will also affect to what extent I feel our collective decisions deserve my respect because my fellow citizens' ability to make political choices based on truth or the best available evidence seems problematically limited. It is thus the need for epistemic trust of citizens in each other that is relevant for understanding the danger that fake news poses to the viability of democratic values and structures—even if these falsehoods are not actually believed or shared by most who read them.

3. HOW FAKE NEWS UNDERMINES EPISTEMIC TRUST

A widespread concern about fake news is that it is indeed believed by those who consume it and that the democratic process is therefore undermined by the choices of manipulated voters who do not act in their own best interests or for the common good. This concern is one motivation behind, for example, attempts to identify ways of “inoculating” individuals against fake news.²⁹ The same worry is also expressed in the concern about “echo chambers”—a term that describes individuals only communicating with like-minded persons and primarily consuming information reflecting their own views. In such echo

29 Roozenbeek and van der Linden, “Fake News Game Confers Psychological Resistance against Online Misinformation.”

chambers, people are not exposed to the views and reasons of others, and thus no critical exchange of perspectives takes place. Fake news is thought to contribute to the echo chamber phenomenon by reaffirming people's suspicions about their political opponents. Such group polarization could turn the political climate among citizens from cooperative into adversarial. For that reason, Cass Sunstein, for instances, worries that "fake news is everywhere. To date, social media have not helped produce a civil war, but that day will probably come."³⁰

The problem with this concern is that, as pointed out above, it is contradicted by empirical research. The more fundamental threat that fake news poses is a different one. Fake news can indeed have a serious and debilitating effect on democratic processes and values regardless of whether its content is widely believed. The main danger that fake news presents to democracies is that it destroys the epistemic trust of voters in each other.³¹ Examples of such a loss of epistemic trust are documented in two recent polls conducted by the Pew Research Center. The first survey shows that a majority of US citizens have "little or no confidence in the political wisdom of the American people."³² And according to the second poll, 54 percent of Americans have lost confidence in each other *because* of fake news.³³ Citizens' *perceptions* about the effectiveness of fake news, not its actual effectiveness, are decisive for its destructive potential. As mentioned in the introduction, multiple surveys covering the United States and the European Union show that widespread concern about the prevalence of fake news exists because it is feared to spread confusion among citizens. Thus, these surveys can be taken as empirical evidence for the main argument of this paper.

The argument also finds support in the hypothesis of the third-person effect.³⁴ According to this well-supported thesis, people generally believe others to be more vulnerable to media effects than themselves. This third-person effect in relation to online fake news is indirectly borne out in surveys as well.³⁵ According to a Pew Research Center survey from 2016, 88 percent of surveyed US Americans worry that fake news has spread confusion among the citizenry, while at the same time, 39 percent of respondents are "very confident" and 45 percent are at least "somewhat confident" in their ability to identify fake news. That is to

30 Sunstein, *#Republic*, 11.

31 Rini makes a similar point in "Social Media Disinformation and the Security Threat to Democratic Legitimacy," 12.

32 Pew Research Center, *The Public, the Political System and American Democracy*.

33 Mitchell et al., *Many Americans Say Made-Up News Is a Critical Problem that Needs to Be Fixed*.

34 Davidson, "The Third-Person Effect in Communication."

35 Jang and Kim, "Third Person Effects of Fake News," 296.

say, 84 percent of respondents worry about fake news (only or predominantly) because of others' susceptibility to these falsehoods, not because of their own.³⁶

It is consequently plausible to argue that fake news can have an undermining effect on epistemic trust in democratic populations if it is believed to be widespread and effective. The knowledge that many of these falsehoods are circulating and might be accepted by others arguably is sufficient to undermine cocitizens' trust in each other. From each individual's perspective, it appears sensible to assume that the more falsehoods circulate, the more likely it is that others have read and come to believe them. Once voters are convinced of each other's epistemic unreliability, it becomes difficult for them to have a respectful exchange of views and arguments. After all, if I am convinced that my counterpart is not very competent in distinguishing facts from lies, I also have little reason to believe that their political views are generally reasonable. As Fuerstein points out, a person in this situation might even begin to act strategically by employing falsehoods as a reaction to the expected lies or confusion of others.³⁷ In this way, epistemic distrust can lead to a vicious circle: my expectation that others will attempt to manipulate me begets my attempt to manipulate others, and so on. This situation of mutual epistemic distrust, in turn, has grave consequences for citizens' views of the moral justifiability of the political discourse and the institutions that rest on it. Citizens might come to view particular democratically made laws, parts of the democratic system, or even the entire democratic system as morally unjustified. Citizens will then no longer consider these laws or systems as worthy of their respect since they are seen to be based on the false beliefs and bad choices of a manipulated majority of voters. This is to say that (the fear of) fake news can threaten the perceived moral justification of democratic processes and norms. And because democracy is a morally valuable form of government, the fact that fake news threatens its stable functioning makes these falsehoods a moral issue.

This argument is threatened by a possible objection. If concerns about false beliefs resulting from the consumption of fake news undermine citizens' epistemic trust in each other, why should regular political disagreement based on opposing beliefs not equally cause distrust among the populace? This objection poses an apparent dilemma for my argument.³⁸ Political disagreements are indeed often based on people believing different things to be true. For instance, I might be in favor of liberal immigration policies because I rightly believe that immigrants bring cultural and economic benefits, while my opponent incorrect-

36 Barthel, Mitchell, and Holcomb, *Many Americans Believe Fake News Is Sowing Confusion*.

37 Fuerstein, "Epistemic Trust and Liberal Justification," 187.

38 I thank an anonymous reviewer of the *Journal of Ethics and Social Philosophy* for suggesting this objection.

ly believes that immigrants are more criminal than natural-born citizens. Since I know my opponent's beliefs are false, should I not therefore distrust them? Thus, on the first horn of the dilemma, if political disagreement based on diverging beliefs generally foments distrust, why should we consider fake news a special danger for democracies?

Further, critics of democracy, such as Jason Brennan, endorse a generally negative view of citizens' attitudes toward each other.³⁹ According to Brennan, democratic processes necessarily lead to distrust and strife for two reasons. First, there is too much relevant political information for each voter to reach an informed political opinion. Voters' individual political influence, moreover, is too small to make it worth their while to spend time and effort to acquire more accurate information. They are thus likely to hold political beliefs that are based on inaccurate information. Second, even individuals who possess somewhat more accurate political information are ultimately corrupted by their own biases and partisan tendencies. These biases push them to accept political beliefs that fit with the views of other members of their group. Both tendencies increase political polarization and disagreement about politically relevant facts, which in turn foster a lack of trust toward political opponents. Brennan's proposed solution is to transition from democratic governance to an epistocracy where those who know better have privileged power to make political decisions. For Brennan, the regular workings of democracies, and not fake news, are sufficient for undermining trust among the populace.

Alternatively, on the second horn of the dilemma, if we assume that political disagreements based on opposing beliefs do *not* generally generate epistemic distrust, it is unclear why fake news (that generates fears about others having false beliefs) should lead to such distrust. After all, it seems unlikely that the mere fear of others holding inaccurate beliefs can cause distrust when actual knowledge of others holding opposing beliefs does not.

However, this dilemma does not pose a problem for my argument because there is a more plausible third option. There are two factors that explain why fake news is indeed a special problem for democracies. First, not all political disagreements give reasons to epistemically distrust one's opponents, for several reasons. Not all political disagreements involve disagreements about basic facts. Some of these disputes are about the right ways to achieve agreed upon goals. We can disagree, for instance, about the best way to tackle climate change, to fight poverty, or to promote gender equality. Only if the basic facts involved (climate change, blameless poverty, equality between genders) are disputed is there a reason to

39 Brennan, *Against Democracy*, ch. 2.

distrust an opponent's ability to grasp facts. Other disagreements that do not lead to distrust are about facts where the evidence is either inconclusive (i.e., too complex) or indeterminate (i.e., insufficient) to arrive at definite conclusions.⁴⁰ An example of the first is whether more free trade is always preferable to less; an example of the latter is whether God exists. Yet other disagreements that do not lead to distrust are of a normative kind—for example, whether the state should require citizens to confront the issue of organ donation by mandating a one-time decision about opting into such a scheme.⁴¹ In all these cases, disagreement is not unreasonable and does not have to lead to questions about opponents' epistemic competence, which shows that not all political disagreements are grounds for epistemic distrust.

Second, the problem of fake news has to be seen within the information context in which it arises. The internet has changed the information environment in which democratic citizens find themselves. Before the internet became widespread, citizens faced more relevant information than they were able to take into account. But in the offline society, there was a diverse but relatively limited range of information sources—for example, newspapers and TV stations. All citizens used a much smaller pool of information shortcuts, such as journalistic media.⁴² This relatively limited range of news sources meant that there was greater information overlap among citizens, and citizens were aware of this fact. These common news sources also allowed for more “shared experiences” and knowledge that in turn gave less reason to worry about the beliefs of others.⁴³ Fake news was a much less likely occurrence within this more limited pool of information sources because there were fewer channels that could reach all citizens. Mainstream channels often competed over their reputations for presenting accurate rather than false information to their audiences. This situation dramatically changed once the internet became widespread. Now, citizens are confronted with even more information, as almost everyone with the equipment and relevant technical knowledge is able to produce and distribute their own “news.” Due to the increasing number of sources of information, citizens now have fewer shared experiences and less shared knowledge.⁴⁴ Moreover, citizens have become aware that others might receive information through entirely different channels and share fewer beliefs with them.

Thus, in our digitalized information environment, disputes that involve con-

40 Gaus, *Justificatory Liberalism*, 152–53.

41 See Talisse, *Democracy and Moral Conflict*, ch. 1.

42 Christiano, “Democracy, Participation, and Information.”

43 Sunstein, *#Republic*, 140.

44 Sunstein, *#Republic*, 144.

troversty about basic facts are the kind of political disagreement especially likely to generate epistemic distrust among citizens. And here fake news indeed presents a special danger because, as explained above, fake news masquerades as genuine news. Thus, if I am worried about others believing fake news, I am directly worried about their epistemic competence in a way that I am not in the case of other disputes. After all, it is not obviously unreasonable to arrive at different conclusions about the moral status of fetuses or the existence of God when considering the same (biological and cosmological) basic facts. However, there are no two similarly reasonable beliefs about whether most immigrants are criminals or whether our top politicians are members of a globally operating ring of pedophiles. Thus, if I am worried that others believe fake news, I am essentially worried that they are *incapable* of distinguishing veritable from untrustworthy information sources. I cannot thus epistemically empathize with them (i.e., put myself in their shoes) or epistemically respect their beliefs. This explains why not all forms of political disagreement have to lead to epistemic distrust among citizens but why fake news necessarily sows such distrust. There is thus no dilemma threatening the present argument: fake news is a problem for epistemic trust in democracies. To recognize this, we do not have to deny that there are some political disagreements that also generate such distrust or that (as Brennan argues) many political disputes involve strong emotions that challenge public debate.

4. FAKE NEWS AND PERCEIVED DEMOCRATIC LEGITIMACY

How does the loss of epistemic trust among citizens affect democracies? Any answer to this question has to be speculative to some degree because most of the time it will be extremely difficult to determine with certainty that particular political developments are primarily or significantly the result of fake news stories. What can be identified, though, are the most likely effects that fake news can have on democratic systems, some of which are observable today. Most likely, the loss of epistemic trust caused by fake news affects democratic processes in the following ways:

1. Citizens can come to reject particular democratically made decisions if they think these decisions have been motivated by, or justified on the basis of, false information.
2. Fake news can exacerbate and deepen existing political polarization and public distrust in democratic institutions, thereby promoting system compromise and gridlock.
3. Fake news can negatively affect the moral justification of democratic in-

- stitutions if this justification is taken to rest on democracy's tendency to produce epistemically better outcomes than other types of government.
4. In the worst case, fake news can contribute to complete system collapse if political divisions fanned by fear of manipulation and epistemic uncertainty undermine support for democratic systems that are no longer able to contain civil distrust and strife.

Each of these likely effects of fake news on the perceived justification of democratic institutions works in similar ways but has more or less severe consequences for democratic legitimacy.

4.1. Fake News Prompting Resistance to Democratically Made Decisions

If it is known that intentional falsehoods are widely circulating and it is feared that factually incorrect beliefs have informed major democratic decisions, citizens on the losing side of those decisions can become convinced that they have reasons not to follow the results. Knowledge of widespread circulation of fake news stories could then be seen as a "countervailing consideration" against the legitimacy of a democratically made decision.⁴⁵ Citizens on the losing side might support or engage in passive or nonviolent civil disobedience.

To take an analogous example, a 2018 Berkeley IGS poll found that in California a majority of voters supported their state's decision to provide sanctuary to undocumented immigrants, thereby resisting stricter immigration policy imposed by the Trump administration.⁴⁶ The majority of Californian voters did not vote for Donald Trump in the presidential elections in 2016 and 2020, and polls consistently showed that a majority also rejected Trump's claims that immigrants are criminals and a burden to society. Rather, most Californians considered immigrants as strengthening their country.⁴⁷ Trump's negative comments on immigrants were not a case of fake news but an example of a disagreement about basic facts. However, this example indicates how political decisions that are perceived to be based on contested claims can lead to public opposition. If fake news stories rise to prominence and are perceived to influence public decisions, it is therefore plausible to assume that they, too, have the potential to generate strong resistance.

45 Christiano, *The Constitution of Equality*, 262.

46 DiCamillo, "While the Statewide Law Providing Sanctuary to Undocumented Immigrants Is Supported by a Majority of California Voters, the Issue Is Highly Divisive."

47 "California Survey on Othering and Belonging: Views on Identity, Race and Politics," Othering and Belonging Institute, April 18, 2018, <https://belonging.berkeley.edu/california-survey-othering-and-belonging>.

4.2. Fake News Contributing to System Compromise and Gridlock

Citizens' awareness of widespread fake news can also affect their views and acceptance of part or all of the democratic system because fake news contributes to an information environment that can promote political polarization and distrust in democratic institutions. Political polarization began to increase decades ago.⁴⁸ Moreover, the recent loss of trust in democratic institutions in Western democracies was more likely caused by the 2008 global financial crisis than by the emergence of Twitter and Facebook.⁴⁹ However, in a political climate in which fake news significantly contributes to citizens' distrust of each other, it is plausible to assume that fake news is likely to exacerbate existing political polarization and the loss of trust in democratic institutions. In this way, these falsehoods make it more difficult to overcome political division and decreased support for public institutions.⁵⁰

There are two likely responses of citizens feeling insecure about an information environment characterized by an abundance of information and widespread fear of manipulation. Neither of these responses is predicated on citizens actually believing the content of fake news. Such citizens might become politically apathetic. They might retreat from public debates requiring a degree of certainty about facts, given that they do not have the time, expertise, or trusted resources to acquire the required knowledge.⁵¹ This kind of disengagement is likely to be accompanied by a loss of trust in the democratic process. Or these citizens might instead try to reduce the complexity of the problematic information environment by using certain heuristics, such as sticking to the political group that reflects their identity—even if they do not believe all of that group's claims or condone its entire agenda.⁵² This prevents political dialogue and entrenches po-

48 Boxell, Gentzkow, and Shapiro, "Is the Internet Causing Political Polarization?"

49 Bennett and Livingston, "The Disinformation Order," 127.

50 Mitchell et al., *Many Americans Say Made-Up News Is a Critical Problem that Needs to be Fixed*. A survey found that in the United States, trust in the federal government has steadily declined over the past fifty years, and in 2019 only 17 percent of Americans said they can trust the government ("Public Trust in Government: 1958–2019," Pew Research Center, April 11, 2019, <https://www.pewresearch.org/politics/2019/04/11/public-trust-in-government-1958-2019/>). And in a survey conducted in October 2019 by the US Associated Press and NORC at the University of Chicago, 60 percent of respondents agreed that "political division in the United States [is the] result of Americans having different beliefs about how to address major problems facing the country" (Associated Press-NORC Center for Public Affairs Research, "State of the Facts 2019," survey data, USAFacts, November 13, 2019, https://static.usafacts.org/public/resources/2019_topline_final.pdf, 9).

51 Beckett and Livingstone, *Tackling the Information Crisis*.

52 Gottfried et al., *Trusting the News Media in the Trump Era*; Talisse, *Overdoing Democracy*;

litical divisions even if fake news by itself does not cause the divisions. These divisions, in turn, make it more difficult for different political factions to compromise and work together to solve problems.⁵³ Fake news then contributes to citizens adopting the confrontational stance that Brennan diagnoses in democratic politics. Thus, fake news can play a significant part in compromising the operations of democratic states, leading to political gridlock.

4.3. *Fake News's Impact on the Normative Legitimacy of Democratic Institutions*

So far, we have seen that fake news can undermine the epistemic trust of citizens in each other and the democratic process. From this *sociological* perspective, fake news is thus a problem for the stability of democratic institutions. With this danger in mind, we can also anticipate how fake news might undermine the moral justification (or *normative legitimacy*) of democratic institutions.⁵⁴ The difference between the sociological and the normative perspectives of legitimacy is that if a political authority possesses normative legitimacy, it is morally justified in wielding power—irrespective of the perceptions and opinions of its subjects. There are a number of theories about what morally justifies democratic power. One is the epistemic theory of democracy, which itself comes in different versions. All of these epistemic views hold that democratic authorities are instrumentally justified because they produce better outcomes than other forms of government. Epistemic views of democracy are particularly relevant for our purposes because fake news threatens to undermine precisely the epistemic trust among citizens that is practically essential for producing the epistemically better outcomes that (according to these kinds of democratic theories) justify democratic authority.

As Hélène Landemore explains, for some advocates of the epistemic view, democracies generate better outcomes than other forms of government “because including more people in the decision-making process naturally tends to increase what has been shown to be a key ingredient of collective intelligence in the contexts of both problem solving and prediction—namely, cognitive diversity.”⁵⁵ The larger the number of people, with their own perspectives and knowledge, that join together to make collective decisions, the better the results. But better outcomes are not achieved by simply adding up the views of individuals. Rather, the idea here is that democratic citizens deliberate together to arrive at better conclusions. Deliberating together has a number of advantages:

Mason, “Ideologues without Issues.”

53 McCoy, Rahman, and Somer, “Polarization and the Global Crisis of Democracy,” 24.

54 I thank one of the anonymous referees of the journal for encouraging me to clarify this point.

55 Landemore, *Democratic Reason*, 3.

it increases the pool of information and ideas all citizens can draw on; everyone can offer their interpretation of facts and reasons, which can help others better understand the matter at hand; and reasoning together helps to overcome individual biases in favor of better arguments, which in turn promotes better collective decisions.⁵⁶

According to a different version of the epistemic defense of democratic authority, democracy's unique "wisdom of crowds" is based on the idea that under certain conditions, the larger the group involved in making a majoritarian decision democratically, the more likely this decision is to be the correct one. According to the Condorcet Jury Theorem, this is the case if the choice involved is binary, if there is a correct answer available, and, crucially, if each voter on average has a better than even chance to select the correct answer.⁵⁷ In such a situation, the larger the number of voters involved, the more likely it is that the majority decision will be the right choice.⁵⁸

However, by undermining epistemic trust of citizens in each other, fake news can be expected to threaten the processes at the heart of epistemic accounts of democracy. If citizens believe that their counterparts are misinformed by fake news, it is plausible to presume that they will question their opponents' epistemic competence and doubt the meaningfulness of entering into a dialogue with them. As suggested above, this lack of trust might manifest in the form of political polarization or disengagement from the political process. If this is the case, there are a number of possible ways in which the epistemic quality of the outcomes of democratic decisions might be lessened, which in turn would negatively affect the decisions' normative legitimacy, on epistemic views of democracy. I can only hint here at the empirical connections between a loss of epistemic trust caused by fake news and a loss of epistemically grounded normative legitimacy. For these illustrative purposes, I limit myself to the two aforementioned versions of the epistemic defense of democracy.

First, as Landemore argues, on some versions of the epistemic theory, democratic decisions are better because they are informed by a diversity of viewpoints. On this picture, if fake news deters citizens from deliberating together, the diversity of perspectives involved in the decision-making process will be reduced. This will, in turn, render the resulting decisions less well informed and thus worse, which weakens the argument that democratic power is justified because it leads to better outcomes. Second, if we assume that the Condorcet Jury Theo-

56 See Landemore, *Democratic Reason*, 99.

57 For additional conditions of the Condorcet Jury Theorem, see Landemore, *Democratic Reason*, 148.

58 There are other versions of the epistemic view that I will not go into here for reasons of space.

rem provides a sound normative defense of democracy, citizens' disengagement from the political process due to epistemic distrust caused by fake news weakens the epistemic defense because it lowers the number of voters involved in the decision. The more citizens are deterred from voting due to fake news, the less likely the majority is to arrive at the right decision. And the less likely the majority is to arrive at the correct decision, the weaker this version of the epistemic defense of democracy becomes.

Despite the limited nature of these explanations, we can identify a crucial problem for epistemic theories of democracy when fake news leads to a loss of citizens' epistemic trust in each other. Since these views rely on citizens' participation in democratic processes, fake news threatens the moral justification of democratic institutions and decisions insofar as it undermines or changes precisely the political participation that is supposed to deliver better outcomes. This suggests that fake news not only threatens the sociological legitimacy (i.e., stability) but also the normative legitimacy (i.e., moral justification) of democratic authorities.

4.4. *Fake News Contributing to System Collapse*

Returning to the sociological legitimacy issue, we have seen that fake news is a threat to the stability of democratic institutions. The most extreme case of the pernicious influence of fake news would be one in which political divisions—stoked by informational uncertainty and fear of false information—lead to a critical loss of support for the democratic state overall. Citizens would then no longer see their state as morally justified and instead believe that it has lost its “right to issue and enforce laws without interference.”⁵⁹ The ensuing active and violent resistance might take the form of intimidation of or attacks on political candidates, officials, and the supporters of opposing parties. At this point, though, the viability of democratic processes (i.e., the election of officeholders) and democratic values (i.e., acceptance of the moral justification of collectively made decisions) is truly in jeopardy, and political dissent might turn into open rebellion.

No democratic state has yet collapsed because of online fake news. Since fake news is not the sole source of false beliefs and political divisions, it is also unlikely ever to be the sole cause of democratic system collapse. Instead, financial and economic crises have frequently been conditions contributing to democratic system collapse in recent history.⁶⁰ However, the end of the German Weimar Republic and the role that mass media played in its end are instructive. The Weimar Republic did not collapse due to a public revolt but instead was dismantled

59 Adams, “Institutional Legitimacy,” 98.

60 Funke, Schularick, and Trebesch, “Going to Extremes.”

by the Nazis that were democratically elected as the largest party in the November 1932 elections. False or misleading political information significantly shaped the political context of the last years of the republic. As Bernhard Fulda argues, propaganda, a fragmented press, and dramatized reporting mixing information and entertainment “contributed significantly to the polarization of Weimar society and the escalation of political conflict.”⁶¹ In the end, public distrust in the state and among various factions was so pervasive that when the Nazis began to dismantle the Weimar democracy, there was no crucial mass of citizens left to defend it. The case of the Weimar Republic thus demonstrates that manipulative and false information can significantly contribute to the downfall of democracies. As Jason Stanley points out, the destruction of citizens’ trust in each other and the state is a crucial aim of fascist forces aiming to eliminate democratic rule:

Spreading general suspicion and doubt undermines the bonds of mutual respect between fellow citizens, leaving them with deep wells of mistrust not just toward institutions but also toward one another. Fascist politics seeks to destroy the relations of mutual respect between citizens that are the foundation of a healthy liberal democracy, replacing them ultimately with trust in one figure alone, the leader.⁶²

Today, online fake news offers a new possibility for (external and internal) enemies of democracy to undermine the public’s confidence in each other and in their democratic institutions. Crucially, as in the two other cases, the loss of perceived legitimacy of democratic values and processes can be brought about merely by the fear of others being manipulated by fake news, without citizens believing the content of fake news itself.

5. OBLIGATIONS TO TACKLE FAKE NEWS

Nonetheless, democracy remains morally important because if the conditions are right, it can produce better outcomes than other forms of government and it can be a unique way of respecting everyone’s moral equality in the political decision-making process. This explains why democratic institutions have not only prudential reasons but, more importantly, also moral obligations to fight the spread of fake news and its deleterious effects on democratic stability. After all, we ought to make better rather than worse political decisions, and we ought to respect the genuine views and interests of others in our collective decision-making process.

61 Fulda, *Press and Politics in the Weimar Republic*, 223.

62 Stanley, *How Fascism Works*, 71.

What exactly then are the particular obligations for combating fake news that arise for democratic institutions? Several plausible suggestions have been made. Given that fake news today is mostly spread via social media, Regina Rini has suggested that social media companies ought to be incentivized through regulation to be transparent about who pays them to distribute information on their platforms.⁶³ Rini also proposes that social media companies introduce reputation scores for individual users as a mechanism for attaching social costs to the spreading of fake news.⁶⁴ In light of fake news's negative impact on the general information environment in which democratic citizens find themselves (see section 3.1 above), my own focus here will be on how generally to strengthen the information environment. More concretely, this implies at least three urgent obligations for democratic institutions.

First, as we saw, an important problem of the information environment of democratic societies in the digital age is the decreasing number of common information sources. Everyone can create and disseminate information online. Democratic institutions thus have a duty to offer a publicly funded news source that is politically independent and operates fully transparently. Public funding can be provided, for example, through a compulsory license fee paid by all eligible members of the public. Independence can be guaranteed by a supervisory board that is sufficiently independent from government influence and that consists proportionally of representatives of all major groups of society. Promoting public awareness of the independence and neutrality of such public broadcasters can motivate significant public trust in these news sources. For instance, in the United Kingdom, the BBC is the most widely trusted source of news, and in Germany 80 percent of the population trusts public broadcasters.⁶⁵

Second, to combat fake news, democratic institutions ought to promote education and digital media literacy in order to empower their citizens to distinguish trustworthy from untrustworthy news.⁶⁶ These efforts should also be publicized to foster epistemic trust among citizens. Initiatives of this kind have been shown to be successful in various countries.⁶⁷ As a corollary, states might

63 Rini, "Social Media Disinformation and the Security Threat to Democratic Legitimacy," 13.

64 Rini, "Fake News and Partisan Epistemology," 57.

65 Daniel Marshall, "BBC Most Trusted News Source 2020," Ipsos MORI, May 22, 2020, <https://www.ipsos.com/ipsos-mori/en-uk/bbc-most-trusted-news-source-2020>; "News Media and Public Attitudes in Germany," Pew Research Center, May 17, 2018, <https://www.pewresearch.org/global/fact-sheet/news-media-and-political-attitudes-in-germany/>.

66 Rini, "Social Media Disinformation and the Security Threat to Democratic Legitimacy," 13.

67 Guess et al., "A Digital Media Literacy Intervention Increases Discernment between Mainstream and False News in the United States and India."

also consider, as part of their public education, disincentivizing a focus on fake news, as some have suggested, because giving prominence to fake news might increase unfounded concerns about it among those being educated.⁶⁸ The duty to increase the digital media literacy and general education of citizens is thus in stark contrast to the conclusions that Brennan draws from the dangers of partisanship and polarization in democratic politics.⁶⁹ Insofar as the problem is citizens' ignorance of accurate information, democratic institutions, rather than disenfranchising part of the population, should promote citizens' information literacy and strengthen their information environment. Public education and public broadcasts are public goods. The fact that public goods promoting the functioning of democracy may be underfunded or nonexistent does not show that democracy cannot work. It also does not show that we should give up on democracy and adopt epistocracy. It rather shows that we should properly fund these public goods that both empower individuals and improve the information environment in democratic societies.

Finally, public officeholders must not use the label "fake news" to discredit their opponents or, in particular, the free press. The most famous example is Donald Trump, who is sometimes credited with popularizing the term "fake news" itself. The labeling of certain press outlets as fake is particularly damaging because, as explained above, fake news masquerades as real news. If citizens believe that others accept the labeling of regular news sources as fake, their view that their fellow citizens are unable to distinguish real news from fake news is exacerbated. In such a situation, the democratic system itself (through its representatives) fans the flames of epistemic distrust and confusion. For this to happen, it is sufficient that citizens are convinced that others believe the accusations that certain information is false.⁷⁰ The use of the "fake news" label by public officials is thus a direct attack on the sociological and normative legitimacy of democratic institutions and is correspondingly insidious. Instead, public officials ought to work toward fulfilling their obligations to safeguard and promote epistemic trust among democratic citizens.

6. CONCLUSION

Major democratic institutions have correctly identified fake news as a threat to

68 Habgood-Coote, "Stop Talking about Fake News!"

69 Brennan, *Against Democracy*.

70 The view that holds that fake news poses a threat because its content is actually believed has difficulties accounting for this problem. I thank an anonymous reviewer of the *Journal of Ethics and Social Philosophy* for stressing this point.

their values and processes. However, the danger posed by these online falsehoods does not primarily lie in their power to convince readers of the veracity of their factually incorrect content. Rather, the primary danger fake news poses to democratic values and institutions lies in the corrosive effect it has on trust among citizens and thus on citizens' trust in their democracy.

It would be unreasonable to expect that the magnitude of fake news's threat to democracies can be quantified with any precision because fake news is unlikely to be the sole cause of civil resistance to particular political decisions, of system gridlock, of arrival at suboptimal decisions via democratic processes, or of system collapse. Political conflicts and polarization that put pressure on the perceived legitimacy of democratic institutions are not the effect of, but predate, fake news and create the circumstances in which fake news can thrive. However, increasing political polarization, political gridlock, and a growing lack of trust in democratic institutions are well-documented trends in liberal democracies. Moreover, reputable polling evidence shows that fake news leads to a loss of citizens' trust in each other, which is a major cause of the destabilization of democratic processes and of the erosion of the benefits that morally justify democratic institutions.

Online fake news is of course not the sole source of false beliefs (and thus of public concern about false beliefs) in democratic societies. However, given that in Western liberal democracies most voters today obtain political information via the internet, online fake news has become a major threat to epistemic trust among cocitizens.⁷¹ Democratic institutions are therefore rightly worried about the spread of these falsehoods. Democratic processes are only viable when citizens have a sufficient degree of epistemic trust in their main sources of political information and in each other's epistemic competence. Fake news is a major threat to both of these conditions even when it is not straightforwardly believed. Primarily for this reason, fake news presents a threat to democratic processes and values and is rightly a matter of concern for democratic institutions.⁷²

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71 Shearer and Matsa, *News Use across Social Media Platforms* 2018.

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