

## **Submission to the Electoral Matters Committee of the Parliament of Victoria's Inquiry into the impact of social media on elections and electoral administration**

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### **How is social media changing elections?**

Democracies rely on citizens making informed choices based on exposure to a plurality of information which enables them to be deliberative democrats. They must be able to vote free from manipulation. This means they must have access to accurate and accessible information and must not be exposed to harmful misinformation or manipulative and misleading content. Social Media is utilised by a range of actors during elections in ways which are positive and negative for democratic processes:

#### ***The main positives are:***

1. Political parties, independent of the resources they have available, are able to reach at low cost a wider proportion of the electorate than is possible through scheduled election broadcasts or media management activities. This contributes to the plurality of ideas which circulate during election contests. Evidence from the CAMPROF and Campaigning for Strasbourg (CamforS) projects suggest all parties make use of the affordances offered by social media for posting content on their news feeds as well as paying for targeted advertisements.
2. Citizens use social media to find news and information about the state of the contest (from independent media sources), on party policy (from party profiles or aggregators) and on party events. This contributes to citizens being better informed and potentially making more informed choices when at the ballot box. Research (Grill & Boomgaarden, 2018) suggests attentive citizens are confident participants in political decision making and make more informed choices.
3. Citizens with lower levels of interest and engagement can become accidentally exposed to political content from political parties, news organisations, online aggregators and other users when browsing the internet. Research shows this has the capacity to decrease imbalances in being informed (Valeriani & Vaccari, 2016) and motivates citizens to become better engaged, informed and increases the likelihood of participating in a range of political activities (Lilleker & Koc-Michalska, 2017).

#### ***The main negatives are:***

1. Political parties and actors use platforms to disseminate content designed to manipulate citizens attitudes which they can view at times when they are more susceptible, i.e. when they are seeking entertainment or a distraction. Hence, they do not use the same cognitive processes as when they are warned they will be exposed to a political message. The unfiltered and often below-the-radar nature of political election communication means it may not be accurate and there will be no alternative view presented alongside the communication. This negatively impacts the extent of plurality and informed decision

making, particularly when evidence suggests much political communication contains elements that are misleading (Allen & Stevens, 2018).

2. External actors seeking to manipulate public attitudes and impact the outcome of an election can post content which is deliberately misleading and manipulative. If this is allowed to be published, and citizens find the argument plausible, misinformation can enter public discourse and be influential (Lilleker & Liefbroer, 2018). This negatively impacts citizens making well-informed choices at the ballot box.

3. Due to the ideological homogeneity of the networks of lower-engaged citizens, as well as the operation of platform algorithms and the use of bots by actors to increase the visibility of content, users can be exposed to a fairly narrow diet of information. This reduces the extent to which citizens enjoy a plurality of voices and perspectives, and can lead to reinforcement bias where they form attitudes based on biased information which conforms to their existing beliefs. This can also make them susceptible to believing misinformation from political actors or actors seeking to manipulate the outcome of an election. Clear evidence of this phenomenon has been found in science communication and the same issues apply within a political context (Wang & Song, 2020).

Evidence regarding the impact of social media shows it to be mixed. On the one hand it enhances the plurality of the information environment and can lead citizens to be better informed voters. However, this relies on the regulation of political party usage, ensuring they do not attempt to manipulate voters using misleading communication. It also relies on the ability of social media platforms to exclude content by anonymous and unregulated actors that seek to interfere with the conduct of an election contest.

### **What problems have you seen with social media and online advertising around elections?**

Online advertising exacerbates many of the above negatives. Initial results from the analysis of political advertising during the 2019 European Parliamentary Elections (CamforS) shows that, compared to post content, political parties were:

- Less likely to clearly identify the party at the opening of the advertisement
- More likely to provide short, single issue messages
- More likely to include some negative elements, such as attacks on opponents
- More likely to contain factual claims that were difficult to verify

These are not in themselves the serious issues, however, point to some of the problems which are rife in the practices of political advertising (Allen & Stevens, 2018). These practices contravene good practice.

It is a sign of a healthy, pluralist democracy that a wide range of parties are able to reach a wider range of citizens than those who regularly consume news. However, good practice demands that the source of the advertisement is clearly identified and that claims are substantiated with clear identifiable and true, independent sources (Electoral Commission, 2018).

However, the form of political advertising is also problematic. Advertising tends to constitute simple images designed to influence the attitudes and behaviour of individuals. These images, what one might call visual propaganda due to their strategic purpose, are endemic within society. On social media, however, the environment is filled with a plethora of images. In order to capture views political advertising tends to use images that have direct resonance to latent feelings and emotional associations and are designed to harden attitudes due to their emotionally-laden properties. Psychological research by Daniel Kahnemann and Amos Twersky (Kahneman, 2011) showed how people tend to engage in low effort information processing which enables quick decision making that fails to consider the wider ramifications of adopting a particular attitude or behaviour. Petty and Caccioppo (1986), likewise show people absorb easily accessible arguments, such as image-based communication, that fit with their existing schema. Involving little conscious thought, subconscious processing strengthens existing attitudes or justifies extant patterns of thinking and behaviour including reinforcing prejudices (Lilleker, 2014; Lilleker & Ozgul, 2021).

**What actions have you seen governments take in relation to social media/online advertising and elections? What results have been achieved by these actions?**

Governments have limited capacity to regulate social media, all they have the power to do is regulate political parties. Many governing parties may be reluctant to do this as it hinders their own ability to campaign in ways they might perceive to pay electoral dividends.

Pressure has been brought to bear on the major platforms which have enabled users to identify content they find to be fake, using hate speech or similar. Singapore, for example, made it law for social media sites to carry warnings on posts deemed false and remove comments against the “public interest” (Reuters, 2019). But there are issues with determining what is false and what constitutes the public interest as these would mean different things in democracies and authoritarian regimes and the terms are used for narrow political interests in Trump’s America and Bolsanaoro’s Brazil. Germany has gone much further in these respects, outlawing malicious disinformation and requiring journalistic standards be adhered to (Law Library of Congress, 2020). Platforms also require advertisers to register so it is easier for users to identify political advertising. But on the whole most advice points towards platforms operating with better self-regulation policies (Goodman, 2019).

There is also a reluctance among supranational bodies to regulate political communication, or indeed misinformation, as this can also hinder free speech as the definitions of misinformation vary according to differing political systems (Council of Europe, 2017).

Hence there is minimal regulation and no sense of a global approach to tackling the challenges posed by the ways in which social media impacts negatively upon the core principles of democracy. Regulation has been ramped up in response to the dissemination of misinformation during the COVID-19 pandemic, leading social media platforms to increase the speed of responding to user’s reports of false content and the development of stricter guidelines and processes (Pamment, 2020). However, this still does little to constrain

the behaviour of political campaigners as they operate under freedom of speech regulations.

### **What are the most effective ways to address any problems with social media and online advertising around elections?**

Recommendations by the Electoral Commission (2018), Council of Europe (2017) and the Carnegie Endowment (Pamment, 2020) offer a framework to an extent for reducing some of the more negative impacts of social media.

These bodies are clear that political advertising and content should have a clear imprint indicating the source. They are also clear that spending on election or referendum campaigns by foreign organisations or bodies should not be allowed. As the latter does not include individuals who happen to be in another nation it does not impact on free speech or prevent exiled dissidents from participating in pluralist dialogue, however it also allows foreign institutions to use proxies. Such contradictions highlight the complexity of regulation. These require social media platforms to act as the main regulator and indeed censor of content.

It is also suggested that social media platform operators should offer greater transparency regarding how their algorithms make content more, or less, visible to certain users. They are also called on to be more vigilant to prevent the work of automated bots to promote content.

Cumulatively, recommendations state social media platform operators need to have clear policies governing the posting of campaign material and election advertising and ensuring that content follows the national rules for election campaigning, for example obeying campaign silence periods as well as adhering to rules governing hate speech. These recommendations involve significant investment on the part of social media platforms. There is a significant challenge ensuring that platform operators adhere to any recommendations or regulations. However, they may be forced to succumb to pressure. A downside of the pressure being applied could be that social media platforms refuse to host any material from political organisations, thus negatively impacting the availability of information and the plurality of election information.

Many recommendations target campaigners. Transparency of spending is highlighted as an important issue. There are suggestions of ensuring campaign spending returns sub-divide spend into more granular categories, allowing more transparency of the spend on digital campaigning. There are also suggestions that the penalties for breaking rules should be greater by the Electoral Commission, so strengthening their investigative powers.

However, most of the published recommendations conclude in somewhat vague terms. Pamment (2020) argues greater dialogue among stakeholders is required to develop a framework for good practice. A question remains as to which stakeholder has greatest influence and whose interests will be best represented. A lot of focus is placed on the development of guidelines to provide support and direction to stakeholders seeking to mitigate the impact of disinformation, including digital platforms, member states, civil

society, and researchers. Again, the focus is identifying and implementing best practices. While the European Commission is seen to favour regulation, accompanied by fears a voluntary code of practice will fall short of having an impact, the challenge is ensuring compliance. Pamment argues data transparency is key, however it is difficult to see how identifying the problems can support reaching immediate solutions.

I would propose three further recommendations, based on the only partial sustainability of the existing recommendations.

***Verification of Political and Media Organisation*** Firstly, while in some nations political organisations have to register in order to advertise this should be widely mandatory. The same rules should apply to all profiles that pertain to be news organisations. These would be highlighted with a symbol they are a verified political party or news organisation. Any of these which are found being reported and proven to be spreading misinformation or inappropriate content should be penalised by having a cross against their profile. The cross would clearly indicate which standards they have contravened. A set number of contraventions would elicit a lifetime ban from the platform for the individuals who create the profiles. These measures, accompanied by stricter inspection of credentials ensuring all individuals are real people, will reduce the numbers of users who might engage in democratically harmful activities.

***Political Advertising should be covered by Advertising Regulatory Laws.*** Secondly, political advertising should be subject to the same rules and regulations as commercial advertising. The Advertising Standards Agency (ASA) states advertising must not be misleading, through omission, exaggeration, presenting opinions as facts, must qualify and substantiate arguments and present evidence for their arguments to the broadcaster for checking prior to broadcast. The ASA also stipulates that advertisements must not cause physical, mental, moral or social harm or cause offense against generally accepted moral, social or cultural standards. The ASA also prevents advertising being coercive or applying undue pressure on their audience. These very basic rules do not in any way impede free speech, unless free speech is interpreted as manipulating and misinforming for the purpose of electoral gain. They do however ensure that citizens have a greater chance of being well informed voters.

***Media Literacy Education*** Thirdly, it is important to highlight that regulation of political organisation and social media platforms can only ever go so far and that work with citizens is required. I recommend a renewed focus on media literacy in schools, particularly around emotional self-management and digital 'emotional self-care'. These concepts have been applied mostly to the work of activists or researchers (Ramsden, 2016). However, the ability to distance oneself emotionally from material online, whether the views are personal by another user or political is important. The ability to reflect on the purposes or indeed mental state of the person or organisation posting has value in constructing a better understanding of how to be a good digital citizen. However, at a more basic level simple lessons relating to thinking before liking or sharing, how to avoid filter bubbles and understanding the threats posed by exposure to misinformation are required now from a young age. Media literacy also needs to provide a basis for assessing the validity of sources, source bias, the role of journalism in society and how to differentiate between different

forms of journalism: investigative, editorial or propagandistic. These are issues that predate and transcend fake news, but have become increasingly imperative due to the widespread usage of this plethora of new platforms.

### **Final reflections**

During the COVID-19 pandemic lockdown's experienced in many of the nations of the world, social media has once again proved itself a space where misinformation on the veracity of government's and WHO information can be questioned, ideas for dubious preventative and palliative treatments and a variety of conspiracy theories have circulated. However, the social isolation measures also highlight the importance of social media in connecting people. Caring for the vulnerable, clapping for carers and general sociability among family and friends has been facilitated across these platforms.

What is needed is a dialogue on the dangers and a set of clear instructions which platform operators and governments can institute, monitor and enforce so that the platforms can remain spaces that are safe for users. A space where they are not exposed to ideas that damage themselves (as during the pandemic) or have the propensity to impede democratic processes. Citizens must not be misinformed or manipulated, and regulations must be sufficiently clear and robust to prevent that happening.

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