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Claremont McKenna College

# On the Wrongs of Fake News

submitted to

Professor Paul Hurley

by

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for

Senior Thesis

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## ABSTRACT

While fake news has become a hot political issue in the past years, it presents novel and apolitical philosophical problems that are often neglected. This paper explores the epistemic and moral wrong of fake news, drawing on work from Immanuel Kant, Seana Shiffrin, and Miranda Fricker to explain exactly why fake news is so problematic. I argue that creating and sharing fake news violates Kant's Categorical Imperative because it cannot be willed into a universal law and because it fails to respect rational agents as ends in themselves. I also argue that fake news presents distinct epistemic harms as it leads us away from accurate and reliable information. These harms are distinct, but closely related. I reason that examining the harms of fake news ultimately reveals a great deal about what we owe each other as interlocutors. The problems of fake news demonstrate that both as speakers and as listeners, we seem to be bound by some obligations to treat each other with dignity. Altogether, I conclude that we are not hopeless. Fake news challenges how we reason with each other, but it is not fatal to the communication that binds us together. So long as each person approaches speech with the respect it commands, we can carefully avoid the harms of fake news and overcome the endemic of misinformation that plagues us.

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## INTRODUCTION

Creating and sharing fake news is wrong, or at least it feels that way. This paper is built on that intuition. It takes that feeling and connects it with centuries-old threads of ethical and epistemological philosophy to find more robust answers. Even though there is something obvious about the wrongs of fake news, we can gain something profound from spelling it out. In understanding more about the wrongs of fake news, we also learn more about the value of knowledge. We find something inspiring about the nature of communication and the importance of truth.

Importantly, this discussion is apolitical. It does not build on the contentious debates surrounding freedom of speech, polarization, and censorship. Surely, these debates are worth having. And, surely, some parties are more right than others. But this paper wants to go back to the beginning of those debates. Why is fake news wrong? What sort of harms does it cause? As a listener and a speaker, what do we owe each other?

## CHAPTER 1

### Lies, Damned Lies, and Deception

There hasn't been much philosophy written about fake news because it's such a novel social problem. However, there has been plenty written about the wrongs of lying and deception. Because fake news centers heavily around these exact issues, they get the conversation moving. This section begins by looking at the moral philosophy of Immanuel Kant and thinking about how deontology can inform our ethical analysis of fake news. Then, I turn to the work of Seana Shiffrin and apply Kant's ethics more narrowly to speech. Finally, I use work from Miranda Fricker to understand testimonial injustice, showing how the wrongs of communication apply to both listeners and speakers. While there are times where I mention fake news, I want this section to offer a strong philosophical foundation for my argument later on. So, to start, what are Kant's ethics?

Immanuel Kant's ethics are built on his notion of a "good will", the only thing he describes as "good without limitation".<sup>1</sup> Kant writes that, "A good will is not good because of what it affects or accomplishes... but good just by its willing, i.e. in itself".<sup>2</sup> A good will derives its goodness not from its relationship to other things, but independently. The quality of its being good is internal. In this way, Kant distinguishes his ethical theory for its immediate attention to intention.

A moral consequentialist would tie the behavior of an agent to the results of that behavior. From their perspective, an action is good or desirable because of its relation to the

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<sup>1</sup> Kant, Immanuel. *Groundwork of the Metaphysics of Morals*. (Cambridge University Press, 2012): 9.

<sup>2</sup> *Ibid*, 5.

physical world. For instance, if I saved someone from disaster, my actions would be good because they are saved. If I had failed to save them, failure would define the morality of my actions. The quality of goodness is derived from good outcomes. Conversely, Kant is offering a theory of ethics predicated on the motivation of the agent. Kant is very clear in this regard. The goodness of will is “good just by its willing”.<sup>3</sup> To him, ethics is a study of motivation. Our reasoning in relation to the action is primary to the action in relation to the world. To be good is to have good intentions.

It naturally follows that Kant’s theory must distinguish between good and bad intentions. He relies on reason, the “ruler” of our will. Kant is arguing that through deliberation, and deliberation alone, we will arrive at the proper conclusions about what is right and wrong. The failure to create a good will is a failure of reason. Also, the endowment of reason is not necessarily exclusive to one culture or one species of animal. To Kant, the goodness of a human being “must not be sought in the nature of the human being, or in the circumstances of the world in which he is placed, but a priori solely in the concepts of pure reason”.<sup>4</sup> The path to morality is not in the experiences of individuals or in the nature of being, but rather in rationality itself. For instance, two beings on opposite sides of the planet, or universe for that matter, could reason their way to the same ethical conclusions. There is no prerequisite knowledge for a good will, only rational capacity. In this way, a priori reasoning, reasoning independent of experience, becomes a keystone of Kant’s ethics.

Further, Kant argues that our rationality not only leads us to moral action, but binds us to it, as with an obligation. This engenders his notion of duty, the only class of actions which carry

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<sup>3</sup> Kant, 10.

<sup>4</sup> Ibid, 5.



“moral content”. While an immediate inclination may compel us to act one way, Kant suggests that this category of action deserves no special praise. Immediate inclinations are selfish actions; to drink beer or eat cake is to indulge ourselves without ethical implications. Likewise, action with no immediate inclination but is still performed “because [agents] are impelled to do so by another inclination” fail to qualify as action from duty.<sup>5</sup> An example he provides is duty to preserve one’s life. He writes that when humans preserve their lives because they are inclined to do so, moral worth is absent. It is only when the “hopeless grief ha[s] entirely taken away the taste for life” and yet, when one wishes for death, they preserve their life, “without loving it, not from inclination, or fear, but from duty; then his maxim has moral content”.<sup>6</sup> Bound by what we know is right, we act from moral duty.

This has several important takeaways. While both individuals, the one who values life and the one who disdains it, chose to preserve life, only the individual who disdains life has acted from duty. Of course, if our inclinations happen to align with the right decision, Kant sees no problem. He welcomes any natural desire towards ethical action. However, the moral distinction is the motivation of an agent. Again, Kant emphasizes the primacy of intention. Despite identical behavior, the inclination to preserve life undermines that action of its ethical character; an action that only “conforms with duty... has no true moral worth”.<sup>7</sup> Only action from duty, actions driven from our idea of what is right, warrant moral praise.

Together, the notion of good will, reason, and duty yield the Categorical Imperative, a form of obligation that commands the moral actions of rational beings. Kant’s first iteration of the Categorical Imperative reads as follows: “act only according to that maxim through which

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<sup>5</sup> Kant, 13.

<sup>6</sup> Ibid, 13.

<sup>7</sup> Ibid, 14.

you can at the same time will that it become a universal”.<sup>8</sup> In other words, act as though your behavior would compel others to act in the same way. This Imperative is a guide for Kant’s ethics. It illuminates how we can wield our reason to distinguish right from wrong. Kant explains how when faced with a moral dilemma, he asks himself, “would I actually be content that my maxim... should hold as a universal law (for myself as well as for others)”.<sup>9</sup> By maxim, Kant is referring to a universal moral truth reached by reason, such as lying is wrong. By universal law, he is referring to a moral rule by which all rational beings are bound. The Categorical Imperative is a guide for the will. It is “a command (of reason)” one that is “objectively necessary by itself, without reference to another end.”<sup>10</sup>

The second iteration of the Categorical Imperative is closely related to the first. It commands us to “act that you use humanity, in your own person as well as in the person of any other, always at the same time as an end, never merely as a means”.<sup>11</sup> This version instructs us to never use other people merely instrumentally. Instead, we are told to treat them as an end in themselves. Here, Kant is shifting the focus to the intrinsic value of all persons. To respect this value is to treat them with dignity. We can see how this interaction could be derived from the first. The failure to acknowledge and respect the sovereignty of others creates an unsustainable moral law; we would not plausibly instrumentalize others with the expectation that they would do the same to us. Any act that discounts the worth of another rational being would contradict either version of the Categorical Imperative.

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<sup>8</sup> Kant, 31.

<sup>9</sup> Ibid, 34.

<sup>10</sup> Ibid, 27-28.

<sup>11</sup> Ibid, 41.

Kant's choice to describe these rules as "laws" is a significant one. Like laws of nature or mathematics, Kant's moral philosophy is supposed to remain consistent between individuals, cultures, and eras. He states bluntly, "a law, if it is to hold morally, i.e. as the ground of an obligation, must carry with it absolute necessity".<sup>12</sup> His moral code is unwavering to context and outcome and agent. Naturally, he fails to accommodate a wide range of situations in which many persons tolerate exceptions to a general rule. This is often where critics of Kant attack his ethical theory. While some praise Kant for his rigidity, others see this rigidity as a weakness. Indeed, the Categorical Imperative raises several serious problems in exceptional circumstances.

For example, Kant's view on lying is clear; it is one of the rare extended examples he provides in his writing. He claims that the Categorical Imperative commands us to not lie. Kant reasons that if we were to believe that our decision to lie would be made a universal law, all relationships would deteriorate. The basic social trust needed to function would erode. When we lie to another person for personal gain, it undermines the epistemic faith we have in others. And further, lying fails to acknowledge the intrinsic value of other rational persons. A lie uses the good faith of others to achieve some other end, meaning that a liar necessarily instrumentalizes others with deception. The success of the liar is predicated on using other beings as means. This suggests that the act of lying violates either version of Kant's categorical imperative. And granted each law "must carry with it absolute necessity", there appears to be no wiggle room.<sup>13</sup>

So, critics seem to have good reason to push Kant when it comes to the famous example of a murderer at the door. In this example, we imagine ourselves as harboring an innocent friend in our house when a murderer arrives and demands us to reveal the innocent friend's location.

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<sup>12</sup> Kant, 5.

<sup>13</sup> Ibid, 5.

We know where the innocent friend is hiding, but lying to the murderer is impermissible, according to Kant. Critics argue that the person who opens their door to the murderer is stuck between two unyielding and irreconcilable moral laws. To lie to the murderer would violate the maxim that states lying is wrong, but answering them truthfully would violate another maxim, such as assisting murderers is wrong. Critics of Kant suggest that we may be obliged to help the murderer, since lying to them would undermine their intrinsic worth. However, this strikes us as impermissible. But we accept that Kant's ethical theory has committed us to assisting the murderer, it appears to have left us in an unreasonable position.

And still, the idea that we ought to lead a murderer to an innocent friend instead of lying to them seems wrong. It is appalling to think that the life of someone must be sacrificed instead of lying. So, when the murderer comes to the door, what should we do?

Fortunately, Kant was able to respond to this example in his lifetime, providing Neo Kantian thinkers a robust framework for solving the problem. Here, the work of Seana Shiffrin is especially useful. Drawing on Kant's words from *Lectures on Ethics*, Shiffrin contends there is "plausible ground for a qualified form of Kant's absolutism on lying".<sup>14</sup> Her position does not radically digress from Kant, but it does offer a compelling distinction between the wrong of lying and the wrong of deception. While maintaining the absolutism that Kant endorses, Shiffrin's view is novel for its "contextual and content-based approach to the question of when one may misrepresent".<sup>15</sup> It is important to recognize that Shiffrin maintains that lying is impermissible and emphasizes that "the fact that the murderer has a nefarious aim does not suffice to authorize any manner of misrepresentations".<sup>16</sup> Instead, she argues that when a murderer asks for

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<sup>14</sup> Shiffrin, Seana. *Speech Matters* (Princeton University Press, 2015), 6.

<sup>15</sup> *Ibid.*, 8.

<sup>16</sup> *Ibid.*

directions to an innocent victim, the decision to misguide the would-be criminal is not properly understood as a lie. Instead, this misrepresentation of reality is a morally justified form of deception.

So, to be clear, what is in a lie? Shiffrin's answer is complicated, but highly functional. She writes that a lie is:

- “An intentional assertion by *A* to *B* of a proposition *P* such that
1. *A* does not believe *P*, and
  2. *A* is aware that *A* does not believe *P*, and
  3. *A* intentionally presents *P* in a manner or context that objectively manifests *A*'s intention that *B* is to take and treat *P* as an accurate representation of *A*'s belief”<sup>17</sup>

Drawing on the philosophical tradition of deontology, it is evident that Shiffrin's attention has focused on the motivations of agents. If for instance, *A* intends to deceive *B*, but erroneously tells the truth, they have still lied. What matters is that the lie presents a “false representation of the (conscious) contents of the speaker's mind” as opposed to a false representation of the world as it actually is.<sup>18</sup> So, when a liar tells a lie that cannot reasonably be believed (such as a pathological liar might do), Shiffrin impels us to focus on the motivation of the speaker instead of the efficacy of their lies. Despite the fact that we might not believe an improbable lie, we must recognize that the speaker is “still offering it to be taken as true”.<sup>19</sup> And importantly, each lie is predicated on the context of the speech. In everyday contexts, the “presumption of truthfulness” creates the possibility of lying. Only when we presume truth can we be deceived by untruths. But when that presumption is suspended, the dynamic of speech fundamentally changes.

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<sup>17</sup> Shiffrin, 12.

<sup>18</sup> Ibid, 13.

<sup>19</sup> Ibid, 14.

This incites Shiffrin's discussion of justified suspended contexts, "contexts in which the speaker's (potential) insincerity is reasonable and justifiable".<sup>20</sup> In these situations, we may ethically tolerate the speaker's choice to deviate from truth. For instance, "false statements within a novel, by an actor in a play, or by the neighbor who says what etiquette demands" must not be held to the same moral standards created by ordinary circumstances.<sup>21</sup> Common sense demands that when an actor declares the year is 1865 when it is really 2021, we should not condemn them in the way that we might condemn a shop owner who lies about the price of a good to squeeze more money out of their naive customers. Similarly, when a boss asks an employee how her haircut looks, both parties recognize that the response may not accurately track their perceived sense of reality. That is, both parties know that the response will always be kind, not because the haircut will always be beautiful, but because the social circumstance demands niceties.

It follows that "falsifications offered within a justified suspended context do not fit the characterization of lies".<sup>22</sup> Instead, in a context where interlocutors should not presume the truth of speech, the moral wrongs of lies are avoided, since false statements aren't going to fool anyone. Shiffrin shows how the absolutism of motive can be moderated with the nuance of context.

When it comes to the murderer at the door, Shiffrin suggests that we ought to shift our focus to the "content of what one misrepresents" to evaluate its moral permissibility.<sup>23</sup> She writes that while many Kantian reconstructions focus on a framework of self-defense to justify one's

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<sup>20</sup> Shiffrin, 16.

<sup>21</sup> Ibid, 19.

<sup>22</sup> Ibid, 18.

<sup>23</sup> Ibid, 32.

untruthfulness, these views may provide a much wider range of permissible false utterances than proponents might realize. To Shiffrin, we ought to narrow our analysis to presumptions of truthfulness between speakers. When the murderer comes to our door and demands a truthful answer, they are not owed a truthful response. The context of the situation, rightfully understood, warrants the “presumption of truthfulness as justifiably suspended”.<sup>24</sup> In other words, when the murderer demands truth, they are doing so in a situation where they cannot rationally expect truth. Similar to a theater scene, someone “in hot pursuit of an evil end” ought to recognize the context of speech warrants deception.<sup>25</sup> It is only because the context of the situation is not mutually understood that the murderer is deceived; the door-opener recognizes that a deceptive answer is surely justified.

For instance, the door-opener may assert that their friend is nearby. Obviously, this is true, but very misleading. It will likely cause the murderer to look elsewhere and potentially save the victim. Notice that this does not constitute a lie; the speaker has not uttered a falsehood. Instead, they have bent the truth and provided a deceptive answer. They protected their friend and fulfilled the moral obligations that Kant describes.

By focusing on the context and expectations of interlocutors, Shiffrin offers a “deontological account of the wrong of lying that distinguishes the wrong of the lie from the wrong of deception”.<sup>26</sup> And in doing so, Shiffrin bypasses the seemingly irreconcilable moral dilemma presented by the murderer at the door. Why can we deceive the murderer if Kant’s ethics forbid rational agents to lie? Because there are deceptive statements we can use that are not properly understood as a lie. In alignment with Kant’s ethics, Shiffrin demonstrates how we

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<sup>24</sup> Shiffrin, 33.

<sup>25</sup> Ibid, 34.

<sup>26</sup> Ibid, 8.

can adopt the rigid prohibition of lying while accounting for our intuitive sense of acceptable deception.

It is still important to explain exactly how deception differs from lying. In common language, deception and lying can be conflated. However, Shiffrin explains that when we deceive someone, we necessarily “impart a false belief to the listener or confirm a preexisting false belief of the listener”.<sup>27</sup> Conversely, lies “need not affect the listener’s mental contents”.<sup>28</sup> Instead, lies are distinguished by the intent of the speaker. Even though a bad lie might do nothing to convince the listener, the intention is to misrepresent the world as the speaker sees it. While a lie necessitates that “speakers do not believe the propositions expressed by their lies”, someone engaging in deception may actually “believe the explicit propositional content of (some) of their deceptive assertions”.<sup>29</sup> For example, if I claim that it is raining out despite the sunny weather outside, it could be a testament to the fickle weather of my climate rather than my motivation to misrepresent. Even an accurate representation of one’s mind may be deceptive.

But there are also instances where we might be intentionally deceptive, as in the case of the murderer at the door. This means that a narrow focus on intention will not allow us to fully distinguish deception from lying. But Shiffrin also notes that a lie must be verbally communicative; deception “may involve mere activity”.<sup>30</sup> Leaving a packed suitcase on your doorstep to imply you are traveling is a very different action than telling your neighbor that you will be out of the country this weekend.

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<sup>27</sup> Shiffrin, 19.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid, 20.

<sup>30</sup> Ibid.



Shiffrin goes on to suggest that when deception is wrong, its wrongfulness may vary on several things, such as the “content of the false impression conveyed and on the relationship between parties”.<sup>31</sup> She concludes that the wrong of deception focuses on the “violation of duty to take due care not to cause another to form false beliefs based on one’s behavior, communication, or omission”.<sup>32</sup> The wrong of unintentional deception, then, is from carelessness. However, deception is generally wrong because the deceiver has neglected their duty to impart an accurate representation of the world onto their listener.

The wrongfulness of lying is distinct. Drawing heavily on the ethical scaffolding of Kant, Shiffrin contends that lying is wrong because “it operates on a maxim that, if it were universalized and constituted a rule of permissible action, would deprive us of reliable access to a crucial source of truths and a reliable way to sort the true from the false”.<sup>33</sup> She is arguing that the basic epistemic trust that underlies our social interactions would erode. Our capacity to reason from truth and falsity would be destroyed, creating a world of distrust and inaction. We simply cannot access the contents of each other's mind with the assurance of accuracy.

Further, Shiffrin unpacks three distinct wrongs that stem from a lie. First, “the lie wrongs the listener by deliberately presenting unreliable testimonial warrants to her”.<sup>34</sup> As we listen to a lie, we are left distanced from the speaker. Shiffrin described this as an “epistemic gap”, a separation of moral equals that creates inequality.<sup>35</sup> As a rational agent, the listener deserves to be respected in their capacity as a communicator, and in the act of lying, that capacity is not respected. Second, the act of lying isolates the liar from “the moral relationship with the listener

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<sup>31</sup> Shiffrin, 21.

<sup>32</sup> Ibid, 22.

<sup>33</sup> Ibid, 23.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid, 24.

based on rational communication”.<sup>36</sup> This suggests that lying is wrong both for its ability to distance the listener from the speaker, but also for distancing the speaker from the listener. The act of lying creates a mutual exodus from the moral relationship between agents. Both parties become divorced from rational communication that forms our most meaningful bonds. Third, “the liar wrongs humanity by acting on a maxim that could not serve as a public principle of action”, since the widespread adoption of this maxim would inhibit the collective ability to “pursue our moral ends”.<sup>37</sup> In the absence of reliable communication, the basic trust needed to act in harmony disintegrates. In an individual case, we see a breakdown of effective communication between rational beings, but in widespread lying, the social infrastructure of humanity is dismantled.

The analysis of lying and deception presented by Kant and Shiffrin create a foundation for understanding the harms of fake news, but the picture is still incomplete. There is still much to be said about testimonial injustice, a sort of harm described by Miranda Fricker. Fricker’s analysis does not address lying directly, but rather addresses the epistemic wrongs of credibility deficits, the systematic discounting of one’s speech. Specifically, her account grapples with “identity-prejudicial credibility deficits”, instances in which agents receive less credibility than their testimony deserves because of their association to a certain group, one which is perceived as lesser in the eyes of the listener. For example, when an experienced female doctor’s opinion is overshadowed by a less-experienced male colleague because of her sex, Fricker recognizes that the female doctor has suffered from identity-prejudicial credibility deficit. Testimonial injustice has occurred. On the other side of testimonial injustice is the notion of a credibility surplus.

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<sup>36</sup> Shiffrin, 24.

<sup>37</sup> Ibid.

When a member of a privileged group is afforded undue credibility, they are leveraging their social position for undeserved epistemic respect. Their communication is valued above their equally capable, or even more knowledgeable peers on the basis of their identity. In the example above, when the less-experienced male's opinion overshadows a more experienced female opinion, a credibility surplus is also at work.

Granted that our relationships are built on our communication, the credibility of speakers is very important in our development as moral persons. Any dissonance between the credibility one deserves and the credibility one receives presents a threat to the effective practice of communication. Until we judge others on the merits of their speech rather than the features of their identity, Fricker demonstrates how epistemic injustice will infect our ability to listen to each other and undermine our collective rationality.

Fricker identifies that the primary harm of epistemic injustice is that agents are “wronged in their capacity as a knower”.<sup>38</sup> Because the value of their speech is distanced from the respect it receives, each speaker is not accurately respected as a giver of knowledge. And, as Fricker explains, this wrong is deeply tied to our identity as human beings. What distinguishes us from other life is our capacity for rational communication. Fricker recognizes that “to be wronged in one's capacity as a knower is to be wronged in a capacity essential to human value”.<sup>39</sup> The degradation of one's status as a communicator is an affront to their status as a rational being; to be degraded *qua* knower is to be “symbolically degraded *qua* human”.<sup>40</sup>

We can also extend this reasoning to lying by considering the implications of what it means to be on the receiving end of a lie. To be clear, Fricker does not offer an account of lying,

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<sup>38</sup> Fricker, Miranda. *Epistemic Injustice*. (Oxford University Press, 2010), 44.

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*, 45.

but we can use her ethical framework to infer its moral impermissibility. Under Fricker's account, the act of lying might mean that the listener is not perceived to be worthy of an honest answer. And in the same way that an agent is degraded when their testimony is discounted, there must be a parallel degradation in being lied to. Rather than being harmed in their capacity as a giver of knowledge, they are harmed in their capacity as a recipient of knowledge. Again, the rational ability of an agent fails to be respected. The agent faces epistemic injustice, but following Fricker's reasoning, they are also challenged on the basis of essential human dignity.

The ethical theories presented by Fricker and Shiffrin create a useful dialogue together. Shiffrin's theory focuses squarely on the moral responsibilities of the speaker. What do we owe each other when we speak? Fricker's account is concerned with the moral responsibilities of the listener. What do we owe each other when we listen? Together, these views create a robust ethical theory of communication. And importantly, these frameworks provide ample guidance to understand the consequences of unreliable communication. What happens when we can no longer trust the testimony of others?

As Kant and Shiffrin suggest, when lies become rampant, the basic assumption of truthful communication is destroyed. Consequently, the efficacy of communication is impaired. If everyone lied to each other at will, nearly nothing could be accomplished. The basic communication required for our development as ethical actors is attacked. Again, Fricker's account does not examine the moral wrong of lying, but her notion of credibility dissonance is very relevant here. If lying became widely adopted, it would inspire a universal credibility deficit. We could not trust any form of knowledge offered through speech. The contents of others minds would be completely inaccessible. And granted that rational communication is central to

our identity as human beings, the destruction of that rational communication is a danger to the dignity of each person.

While the wrongs they describe might be best understood in the context of individual communicators, there are distinct problems that arise from the widespread breakdown of communication. As Shiffrin writes, “we must rely upon communication for the mutual understanding and cooperation, which are compulsory ends for human rational agents living together”.<sup>41</sup> Fricker too sees that a widespread adoption of untruthfulness is a broad assault on the collective knowledge required to develop “intellectual virtues”.<sup>42</sup> In either approach, the death of reliable communication brings the death of moral development. The basic trust that connects us to one another and allows us to grow is poisoned.

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<sup>41</sup> Shiffrin, 9.

<sup>42</sup> Fricker, 49.

## CHAPTER 2

### Understanding Fake News

When Immanuel Kant created his ethical theory, he could not have foreseen the technological advancements that created the internet endemic of fake news. Modern technology not only allows anyone to create and share false information, but also encourages these stories to spread like wildfire. Only a few decades ago, traditional media and academic institutions monopolized the output of “important” information. Now, the internet has completely disrupted the authority to decide what makes a newsworthy story. But in this radical democratization of information, each platform has welcomed a litany of amateur reporters, conspiracy theorists, and outright conmen. Each platform has created a lively breeding ground for fake news.

But what is fake news? Intentionally deceptive media has been around for centuries, even though the popularity of the phrase “fake news” is relatively new. It is the way we talk about fake news that has changed. Many political references fail to align with the conventional definition of fake news, which is broadly “fabricated stories intended to fool you.”<sup>43</sup> Many labels of fake news are directed at well-established news organizations such as Time Magazine, The Washington Post, CNN, and CNBC.<sup>44</sup> This demonstrates that “fake news” has manipulated to include a wide range of information, some of which accurately reflects the world around us and some of which fails to do so. In the last few years, the phrase has increasingly become weaponized jargon, used to attack the authority of media institutions and people with

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<sup>43</sup> Kirtley, Jane E. “Getting to the Truth: Fake News, Libel Laws, and ‘Enemies of the American People.’” American Bar Association, [www.americanbar.org/groups/crsj/publications/human\\_rights\\_magazine\\_home/the-ongoing-challenge-to-define-free-speech/getting-to-the-truth/](http://www.americanbar.org/groups/crsj/publications/human_rights_magazine_home/the-ongoing-challenge-to-define-free-speech/getting-to-the-truth/).

<sup>44</sup> Ibid.

disagreeable opinions. Modern “fake news” is concerned with genuine falsity, but it is also concerned with who is sharing information, what their political affiliation is, and a number of other factors that do not directly contribute to truth. In some instances, the phrase is used as a rebuttal of disagreeable facts. The core definition has remained the same, but it demonstrates how invoking “fake news” is a form of manipulation in itself. This categorization of legitimate news as “fake” is as dangerous as it is unprecedented.

And at the same time that the term “fake news” has been used recklessly, there has been an increase of genuinely false information on social media platforms. This means that the importance of creating a concise, accurate definition of fake news cannot be overstated. I define fake news as *knowingly false narrative media that are presented in a context in which they are expected to be believed and intended to undermine our collective trust in information*. This definition has been informed by political science researchers, government reports, and philosophers. In order to be considered fake news, the story must meet four conditions:

1. The creator believes what they are sharing is not entirely true.
2. The media must be presented as newsworthy.
3. The media must be presented in a context where consumers expect to receive true information.
4. The media must be created for the purpose of undermining consumers’ collective trust in information, either through deception, recklessness, or falsity.

The first condition establishes the mental state of the creator. It suggests that the creator is fully aware that the media they created does not track their considered impression of reality; to believe something is to endorse it as a reflection of the world as you understand it. For instance, to qualify as fake news, an agent would believe that proposition P accurately reflects the world and create an article that supports the proposition  $\sim P$ . Of course, there are instances where a

creator may accidentally share a truthful article, but their intention is to deceive; they are sharing something which they think is untrue. Here, Shiffrin’s analysis of an unconvincing liar is very useful. Even though a bad liar may not deceive us, their intention was to lead us away from truth.

It is important to recognize that this first condition excludes honest reporting mistakes, errors made by reporters in an effort to share the truth. For example, when Time Magazine falsely reported that the Trump administration had removed a bronze bust of Martin Luther King Jr. from the Oval Office, reporters did so without knowing the falsity of that statement.<sup>45</sup>

Although the consequence of the mistake was an untrue story, the intention was to share the truth. It fails to qualify as fake news because, as far as the reporter was aware, they had written an accurate story. Any deception was accidental. Although a reporting mistake from a large, reputable organization, like Time Magazine, may have more of an impact than many fake news stories, a focus on the consequences of such an accident neglects the motivation of agents. Intentionality is crucial to understanding why fake news is so harmful. Although the outcome was deception, a good will drove action.

The second condition is important for two reasons. First, it includes the term “media” rather than “article” or “story”. Even though many forms of media may not feel like conventional forms of speech, they act the same way on social media. Pictures, videos, and memes effectively act as communicative signals from the creator. Even if the media cannot be perfectly summarized in words, it often carries semantic meaning. For example, a video accusing the Queen of England of carrying racist sentiments may not have the same structure as a written article on the same topic. However, the effect of each post is mostly identical. If the information

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<sup>45</sup>Allcott, Hunt, and Matthew Gentzkow. “Social Media and Fake News in the 2016 Election.” *Journal of Economic Perspectives*, vol. 31, no. 2, 2017, pp. 211–236., doi:10.3386/w23089.



is compelling, it will inspire users to adopt the same kind of beliefs. So, even though the form of media can range substantially on the internet, each form broadly aligns with our common-sense conception of speech. Further, the intent of the posts is the same. The decision to consider a wide range of media under the scope of speech gets to the core of what it means to speak: to use our communicative power to share information. Each altered photo, manipulated video, and deceptive article behaves in the same kind of way online. Every piece of false information acts to drive a wedge between the audience and the truth. And again, when the creator knows what they are creating is untrue, the intention of deception is shared among each form of media. In sum, the form of deception is second to its effects and the motivations of the creators. Extending the definition of speech to include every form of communication shared on social media is both justified and intuitive.

Also, the second condition specifies that content is presented as worthy of our attention. A false article about what I ate for lunch today does not command attention in the same way that genuine news does. This suggests that part of why fake news is so harmful is because it is designed to seriously affect the way we see the world. News is defined by its noteworthy nature; it commands attention. For this reason, the implication of importance is central to the identity of fake news. To be considered fake news, the media must be presented as newsworthy in the first place.

The third condition is tricky. Clearly, social media users anticipate receiving some true information on each platform they use. According to the Pew Research Center, over two thirds of American adults use Facebook as a news source.<sup>46</sup> However, as the fake news epidemic becomes more well understood, it is unclear exactly how many Americans trust Facebook as a reliable

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<sup>46</sup> "Social Media." Pew Research Center, 7 Apr. 2021, [www.pewresearch.org/topics/social-media/](http://www.pewresearch.org/topics/social-media/).

source. For instance, many satirical articles are shared on social media. Articles from The Onion should not be considered fake news because they are not meant to be believed, even though they are presented in a context where truth is expected. Drawing on irony and overt exaggeration, satirical news is characterized by its humor. The Onion, and organizations like it, chose to forgo an accurate representation of the world in the name of comedy. If someone actually believes the article, it is not because The Onion has successfully duped them, but because that person has failed to do a minimal degree of due diligence. Any legitimate deception is accidental; it's a joke taken too seriously.

However, other articles, videos, and pictures, namely those which garner millions of shares, imply that users are compelled by the content they see. Even though some media is clearly presented without the intent of being believed, other media is presented as legitimate and worthy of our earnest consideration. Facebook is not The Onion. While satirical articles and blatantly doctored photographs may lower the expectation of truth among users, social media still maintains a fragile presumption of truth, at least with content that appears reliable. So while an article from The Onion may appear absurd and comical to one user, it does not prevent that same user from finding trustworthy news on the same platform. The presence of one untrustworthy article does not preclude the existence of reliable content elsewhere. For this reason, social media platforms should be considered a context where consumers expect to receive true information.

Lastly, the fourth condition specifies the purpose of the creator. While satirical magazines write untrue articles for the sake of comedy and honest reporting mistakes are done in good faith, the intention of fake news is to deceive people who consume it or generally undermine our trust in information. The decision to exclude unintentional deception not only aligns with the

definitions established by other researchers but also resonates strongly with our intuitive sense of why fake news is so harmful. A careless reporter is not instrumentalizing their audience by using their presumption of truth to lead them astray. Here, Shiffrin's distinction between deception and lying are paramount. By looking at the motivation of agents rather than the efficacy of deception, we can create a way of classifying fake news that fits within a rich philosophical tradition of deontological ethics. When we focus on the will of the agent, the difference is clear. The distinction lies in intention.

A legitimate example of fake news can be seen in an article titled "'Tens of Thousands' of Fraudulent Clinton Votes Found in Ohio Warehouse." This article, written by a twenty-three-year-old named Cameron Harris in 2016, reached over six million internet users.<sup>47</sup> Although it is impossible to measure exactly how many people were convinced by the article, the sheer volume of engagement suggests that it proved compelling as a byline. After writing the article in fifteen minutes, Harris purchased the web domain "ChistianTimesNewspaper.com" to increase the piece's legitimacy and ensure that it would be taken seriously.<sup>48</sup> When asked about his intentions, Harris claimed that he only wrote the false story for advertisement money. He knew that he would earn lucrative user traffic by choosing such a sensational headline, asserting that "Given the severe distrust of the media among Trump supporters, anything that parroted Trump's talking points people would click."<sup>49</sup> Harris created a story people wanted to believe and exploited his audience's political bias for profit.

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<sup>47</sup> Hundley, Annie C. "Fake News and the First Amendment: How False Political Speech Kills the Marketplace of Ideas." *Tulane Law Review*, vol. 92, no. 2, Dec. 2017, pp. 498.

<sup>48</sup> *Ibid.*

<sup>49</sup> Shane, Scott. "From Headline to Photograph, a Fake News Masterpiece ." *New York Times*, 18 Jan. 2017, [www.nytimes.com/2017/01/18/us/fake-news-hillary-clinton-cameron-harris.html](http://www.nytimes.com/2017/01/18/us/fake-news-hillary-clinton-cameron-harris.html).

This example clearly meets all four conditions established by my definition. First, Harris was well aware of the falsity of his claims. By his own account, the article did not track his perceived reality; he did not endorse the notion that fraudulent voters were affecting the outcome of the 2016 presidential election. Second, the story was clearly presented as newsworthy. This is demonstrated by the choice to comment on such a controversial and widely discussed subject. As Donald Trump made baseless claims about voter fraud, voting security became a charged political subject leading up to the election.<sup>50</sup> Any news that validated these claims immediately commanded the attention of the electorate. The decision to center the article about fraudulent voting was a calculated attempt to wield controversy to go viral. Third, the article was shared on Facebook, a platform where many users can expect reliable information, even despite its rocky track record with limiting the spread of fake news. And from its virality, we can assume many users took the article to be compelling. It is unlikely that Harris' article would have been shared so rapidly if all six million users who saw it thought the article was untrue. Further, the decision to purchase the web domain "ChristianTimesNewspaper.com" speaks to the deliberate attempt to establish validity. Since social media is not designed for users to deeply engage with the media they consume, the resemblance of a credible news site is enough to trick some users. Fourth, Harris is unapologetic in his assertion that he intended to deceive the people who read his bogus article. Knowing that Trump's supporters would be searching for news to support their candidate, Harris took advantage of them. His intentions were to lead readers away from the truth.

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<sup>50</sup>Farley, Robert. "Trump's Bogus Voter Fraud Claims." FactCheck.org, The Annenberg Public Policy Center of the University of Pennsylvania, 19 Oct. 2016, [www.factcheck.org/2016/10/trumps-bogus-voter-fraud-claims/](http://www.factcheck.org/2016/10/trumps-bogus-voter-fraud-claims/).

Unfortunately, Harris is only one of many people who wield social media platforms to share fake news for financial or political gain. Foreign governments, corporations, and individuals are all capable of saturating websites with intentionally deceptive media. Unless users spend a few minutes digging through a website and checking its claims against other reputable sources, they can be fooled. To distort the opinion of the American electorate, authors rely on a compelling story and controversial narrative to add to.

There are a few severe political consequences of this phenomenon. Most obviously, voters' preferences may be skewed. When fake news infiltrates the voting consciousness, certain voters make decisions based on truth while others cast their vote from falsehoods. And because the preferences of some individuals are predicated on lies, electoral results cannot be an accurate reflection of the real interests of a nation. Granted that voters use information to guide their political preferences, reliable information is paramount to the democratic process. Simply put, fake news prevents voters from consistently choosing the best candidate for them.

Also, as researchers Nancy L. Rosenblum and Russell Muirhead suggest, fake news creates epistemic dissonance. Fake news creates different standards of truth among people. Everyone has access to the same information, but that information has different truth values to different people. It means what is true to one person may not be true to another. Recent trends in fake news have eroded our conception of "collectively trustworthy" information. Fake news creates a "condition in which some inhabit a world where their common sense tells them that it is absurd to suppose Hillary Clinton's campaign chairman is running an international child sex ring from a pizzeria in northwest Washington, DC, and others inhabit a world where that is

possible.”<sup>51</sup> It is not just that we are on different pages, the death of universally credible information means we are reading entirely different books. And when we can no longer agree on what is true, we can no longer reason with each other. Without a basic set of facts to cement a disagreement, differences in opinion become irreconcilable.

Rosenblum and Muirhead address this problem from the perspective of political science. They explain exactly how the rise of fake news erodes the deliberative core of democracy. This approach is admirable, but I contend that the same observations raise profound philosophical issues that are overlooked in their analysis. I want to return to the beginning of the story.

Fake news raises novel philosophical problems that can only be properly studied in the lens of ethics and epistemology. If fake news is wrong, why? Surely, fake news is not always the same as telling a lie, but is it more like deception? In either case, what are the ethical implications? Who should be held responsible? It seems intuitive that the creators of fake news should be held accountable, but how can all internet users do their part? What about the publicly traded companies that got us into this mess? And what is the role of government? Should the freedom of expression be balanced with the paternalistic interests of the state? The answers to these questions fall beyond the scope of political science. Instead, they are more appropriately understood in the domain of philosophy.

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<sup>51</sup> Rosenblum, Nancy L., and Russell Muirhead. *A Lot of People Are Saying: The New Conspiracism and the Assault on Democracy*. (Princeton University Press, 2020).

## CHAPTER 3

### What's so Wrong Anyway?

Fake news presents two distinct types of wrongs. First, fake news is epistemically harmful. It restricts our ability to access reliable information. It distances all of us from the truth and damages us all as knowers. Second, fake news is morally harmful. The weaponization of information fails to recognize each person as an end in themselves. It represents a maxim that cannot be willed into a universal law.

These harms are also deeply connected. To fully understand the scope of the moral wrongs of fake news, we must also understand the epistemic harms. When we manipulate information, we demean others both as a knower and as a moral person. The epistemic harms of fake news constitute a form of harm in and of itself, but they also present moral harm in the form of degradation. When one is purposely deceived, they are deprived of knowledge, but they are also not given the sort of ethical respect a rational being is entitled to. Additionally, epistemic harms can precipitate further moral harms, such as being taken advantage of. For this reason, epistemic and moral harms of fake news are distinct in some ways, but are two sides of the same coin in others.

So, in what way does fake news cause epistemic harm? Most obviously, when fake news is effective, we are led astray from the truth. That is, when fake news works, we come to hold false beliefs. For example, in the instance of Harris' article regarding voter fraud, his audience became collectively misled. They came to believe that Hillary Clinton was unfairly garnering illegitimate votes in a dangerous attempt to subvert American democracy. Of course, this was not actually the case. There is no evidence to suggest that Clinton has used voter fraud to gain

political office. Actually, there is no evidence to suggest that voter fraud affects our elections at all.<sup>52</sup> In other words, Harris' claims are unfounded. They cannot be justified. And yet, false stories continue to compel us. Users will continue to adopt the ideas they find in fake news media and they will continue to adopt false beliefs. And in this way, fake news damages us as knowers. It is carefully created to divorce us from the truth.

Further, when we adopt the narrative of a false story, we neglect alternative accounts, ones that are more accurate and reliable. By adopting a false belief, we don't properly consider a true but contradictory belief. For instance, when we accept that the sky is red, we come to neglect the notion that the sky is blue. When we accept that Hillary Clinton is orchestrating a large-scale voting fraud effort, we overlook compelling alternative accounts, namely those that are truthful. Taking a fake news story to be true may be convenient, but it causes us to ignore better, more reliable explanations. Fake news provides a shortcut around the difficult epistemic legwork needed to create an accurate reflection of reality.

Being duped by fake news may also cause us to doubt our own judgement. When I finally come to believe that the sky is red, I wonder how I could've thought the sky was blue for so long. In substituting a true belief for a false one, we not only sacrifice knowledge, we also naturally challenge the system of thinking that brought us there. We might drift away from the kind of rational thinking that is so integral to our identity as human beings. When fake news deceives us, it has isolated us from knowledge.

But what happens when fake news is not compelling at all? What happens when we recognize that a story is designed to deceive us and carefully ignore its contents? Unfortunately,

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<sup>52</sup> Feldman, Max, et al. "The Myth of Voter Fraud." Brennan Center for Justice, New York University, 27 May 2020, [www.brennancenter.org/issues/ensure-every-american-can-vote/vote-suppression/myth-voter-fraud](http://www.brennancenter.org/issues/ensure-every-american-can-vote/vote-suppression/myth-voter-fraud).



epistemic harm still occurs. Here, it is important to emphasize the fourth condition of my definition. Even though we might not be deceived, just acknowledging fake news challenges our notion of what is reliable. Its existence is a threat to our ability to reason with each other because it challenges what we can fully rely on. Even if a user recognizes that Harris' article was untrustworthy, it is still designed to attack collectively reliable information.

Here, Fricker's notion of credibility is essential. If the user feels that only mainstream media is trustworthy, they might offer those sorts of institutions a credibility surplus, an unwarranted degree of trust. Or, in the case of many social media users, mainstream media may be seen as misleading and corrupt, inspiring them to only trust amateurs and conspiracy theorists. In each instance, users isolate themselves from reliable, truthful information by putting unjustified faith in a certain source. Granted that some media is designed to deceive and instrumentalize, users will gravitate towards the sources they think we can trust and deny themselves access to plenty of valuable knowledge.

For example, by discounting the value of all conservative news sources, a user will take the word of liberal commentators to be nearly infallible. Regardless of one's political orientation, this partisan approach to information is epistemically problematic. In neglecting disagreeable information, we neglect an accurate reflection of the world. The same could be said for the user that only relies on mainstream media or the one that only relies on amateur reports; they segregate themselves from all available information. In focusing on the identity of the organization rather than the accuracy of their reporting, we fail as rational consumers of information. In adopting a credibility surplus and placing too much faith in certain sources, we are ultimately bound to distance ourselves from the truth.

There is an important parallel in the notion of a credibility deficit, an unjustified lack of trust in a certain source. In this case, a user may label an entire news organization or group of sources as unreliable. After seeing a fake news article from a small organization, the user might reject any sort of information that comes from independent journalists or amateur reporters. They will lose trust for any reporting outside of the mainstream media. Or if their favorite politician labels large media companies as untrustworthy, they might turn to a more ideologically aligned source. Fox News may be wrongly characterized as “untrue” for its political leaning. Amateur reporters may be labeled as conspiracy theorists. Again, some valuable information is being unfairly disregarded as untrustworthy. Though we ought to give each source the credence it deserves, fake news often prevents us from approaching each story with proper epistemic respect. Even though the stories are not fooling users, acknowledging that fake news exists is sufficient to create credibility dissonance elsewhere. The existence of fake news anywhere undermines our default assumption of truth in news.

Under the correct circumstances, the prevalence of fake news will force us to doubt the reliability of all newsworthy communication. Fricker’s notion of a credibility deficit would be applied universally rather than to one single source. When this happens, all information is seen as suspect. The knower is left stranded, paralyzed, and incapable of navigating the tides of knowledge. Some knowers will develop a powerful form of skepticism. When fake news is rampant, truth is not seen as elusive; truth is seen as unattainable.

For example, consider a social media user stuck between two conflicting narratives. On the one side, a large, mainstream news media organization offers evidence that something is true. Through their army of staff writers and fact checkers, this source has done plenty to assure the user that the world truly is actually the way they have described it. However, an alternative

media source has claimed that the narrative is untrue. They argue that mainstream media is wielding their reputation to deceive consumers and lead them away from reality. These organizations offer parallel assurance that their account is accurate. For some users, they will gravitate towards the reputation of the mainstream organization and adopt their narrative. For others, they might reject the mainstream narrative and go the alternative route. With the same evidence on both sides, these consumers obviously value the quality of some evidence over others. Despite conflicting narratives, they can reason their way to an acceptable conclusion.

However, for others, evidence looks equally compelling. For these agents, they are left paralyzed. Instead of choosing a side, they remain unconvinced and uninvolved. A true justified belief appears to be beyond their grasp. Consequently, they might become disinterested in news altogether, convinced that no one is telling the truth. This is the nature of a universal credibility deficit: nothing can be trusted.

This indicates that the epistemic harm of fake news is layered. In the most basic sense, it leads us astray. When we are deceived by fake news, we come to hold false beliefs. We do not know what is true. And beyond this deception, we reject truthful alternatives. When fake news compels us, we fail our epistemic prerogative to find the truth. Further, fake news leads to credibility dissonances, a gap between the credibility of a source and the credibility it deserves. In the case of a credibility surplus, we reward sources with misplaced trust. In the case of a credibility deficit, we withhold credence without good reason. In the worst cases, agents are left irrational, unable to reason towards the truth. And as fake news becomes endemic, more are left with a deep and paralyzing skepticism. They lack conviction in all newsworthy information.

But what about moral harm? In what ways does fake news damage us as moral persons? Most clearly, the creation and proliferation of fake news stems from a maxim that we cannot

rationality will into a universal law. The maxim, to wield information as a way to deceive others and erode trust in information, is selfish and impractical. While it might be advantageous for a single person to wield fake news for personal gain, the universal adoption of this practice would be fatal to the communication needed for nearly every social task.

Imagine you are an avid supporter of a certain politician. However, this politician is very controversial, and she does poorly with Evangelical Christian voters. So, in a bid to salvage her campaign, you create a false story about her close relationship with a well-known evangelical pastor, share that article on Facebook, and promote it as though it were an accurate reflection of reality (as you perceive it). This might greatly benefit you, but it represents a tremendous harm to those who do not hold the same political views. Indeed, even if you undertake this fake news operation for the “greater good”, harm still occurs. What if the supporters of that politician’s rival had done the same thing? That is, what if every avid supporter used social media as a platform for spreading false, but convenient news? The consequence would be a total collapse of reliability on social media. You, as an avid supporter of one politician, would feel gravely harmed by the presence of slander against your preferred candidate. While you might myopically endorse the spread of fake news that benefits your interests, you cannot rationally endorse that the same behavior be adopted by your opponents. Like lying, the creation of fake news violates Kant’s first iteration of his Categorical Imperative: we cannot create fake news and also “act as if the maxim of your action were to become by your will a universal law of nature”.<sup>53</sup> The creation and spread presents moral harm to every person trying to engage in honest discourse. Because we lack direct access to the mind of others, we must act in accordance with maxims that prioritize honesty and trust; the practice of fake news is simply irreconcilable with these aims.

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<sup>53</sup> Kant, 34.

Further, fake news violates Kant's second iteration of the categorical imperative: "act that you use your humanity, in your own person as well as in the person of any other, always at the same time as an end, never merely as a means".<sup>54</sup> Put differently, Kant demands us to respect the equal, intrinsic moral worth of all people. When we cheat, steal, and lie, we see other people as instruments to our goals. Human beings, who are independently valuable, are seen as dependently valuable. For instance, in the same way that a hammer is valued for its ability to help the carpenter build homes, someone we lie to is valued for their ability to be led astray and aid our greater objective. In the case of a lie we fail to recognize the sacred agency of a person. The liar finds value in his audience not for their status as rational beings, but as instruments. When we spread fake news to gain political favor, for example, each reader is used and wielded to advance our own interests.

There are times when creating fake news is synonymous with lying. Fake news involves forms of speech in the same way that a lie involves verbal speech. When we use that speech to falsely represent the contents of our minds for the purpose of deceiving our audience, the ethical consequences are identical. When we focus on the morality of communication and the intention of agents, our vessel of speech appears to be negligible. Even though digital speech differs from conventional speech, it fits squarely within the ethical framework presented by Kant and Shiffrin. For this reason, to draw on these authors is both insightful and practical. It allows us to identify the moral wrong of fake news clearly; as with lying, fake news instrumentalizes an audience. But if fake news was always a form of lying, it wouldn't present any novel philosophical problems. I could simply attach all of the brilliant work done by Kant and Shiffrin to fake news and pat myself on the back for adding nearly nothing to the conversation.

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<sup>54</sup> Kant, 41.

However, there are other instances where fake news is more akin to deception. For example, selectively editing a story to confuse an audience or presenting statistics in a way that unfairly favors one side is not exactly lying. The audience is receiving the truth, but not the whole truth. And further, the author is not acting on a good will. Knowers are being deceived. Harm is still occurring. And yet, this is distinct from the harm of lying. All of this is to show that manipulating climate change data is not the same as telling someone it is raining outside when you actually believe it to be sunny, but in an ethical sense, there are important similarities. This suggests that finding the distinct philosophical wrongs of fake news depends on understanding the distinct harms of lying and deception. So, to fully understand the moral harms of fake news, we need to think more critically about what it means to be harmed as a knower.

Turning to Fricker, the intersection between epistemic and moral harms becomes more lucid. Fricker does not offer an account for the wrongness of lying, but her example of Tom Robison from *To Kill a Mockingbird* offers a compelling case for the obligations of speakers that I briefly discussed above. In the example of Tom Robinson, his testimony is unfairly discounted on the basis of race. As he gives his version of events to a white jury in *To Kill a Mockingbird*, the jurors neglect their duty as listeners. They make erroneous assumptions about Tom on the basis of his skin color, assuming that Black people are unreliable and deceptive. Instead of listening to the merit of his claim, they focus on Tom's identity and social type. They see a Black person and they write off his testimony. Fricker claims that Tom is harmed *as a knower*; he is seen as a suspect giver of knowledge. And because our rational capacity is integral to our identity as human beings, Fricker suggests that this systematic discounting of one's testimony is an affront to their personhood. By insinuating that someone is somehow lesser as a knower, we

also see them as lesser as a human being. In the systematic discounting of one's opinion, we dehumanize them. This suggests that some epistemic harms bring a distinct moral harm as well.

I contend that the same kind of intersectional harm can be found in our role as speakers. In the same way the jurors in Tom Robinson's trial fail to properly weigh the testimony of a Black witness, an untruthful witness would commit an epistemic gaff in their role as a giver of knowledge. That is, our epistemic duties as listeners are parallel to our epistemic duties as speakers. A witness should properly consider the testimony of Tom for the same reason that all witnesses should be truthful; it brings us all closer to true, justified beliefs. It rewards us with knowledge. When our behavior brings us away from the truth, we fail in our role as knowers.

And as Kant and Shiffrin suggest, our epistemic failures as speakers bring moral harm as well. To lie to someone is to instrumentalize them. To intentionally lead someone away from the truth is to intrude on their autonomy as moral persons. Further, to be a successful liar depends on the assumption of credibility. One can only lead another away from truth when they need their listener to believe what they are saying is reliable. Either in exploiting a credibility surplus or in exploiting the default level of credibility, fake news can damage us as a knower and exploits us as a rational being. There is harm at an individual level, but an analogous harm occurs at the societal level. In exploiting the default of credibility, speakers chip away at the communicative glue that allows us to interact and develop.

This framework demonstrates that our failings as speakers are also failings as moral beings. Put differently, Fricker explains how our epistemic shortcomings as listeners symbolically degrade our interlocutors as rational beings, implying that our epistemic shortcomings as speakers do the very same thing. And following the thinking of Kant, we see

that this degradation is a serious affront to their intrinsic dignity. This reveals that some epistemic harms of fake news *are moral harms* as well.

Fricker also demonstrates how epistemic harms lead to what she describes as “secondary harms”. The immediate effects of fake news, such as a credibility deficit, give way to these secondary harms. For example, in the case of Tom Robinson, Tom is immediately harmed by the epistemic failures of the jury. They do not recognize him as a reliable giver of knowledge. Instead, they focus on his identity and actively discount his testimony. Tom is primarily damaged as a knower. However, as a consequence of this epistemic failure, Tom is tragically imprisoned, despite his innocence. Even more tragically, Tom is shot and killed as he attempts to escape the prison. These are serious secondary harms. As a consequence of testimonial injustice, Tom is positioned for further harm. He is left vulnerable, exposed to an apparently corrupt justice system. It is important to recognize that these injustices would be impossible without the testimonial injustice that precipitated them. Without the prejudice of the jurors, Tom would not be imprisoned, and Tom would not be dead. This demonstrates how some epistemic injustices are instrumental to substantive moral harms. In order to take advantage of someone, they are first confused or deceived.

This insight is essential to understand the moral wrongs of news. On the one hand, fake news carries primary harms. When fake news behaves like lying, it instrumentalizes its audience and fails to recognize their intrinsic worth. It represents behavior that cannot be universalized because it diminishes our dignity. It also leads us away from knowledge and hurts us epistemically. And in other cases, fake news is more akin to deception; it may misrepresent reality, but it does so in a way that doesn't rise to the level of an outright lie. Still, the primary harms remain. But in both cases, fake news also opens the door to a slew of other injustices. It



makes us worse voters. It makes us worse advocates for the needy. It makes us despondent consumers of news media. It can make us everything that stems from being divorced from true, justified beliefs.

For example, consider what happens when a voter sees a video containing false information about their favorite candidate on Facebook. This kind of situation is not only plausible, but indeed likely. Further, let's assume that the user finds the video compelling and incredibly offensive. As such, the video has totally changed their political opinion. Here, the secondary harm of fake news is apparent. The voter is damaged *qua* knower in the sense that they have been led astray, but they are also damaged as an agent of democracy. Because they are making a political decision on the basis of falsities, they are not properly informed. Here, the secondary harm is another instance of limited agency and autonomy. Voters are not fulfilling their full potential as political agents. They are not gathering information and deliberating the way they ought to. The voter suffers individually because their legitimate interests are not being incorporated into their vote. They are choosing the wrong person to represent them. There is also a wide scale harm to the institution of democracy. As each voter is misguided, democracy suffers. Because democracy is grounded in the efficacy of representation, it fails when voters do not know what representation is desirable. And further, as other academics argue, the persistence of fake news challenges the communicative core of debate. Exposed to different versions of reality, neither side can come to a reasoned compromise. Again, democracy suffers.

Another example can be seen in the dangers of climate change. In this case, imagine a large corporation that has dedicated itself to contesting the legitimacy of climate change. Let's assume that nothing this corporation shares is false, but it is intentionally misleading. Remember, because the intention of this news is to undermine our collective trust in information, it is still

considered fake news under my definition, even though the information is technically correct. The corporation may create a media campaign to tell consumers that “not all scientists agree that climate change is caused by human beings”. This is true. There are a small number of scientists who believe that climate change is a natural and inconsequential phenomenon. Of course, these scientists are vastly outnumbered. About 97% of scientists recently surveyed not only believe that climate change is caused by humans, but also agree that it is potentially catastrophic.<sup>55</sup> For the dissenting 3%, many of the survey participants are biologists and chemists. Unsurprisingly, climate scientists are grossly underrepresented. So, when the corporation makes this claim, they are doing so to sow doubt among internet users. They are misrepresenting the truth to undermine our collective trust in news about climate change. As a result, users may latch onto the perceived controversy surrounding climate change and use it to justify their actions. They may continue to purchase oil-guzzling cars, consume beef on a daily basis, and shun renewable energy initiatives as unnecessary. They may design their life around the belief that climate change is a leftist ploy to secure votes. But granted that climate change is real and caused by our actions, the consequences of such a belief is potentially devastating. We may pay for the uncertainty surrounding climate change with the lives of countless species. The secondary harms of this information campaign could even be an existential threat. It’s hard to overstate how high the stakes are.

For a third example, consider a family member who has shared erroneous information about the legitimacy of the 2020 presidential election. You are already aware that these claims

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<sup>55</sup> McKittrick, Ross. “Putting the 'Con' in Consensus; Not Only Is There No 97 Percent Consensus among Climate Scientists, Many Misunderstand Core Issues: Op-Ed.” *Fraser Institute*, 17 May 2019, [www.fraserinstitute.org/article/putting-the-con-in-consensus-not-only-is-there-no-97-per-cent-consensus-among-climate-scientists-many-misunderstand-core-issues](http://www.fraserinstitute.org/article/putting-the-con-in-consensus-not-only-is-there-no-97-per-cent-consensus-among-climate-scientists-many-misunderstand-core-issues).

are baseless, and you are already aware of the pervasive misinformation about this topic. Consequently, this post has no effect on your perception of the election. However, you feel frustration, perhaps even anger, towards this family member. You might even comment on the post, challenging their account and ruining the upcoming Thanksgiving dinner. But whatever the case, you have lost respect for this person. The dissonance in understanding between you and this family member will harm your relationship with them and cause you to miss out on a valuable bond. And, importantly, this disagreement is not founded in reason. If you agreed on the facts, your differing views may lead to fruitful conversation. Of course, you still might write off this family member as dim-witted, but at the very least, they're grappling with mutually acceptable evidence. In order to debate who should win a presidential election, we first have to agree that the election is fair to begin with. As long as people cannot agree upon basic facts about the world around them, they will not be able to rationally discuss it. Consequently, they will damage relationships where no middle ground can be found.

Each of these examples illustrates a secondary harm of fake news. In each instance, the proliferation of fake news challenged an agent's notion of truth and opened the door to other harms. In the voting case, we see democracy in peril. Because the experiment of self-government is predicated on our rational capacity, fake news attacks the very core of our governmental system. When voters no longer represent their own interests, the experiment fails. In the climate change case, the stakes may be even higher. Without the proper knowledge to address climate change, consumers may be passively ignoring an existential threat. Thinking that the science on climate change is disputed, one will act accordingly. In the final example, a basic disagreement of facts leads to the collapse of an important relationship between two individuals. Without a mutual grounding in reality, a political dispute becomes irreconcilable. Consequently, each

person is left distanced from the other, unwilling to cede their account of the world to find middle ground and salvage an important relationship.

So what can we do? If everything I have said so far is true, all I have done is point to big, ugly problems. As technology improves and the gatekeeping function of media organizations is mitigated by social media, consumers have been hit with a flood of fake news. They are left epistemically and morally compromised, used as means to an end and unable to reason with each other. Without remedy, the situation is bleak. However, an approach that builds on the reasoning of this paper may be useful.

First, we ought to consider our obligations as listeners. As a recipient of knowledge, what do we owe each other? For one, we owe ourselves the respect to create true, justified beliefs to the best of our abilities. As a show of dignity to our own mind, we should strive to pursue knowledge in all circumstances. In the context of fake news, this includes verifying sources, expanding the scope of information we receive, and recognizing the prevalence of this online phenomenon. It also means becoming aware of our biases and actively challenging them whenever we can. For instance, when one begins to recognize that they discount the testimony of a certain organization, they should use their rational capacity to question the validity of that bias. Likewise, if someone finds themselves readily accepting all the testimony from a given source, they ought to make sure that their positive bias is warranted.

As an aside, having biases is not necessarily a bad thing. In the case of fake news, it is a useful and practical tool for evaluating the credibility of a story. To be biased against articles that make outrageous, antagonistic claims will generally lead us closer to an accurate reflection of the world. To be biased toward sources that are not riddled with spelling errors is also a helpful heuristic. However, these sorts of methods are fallible, and the pervasive nature of fake news

suggests that we should still be wary. But done correctly, recognizing our duty as listeners will close the gap between the credibility information receives and the credibility it deserves. Like a powerful filter, our obligation as listeners is to absorb information and sort it to match an accurate reality. When faced with conflicting and misleading information, the challenge presented to listeners is substantial. However, carefully approaching every bit of news and practicing a sort of deliberate rationality, we can fulfil our obligation as listeners.

Second, we ought to consider our obligations as speakers. Most importantly, we cannot abuse the presumption of truth of those listening to us. As I've argued, this presumption of truth between interlocutors is essential to effective communication. I cannot value the content of your speech if I think it's untruthful. Without this mutual expectation, communication falls apart. And because communication is imperative for our development as rational beings, our obligations as speakers are moral as well as epistemic. We ought to point others towards knowledge because it values them as knowers, but we also ought to point others towards knowledge because it is the right thing to do. In the context of fake news, this amounts to only passing on information we believe to be true, validating information before sharing it, waiting until a coherent story is out before sharing our thoughts, and presenting both sides of the story when possible. As more speakers fail to approach their obligations diligently, the fragile basis for reliable communication breaks down, and so does our relationships with each other. Altogether, this suggests that fully addressing the epistemic and moral harms of fake news will involve a more thoughtful, careful approach to communication, one that takes into account the value of effective speech and the threats it currently faces.

## CONCLUSION

In this argument, much of my focus has been on the individual. When looking at the ways in which fake news harms us, I wanted to understand the problem for individual listeners and individual speakers. I figured that once I established the problem in a microcosm, I could extrapolate it out to understand the problem on a societal level. At the individual level, agents are instrumentalized and degraded in their capacity as knowers and in their capacity as rational beings. On a societal level, fake news degrades the basic assumption of truth that effective communication rests on. Together, I hope these approaches converged to create a full picture of the philosophical harms of fake news.

One could argue that this sort of approach puts undue responsibility on the individual. Indeed, when I discuss the obligations of interlocutors, something feels wrong about passing the lion's share of responsibility onto people who never contributed to the problem of fake news in the first place. Why should we focus on the victims of fake news to rectify the problem? Critics might contend that if we want to address a societal problem, we should look at the kind of institutions that affect us on a societal level. Namely, we ought to look at the government to address this problem.

They might suggest that in the same sense that individual interlocutors have a moral obligation to address the harms of fake news, the government has a moral obligation to serve its citizens. If fake news really does challenge the deliberative core of self-government, it seems natural for the government to intervene and make a difference. However, it's not exactly clear what this would look like. Should governments ban fake news? If this was a good idea, I would endorse it. In practice, attempts to ban fake news are quite problematic. For example, when Singapore passed a fake news law in 2019, it seriously harmed the sanctity of political speech.

This is mainly because it afforded the government significant leeway in determining what constitutes a falsehood. When the law was first invoked, policymakers used it to target a member of the opposing party for questioning the problematic governance of Singapore's sovereign wealth funds.<sup>56</sup> This suggests that fake news bans may be designed to improve political standing rather than social welfare. Still, one might claim that the government can intervene in other ways, such as laws that require source disclosure for advertisements, fines for social media companies that prioritize misleading information, or even changing the standard of libel so more fake news creators can be prosecuted. I am open to the idea that the government can play a key role in mitigating the effects of fake news, but there are still substantial moral questions of paternalism and autonomy that need to be discussed. What exactly should a government do? As it stands, I think this line of reasoning is important, but beyond the immediate scope of my work.

Another interesting argument focuses on the obligations of private companies. If Facebook and Twitter have been so integral to the rise of fake news, shouldn't they also be held accountable for cleaning up the mess? Unfortunately, there is little policy that makes this intuition actionable. At least in the United States, free speech laws have basically guaranteed that companies won't be held responsible. Further, executives have a fiduciary duty to serve shareholders; taking on massive costs to regulate away fake news does not make financial sense. However, if consumer preferences change to greatly value the reliability of social media platforms, I can imagine a world in which the demand for trustworthy information will reward the platforms with the best policies regarding fake news. In praise of a competitive market, I think the incentives from having the most users could become the driving force in self-

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<sup>56</sup> Griffiths, Analysis by James. "Singapore Just Used Its Fake News Law. Critics Say It's Just What They Feared." *CNN*, Cable News Network, 30 Nov. 2019, [www.cnn.com/2019/11/29/media/singapore-fake-news-facebook-intl-hnk/index.html](http://www.cnn.com/2019/11/29/media/singapore-fake-news-facebook-intl-hnk/index.html).

regulation. Currently, companies like Facebook and Twitter face some external pressure from consumers to adopt a larger, beneficent social role, but not enough to fundamentally change the way they handle information on their platform. And clearly, internal pressure must be almost non-existent. However, I think many arguments that focus on the duties of corporations are deeper. They contend that firms have a special responsibility to the communities they serve. This obligation goes beyond basic economics and the duty to shareholders; it is a moral question about societal duty at large. Again, I am open to this line of reasoning. I think that corporations have been negligent in the rise of fake news and they can make simple, low-cost changes to improve the current state of affairs. There seems to be a compelling argument here somewhere, but further reasoning is needed to draw it out fully.

To be clear, these sorts of arguments are not inconsistent with what I have written. Individual responsibilities can be complemented by the actions of corporations and government. An individual approach would be bottom-up, whereas a focus on institutions would be top-down. Together, they might be sufficient to mitigate the harms of fake news, but it would require much more research, time, and pages to argue that convincingly. Still, the existence of this problem begs these sorts of questions.

For now, the analysis of individual harm and individual responsibility is a good place to start. It takes our intuitive notion about the wrongness of fake news and provides it substance. It combines common sense with a more complete philosophical scaffolding. In some ways, we see that fake news fits well into the academic tradition before it. But in other ways, it doesn't. Technological advancements have assured that speech has changed, and our approach to understanding communicative harms must respond accordingly. Frankly, the stakes have never been higher. The breadth of harms have never been greater. Our obligations to each other have



never been more important. And if we recognize the threat fake news poses to the very foundation of our relationships with each other, we better start acting like it.

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