

Information Literacy in a Fake/False News World: An Overview of the Characteristics of Fake News and its Historical Development¹

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Prior to designing strategies and information literacy programs to combat the dissemination and proliferation of fake/false news, it is instructive for legal information professionals to understand the characteristics of fake news and the context of its historical development.

In the simplest terms as stated by the lexicographers at Merriam Webster, fake news is a compound noun consisting of two well-known common words – fake and news.³ According to the *Merriam Webster Dictionary*, news is defined as material reported in a newspaper or news periodical or on a newscast⁴ and fake is defined as counterfeit or sham.⁵

Despite this clear and understandable definition, journalism scholars have further identified general characteristics of fake news. One example is from Barbara Friedman, an associate professor at the University of North Carolina's journalism school defining fake news as “deliberately and strategically constructed lies that are presented as news articles and are intended to mislead the public.”⁶ She adds a refinement to the Merriam Webster definition and specifies that fake news is intentionally designed to be misleading. In addition to being designed to manipulate public opinion, fake news stories tend to be sensationalist which in turn creates tremendous popular appeal. Due to their salacious and often unbelievable headlines, fake news articles are consumed and shared by millions of people.⁷

When considering the definition of fake news, it is also worthwhile analyzing what fake news is not. Fake news is not produced by traditional or established media sources that adhere to journalistic standards and ethics. Fake news does not refer to articles or broadcasts that contain inadvertent mistakes that are promptly corrected and are from organizations that hold reporters accountable for accuracy. Most importantly, fake news is not a story with information or a viewpoint that a consumer does not like or agree with. In today's heated political climate, it is not uncommon for politicians or pundits to declare a story as fake news merely to discredit the facts contained in the article.

Fake news is primarily authored by opportunists who seek financial gain or hyper-partisans who want to influence political beliefs. Its dissemination is often aided by social media, automated bots, and especially by humans responding to inflamed emotions. Whether the pernicious authors seek to influence public opinion or generate advertising revenue, the content is cleverly designed to provoke outrage and reinforce prejudices. The fake

¹ This symposium article documents a presentation given by the author at the 2017 International Association of Law Libraries Annual Course, *Civil Rights, Human Rights, and Other Critical Issues in US Law*. The conference convened at Emory University from October 22–26, 2017. This article represents part one of a panel presentation on the topic of Fake News and Information Literacy.

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³ *The Real Story of 'Fake News,'* <https://www.merriam-webster.com/words-at-play/the-real-story-of-fake-news>.

⁴ *News*, <https://www.merriam-webster.com/dictionary/news>.

⁵ *Fake*, <https://www.merriam-webster.com/dictionary/fake>.

⁶ Steven Seidenberg, *Lies and Libel: Fake News Lacks Straightforward Cure*, ABA Journal, July 2017, http://www.abajournal.com/magazine/article/fake_news_libel_law/history_fake_news.

⁷ Robinson Meyer, *The Grim Conclusions of the Largest-Ever Study of Fake News*, The Atlantic Daily, March 8, 2019, <https://www.theatlantic.com/technology/archive/2018/03/largest-study-ever-fake-news-mit-twitter/555104/>.

news that information professionals must train patrons to detect is not intended as satire or a practical joke. It is 100 percent false and designed to provoke its audience.

A primary example is the most shared fake news story of 2016, which contained the headline, “Obama Signs Executive Order Banning the Pledge of Allegiance in Schools Nationwide.” The graphics and ABC news logo accompanying the article were designed to mimic a bona fide news story. Even the web address was misleading to a reader quickly browsing the article. The author cleverly used the web address abc.com.co rather than abc.com. Sadly, this sensationalist article with manipulated graphics and a misleading web address received more than 2 million shares, comments, and reactions within two months.⁸

How could so many readers be so easily fooled? Unfortunately, humans are particularly susceptible to image manipulation. The inclusion of the doctored ABC News logo was sufficient for many readers who carelessly passed along the news article. There are countless examples of readers falling prey to online image manipulation. For instance, Hurricane Harvey generated several manipulated images. One of the most popular was a shark swimming down a flooded street.⁹ Other widely circulated images included a photo of purported flooding at one of Houston’s major airports and an image of an alligator in a neighborhood driveway (which was even shared by news correspondent Katie Couric).¹⁰ A recent *Popular Science* article supports the premise that humans are terrible at detecting manipulated photos. In general, people misidentify altered photographs approximately 60 percent of the time.¹¹

Robust technology tools allow images to be easily altered and fake content to be quickly shared via the internet. One might reasonably conclude that fake news is a recent phenomenon due to these readily-available new capabilities. However, the concept of fake or false news has likely been in existence as long as the existence of factually accurate news. As for semantics, according to the lexicographers at Merriam Webster, the specific term “fake news” was first used approximately 125 years ago.¹² Prior to that time, fake was a little used adjective and instead the concept was referred to as false news. Unfortunately, fake or false news is not a new term or a new concept.

History is rife with examples of fake news. For example, in ancient Rome the rivalry between Mark Antony and Octavian (Julius Caesar’s adopted son) escalated due to false news. In order to damage Antony’s reputation, Octavian deployed devious propaganda tactics to spread fake news about him. Octavian distributed coins with slogans describing Antony as a drunk and a puppet of Cleopatra’s. Octavian even purported to have a copy of Antony’s official will, although historians still debate its veracity. He inflamed the emotions of politicians with anti-Cleopatra prejudices by reading the will aloud in the Senate and claiming Antony wanted to be buried with the Egyptian pharaohs. The Senate was outraged, proclaiming Antony a traitor and declaring war on Cleopatra. The public shaming was so humiliating, Antony killed himself after his defeat in the battle of Actium.¹³

Antony’s manipulation of public opinion is merely one example from the history of fake news. There are innumerable examples of false news used for nefarious purposes and often with unfortunate and disastrous results.¹⁴ The invention of the printing press in 1439 led to an exponential increase in the instances of false news. One tragic example from 1475 was the sensational story that a Christian baby had been tortured and murdered by the Jewish community in Trent Italy. Fifteen Jewish individuals were rounded up and murdered by outraged members of the community due to the widely circulated story that the child had been killed to use his blood in Jewish religious rituals. The incident is still studied by contemporary historians.¹⁵ Many such stories exist throughout the decades and centuries.

⁸ Craig Silverman, *Here Are 50 of the Biggest Fake News Hits on Facebook From 2016*, BuzzFeed, <https://www.buzzfeed.com/craigsilverman/top-fake-news-of-2016>.

⁹ *Fake Photographs: Harvey Edition*, Snopes, <https://www.snopes.com/fact-check/fake-photographs-hurricane-harvey-edition/>.

¹⁰ *Ibid.*

¹¹ Kendra Pierre-Louis, *You’re Probably Terrible at Spotting Faked Photos*, Popular Science, July 18, 2018, <https://www.popsci.com/fake-news-manipulated-photo>.

¹² *Supra*, note 1.

¹³ Eve MacDonald, *The Fake News That Sealed the Fate of Antony and Cleopatra*, The Conversation, <http://theconversation.com/the-fake-news-that-sealed-the-fate-of-antony-and-cleopatra-71287>.

¹⁴ Jacob Soll, *The Long and Brutal History of Fake News*, Politico Magazine, December 18, 2016, <https://www.politico.com/magazine/story/2016/12/fake-news-history-long-violent-214535>.

¹⁵ Stephen Bowd and J. Donald Cullington, eds. *“On Everyone’s Lips”: Humanists, Jews, and the Tale of Simon of Trent*, Medieval and Renaissance Texts and Studies 418; Arizona Studies in the Middle Ages and the Renaissance 36. Tempe: Arizona Center for Medieval and Renaissance Studies, 2012.

In the 1700s even America's founding father, George Washington was the victim of fake news. Someone published pamphlets that included letters supposedly written by Washington to his family and describing that he was miserable during the revolutionary war and lamenting that the revolutionary war was a mistake. The fake news was very convincing, purportedly an excellent forgery of his writing style. Even George Washington admitted he was impressed with how well the letters mimicked his writing. Unfortunately, the letters were influential in persuading some members of the public that Washington was a British loyalist. The letters haunted him throughout his presidency and tarnished his reputation. Side note, the letters were probably written by John Randolph of Virginia.¹⁶

Conversely, rather than being a victim, another famous figure from early American history, Benjamin Franklin, was the creator of fake news. In 1782, he created a counterfeit issue of the newspaper, *Boston Independent Chronicle* that included frightening recounts of Indians mercilessly scalping the family members of colonists at the behest of King George III. Franklin's intention was for other newspapers to reprint the articles. He hoped the dramatic stories would stoke sentiment for the revolutionary war and provoke ire against Native Americans.¹⁷

Continuing into the nineteenth century, the penny press, which could create papers for a penny, rose in popularity. Prior to the penny press, newspapers cost 6 cents, nearly a half day pay for the working class, and catered to business men. The penny press produced cheap newspapers that could be purchased by working class citizens. Penny press editors discerned quickly that the average reader had an insatiable appetite for sensationalism, which led to the birth of the modern tabloid. Headlines included numerous wildly imaginative fake accounts of hoaxes such as giants, mermaids, Martians, and petrified people.¹⁸ Naturally newspaper profits soared.

Fake news was not solely written for financial benefits, however. Occasionally editors had altruistic motives. For example, in 1874, a *New York Herald* headline exclaimed, "Escaped Animals Roam Streets of Manhattan." The article described a startling mass escape of caged animals from the Central Park Zoo in alarming and graphic detail. It stated that as a result of the escape, twenty-seven people were dead and 200 individuals were savagely injured. The newspaper's editors had good intentions. The article was meant to draw attention to lax security measures at the Central Park Zoo. The final paragraph of the article spelled out in clear terms that no animals had actually escaped. Although the editors were resoundingly criticized by other newspapers for their scandalous tactics, the New York community did heed the warning and improved zoo conditions.¹⁹

Fortunately, journalism took a turn for the better in 1896 when Adolph Ochs purchased the failing *New York Times* and successfully transformed it by producing a fact-based newspaper.²⁰ Shortly thereafter in 1909, the Society of Professional Journalists established standards for quality, professional journalism.²¹ However, fake news was not completely eradicated. It still continued in niche markets. Many information professionals are familiar with the widespread hysteria caused by the radio show *War of the Worlds* in 1938. Supposedly the radio broadcast described an invasion by space creatures that was so realistic it caused listeners to panic and run screaming into the streets across America. Ironically, the real myth is that the story itself is fake news. Very few listeners were fooled by the broadcast. The panic was exaggerated by newspapers under siege because radio was draining advertising revenue. Newspaper editors hoped the *War of the Worlds* story would discredit radio broadcasts.²²

The War of the Worlds incident is not an isolated event. While many print and broadcast media producers adhered to strict journalistic standards, supermarket tabloids became a phenomenon beginning in the 1950s. Tabloids published articles about anyone and anything because they were rarely sued. Most victims did not want to give the tabloids the dignity of publicity plus the tabloids had few assets to seize. Also, stories about UFOs or bizarre cults can neither be proven nor disproven. Even if an individual could prove that a story was fake, there was no law prohibiting

¹⁶ George Schneider, *The Fake News that Haunted George Washington*, Washington Post, April 10, 2017, <https://www.washingtonpost.com/news/retropolis/wp/2017/04/10/the-fake-news-that-haunted-george-washington>.

¹⁷ *Supra*, note 12.

¹⁸ John H. DeBerry, *Birth of the Penny Press*, Salem Press Encyclopedia, 2013.

¹⁹ Robert E. Bartholomew and Benjamin Radford, *The Martians Have Landed!: A History of Media-Driven Panics and Hoaxes*, pp. 84–86, McFarland, 2011.

²⁰ Ochs, Adolph Simon. Britannica Biographies, 2012.

²¹ Society of Professional Journalists Code of Ethics, <https://www.spj.org/ethicscode.asp>.

²² W. Joseph Campbell, *Getting It Wrong: Debunking the Greatest Myths in American Journalism*, Chapter 2, *Fright Beyond Measure: The Myth of the War of the Worlds*, pp. 26–43, University of California Press, 2017.

the fabrication of fake news stories, as long as real people mentioned in the story were not libeled. During the heyday of tabloids, circulation of the *National Enquirer* reached 5 million households.²³

Just as the invention of the printing press caused a surge in the proliferation of fake news, the advent of the Internet caused fake news to spread exponentially. Indeed, fake news reached its peak in 2016 with “Pizzagate.” The general public was astonished to learn that a man shot open a locked door at a pizzeria in Washington, D.C. claiming to be investigating reports that Clinton aide John Podesta was heading up a child abuse ring in the parlor. The false political conspiracy theory claimed Hillary Clinton was coordinating a child trafficking ring at the pizzeria. At this point, society recognized the problem of fake news and began demanding a solution to prevent it.

How did we reach this critical juncture? Easy access to online ad revenue, increased political polarization, and social media have all been implicated in the recent spread of fake news. In particular, social media has been blamed for making it easy to immediately share shocking stories that display dedication to an ideology. However, as illustrated, fake news has been used for various corrupt purposes for centuries. Even the incentives such as financial gain, political influence, and corruption have remained unchanged.

Where are we now? The Information Age has a new name—the post-truth era. Oxford Dictionary’s Word of the Year 2016—post truth—is defined as, “an adjective... in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief.”²⁴ The delivery of news has changed dramatically. The majority of the world’s population will never return to an era of relying upon professionally reported news sources. In 2017, Tim Berners-Lee, the inventor of the Web, has proclaimed that fake news is one of the most significant new disturbing Internet trends that must first be resolved if the Internet is to be capable of fulfilling its true potential to serve humanity.²⁵ As legal information professionals, we must define and understand the development of fake news before we can successfully fight it.

²³ Ed Grabianowski, *How Tabloids Work, How Stuff Works*, <https://entertainment.howstuffworks.com/-/tabloid4.htm>.

²⁴ *Word of the Year 2016 is...*, <https://en.oxforddictionaries.com/word-of-the-year/word-of-the-year-2016>.

²⁵ *Three Challenges for the Web, According to its Inventor*, World Wide Web Foundation, March 12, 2017, <https://web-foundation.org/2017/03/web-turns-28-letter/>.