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## Fake News in the Post Truth Era and How to Fix it

By Peter Barnet

*"Half a truth is often a great lie."* - Benjamin Franklin

There is no greater threat to American unity and democracy than the unchecked and unaccountable dissemination of fake news in today's communications world. Freedom of speech and freedom of the press are central to American democracy. They protect us from abusive government and assure our adherence to the rule of law.

Despite our cultural, racial, political and economic diversity Americans have historically been united in our democratic values and ideals. The American Constitution, The American Story and The American Promise have transcended all groups, inspiring the country and, until recently, the world. Trust in our institutions and in each other, however, has been eroded. Today, we are divided as never before, with truth as a casualty.

How did we get here?

Many trace American division and loss of trust to the sixties and the Vietnam War. The war tore the country apart butchered our self-confidence and tarred government as the bad guy. Anti-government sentiments stimulated conspiracy theories among certain groups that Washington was hiding secrets and trying to control us in nefarious ways. Kurt Anderson, in his Atlantic article "How America Lost its Mind", calls this the beginnings of the fantasy industrial complex where a major sector of society no longer looks for empirical truths but rather defines reality as that which fits their personal feelings.

Watergate in 1973 and Nixon's resignation in 1974 further eroded trust in our government. Many Americans felt "unclean" from the sleaze and scandal of the Clinton years (Monica Lewinski); then betrayed by the belief that we were misled into war in Iraq; disgusted by Wall Street behavior that produced the financial crisis; and outraged that no individuals were punished. Many were stunned by the Supreme Court's "Citizens United" decision considering it anti-democratic and corrupt. Working class Americans felt let down by both political parties whose promises proved empty. The most recent presidential campaign can be seen as the result of a half-century disintegration of ethics and trust in public life. By branding the opposition press as fake news, a product of the current post truth era, Donald Trump further delegitimized mainstream news organizations.

The Oxford University Press selected "Post Truth" as the international word of 2016, an adjective defined as "relating to or denoting circumstances in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief".

The dark side of the Internet and social media have offered the opportunity to jettison objective truth. We have reached a point where we no longer know what to believe, objective truth is losing to emotional belief, and our democracy is being shaken by votes that are cast on the basis of selective and often inaccurate information. Free from accountability, social networks, internet platforms, BOTs and A.I. can distribute fake news, eclipsing the 4<sup>th</sup> Estate's historical role in responsible reporting.

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Even Facebook admitted that through their advertising platform Russian created fake news sites micro targeted susceptible voters with help from big data computing. In-house efforts to address problems like this are suspect. After all, the lack of regulation has fueled Facebook's business model and those of other similar platforms, like Google and Twitter.

In 1949, the Federal Communications Commission (FCC) introduced "The Fairness Doctrine that required holders of broadcast licenses both to present controversial issues of public importance and to do so in a manner that was, in the Commission's view, "honest, equitable and balanced". They did this because they reasoned a well informed electorate was important to our democracy, the airwaves were owned by the public and news organizations using these airwaves should devote one hour a day to serve the public interest. The evening television world news with Walter Cronkite, CBS, Huntley and Brinkley, NBC, and Howard K. Smith, ABC respected the Fairness Doctrine and took their mission to inform the public seriously. The public accepted their reporting as sober, unbiased and true. They received both sides of an issue.

In 1987, the FCC rescinded the Fairness Doctrine with President Reagan's approval on the grounds that it infringed on free speech. Cable TV fractionated the television market with numerous offerings, the battle for ratings intensified and absent the obligation to serve the public interest, business interests prevailed. Cable news networks such as CNN adopted entertainment techniques to attract and hold viewers, political bias replaced fairness in many cases and national voices disappeared.

Today, people receive targeted news from the web and modern news shows further divide Americans by presenting alternative realities in entertaining formats. Viewers or algorithms pick the information that best reflect their beliefs and different groups no longer understand how people with opposing views could even think as they do. It is time to re-enlist The Fairness Doctrine and the patriotic duty of the Fourth Estate to embrace it.

Then, we must look at the controlling law in technology, commonly referred to as the Communications Decency Act of 1996. When Section 230 of Title V of this Act was made into law, the pervasive impact of internet platforms on public affairs was unforeseen. After all, Google was founded in 1998, Facebook in 2004 and Twitter in 2006. Their business models relied on lack of accountability for what they publish.

Now, twenty years later, we need to change the law to address current reality. It is time for "No" to become "A" in Section 230.c.1 of the telecommunications code:

***"No A** provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider."*

This change does not attack freedom of speech or of the press. It just holds those who publish information responsible for what they circulate. Without accountability for free speech there can be no trust and without trust our democracy is doomed.

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