CrimRxiv •

Review 2 of "Information Trolls vs Democracy: An examination of disinformation content delivered during the 2019 Canadian Federal Election"

Brendan D. Dooley

Published on: Aug 11, 2021

DOI: 10.21428/cb6ab371.84cb33ca

License: [Creative Commons Attribution 4.0 International License \(CC-BY 4.0\)](https://creativecommons.org/licenses/by/4.0/)

Vote: Reject

[For votes to count, referees must reasonably explain why they voted as they did. Thus, please explain your vote. If you voted to publish pending minor changes, specify each change, why it is needed, and, possibly, how it should/could be done.]

The article offers an explanation of how “fake news” demonstrated a pernicious impact on the sanctity of a recent federal election in Canada through an analysis of 20 articles produced by a shadowy entity billing itself as the *Buffalo Chronicle*. The intent is to explain, through a content analysis of these articles, how these specimens of misinformation resulted in a threat to democratic order. The appeal of these exaggerated and facially false “news” items gain traction through either triggering an emotional reaction or duping the consumer by inserting dubious content among an otherwise factual account. There are two links the authors attempt to draw with criminology and criminal justice (CCJ) content: a legal prohibition on foreign influence and theorizing fake news through a social constructivist approach.

As a seasoned consumer of 1st Amendment scholarship, rabid observer of the contemporary political scene with a keen interest in collective violence, I read the manuscript with great interest. Upon reading the content of the argument I find it fails to make a convincing case for publishing on the two primary tie-ins to CCJ articulated above. A quick perusal of the citations underlines a judgment that the work is, at heart, a media analysis garnished with a hint of CCJ. And it is a weak link, at that.

On the first point, there are a few objections to be leveled against the notion of extraditing (American?) offenders over prohibition set forth by “Section 282.4 of the *Canada Elections Act* (2000) states that no person who is not a Canadian citizen or permanent resident can influence an elector to vote or not vote, or to unduly influence them to vote or not vote for a particular candidate or party.” First is the matter of presuming that my reading an account of the election delivered by *The Economist*, published out of the UK, or the *New York Times* (US) precipitating a change in my opinion on Trudeau’s government deserving an indictment seeming like a stretch. Might a better case be made here that the content attempting to smear Trudeau with sexual innuendo of one stripe or another fall more under the banner of defamation statute? A civil suit to bankrupt the Chronicle would likely prove a more effective means to scuttle the dissemination of false information. Second, the case would be strengthened should there have been evidence provided that the election results were

particularly close or that the contested/malicious content had a demonstrably large impact in swaying the outcome in some fashion. Third, there was a lack of content included in the manuscript speaking to the issue of the ways in which this one outlet had in undermining the legitimacy of the democratic process in Canada. Were there protests and violence predicated on the innuendo and unverified “facts” being circulated by the *Buffalo Chronicle*, akin to the January 6th insurrection in the US? Perhaps the outlet was but the tip of a larger class of phony foreign outlets bombarding the electorate with false narrative? An N of 20 is a rather thin reed to build a case on. Irrespective of this kind of speculation, the case could have been bolstered for a more compelling connection with criminal justice.

The second primary weakness in the manuscript can be found in the attempt to approach the issue via a social constructivist point of view. The approach is certainly worth employing here but its present application leaves something to be desired. My use of the operative term, “fake news”, in the first paragraph is intentional. What is really at issue here is how the internet has unleashed a wave of uncorroborated information. The untethering of information from the institutions has resulted in a societal upheaval that is difficult to overstate the importance of (see Martin Gurri’s masterful work *The Revolt of the Public*). Individuals are now left to their own devices, pun intended, to sift through a myriad of claims and counter-claims. As Jonathan Rausch indicates recently (*The Constitution of Knowledge*), the decay in institutions is responsible for this growing sense of anomie. The paper might seek to enhance the reader’s understanding of how the massive collapse of traditional journalism is precisely the vacuum that outlets like the Chronicle and the trolls that propound its content. What is determined to be fake is now dependent upon the confirmation bias of the end users.

The designation of fake news is discussed but briefly in a paragraph in the submission. The trouble is the conflation throughout of fake news with anything ranging between misinformation, disinformation, and propaganda. A greater attention to the requirement of using these terms judiciously throughout would help. The catch all term of “fake news” ought to be classified according to one of the more specific designations when illustrating a given point; not all malformed information is the same. For example, propaganda is precisely what politics is aimed at. Persuasion through rhetoric is what mobilizes votes; candidates are under no obligation whatsoever to grant any concessions to the truth that might give their opponents leverage. It is important to note, however, where opinion and fact are incorrectly used interchangeably. Most media consumers are aware of absolutely no distinction

between an op-ed and a news column because it all appears under the same banner. While some of the content presented for critique in the manuscript is verifiably false and pejorative, therefore worthy of designating as disinformation, other contentions are more amenable to being but contested ideas, and arguably misinformation because it is (allegedly) sourced to anonymous persons. In today's media landscape, one must bear in mind that "fake news" is not a partisan affliction. While *Buzzfeed* performed its journalistic duty in debunking one falsehood in the present work it is simultaneously responsible for publishing a widely dismissed account of the alleged, salacious exploits of former President Trump on a trip to Russia which sparked a massive federal investigation. Of course, it is well worth considering which parties and interests are more adept than others in exploiting widespread rational voter ignorance (see: *The Myth of the Rational Voter*). In the absence of institutional gatekeepers charged with verifying information and turning data into knowledge there is a desperate need for sources that can be trusted, regardless of where one might stand on politics. Apparently, the only unifying aspect of contemporary politics, which has become hyper-partisan in these atomized times, is a loathing of "the media". The only difference is the rationale for the cynicism. All the more reason for a fastidious appreciation for the social construction of "fact" and "fake news".