

To what extent should political advertising on social media be subject to further regulation?

Contents:

Candidate record form	2
Project Proposal Form	3
Activity Log	6
Summary	9
Research Review	10
Discussion	15
Self-evaluation	20
Interviews	21
Bibliography	25

To what extent should political advertising on social media be subject to further regulation?

Candidate Record Form:



EPQ Candidate
Record Sheet.doc

Project Proposal form

Learner Name	<u>Imelda Ria Nyangiti</u>	Learner number	<u>4268</u>
Centre Name	<u>Sir William Borlase's Grammar School</u>	Centre Number	<u>52439</u>
Teacher Assessor	<u>Mrs Pryor</u>	Date	<u>30/06/2020</u>
Unit	<u>P301</u>		
Proposed project title	<u>To what extent should political advertising on social media be subject to further regulation?</u>		

Section One: Title, objective, responsibilities

Title or working title of project: To what extent should political advertising on social media be subject to further regulation

Project objectives:

1. Research how social media is currently regulated in terms of political advertising.
2. Identify the impact social media had on the 2016 US presidential election and the 2016 EU referendum.
3. Identify what steps are being taken to limit political advertising on social media.
4. Suggest further ways in which political advertising could be limited.

If it is a group project, what will your responsibilities be?

N/A

Section Two: Reasons for choosing this project

Reasons for choosing the project:

I have chosen this topic because of my interest in the subject of politics and current affairs. I notice how social media has developed a significant influence on politics internationally. I feel this EPQ will develop my knowledge on this topic and contribute to my preparation for a university degree in International Business or International Relations next year. In politics, part of our course includes learning about how elections and referendums are conducted in the UK, but after the growth of political advertising on social media since the 2016 US presidential election and the 2016 EU referendum, I always wonder how the two events were affected by this, and if anything is being done now to limit the influence of political advertising on social media, which plays an important role in everyday life. I have also noticed that, in the 2016 US presidential election and the 2016 EU referendum, that people's opinions had been massively swayed by social media and a new misleading 'fake news' culture. Because of this, I thought that looking at whether or not social media should be restricted by electoral laws would be a truly relevant and interesting topic to look at.

Section Three: Activities and timescales

Activities to be carried out during the project:

Project planning:

I am going to do some initial research to see what articles and books I can find before I decide on the best-fitting title for my project aims.

Research:

I am going to look for books, articles and other information that are relevant to my topic. I will make notes on this and then use this to write the research section of my EPQ.

How long this will take:

2 weeks

2 months

To what extent should political advertising on social media be subject to further regulation?

<p><u>Development of arguments:</u> I will evaluate both for and against arguments that I have found during my research and write the discussion section of my project using these arguments, linking them to the evidence I have found.</p> <p><u>Other sections:</u> I will write the abstracts, introduction, conclusion, and evaluation of my project.</p> <p><u>Editing:</u> I will re-draft my project in light of feedback from my tutor-assessor.</p> <p><u>Presentation:</u> I will write, practise, and give my spoken presentation on my project.</p>	<p>2 months</p> <p>2 weeks</p> <p>2 weeks</p> <p>2 weeks</p>
<p><u>Milestones:</u></p> <p>Milestone one: Give in research review Target date: 7th January 2020</p> <p>Milestone two: Revise research review after marking Target date: 14th January 2020</p> <p>Milestone three: Begin essay writing Target date: 21st January 2020</p> <p>Milestone four: Give in essay Target date: 31st March 2020</p> <p>Milestone five: Revise essay after marking Target date: 26th April 2020</p> <p>Milestone six: Activity log and self-evaluation Target date: 12th May 2020</p> <p>Milestone seven: Give in first draft of final project Target date: 9th June 2020</p> <p>Milestone eight: Give in final project Target date: 30th June 2020</p> <p>Milestone nine: Rehearse presentations and work on feedback Target date: 7th July 2020</p> <p>Milestone ten: Final presentation Target date: w/c 13th July 2020</p>	
<p>Section Four: Resources</p>	
<p><u>What resources will you need for your research, write up and presentation:</u></p> <ul style="list-style-type: none"> • A wide range of news articles and other reports published on the internet that are relevant to my topic • Podcasts and videos linking to my topic • I plan to read a book about the social media platform Facebook's involvement in political advertising <p><u>What your areas of research will cover?</u></p> <ol style="list-style-type: none"> 1. How social media is currently regulated in terms of political advertising. 2. How the 2016 US presidential election and 2016 EU referendum were affected by social media. 3. How is political advertising on social media being limited in light of the 2016 US presidential election and 2016 EU referendum 	

To what extent should political advertising on social media be subject to further regulation?

4. How these limits could be further regulated.	
Comments and agreement from tutor-assessor	
Is the learner taking this project as part of the Diploma?	Yes/No
If yes, which Diploma are they taking? _____	
Comments (optional):	
Is the project derived from work which has been/will be submitted for another qualification?	Yes/No
Which qualification (title and unit)? _____	
Comments (optional):	
I confirm that the project is not work which has been or will be submitted for another qualification and is appropriate.	
Agreed:	(name) (date)
Comments and agreement from project proposal checker	
Comments (optional):	
I confirm that the project is appropriate.	
Agreed:	(name) (date)

Project Activity Log:

Date	Comments
15th October 2019	I started to think of ideas for my EPQ, and I think I would like to do one concerning the subject of politics. At the moment, I think that the title "To what extent do certain socio-economic factors affect voting behaviour in the US?" is very interesting, so I did some research on the divide between people in the US due to factors such as education, income etc.
22nd October 2019	I worked on my Project Proposal Form, and I have decided on the title that I mentioned in the above comment. This will be a really interesting topic to look at, both at how they influence voting now but also including a historic aspect leading up to this at how people were influenced in the 20 th Century, particularly black Americans and other minorities before and after the Voting Rights Act in 1965.
5th November 2019	I attended a lecture given by some teachers on beginning our EPQ projects. They mentioned how to research effectively, and we also discussed the ongoing activity logs and some final details to improve the project proposal forms which I completed this lesson.
12th November 2019	On further reflection, I feel that the title I had decided on was too broad. I had done quite a bit of research on it since I last worked on my project and there's a lot of information on very different socio-economic factors, so I am thinking of another idea that's a little more specific than my current title, but still has enough information such as news articles, books etc. that would be useful to research. I do want to stick with the subject of politics.
26th November 2019	I continued to research into alternative topics, and I have decided to change my title to "Should social media be subject to electoral laws?". I feel like this is a more specific title than the original, but there is still enough information to cover in a research review and discussion. I have read some articles on The Guardian and others, and I also found a book: "Zucked: Waking up to the Facebook Catastrophe" by Roger McNamee, which I will use in the research review part of my project. I also researched how elections are regulated in the UK and the US.
3rd December 2019	I have slightly changed my title to better fit my aim of the project: "Should political advertising on social media be more strictly regulated?". Although elections and referendums are not hugely different, I wanted the title to be open to both events.
10th December 2019	Attended lecture on how to write a good research review. I continued to look at more articles about the impact of political advertising on social media, finding more sources I could use in my research review. Continued finding more information for my research review.
17th December 2019	I continued to find more sources of information, which included listening to a couple of podcasts that discussed both events that I have included in my topic.
24th December 2019	Worked on my research review.
31st December 2019	I created a bibliography from the sources I used in my research review and finished my abstract.
7th January 2020	Handed in the first draft of my research review.
14th January 2020	Received feedback from my teacher about the first draft of my research review. In class, I started planning the introduction of the discussion section of my EPQ.
21st January 2020	I worked on writing an introduction for the discussion section.

To what extent should political advertising on social media be subject to further regulation?

28th January 2020	I was explaining my project to a cousin who lives in Boston – what is included etc. – and he said he would be able to put me in contact with some people he knows who would be able to give me their opinion on whether political advertising on social media should be subject to regulation, in either a written response or an interview.
4th February 2020	I was put in touch with Ed Lyons by my cousin, a computer programmer and political writer in Boston. I began to write rough paragraphs to use as arguments in the discussion section of my project. To do this, I organised the articles that I had found into stronger arguments and weaker/counter-arguments.
11th February 2020	I organised a date and time to interview Ed Lyons about my project. I also continued to find information to include in the discussion section of my project.
18th February 2020	I received an email from Quentin Palfrey, an American lawyer, policymaker, and political candidate, who was one of the people my cousin sent a summary of my EPQ to. I will include his response to/opinion of my project in the discussion section of my EPQ.
25th February 2020	I interviewed Ed Lyons about my project, and I think I will type up the recorded interview and include it in a separate section at the end of my project, but also use parts of his response in the discussion section of my project.
3rd March 2020	Continued to write the discussion section of my project and plan arguments to include.
10th March 2020	In light of feedback from my teacher, I reorganised my research review so that the information that was in favour of my question was in one section or 'block', and the information that contrasted the fact that political adverts on social media should be regulated came after in another section, rather than the two arguments being intertwined with another. Continued writing the discussion section of my project.
17th March 2020	I started a plan of how I would structure the arguments I would write in my discussion, and I made a bullet point list of what I would include in an introduction and a conclusion. I after writing out a few paragraphs for my first discussion draft, I realised I was not following any sort of structure or plan for the discussion. Planning my discussion out properly helped me to visualise how I would lay out the final version.
24th March 2020	Continued to write my discussion based off the plan that I made last week. I drafted a conclusion and mostly finished the first draft of the discussion for next week.
31st March 2020	Handed in the first draft of my discussion to my teacher after making some final changes today.
7th April 2020	Planned the self-evaluation section of my project with some tips my teacher gave me today. I also made a few improvements to my project as a whole.
14th April 2020	I finished the first draft of the self-evaluation section of my project and made improvements to my project as a whole.
21st April 2020	Continued to write the self-evaluation for my project. I also created a bibliography to record the sources I used in my research review.
28th April 2020	Made further improvements to the discussion section of my project, as well as the self-evaluation. I wrote the summary part of the project, an overview of my EPQ.

To what extent should political advertising on social media be subject to further regulation?

5th May 2020	I made some improvements to the discussion section of my project. I needed to make my line of argument clearer throughout the discussion, so I worked on the analysis and evaluation of my arguments further.
12th May 2020	Continuing from last week, I worked on improving the arguments in the discussion section of my project, as well as improving other aspects of the project including the summary and self-evaluation.
19th May 2020	I focused on making improvements to the discussion section before the second draft is due. I wrote the conclusion again because I did not think it fully summarised and evaluated my overall view of my project question.
26th May 2020	I particularly made improvements to create a second draft of my EPQ discussion as well as improvements to the whole project. I finished writing a conclusion and checked through the rest of my project to make sure the entire project was in a first-draft form.
2nd June 2020	Handed in the second draft of my project to my teacher.
9th June 2020	Continued to make improvements to my project as a whole.
23rd June 2020	In light of feedback from my teacher on my whole project, I made some minor improvements to my project. I made my activity log more detailed in places, and in my research review I make more clear links to each source throughout.
30th June 2020	I handed in the final version of my EPQ project and began to plan my EPQ presentation with tips from my teacher.

To what extent should political advertising on social media be subject to further regulation?

Summary:

My project aimed to research the extent to which political advertising on social media should be subject to further regulation. The two examples I would focus on would be the 2016 US presidential election and the 2016 EU referendum in the UK. In the UK, adverts are regulated by the Advertising Standards Authority (ASA), and in America by the United States Federal Election Commission (FEC), however neither bodies seem to regulate political advertising on social media. I researched how political adverts on social media platforms are starting to be limited and regulated, and ways in which this could develop in the future. From my research, I found that political adverts were not meaningfully regulated in the UK or the US on social media. I concluded that political advertising on social media should not be regulated any further than following the guidelines on specific social media websites. At the moment, it would be incredibly difficult and expensive to attempt to regulate adverts with fact-checkers, and new legislation has proven to be mostly ineffective.

Research review:

Before I started my EPQ, I wanted to find out more about the extent of the use of social media for political advertising during the 2016 US presidential election and the 2016 EU referendum in the UK. An article on the American Economic Association¹ website found that “1) social media was an important but not dominant source of election news, with 14 per cent of Americans calling social media their ‘most important’ source; 2) of the known false news stories that appeared in the three months before the election, those favouring Trump were shared a total of 30 million times on Facebook, while those favouring Clinton were shared 8 million times; 3) the average American adult saw on the order of one or perhaps several fake news stories in the months around the election, with just over half of those who recalled seeing them believing them; and 4) people are much more likely to believe stories that favo[u]r their preferred candidate, especially if they have ideologically segregated social media networks.”

Likewise, the EU Referendum Analysis 2016² found that “Not only were there twice as many Brexit supporters on Instagram, but they were also five times more active than Remain activists... their message was also highly emotionally charged, which facilitated the viral spread of Leave ideas.” In agreement with this, Roger McNamee³ says in the book *Zucked: Waking up to the Facebook Catastrophe* that “‘Lizard brain’ emotions such as fear and anger produce a more uniform reaction and are more viral in a mass audience. When users are riled up, they consume and share more content... When users pay attention, Facebook calls it engagement, but the goal is behaviour modification that makes advertising more valuable.” Also: “Remain’s ‘stay the course’ message was based on smart economics but lacked emotion. Leave based its campaign on two intensely emotional appeals,” appealing to “ethnic nationalism by blaming immigrants for the country’s problems,” and promising “that Brexit would generate huge savings” that would benefit services in the UK.

On an episode of the podcast “Social Media and Politics”, Dr Siva Vaidhyanathan⁴ explained “The ideal is that people with different perspectives can at least work through their differences... We do not have an idealised public sphere anywhere, but Facebook pushes us farther from that ideal. It does that largely by clustering us and rewarding our interests and prejudices with more things that reflect our interests and prejudices. Its algorithms are designed to reinforce what we have already expressed an interest in... That narrows our field of vision over time.” This is supported by McNamee in *Zucked*: “Research suggests that people who accept one conspiracy theory have a high likelihood of accepting

¹ Hunt Allcott (Associate Professor of Economics at New York University) and Matthew Gentzkow (Professor of Economics at Stanford University), 2017. “*Social Media and Fake News in the 2016 Election*.” This article was published in *The American Economic Association*, which publishes one of the most prestigious academic journals in economics: the *American Economic Review*. Because of the Association’s well-respected reputation, I believe that this a reliable source of information.

² “*Impact of Social Media on the Outcome of the EU Referendum*.” EU Referendum Analysis 2016. This website was published 10 days after the referendum and captures research insights on the referendum from the cutting edge of media and politics research. Because it was published so recently after the referendum with accurate information, I can trust the information I found on this website.

³ Roger McNamee, 2019. “*Zucked: Waking Up to the Facebook Catastrophe*.” McNamee is an American businessman, investor, and venture capitalist. He was a Facebook backer and early advisor to CEO and founder of Facebook Mark Zuckerberg. *Zucked: Waking up to the Facebook Catastrophe* is one of the Financial Times’ Best Business Books of 2019 and a New York Times bestseller, and it has been given positive reviews by publications such as Reuters and the Guardian.

⁴ Dr Siva Vaidhyanathan, 2018. From an episode of the Social Media and Politics Podcast: “*Anti-Social Media: Does Facebook Undermine Democracy?*”, hosted by Michael Bossetta, a Political and Data Scientist at the Lund University. Vaidhyanathan is a cultural historian and media scholar and is a professor of Media Studies at the University of Virginia. He is a frequent contributor on media and cultural issues in various periodicals including *The Chronicle of Higher Education*, *New York Times Magazine* and *The Nation*, so I believe this information is reliable.

a second one. The same is true of inflammatory disinformation”, where he again refers to more emotionally charged news and posts on social media. “People say they prefer puppy photos and facts—and that may be true for many—but inflammatory posts work better at reaching huge audiences within Facebook and other platforms.”

Cambridge Analytica, as described in an article on the Guardian⁵, “worked with Donald Trump’s election team and the winning Brexit campaign [and] harvested millions of Facebook profiles of US voters, in one of the tech giant’s biggest ever data breaches, and used them to build a powerful software program to predict and influence choices at the ballot box.” From Towards Data Science⁶, the author states that “Cambridge Analytica... hypothesized that if they had a measure of someone’s personality, they could curate an advertisement that would be most convincing to them. Therefore, they would be able to convince many different people with different personalities, to have the same opinion on a particular issue or candidate by using personalized, targeted advertisements.” Regarding the 2016 EU referendum, the website Politico⁷ says that “internal emails between the data analytics firm and the political groups... contrasts with repeated denials by both Leave.EU and UKIP that they used Cambridge Analytica to target voters during the Brexit ballot,” in the same way that voters were targeted in America during the presidential election. However, in an article on NPR⁸, spokeswoman Catherine Frazier for Ted Cruz (who Cambridge Analytica had assisted before he ended his campaign) said in an emailed statement to NPR: “Cambridge Analytica affirmatively represented that all data used by them were obtained legally, that they would conduct their operations ‘in accordance with all applicable laws and regulations,’ and that they ‘hold all necessary permits, licenses and consents to conduct its operations.’” Following the Facebook scandal and later investigations, Cambridge Analytica shut down on 1st May 2018.

Following this, I researched suggestions on how to reduce the negative influence of social media on politics. An article on the Financial Times⁹ states that “The scope for disinformation or outright lies... calls for urgent oversight.” The Financial Times suggests that “the spread of political advertising on social media requires companies to fact-check political ads in collaboration with trusted, independent organisations... Tech companies should make sure metrics such as the audience segments that have been targeted are clear and publicly available... efforts to detect and remove [bot] accounts should

⁵ Carole Cadwalladr and Emma Graham-Harrison, The Guardian 2018. “*Revealed: 50 million Facebook profiles harvested for Cambridge Analytica in major data breach*”. The Guardian is considered one of the most truthful and factual publications in the world, providing reliable news and opinion pieces. Carole Cadwalladr is a features writer for The Observer and formerly worked at The Daily Telegraph, and Emma Graham-Harrison, an International Affairs Correspondent for The Observer.

⁶ Rahul Rathi, 2019. “*Effect of Cambridge Analytica’s Facebook Ads on the 2016 US Presidential Election*”. The article was published on Towards Data Science, a platform that gives the opportunity for people to exchange ideas and to expand the understanding of data science. The information I found on this website seems to be reliable, as articles are written by experts in the subject. Rahul Rathi studies Electrical Engineering and Computer Science at UC Berkeley, and because he gives factual information on the topic and mentions the works he cited after his article, I believe this source to be reliable and factual.

⁷ Politico, 2019. “*Cambridge Analytica Did Work for Brexit Groups, Says Ex-Staffer*.” Politico is an American political opinion company based in Arlington County, Virginia, that covers politics and policy in the United States and internationally. The reporting on this website is factual, so I can trust that the sources found in this article are reliable.

⁸ National Public Radio (NPR) 2018. “*What Did Cambridge Analytica Do During The 2016 Election*.” NPR is an American non-profit media organization based in Washington, D.C. These sources are generally trustworthy for information, so I believe the information I found here to be reliable.

⁹ Financial Times, 2019. “*Online Political Ads are in Urgent Need of Regulation*.” The Financial Times is an international daily newspaper. The sources on this website are unbiased and reporting is world-renowned as factual.

be stepped up” on social media platforms. From the website TechCrunch¹⁰, “the Information Commissioner’s Office (ICO) has published a policy report... it calls directly for an ‘ethical pause’ around the use of microtargeting ad tools for political campaigning — to ‘allow the key players — government, parliament, regulators, political parties, online platforms and citizens — to reflect on their responsibilities in respect of the use of personal information in the era of big data before there is a greater expansion in the use of new technologies.’”

In agreement with this, some social media platforms are taking steps to monitor political advertising on their sites. In an article on the Guardian¹¹ website, “Facebook’s plans to limit political advertising have taken another step, according to reports, as the company firms up plans to stop political advertisers from sending messages to very small numbers of people... In a statement, a Facebook company spokesperson said, ‘For over a year, we’ve provided unprecedented transparency into all political ads which run in the UK and recently expanded this to cover ads about social issues too. We prohibit misinformation about voting and do not allow ads which contain content previously debunked by our third-party fact-checkers. As we have said, we are looking at different ways we might refine our approach to political ads.’” An article on The Irish Times¹² website gives an example of where legislation that had successfully been passed to regulate online paid political advertising in Ireland. “The aim of the legislation is to protect the integrity of elections and prevent them from being captured by a ‘narrow range of interests.’ The new legislation will allow political advertising online, but it will have to be clearly labelled as such and display certain information, or links, in a clear manner.”

An article titled “How Not to Regulate Social Media”¹³ demonstrates not enough is being done to regulate political advertising on social media: “Policymakers have proposed various legislative solutions to problems with social media privacy and bots... California legislation... purports to address the rule of bots in fake news and advertising. But the law’s definition of ‘bot’ is too broad, and the method it uses is a poor match for the goal it seeks to accomplish. The law makes it illegal to use online bots for commercial or political advertising in California unless the bot discloses its bot-hood in whatever communications it engages in. However, the law defines ‘bot’ as ‘an automated online account where all or substantially all of the actions or posts of that account are not the result of a person.’ This definition likely applies to much activity that legislators may not have intended to regulate. For example, social media managers often use apps... to automate the posting of social media content... the legislation has no means to ensure that it targets only bad actors,” which are social media accounts that spread misinformation.

I interviewed Ed Lyons¹⁴ as part of my EPQ to gain insight into another opinion of my project title. When I asked him about how he thinks political advertising on social media should be regulated, he said that “I would really like to see it regulated but I am afraid that I don’t think it’s really possible at this time,” similar to the previous paragraph. However, his main view of how it should be regulated if

¹⁰ TechCrunch, 2018. “Facebook Under Fresh Political Pressure as UK Watchdog Calls For ‘Ethical Pause’ Of Ad Ops.” TechCrunch is an American online publisher focusing on the tech industry. These media sources are generally trustworthy for information.

¹¹ Alex Hern, 2020. “Facebook To Curb Microtargeting In Political Advertising.” The Guardian. Alex Hern is a reporter for the Guardian, which is a reliable website.

¹² The Irish Times, 2019. “New Legislation to Regulate Political Advertising on Social Media.” The Irish Times is a daily broadsheet newspaper. They publish factual information, and the sources found here are generally trustworthy for information.

¹³ Shoshana Weissman, 2019. “How Not to Regulate Social Media.” I found this article on the website JSTOR, which is a reliable digital library containing academic journals, books and other primary sources, and current issues of journals. Shoshana Weissman is the Digital Media Manager and a fellow at the R Street Institute.

¹⁴ (2020) Ed Lyons is Senior Software Developer and Architect but is also known as a political writer in Boston. The quote included is from an interview I had with Lyons.

possible is to “just go back to basics and just tell people ‘This is an ad, somebody paid for this’” so they are aware of the fact that it is a paid political advert and they may have been targeted to see this advert for some reason. He explained that ‘banning’ fake news would likely be impossible and cause various issues, as “a lot of people like reading fake news,” whether this is political fake news on social media, or simply a magazine with similarly inflammatory information that makes people more interested in reading it, therefore “we have to be careful to claim that [fake news] is a new thing and that nobody likes reading fake stories.”

Similarly, an article on the BBC¹⁵ says the UK’s “electoral law is hopelessly out of date... people can set up dummy campaigns promoting causes that are there to support an official candidate, but hide who's doing it, hide where the money's coming from.” “I don't understand why the government is taking so long. I think we should be looking at emergency legislation to bring our electoral law up to date. At least to establish the basic principles that the same requirements that exist in a poster or a leaflet should exist in an online ad and on Facebook as well.”

In contrast to the argument that political advertising on social media should be further regulated, an article on The Drum website includes an argument from Christie Dennehy-Neil¹⁶ against the regulation of political advertising on social media: “‘There is [a] trust problem’... ‘But does that mean political ads should be regulated as ads for cars or washing powder?’... In advertising, the watchdog [ASA] can [assess] whether a strapline like ‘Whiter than White’ is misleading... Imagine having to decide if the Conservatives’ line ‘Labour is not working’ is misleading. Furthermore, she underlined that there is no amount of ad regulation that could stop foreign secretary [at the time] Boris Johnson talking about the £350m offered by the Brexit bus... Instead of regulation, she suggested ‘Rigorous fact-checking, good journalism, critical thinking and democratic discourse, not political ad regulation.’” In the same article, Natalie Gross¹⁷ asked: “‘Is regulation the right way to handle a much broader issue that not only challenges democracy – but also breaks it?’ she answered: ‘It is a myopic change that won't safeguard the integrity of an election.’ She concluded that regulation is an ‘unenforceable option’ noting that the definition of what an ad even is has shifted so much in recent years.” A source from the Electoral Reform Society¹⁸ said “Previously [Facebook posts by political campaigners] had been open to ‘fact-checking’ by trusted organisations. However, the new decision means the site will not take down politicians’ posts that violate its community standards or label untrue claims as ‘disputed’... Justifying the move, head of global affairs Sir Nick Clegg said: “‘Would it be acceptable to society at large to have a private company in effect become a self-appointed referee for everything that politicians say?... I don’t believe it would be.”

¹⁵ Amol Rajan, 2019. “*Who Will Regulate Digital Political Ads?*” BBC. Amol Rajan is a media editor for the BBC, and the quote included in this quote is from Damian Collins MP, the chair of the Digital, Culture, Media, and Sport Committee. Overall, this source is reliable.

¹⁶ Christie Dennehy-Neil, 2018. “*Should UK Political Ads Be Better Regulated?*” An article from the Drum website. Christie Dennehy-Neil is the Head of Policy and Regulatory Affairs at the Interactive Advertising Bureau (IAB) UK, an advertising business organization that develops industry standards, conducts research, and provides legal support for the online advertising industry.

¹⁷ Natalie Gross, 2018. “*Should UK Political Ads Be Better Regulated?*” An article from the Drum website. Natalie Gross is a managing partner at digital transformation agency TH_NK and is recognised as one of the top three influential digital professionals in the UK (eConsultancy Top 100, 2016).

¹⁸ The Electoral Reform Society, 2019. “*Could Social Media Warp the Next General Election?*” The Electoral Reform Society is an independent organisation that works to gain the rights of voters and build a better democracy in the UK. There could be slight bias here because the Society would most likely be against social media platforms influencing people’s views in a negative way, however this source mentions that there are “strong arguments and feelings on both sides”, and it covers both sides of the argument in the article.

I received a response from Quentin Palfrey¹⁹ to a summary of my project and in terms of fake news and microtargeting, he said that “Because [fake news sources] are spread in a viral fashion, and often ‘microtargeted’ using sophisticated analytics, these untruths are difficult to combat,” as well as these being “paid for by shadowy foreign sources”. At the moment, he says “the challenge” of trying to regulate these types of posts “outweighs the tools available to combat the challenge”. Similarly, an article from the London School of Economics²⁰ raises the issue that further regulation might have on freedom of speech, implying that it would not be the best idea to further regulate political advertising on social media. “While various US state legislatures have attempted to enact truth in political advertising laws, these have been blocked by the Supreme Court’s interpretation of the Constitution’s First Amendment guaranteeing freedom of speech.” Finally, according to Fil Menczer²¹, “there’s a lag of around 13 hours between the publication of a false report and the subsequent debunking,” meaning that it would be incredibly difficult to actually regulate posts on social media at the moment. “That’s enough time for a story to be read by hundreds of thousands if not millions of people. Within Facebook’s digital echo chamber, misinformation that aligns with our beliefs spreads like wildfire, thanks for confirmation bias.”

¹⁹ (2020) Quentin Palfrey is an American lawyer, policymaker, and political candidate. He is the Co-Director of the Global Access in Action project at the Berkman Klein Centre for Internet & Society. During President Obama’s first term, Palfrey worked in the White House Office of Science and Technology Policy as Senior Advisor for Jobs & Competitiveness. The quote included is from a response I received to a summary of my project from Palfrey.

²⁰ The London School of Economics and Political Science, 2017. “*Regulating Political Advertising in The UK – Truth or Consequences?*” LSE is a public research university located in London, England, and a member institution of the federal University of London. I believe this information I found to be factual.

²¹ Filippo Menczer, 2016. “*Facebook’s Failure: Did Fake News and Polarized Politics Get Trump Elected?*” Filippo Menczer is an American and Italian professor of informatics and computer science who is the former director at the Centre for Complex Networks and Systems Research, a research unit of the Indiana University School of Informatics, Computing, and Engineering. This source was taken from a Guardian article.

Discussion:

“To what extent should political advertising on social media be subject to further regulation?”

There is a lot of information that suggests social media should be regulated, and already some platforms are beginning to monitor political advertising on their websites. However, this has proven to be relatively difficult, with little reform being made since the 2016 US presidential election and the 2016 EU referendum. The increasing use of social media for political advertising since 2016 has been accompanied by numerous problems because political advertising on social media is not regulated in the same way as on the television, on the radio or other forms of political broadcasts. The spread of misinformation and distorted ‘fake news’ is the main issue. Additionally, using microtargeting tools to specifically focus on certain groups of people is also a problem especially since Cambridge Analytica was found to have collected millions of peoples’ data to target them with adverts without their knowledge. The fact that little regulatory legislation has been passed shows that the role and usage of social media has not been considered as a means for political advertising. Some arguments show that strictly regulating these adverts would be difficult, and some legislation that has been passed has failed. A better way of regulating these adverts on social media might be to fact-check information to limit the influence of fake news and encourage people to look for more reliable sources of political information. Some social media sites have taken steps to begin regulating political advertising. Towards the end of 2019, Twitter decided to ban political advertising on their platform. Facebook, on the other hand still allows highly targeted political advertising. The company does not fact-check political adverts, as announced by Mark Zuckerberg in October 2019, to avoid interfering in politics and to allow free speech on the platform. Still, the two general elections that have taken place since the EU referendum in the UK have seen a large amount of misinformation on social media, and this is already present in the lead up to the 2020 presidential election in the US.

Evidence of regulation that has already taken place:

In the UK, electoral law is perceived to be ²²“hopelessly out of date.” Some electoral laws date as far back as 1872 and are not compatible with developing technologies. Even more recently, the Communications Act 2003, which bans political advertising on television or radio, is seen as outdated, with the intervening development of technology and social media. In terms of political advertising on social media, there is nothing to stop people from setting up “dummy campaigns promoting causes that are there to support an official candidate [or cause], but hide who’s doing it, and hide where the money’s coming from.” This was seen frequently on social media during the 2016 US election and the EU referendum. Due to this increase in political advertising on social media, and coupled with the increase in misinformation on social media, legislation has been passed in Ireland which requires political advertisements to ²³“display information, or links, in a clear manner,” as well as stating the fact that it is a paid political advertisement. In this case, political advertising is still permitted on social media, however, it is being regulated constructively to avoid misinformation or so-called ‘fake news’. People are aware of the fact that they may have been targeted with information through political advertisements, or that an advert has been paid for by a certain person or group. Increasing the transparency of paid political posts means that accounts that purposely spread misinformation (or ‘bad actors’) are not able to do this as effectively. However, if an individual or group does not follow

²² Amol Rajan, 2019. “Who Will Regulate Digital Political Ads?” BBC. Amol Rajan is a media editor for the BBC, and the quote included in this quote is from Damian Collins MP, the chair of the Digital, Culture, Media, and Sport Committee. Overall, this source is reliable.

²³ The Irish Times, 2019. “New Legislation to Regulate Political Advertising on Social Media.” The Irish Times is a daily broadsheet newspaper. They publish factual information, and the sources found here are generally trustworthy for information.

the laws stated, one way in which they could be penalised is having the original advert or their account removed from the social media site. One limitation of this method of regulation is that before the advert has been removed, it will have been seen and shared thousands of times across social media. As well as this, it is hard to make sure that electoral law stays up to date with fast-developing technology, which limits the overall effectiveness of this method of regulation.

Some reforms that have already taken place have not been entirely successful in fully regulating political advertisements. In California legislation has been passed to reduce the influence of bots on social media that are spreading political misinformation. The term 'bot' refers to an autonomous computer programme on a network, for example a social media site, where it behaves like the people it interfaces. In the case of political advertising on social media these bots can also spread misinformation by pretending to be an actual person. This legislation ²⁴"makes it illegal to use online bots for commercial or political advertising in California," unless the bot clearly "discloses its bot-hood in whatever communications it engages in." However, the issue with this effort to reduce the spread of misinformation is that the "law's definition of 'bot' is too broad... The law defines 'bot' as 'an automated online account where all or substantially all of the actions or posts of that account are not the results of a person.'" This definition is not specific enough to "ensure that it targets only bad actors", as accounts that are outlined in the law's description could also apply to social media managers who are using apps "to automate the posting of social media content," as well as customer service chatbots, for example. Furthermore, "the method [the law] uses is a poor match for the goal it seeks to accomplish" – to stop the spread of misinformation on social media through the use of bot accounts. This example shows that legislation is not a very effective way of regulating political advertising on social media, because defining precisely what is being regulated, and making sure this stays up to date with developing technologies is difficult, and will not be successful in solving the issue of misinformation that some advertising can bring.

Suggestions for further regulation:

A suggestion as to how to combat the negative impact of social media on political advertising in the UK is through implementing ²⁵"emergency legislation to bring our electoral law up to date," as currently, none of the regulatory electoral bodies in the UK regulates political adverts. The issue here is that there are different regulatory bodies with different areas of responsibility in terms of regulating advertising, but none of these organisations is looking at the issue of regulating political adverts on social media and taking ownership of the issue. This emphasises again that the main issue in the UK is that electoral law is severely out of date and needs to be updated to include the use of social media. By implementing regulation for social media in terms of political advertising, this would "establish the basic principles that the same requirements that exist in a poster or a leaflet should exist in an online ad and on Facebook as well." This is a clear example of why political adverts on social media need to be regulated because at the moment there is no legislation outlining what individuals or political groups cannot post or advertise on social media, apart from any guidelines the individual social media sites have put in place themselves. Similarly, ²⁶"the Information

²⁴ Shoshana Weissman, 2019. "How Not to Regulate Social Media." I found this article on the website JSTOR, which is a reliable digital library containing academic journals, books and other primary sources, and current issues of journals. Shoshana Weissman is the Digital Media Manager and a fellow at the R Street Institute.

²⁵ Amol Rajan, 2019. "Who Will Regulate Digital Political Ads?" BBC. Amol Rajan is a media editor for the BBC, and the quote included in this quote is from Damian Collins MP, the chair of the Digital, Culture, Media, and Sport Committee. Overall, this source is reliable.

²⁶ TechCrunch, 2018. "Facebook Under Fresh Political Pressure as UK Watchdog Calls For 'Ethical Pause' Of Ad Ops." TechCrunch is an American online publisher focusing on the tech industry. These media sources are generally trustworthy for information.

Commissioner's Office (ICO)" published a policy report in agreement with this suggestion, calling "directly for an 'ethical pause' around the use of microtargeting ad tools for political campaigning." These microtargeting ad tools that were used by Cambridge Analytica during the 2016 presidential election and EU referendum took users' personal information from Facebook profiles to advertise political campaigns. This is the main issue – social media companies like Facebook have more knowledge about individuals that use their site than traditional media has ever had, and it is an advantage to them to be able to specifically target individuals with personalised adverts based on their online behaviours. Although the ICO may not directly regulate political adverts on social media, the suggestion that they offer would give the "key players – government, parliament, regulators, political parties, online platforms" and voters the opportunity "to reflect on their responsibilities in respect of the use of personal information in the era of big data before there is greater expansion in the use of new technologies," particularly before another election or referendum. In terms of the two general elections that have been held since the EU referendum in the UK, there have been more articles and reports expressing concerns about the misuse of social media in election campaigns, and similarly, in the US there are concerns over foreign interference and misinformation on social media in the 2020 election campaign. This shows that there is a need for change here – in this argument, regulation is not necessarily recommended, however, these "key players" as the ICO mentioned, must consider ways in which to move forward in successfully reducing the negative influence of political advertising on social media.

Some information suggests that regulating political adverts on social media may not entirely solve the issues discussed above. There is no doubt a ²⁷"trust problem" with political information on social media, however, this does not necessarily mean that political adverts need to be 'regulated by a particular body such as the ASA. One reason why regulating political adverts on social media may not be successful in reducing the spread of fake news and misinformation, is that "in advertising, the watchdog [ASA] can [assess] whether a strapline like 'Whiter than White' is misleading." However, with political claims, this becomes a lot more difficult; "imagine having to decide if the Conservatives' line 'Labour is not working' is misleading." Unlike advertising for certain products, there is room in politics for being satirical and/or sarcastic which you cannot regulate in social media, just like you cannot regulate it in real-life speech. Furthermore, not everything on social media is factual, and the purpose of any social media platform is not only to provide users with facts on any topic. On social media, there should be freedom for people to be comedic and sarcastic with politics. An even more difficult issue to consider would be deciding what is misinformative, 'fake news' or simply bending the truth in terms of political adverts on social media. For example, "there is no amount of ad regulation that could stop foreign secretary [at the time] Boris Johnson talking about the £350m offered by the Brexit bus." Social media is extremely hard to control, as posts are shared, whether true or false, very quickly into individuals' friend groups, news feeds etc. Therefore, as it would be too difficult to regulate political content on social media, people should be reminded of the need for "good journalism, critical thinking and democratic discourse" in terms of politics and news articles, particularly on social media where not everything is entirely factual or truthful. This would be a far more effective way of dealing with the issue of misinformation affecting people's decisions during an election/referendum campaign period. By encouraging discussion about politics, particularly over issues such as the UK's EU membership, people would be better educated and less likely to be influenced by false claims in political adverts. Directing people towards more reliable sources of information such as reputable news websites would also help. Again, people will be able to make well-informed decisions from factual websites and other sources rather than expecting everything they read on social media to be truthful and accurate. This example shows that regulating political

²⁷ Christie Dennehy-Neil, 2018. "Should UK Political Ads Be Better Regulated?" An article from the Drum website. Christie Dennehy-Neil is the Head of Policy and Regulatory Affairs at the Interactive Advertising Bureau (IAB) UK, an advertising business organization that develops industry standards, conducts research, and provides legal support for the online advertising industry.

posts on social media may not be as successful at reducing the influence of misinformation. There are ways in which people can make sure they are not being influenced by fake news when it comes to voting or making important political decisions, such as using reputable news sites as their main source of political information rather than social media. This would allow for funny and sarcastic political posts to remain on social media, while not influencing people in a harmful way.

Legislation is a key example for why political advertising on social media does not seem to work. In the US, ²⁸“various... state legislatures have attempted to enact truth in political advertising laws.” This shows that governments are beginning to realise that misinformation and fake news is a significant issue in countries such as the US and the UK. However, in the US for example some of these bills “have been blocked by the Supreme Court’s interpretation of the Constitution’s First Amendment guaranteeing freedom of speech.” This links to the previous paragraph about how you cannot regulate harmless satirical or sarcastic posts or adverts, the same way in real life you would not be able to regulate a politician making a false or misinformative claim, or even just bending the truth. Therefore, attempting to implement legislation may be difficult, because in some cases of misinformation where satire or comedy is intended it cannot be removed or regulated in the way that the US is proposing.

At the moment, the difficulty involved in regulating fake news and political posts on social media ²⁹“outweighs the tools available to combat the challenge.” Because fake news is “spread in a viral fashion”, fact-checking these posts does not appear to be an effective way of regulating political posts on social media. This is due to the fact that ³⁰“there’s a lag of around 13 hours between the publication of a false report and the subsequent debunking,” which leaves plenty of time “for a story to be read by hundreds of thousands if not millions of people.” In theory, fact-checking seems to be a good way to make sure people are aware that certain political information on social media is or is not factual and trustworthy. However, with the current system of fact-checking regulation, it would not be as successful as it seems to be. As well as this, “within Facebook’s digital echo chamber,” where posts etc. can be reposted and spread quickly and easily, “misinformation that aligns with our beliefs spreads like wildfire, thanks to confirmation bias,” particularly with more inflammatory posts or news stories. The reason why inflammatory claims are shared quicker and generate more of a reaction than the facts is because ³¹“Lizard brain’ emotions such as fear and anger produce a more uniform reaction and are more viral in a mass audience.” On Facebook or other social media websites, “when users are riled up, they consume and share more content,” therefore the more inflammatory and provocative political posts are, the more likely they are to spread. The point of creating these fake news stories and other misinformative posts is to make users feel these ‘lizard brain emotions’, which increases the number of times the post is viewed or shared. Debunking these inflammatory posts

²⁸ The London School of Economics and Political Science, 2017. “*Regulating Political Advertising in The UK – Truth or Consequences?*” LSE is a public research university located in London, England, and a member institution of the federal University of London. I believe this information I found to be factual.

²⁹ (2020) Quentin Palfrey is an American lawyer, policymaker, and political candidate. He is the Co-Director of the Global Access in Action project at the Berkman Klein Centre for Internet & Society. During President Obama’s first term, Palfrey worked in the White House Office of Science and Technology Policy as Senior Advisor for Jobs & Competitiveness. The quote included is from a response I received to a summary of my project from Palfrey.

³⁰ Filippo Menczer, 2016. “*Facebook’s Failure: Did Fake News and Polarized Politics Get Trump Elected?*” Filippo Menczer is an American and Italian professor of informatics and computer science who is the former director at the Centre for Complex Networks and Systems Research, a research unit of the Indiana University School of Informatics, Computing, and Engineering. This source was taken from a Guardian article.

³¹ Roger McNamee, 2019. “*Zucked: Waking Up to the Facebook Catastrophe.*” McNamee is an American businessman, investor, and venture capitalist. He was a Facebook backer and early advisor to CEO and founder of Facebook Mark Zuckerberg. *Zucked: Waking up to the Facebook Catastrophe* is one of the Financial Times’ Best Business Books of 2019 and a New York Times bestseller, and it has been given positive reviews by publications such as Reuters and the Guardian.

with the use of fact-checking would be an incredibly difficult task, and so may not be the most successful way to regulate political posts on social media. Linking again to the previous paragraph, this is where knowledge of the fact that political posts on social media will not always be truthful is the best way to lessen the influence of these inflammatory and misinformative posts on social media. In late 2019, Facebook made the decision to stop fact-checking political posts on their site, supporting the view that political adverts on social media should not be regulated. Their ³²“new decision means the site will not take down politicians’ posts that violate its community standards or label untrue claims as ‘disputed’.” Facebook has been criticised for this decision, and those who oppose it describe it as a major threat to democracy. Still, others argue that it is not the responsibility of Facebook and other social media platforms to regulate the political process, and it is not their job to make sure that politicians and other users only share or post factual information. Sir Nick Clegg has defended Facebook’s decision, asking “Would it be acceptable to society at large to have a private company in effect become a self-appointed referee for everything that politicians say? ... I don’t believe it would be.” In terms of any political advertising on social media, whether it is truthful or misinformative, the government or a regulatory body such as the Electoral Commission in the UK should be in charge of this regulation, if it was to take place, and not Facebook or other social media sites. And although fake news and some paid political adverts can be dangerous and affect politics and democracy deeply, this is not a new issue that has come about with social media, and people do “like reading fake news”, whether this is political fake news on social media or simply a magazine with inflammatory information that interests people, similar to what we have seen on social media in recent years. One suggestion of how to solve this issue without major regulation going ³³“back to basics” and making sure that people know that some political posts they see on social media have been paid for. This would leave people free to enjoy reading whatever they want to on social media, while they are more aware of the fact that they may have been targeted with certain information.

In conclusion, I think that political adverts and posts on social media do not need to be regulated, apart from respecting the guidelines for posts on sites like Facebook. Fact-checking posts seems like a good idea in theory, however the time it would take for a post to be fact-checked is too long, and by then the post will have been seen and shared countless times. Removing certain posts or individuals for promoting misinformation, or simply bending the truth in terms of politics would not be a successful way of reducing the negative aspects social media has on politics. It is important to remember that voters can be influenced by many different sources, some of which are already regulated such as party political broadcasts in the UK, or magazines and social media posts which are not regulated in the same way (or at all) and might not necessarily include factual information. People should be free to make decisions themselves about who or what to vote for and have discussions about politics if they want to. A much better way of reducing the impact of fake or misleading news, which is what regulation would hope to achieve, is through sharing reliable sources of information in terms of politics and encouraging discussion and debate. Reliable sources of information can include reliable social media pages and reliable news sources. This would help to reduce the influence of misinformation on people’s political decisions, while still maintaining the satire and political comedy on social media. Overall, I do not believe that political advertising on social media should be regulated any further.

³² The Electoral Reform Society, 2019. “*Could Social Media Warp the Next General Election?*” The Electoral Reform Society is an independent organisation that works to gain the rights of voters and build a better democracy in the UK. There could be slight bias here because the Society would most likely be against social media platforms influencing people’s views in a negative way, however this source mentions that there are “strong arguments and feelings on both sides”, and it covers both sides of the argument in the article.

³³ (2020) Ed Lyons is Senior Software Developer and Architect but is also known as a political writer in Boston. The quote included is from an interview I had with Lyons.

Self-evaluation:

While planning, researching, and writing my EPQ, I have learned many skills that will be transferable to other aspects of my life in the future. One of the skills I have found the most important when completing my project is learning to be more concise with my writing. Particularly in my research review, I learned that I had to only pick the most important sources to explain and back up my point with evidence. I also learned how to properly quote sources in a research review, by using footnotes to comment on their reliability, for example, who had written the news article or other type of source, and whether the website where I had found the source was also reliable. I was also incredibly lucky to have the opportunity to interview two people who are experienced in the area of social media and politics. Interviewing these people with questions linked to my project aims gave me a chance to improve my communication skills, and I felt that I now have a deeper understanding of my project topic from recording the opinions of other people.

When I started my EPQ, I originally had a different research title, however, having reflected on that title at the time, as I started to outline the areas of research that I would carry out, it would have been too broad for me to analyse all the important details. Therefore, by changing my research title to something more specific but similar to my original idea, I was able to meet the aims I set out before I started my project, and I was able to come to a valid conclusion based on the research I carried out. By having to meet certain deadlines for sections of my EPQ, I have learned how to better manage my time as I completed my project, alongside studying three subjects for my A-Levels. Ultimately, I have a more valuable and detailed project.

If I were able to do a similar project again, I would love to research more about how companies such as Cambridge Analytica and other foreign groups intervene in political advertising and influence people's opinions when voting in an election or referendum. I did not have enough time to fully delve into how foreign interference affected the 2016 presidential election in terms of political advertising, and how regulatory bodies in countries such as the US and UK are going about limit the influence these groups have on elections. From reading about this during the 2016 and 2020 election period in the US, I believe this would have been remarkably interesting to investigate if I had more time. 'Lizard brain' emotions and how this links with how people are influenced on social media platforms was also something I briefly mentioned in my project, however, I would like to research more about this if I had more time as it's an interesting part of how people can easily be influenced by inflammatory fake news.

Interviews:

During my project, I was put in touch with two people who work with technology and politics who I might be able to interview about my project. I first received a response from Quentin Palfrey, after I sent him a short summary of what I was investigating in my project. I was also put into contact with Ed Lyons, who I was able to interview over Skype in February.

Quentin Palfrey:

Quentin Palfrey is an American lawyer, policymaker, and political candidate. He is the Co-Director of the Global Access in Action project at the Berkman Klein Centre for Internet & Society. During President Obama's first term, Palfrey worked in the White House Office of Science and Technology Policy as Senior Advisor for Jobs & Competitiveness.

"I think there are a few different things going on here.

"One is paid advertising. When a candidate or a political group pays for speech on the Internet (say, on Facebook or Twitter), what controls should be in place to prevent them from saying things that are not true? Facebook and Twitter have come up with very different answers to that question. Facebook's answer boils down to the idea that Facebook is not really in a position to police the truthfulness of speech on its platform any more than the post office should be expected to prevent lies in letters sent through the (paid) mail. Twitter -- perhaps trying to distinguish itself from Facebook -- has shut down its paid political advertising to avoid this problem. A third way, perhaps, would be to set up some kinds of controls that place a stronger obligation on the platform (e.g., Facebook/Twitter/Instagram, etc.) and/or on the purchaser of the ads to avoid demonstrably untrue statements (as opposed to boasts or exaggerations which are generally tolerated in both political speech and paid advertising more generally). There are complicated questions about the first amendment and government regulation lurking here, but I will note that this is a space that is much better regulated on television and other traditional media than it is on the Internet.

"There's also the separate question of untruths that are spread as unpaid, viral posts. Often these "fake news" sources are intentional efforts to confuse voters, cause divisions, and influence voting behavior. Many are paid for by shadowy foreign sources. Because they are spread in a viral fashion, and often "microtargeted" using sophisticated analytics, these untruths are difficult to combat. A sensible set of regulations in this space would combine government oversight / law enforcement, non-profit watchdogs/civil society, and responsibility on the part of social media platforms (with consequences), but so far the challenge outweighs the tools available to combat the challenge."

Ed Lyons:

Ed Lyons is Senior Software Developer and Architect but is also known as a political writer in Boston. I recorded the interview and have included this below.

RN: What is your opinion of how political advertising on social media should be regulated, if you think it should be regulated in the first place?

EL: I would like to see it regulated but I am afraid that I do not think it is really possible at this time. Practically, I think that our ideas about political advertisements are based in a 1980s media landscape with the actors and constraints that we had at that time. I have a friend that works at Facebook and he says “What is a political ad? Could you write me a programme that tells me what that is?” We can picture a billboard saying, “vote for somebody” or a television commercial or a banner saying, “vote tomorrow”. We have an election very soon here in Massachusetts, and we see some traditional advertisements, but a lot of advertisements we are seeing are not obvious that they are advertisements. That pushes an issue, or it spreads disinformation or there are fake people online saying “I’m voting for this person” but people do not realise that someone bought that advert to convince others to vote for that person. I do not think we can [regulate this issue], and in America, we have a very bad campaign finance system, where our Supreme Court ruling allows all these other groups to get involved with our elections. I think it would be easier to regulate political ads if you could figure out the ‘who’. For instance, right now the biggest story in political advertising in America is Michael Bloomberg spending an unprecedented amount of cash – they say he is showing 30,000 online ads a minute – that has an extraordinary impact on America. Never mind that his TV advertisements are everywhere – I cannot even get changed in the gym without seeing ads on the [TV] screen – “There’s Mike Bloomberg again!” What is different about that is the ‘who’ helps. If Bloomberg goes to Facebook and says “I’d like to buy zillions of ads” then it is obvious that these are political advertisements and you probably could regulate that if it was that obvious. If Facebook has all these groups creating ads and doing all this stuff online and they are not the official campaign, sometimes candidates will say “I didn’t know that company was backing me – I never saw that mailer go out”. So, we do have a ‘who’ problem – who are the actors involved – I think that makes it very hard [to regulate]. We have always been weak on that regulation in America, but I do not see how we do it, although I would love to see somebody who has a clever way of trying it.

RN: If we were in a position to regulate political advertisements, do you think displaying the name of whoever paid for the ad is the best way to begin to regulate political ads?

EL: I have seen some efforts, for instance, they will say, “This is an advert” or “Somebody bought this” and display their name or identify the campaign. Unfortunately, things are so bad I think we should just go back to basics and just tell people “This is an ad, somebody paid for this” – that would be great. In the pre-internet world, it was obvious when you see an ad or what was some local association endorsing somebody – you knew what you were looking at. But now, I think we are not even sure what is or is not an ad, so I think it is a good idea to just start by identifying the ‘who’. Sometimes Facebook will say “This is a political ad” but if they’re not sure if it is or isn’t, they should say someone has paid for this to be advertised across the platform, so I can’t mistake it for some ordinary guy who’s just decided to vote for Elizabeth Warren, you know that someone has bought that. I think identifying them as adverts or who bought them is great. Sometimes, because there are so many ads, they’ll just make up random acronyms, like in the mail yesterday I got something that said “Paid for by RMGA: post office box – something” and I’ll say “Well who the hell is that?” But at least I will know that it is not the candidate, somebody else did this. We should be identifying when something is paid, the name of the group buying it. And if it is part of some \$10 million ad-buy – it may look like it is just one of my friends, but it is a lot bigger than that. Another big part of the debate

is whether something is true or not. Like Facebook says they are not going to stop people from lying in political ads – some people say we should regulate ads and not have false claims, and I am thinking “Good luck with that!” I think that would have been hard thirty or forty years ago. The effects of misinformation are so bad now that I would like to see some people give [regulating] a shot, even if they fail. I think the content of the ad is important, but I think the place to start is the ‘who’, the ‘how much money’, and to let people know that they’re being targeted in some way, and the nature of the campaign. The biggest problem we have is people are consuming content that is political and corporate in nature but they don’t know it – they think it’s something organic, or a friend, or a news report – sometimes ads look like some kind of news report, and people don’t realise it’s a lie or something that’s not actually news. I guess it would be nice to have some sort of classification to say clearly what it is.

RN: Do you think we could somehow regulate fake news rather than political posts? Or do you think it would be better not to and for people to talk about it and scrutinise it in a conversation?

EL: What is funny about this is that we have had fake news in America and Britain for years. If you go to the grocery store in the checkout line, there are all these magazines and newspapers about celebrities and diets and aliens – a lot of that is fake news. Somehow, we consume this stuff for decades, and no one declares this to be a crisis. I have lots of computer programming friends, who want to somehow tell people to stop consuming all these lies, and I’ll say, “Really? Do you understand how the average person thinks?” and they’ll say “No” and so I say “I have an idea. Come with me to the grocery store, and you’re going to stand in the checkout line next to all these magazines, and when a woman comes up and starts looking at them you can be the ‘fake news detector’ and tell her how things really are. So, when she goes to take it you can say ‘Wait a minute! That is not true, we have proof this is what happened – they are lying to you! Please read the Economist instead!’” I walk them through this scenario which sounds silly – what would the woman think? She likes reading this stuff! In my experience as a political activist, a lot of people like reading fake news. They know it is probably not true, but it is fun to read all of this. I do believe in fighting fake news, and I do think we have to care about the landscape of what people can say, but I think we have to be careful to claim [fake news] is a new thing and that nobody likes reading fake stories. I think that is an inaccurate view of how people consume information. I think people like fake news, or they do not mind fake news, and once in a while, they’ll think “I don’t want to be lied to,” but I think that’s a small part of the problem here. Lots of people love reading this stuff – it is like drinking too much alcohol – it is not good for me, but it feels great! I always tell my friends if you are working on the fake news problem, and regulate what people consume, ask yourself, why? I think there is also an elitist problem – educated people think “I never read fake news – I’m fine!” Any fact-checking system is going to be an elite activity by nature, so it is not that it is not going to be elite, but someone has to decide what the rules are for regulating news. We do care about what people believe in general, but you have to be very careful about why you are doing it. If someone sees fake news like the checkout line, well then let them do it. If it is the day before an election and someone is trying to find out who these candidates are and cannot find reliable information about them then you need to be on their side and help them find reliable information. You have to approach it from that mindset, and not because you do not like a certain political mindset. In America, conservatives believe that the fact-checking sites are all ideologically against them and therefore do not listen to anything they say. 30%-40% of the public here does not believe in fact-checking – that is wild! How did that happen? That was not the case 25 years ago, that was a cultural branding problem that developed because fact-checkers did not think about what everyone thought about checking facts. I think that when we’re regulating adverts for politicians we have to be careful not to end up like fact-checkers, where we approach this in a way that offends a lot of people or has the wrong ethics, and therefore the whole enterprise gets rejected. Twitter said, “Well we can’t turn on the Nazi filter because too many elected Republicans will have their accounts cancelled,” and Facebook said yesterday “We can’t get rid of these political ads full of lies because we’ll discriminate against conservatives. I’m a moderate Republican, and I

know many Republicans who see these headlines and think that “They’re just trying to get us,” so I think if you’re going to regulate political advertisements you’re going to have to ask yourself not “What am I trying to do?” but “How is this effort going to be presented to people? How can we find a way to make it seem like we’re helping people rather than stopping people?” Some people do not want posts they can see to be regulated. They’re not saying, “Let the Russian bots lie to me,” what they’re worried about is people don’t agree with them politically and they’re going to stop them from seeing something they want to see because it’s not in the regulators’ politics. There is an issue that if you are going to regulate adverts or regulate fake news, how are you going to do that, and will people respect the endpoint? The problem with social media sites trying to regulate it is that they have been unable to articulate where they are planning to go with regulation. My friends at Facebook will say that the ‘newsfeed’ was never meant to be this political minefield, it was meant to be what your friends are doing and what is going on around you and fun opinions. No one anticipated this political warzone in your newsfeed, and Mark Zuckerberg was completely unprepared for this, and it seems what Facebook is saying is that they want to get out of the newsfeed business as people’s primary source of news, they want to push it back to your friends and your football groups and away from this [political] battle that Facebook has to referee that they don’t want to. We need to identify what is the grocery-store-checkout stuff, what are the fake diets and celebrity nonsense and the tabloids, and what is factual information. If it is two days before an election and someone clicks on a voter information guide that is fraudulent, you need to put up a notice saying, ‘this isn’t the official voter information guide.’ We are not going to block it – if you want to have fun – but if you want the facts then go to this website. If you block everything false that people like, they are going to stop going to that website and go somewhere else that encourages their opinion and makes them seem right all the time.

RN: Because you have talked about people choosing to read fake news, do you think fake news and paid political posts enhance democracy in the US or threaten it?

I think right now it is threatening it. I don’t like saying that because it’s very alarmist but I think it matters what people start to believe, and as I joke there has never been a time in American or British history when everyone who went to vote had a lot of well-researched information about the candidate. Voting as always been this emotional, difficult, flawed process. Often young activists I work with on campaigns think they reach voters and tell them lots of good things, and everyone goes and makes this rational decision at the polls. This is simply not true. In the past, it would be uneducated people who believed fake news and stupid things about politics and elections, but now we have people with PhDs who believe that global warming is not real. I think this is why Twitter banned all political ads – I do not think that will help solve the problem, but I am glad they are trying. Twitter’s saying, “the whole thing’s not working out, we don’t want to police this,” so I think there is a consensus that online advertising is now hurting the voter’s ability to know what’s true and to resist outright manipulation. There’s way too much manipulation now, and I think that’s a really big, new issue, and also how corporate it is – it would be one thing if it was just a small group of people, but because you have these very wealthy organisations involved, disinformation can be conducted at a scale that’s way bigger than someone lying on a billboard on the side of the road.

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