

A graphic with a dark background featuring a stylized human head in profile, composed of a network of white lines and nodes. The head is surrounded by white circuit board traces that extend outwards. A semi-transparent white rectangular box is centered over the head, containing the text "AI-GENERATED FAKE NEWS AND FREE SPEECH" in a bold, black, sans-serif font.

AI-GENERATED FAKE NEWS AND FREE SPEECH

Fake news is created by people to intentionally mislead others, it is a form of **disinformation**. Disinformation can be used to influence elections, especially on social media. A study published in 2022 by the National Center for Biotechnology Information found that the impact of disinformation impacted the United States' 2016 election, as well as elections in France in 2017 and India in 2019.

Social media sites use algorithms, or digital formulas, to show you content similar to what you have already liked or shared. This creates an “echo chamber” where people are mainly getting information they agree with or already have “liked.” If someone starts to engage with disinformation online, they will continue to see similar posts. It becomes harder to tell if a story is factual. Imagine how this could sway voters.

Artificial Intelligence

Artificial intelligence (AI) has made fake news even more difficult to navigate. AI is technology that enables computers to create information and seemingly “think.” **Generative AI** creates information (text or images) in response to people’s prompts and questions. Generative AI has already provided benefits in various fields. In medicine, AI has provided fast, accurate medical diagnoses to help doctors treat patients. In business, AI has been used in accurate fraud detection, which protects consumers and businesses. Many teachers have used generative AI to help provide individualize learning for students.

However, some warn of generative AI’s harms. Many people fear unemployment for those whose jobs may be replaced by AI. The New York Times, Microsoft, and other companies have sued the AI system ChatGPT for violations of copyright. Many have warned of potential invasions of privacy, as well, as generative AI scours the internet for information.

AI has already spread **misinformation**, or false information. In 2023, a fake-news website used AI to “scrape” the internet where it found a 13-year-old satirical article about Israeli prime minister Benjamin Netanyahu. The article implicated him in the death of a psychiatrist. AI created a new article that was picked up as “news” by an Iranian TV show, as well as a Pakistani website. It was liked and shared tens of thousands of times on social media platforms such as Instagram and X (formerly Twitter).

Media watchdog organizations warn that misleading articles are only the beginning. AI can also produce **deepfake** photos and videos of politicians and

disinformation the spreading of false information to deceive

Generative AI Artificial Intelligence that creates new content, like images or text

misinformation false or incorrect information that is spread without the intent to deceive

deepfake realistic video or audio created using AI to make it appear someone is saying or doing something they didn't

others saying or doing outrageous or scandalous things. For example, the New York Times reported on a deepfake video in which President Volodymyr Zelensky of Ukraine appeared to be announcing surrender to Russia — something he has never said.

It has been predicted that AI will increasingly interfere with elections. Politicians themselves might set up AI-based fake-news sites to create and spread disinformation about their opponents.

Can Anything Be Done?

Many social-media users have demanded that tech companies take action to prevent the circulation of fake news. The Community Notes program on X allows approved contributors to fact-check posts and images. It is crowd-sourced, so that users can give the fact-checks up-votes or down-votes. X claims that Community Notes' fact-checks receive tens of millions of views per day. But the nonprofit Mediawise group claims about 60 percent of the most rated fact-checks are not visible to the public.

Regulating AI-generated fake news poses a whole new set of challenges. Governments want to find the right balance between protecting against AI's dangers while not stifling its benefits. In 2023, the European Union (EU) passed one of the first major pieces of legislation aimed at striking this balance. The EU's AI Act divides different AI functions into different risk levels and restricts or allows them accordingly. For example, facial recognition technology is deemed as an "unacceptable risk" and is banned. The EU sees deepfake photos and videos, however, as a "limited risk" that only need to be labeled as fake to be protected.

Restrictions on disinformation can come from both tech companies themselves and from governmental action. Many people, however, oppose U.S. government regulation of misinformation or disinformation, citing the First Amendment's protection of the freedom of speech. It was designed to prevent government control over citizens' expression of ideas. If people fear punishment for unintentionally posting or publishing false information, they may self-censor their opinions — even if they don't contain false information.

There are existing limits to posting or publishing false information. The First Amendment does not protect defamation, which is a false statement that purposefully harms someone's reputation. For example, defamation can include publicly calling someone — especially an ordinary person and not a public figure — a "murderer" when they have never been convicted of that crime. Courts can impose high monetary penalties for defamation.

Your Digital Citizenship

As an online user, you can strengthen your digital citizenship with a few simple tools. Whenever you want to fact-check a story:

- Use what Prof. Sam Wineburg at Stanford University calls "click restraint." When searching the internet for information, do not immediately click on the first page of the options provided. These items may be at the top simply because they are popular, not necessarily because they are truthful.
- Wineburg also recommends "lateral reading." Seek out information in multiple online sources about the website where you found a story.
- Find news about an event from a variety of sources, including those that may have a different political perspective than your own.
- Remember that news reporting may not always be neutral (having no opinion whatsoever). But reporters should still report facts as facts as objectively as possible and identify opinion pieces as such.