

Misinformation and Disinformation: Unravelling the Web of Deceptive Information

B. Praveenkumar

Guest lecturer, Government Law College, Dharmapuri 635205

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Abstract

In the current digital era, misinformation and deception spread quickly, posing serious problems for civilizations everywhere. Online platforms and social media networks have become a haven for misinformation, which is defined as the unintended distribution of erroneous or inaccurate information, and disinformation, which is the deliberate spread of misleading information with the intent to deceive. This essay examines the subtle distinctions between misinformation and disinformation, highlighting their crucial roles in influencing public opinion and public debate globally. Examining the effects of misinformation and disinformation on people, groups, and democratic processes, the difficulties brought about by the quick dissemination of erroneous information and the decline in public confidence in traditional media and institutions are highlighted. Furthermore, an analysis is conducted on the legal and regulatory frameworks in India and throughout the world that deal with misinformation and disinformation. The analysis identifies important policies and laws that are meant to stop the spread of lies. The paper concludes with suggestions and solutions for dealing with misinformation and disinformation. It emphasises the value of fact-checking programmes, media literacy education, and cooperative efforts between governments, media outlets, and civil society to protect democratic values and advance information integrity in the digital age.

Corresponding Author:

Mr. B. Praveenkumar LL.M

Guest lecturer, Government Law College, Dharmapuri 635205

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1. INTRODUCTION

Knowledge has practical applications. When true, it can literally save lives. Regretfully, the converse is also accurate. False information can be quite damaging. False information has the ability to spread like a virus, leading to an infodemic¹. Misinformation and disinformation are two types of false information that are spreading more than ever. Just one character separates these two words, which are so frequently used synonymously. However, the crucial contrast between these confusing terms is concealed behind that one letter: purpose or intention. The term "misinformation," which means "wrong" or

"mistaken," was first used in writing in the late 1500s. It combines the word information with the prefix mis-. Other frequent words that utilise mis- to mean "wrong" in place of misinformation are mistake, misspelling, and misunderstanding. "False information that is spread, regardless of intent to mislead" is defined as misinformation. In our daily lives, false information is frequently circulated. Everyone is capable of making mistakes. Everyone has forgotten things. Details are misheard or misremembered. We make up stories about things we saw on social media or heard on TV that we don't actually believe to our buddies. Technically, you are disseminating misinformation if

¹ Oxford dictionary meaning an excessive amount of information about a problem that is typically [unreliable](#), spreads rapidly, and makes a solution more difficult to achieve.

you are passing along incorrect information without realising it. In today's digital age, the terms "misinformation" and "disinformation" have become increasingly prevalent, influencing public discourse and shaping opinions on a global scale. While often used interchangeably, these concepts carry distinct meanings, each playing a role in the spread of inaccurate or misleading information. Understanding the nuances of misinformation and disinformation is crucial for fostering media literacy and promoting a more informed and discerning society. Misinformation refers to the dissemination of false or inaccurate information without the deliberate intent to deceive. It often occurs due to genuine errors, misinterpretations, or incomplete knowledge. In the age of social media and rapid information sharing, misinformation can quickly gain traction, leading to the inadvertent perpetuation of falsehoods. On the other hand, disinformation involves the intentional creation and spread of false or misleading information with the aim of deceiving and manipulating public opinion. Unlike misinformation, disinformation is a strategic and calculated effort often employed for political, ideological, or economic purposes. State actors, interest groups, and individuals may engage in disinformation campaigns to shape narratives, sow discord, or achieve specific agendas. False information, such as that regarding a nation's military prowess or future plans, spread by a government or intelligence organisation in an aggressive act of tactical political subversion, is referred to as disinformation. Additionally, it can also refer to "deliberately biased or misleading information; manipulated narrative or facts; propaganda" in a broader sense². Disinformation, then, is purposely and knowingly disseminated false information. Disinformation can be created for a variety of evil reasons, but the main one listed in our definition of the word is the desire of an individual or organisation to disseminate false information.

2. IMPACT OF MISINFORMATION AND DISINFORMATION

The rapid spread of misinformation and disinformation presents significant challenges in today's digital age, fueled by the widespread use of social media and online platforms. Both misinformation and disinformation can proliferate swiftly in the digital era, reaching vast audiences within moments and amplifying their impact. Social media platforms serve as powerful amplifiers for false information for the ease of sharing. Platforms like Facebook, Twitter, and YouTube play a significant role in the dissemination of both misinformation and disinformation due to their vast user bases and algorithms that prioritize engaging content³. Viral content can quickly gain traction, reaching millions of users within minutes and

perpetuating false narratives. Traditional gatekeeping mechanisms, such as editorial oversight and fact-checking, are often absent or ineffective in the online environment. Anyone can create and share content online, regardless of its accuracy or credibility, leading to the proliferation of misinformation. Social media algorithms prioritize content that aligns with users' existing beliefs and preferences, creating echo chambers where false information is reinforced. Confirmation bias leads individuals to selectively consume and share information that confirms their preconceived notions, further amplifying false narratives within like-minded communities. Emotional appeals, sensationalism, and conspiracy theories are often more engaging and shareable than factual content, driving the rapid spread of misinformation⁴. Cognitive biases, such as the availability heuristic and anchoring bias, influence how individuals perceive and share information, leading to the uncritical acceptance of false claims. Bad actors, including state-sponsored actors, malicious bots, and online trolls, deliberately exploit vulnerabilities in online platforms to spread false information for political, ideological, or economic gain. Coordinated disinformation campaigns employ tactics such as astroturfing, sockpuppet accounts, and fake news websites to create the illusion of widespread support for false narratives. Information spreads rapidly in the digital ecosystem, facilitated by real-time communication channels and the 24/7 news cycle. The sheer volume of content generated every day makes it challenging to fact-check and debunk false information effectively, allowing it to circulate unchecked. Advancements in technology, such as deepfake videos and AI-generated text, further complicate efforts to discern truth from fiction. Tools for manipulating images, videos, and audio make it easier to create convincing but false content, blurring the lines between reality and fiction⁵. The prevalence of inaccurate information contributes to a decline in trust in traditional media, institutions, and even fellow citizens, fostering an environment of skepticism and polarization⁶.

3. LEGAL AND REGULATORY FRAMEWORK FOR MISINFORMATION AND DISINFORMATION

Legal provisions related to misinformation and disinformation can vary significantly across jurisdictions. However, many countries have laws and regulations that address false information, especially when it causes harm, poses a threat to public safety, or undermines the functioning of democratic processes. Here are some common legal considerations related to misinformation and disinformation:

² <https://www.dictionary.com/e/misinformation-vs-disinformation-get-informed-on-the-difference/>

³ Muhammed T S, Mathew SK. *The disaster of misinformation: a review of research in social media*. *Int J Data Sci Anal*. 2022;13(4):271-285. doi: 10.1007/s41060-022-00311-6. Epub 2022 Feb 15. PMID: 35194559; PMCID: PMC8853081.

⁴ Study: On Twitter, false news travels faster than true stories Peter Dizikes | MIT News Office Publication Date: March 8, 2018

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⁵ Han Luo, Meng Cai, Ying Cui, "Spread of Misinformation in Social Networks: Analysis Based on Weibo Tweets", *Security and Communication Networks*, vol. 2021, Article ID 7999760, 23 pages, 2021. <https://doi.org/10.1155/2021/7999760>

⁶ <https://misinforeview.hks.harvard.edu/article/misinformation-in-action-fake-news-exposure-is-linked-to-lower-trust-in-media-higher-trust-in-government-when-your-side-is-in-power/>

3.1 India

Although there isn't a special legislation that deals with fake news or misinformation, depending on the situation, existing laws on defamation, public mischief, and electronic communication may apply. Statutory organisations such as the News Broadcasting Standards Authority and the Press Council of India have the authority to regulate media organisations in India. These organisations might be aware of false information that the media has been spreading. The dissemination of misleading information that could affect the electoral process may be addressed during elections by utilising the applicable provisions of election laws as well as the model code of conduct. Further those who are the subject of misleading information may file a civil lawsuit for damages or seek legal recourse under defamation statutes. The various provisions under Indian law are,

3.2 IPC Sections

- Section 153A: This section pertains to “promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony”. It criminalises acts that promote hatred or ill-will between different religious, racial, or linguistic groups, and actions prejudicial to the maintenance of communal harmony. The punishment for this offence can range from imprisonment of up to three years, a fine, or both.
- Section 292: This deals with sale of obscene books, etc. It criminalises the sale, distribution, or public exhibition of obscene books, pamphlets, or other materials. Violation of this section can result in imprisonment for up to three months, a fine, or both for the first offence, and imprisonment for up to two years, a fine, or both for subsequent offences.
- Section 295A: This section relates to “deliberate and malicious acts intended to outrage religious feelings”. It penalises actions that insult or offend religious beliefs with deliberate and malicious intent. Violation of this section can lead to imprisonment for up to three years, a fine, or both.
- Section 499: This section pertains to the offence of defamation. It defines defamation as making a false statement to harm a person's reputation. Exceptions include “imputation of truth”, which is required for the “public good” and thus has to be published, on the public conduct of government officials, the conduct of any person touching any public question, and merits of the public performance.
- Section 500: While Section 499 defines defamation, section 500 prescribes the punishment for criminal defamation. In India, defamation can be both a civil and a criminal offence. The punishment for criminal defamation can include imprisonment for up to two years, a fine, or both.
- Section 503: This relates to the offence of “criminal intimidation”. It criminalises the act of threatening another person with injury to their person, property, or

reputation with the intention to cause fear or compel them to do something against their will. The punishment may include imprisonment for up to two years, a fine, or both, depending on the circumstances and severity of the threat.

- Section 504: This section deals with “intentional insult with intent to provoke breach of the peace”. The punishment includes imprisonment for up to two years, a fine, or both.
- Section 505: This pertains to the offence of making “statements conducing to public mischief”. It criminalises spreading statements, rumours, or reports with the intent to incite fear, alarm, or provoke a breach of peace. It carries a punishment of imprisonment up to three years, a fine, or both.
- Section 505 (1): This section deals with the offence of “making, publishing, or circulating statements, rumours, or reports with intent to incite a class or community to commit an offence against any other class or community”. It criminalises the deliberate spread of statements to incite hatred or provoke violence between different groups. The punishment includes imprisonment up to three years, a fine, or both.

3.3 Sections Under IT Act, 2000

- Section 67: This section pertains to “publishing or transmitting obscene material in electronic form”. It carries a three-year prison term, a fine, or both.
- Section 69: This section empowers the government to intercept, monitor, or decrypt any information generated, transmitted, received, or stored in any computer resource in the interest of national security. It does not specify a punishment but outlines the government's authority to access such information under certain conditions and procedures.
- Section 79: This provides “safe harbour” provisions for intermediaries, shielding them from liability for user-generated content if they follow certain due diligence requirements. It does not specify punishment but defines the legal responsibilities and immunities of intermediaries in handling user content.
- Rule 3(1)(b)(v) of the Rules, 2021 (2023 Amendment) concerning Information Technology (Intermediary Guidelines and Digital Media Ethics Code). The amended provision increases the censorship powers of the Indian government by requiring all intermediaries, such as internet service providers and social media companies, to take reasonable steps to prevent the sharing of any information about the Indian government that an IT ministry-led fact check unit deems to be “false,” “fake,” or “misleading.”

3.4 Other Sections

- Section 54 of the Disaster Management Act, 2005 says: “If any person circulates any fake news or warning as to disaster, or regarding its severity or magnitude, which leads to panic among the public, then such person shall

be punished with one year of imprisonment or with fine.”

- The Digital Personal Data Protection Act 2023 has provisions to curb the misuse of individuals’ data on online platforms.

3.5 Global Scenario

The COVID-19 pandemic severely restricted press freedom in numerous countries. As a result of covering pandemic-related stories, media personnel experienced a variety of intimidation and harassing tactics. The governments of various countries enacted laws that forbade the dissemination of news and information. A number of these regulations make it illegal for anyone to spread "false" news and information about COVID-19. The Singaporean government passed laws that penalises those who are discovered to have distributed false information about COVID-19. Russia enacted legislation that outlaws the practice of "publicly disseminate disguised as truthful knowingly false information about circumstances threatening life and safety of citizens and/or measures to ensure safety of the populace and areas, of ways and methods of protection from such circumstances." A Russian journalist named Aleksandr Pichugin faced consequences for his "false" claim in a Telegram post that an Orthodox church was to blame for super spreader occurrences.

In Tanzania, the Philippines, and Egypt, 24 media outlets and journalists have also been penalised for spreading "false" information about COVID-19. These rules usually include financial guidelines along with provisions for imprisonment. For instance, those found guilty of fabricating or spreading false information about the pandemic may face a fine of up to one million Philippine pesos, or roughly \$180–18,000, or a maximum two-month jail sentence, according to the Bayanihan to Heal as One Act, an emergency law passed in the Philippines to combat COVID-19. An investigation of these acts' consequences shows that more than 300 people have been arrested for spreading false information about COVID-19. For example, twelve people were arrested by Moroccan authorities for spreading false information about COVID-19, including the assertion that the virus didn't exist on social media.³⁰ While fines have varying effects based on the circumstances, arrests will almost certainly have an impact on the long-term and daily operations of news organisations because legal disputes can drag on for years, resulting in financial and emotional costs for both the organisations and the individuals involved. These laws have a major detrimental effect on press freedom even though their stated goal is to stop the spread of harmful or false information about COVID-19. This is because governments can use these legal tools to intimidate or silence journalists who question their policies or actions.

An analysis on how Governments are taking steps is given below⁷

Sl. No.	Name of the Country	Laws based for misinformation
1	China	The government <u>criminalized</u> creating or spreading rumors that “undermine economic and social order. Social media platforms to solely republish and link to news articles from registered news media.
2	United States	Online platforms such as Facebook and Google to keep copies of ads, make them public and keep tabs on who is paying and how much. Department of Education to list instructional materials and resources on how to evaluate trustworthy media.
3	France	Provides a definition of “fake news”: “Inexact allegations or imputations, or news that falsely report facts, with the aim of changing the sincerity of a vote.” It’s designed to enact strict rules on the media during electoral campaigns and, more specifically, in the three months preceding any vote. Platforms such as Facebook, Twitter and YouTube will be required to publish who has purchased sponsored content or campaign ads and for what price.
4	Singapore	The Protection from Online Falsehoods and Manipulation Act (POFMA),

4. RECOMMENDATIONS AND SOLUTIONS

- Governments should place a high priority on media literacy instruction in schools and communities so that people can recognise and steer clear of false information. Citizens must be empowered through education to identify and reject misleading information. To make sure that people can tell the difference between truth and fiction in the media, a concentrated effort should be made to improve media and digital literacy among the populace.
- Governments ought to act to track down and neutralise disinformation efforts and their international and domestic sponsors.

- Fact-checking will remain a crucial instrument in the fight against misinformation and fake news in the media. For fact-checking organisations to carry out their work efficiently and sustainably, they should be provided with sufficient funds and assistance.
- Social media companies ought to promote appropriate usage of their services, for example, by pointing out misleading content and advising users to confirm their facts before sharing.
- Tech platforms like Meta (Facebook, Instagram, etc.), X (Twitter), Google, and others may use technology to filter news for the general public. For example, they may display data or different standards to gauge the credibility of the material linked to posts and online

⁷ [A guide to anti-misinformation actions around the world - Poynter](#)

platforms. They may also display the credibility status of users and platforms, enabling them to identify possible issues more easily.

- Media outlets ought to follow moral journalism guidelines, which include fact-checking, confirming sources, and steering clear of sensationalism. It is also the media's duty to counter misinformation and fake news. Media outlets have a responsibility to respect moral principles and make sure that their reporting is impartial, truthful, and fair.
- As an example of how to screen news, the media may provide news along with basic instructions for confirming the veracity of stories, such as examining the sources and evaluating the veracity of the material.
- In order to counteract fake news and misinformation, governments, media organisations, civil society organisations, the media, technological businesses, academicians/universities, and individuals should work together. Examples of this collaboration include exchanging best practices, data, and information.
- Both the public and commercial sectors will gain from the development of technologies that the government can exploit. In order to let the authorities to look into such material and make the facts public, such technology may be used to extract data from texts, posts, or other online information that is probably fake news.
- Governments and media companies should make technological investments to detect and counteract misinformation, such as by utilising machine learning and artificial intelligence. Blockchain technology can be used to build open and safe information sharing networks, while artificial intelligence can be used to recognise and report inaccurate or misleading information.
- To make sure that digital platforms are held responsible for the content they carry and the actions they take in reaction to misleading information, governments should endeavour to create rules and guidelines for them. Additionally, rules for digital platforms ought to encourage accountability, justice, and openness.
- AI technology known as "deepfake" is used to produce realistic-looking audio, video, and image fakes. Through

social media misinformation operations and other means, deepfakes and the improper use of synthetic content represent an obvious, ongoing, and growing threat to public safety, law enforcement, the financial sector, and society at large. A control on the same will be essential at this point of time. A new innovated technology can be identified in this regard.

Even if following the rule could be difficult, it is a goal worth working towards. Countries may establish a common ground in which everyone has easy access to accurate and true information by banding together and taking proactive measures to counteract fake news and disinformation. People in such a society may recognise and steer clear of false information and fake news because the government and media are reliable sources of information.

5. CONCLUSION

Tackling misinformation and disinformation requires a comprehensive and collaborative global effort. Understanding the global dynamics of these issues is crucial for developing effective strategies that safeguard information integrity, protect democratic processes, and promote a more informed and resilient global society. It's crucial to stay updated on any recent legislative changes or new regulations related to misinformation and disinformation in India. Legal interpretations and enforcement mechanisms may evolve, and recent developments might impact how the law is applied to combat false information. Efforts to combat misinformation and disinformation involve media literacy education, fact-checking initiatives, and increased digital literacy to empower individuals to critically evaluate information. In the face of this information landscape, media literacy emerges as a powerful tool. Teaching individuals to critically assess sources, fact-check information, and discern between credible and dubious content is crucial for fostering a society resilient to the impact of misinformation and disinformation. Efforts have to be taken to tackle issues arising out of misinformation and disinformation for a truthful future.

6. CONFLICT OF INTEREST

Conflict of interest declared none.

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