

“FAKE NEWS” AND CONCEPTUAL ETHICS

Étienne Brown

CONCEPTUAL ETHICS is the branch of normative theory concerned with the question of knowing which concepts we *should* and *should not* use when thinking about the world and sharing our thoughts with others.¹ In his article “Stop Talking about Fake News!” Joshua Habgood-Coote contributes to conceptual ethics by arguing that academics and journalists should refrain from using the term “fake news,” which is commonly employed in public discussions focusing on the epistemic health of democracies.² In his view, “fake news” suffers from three defects. First, it is linguistically defective as it does not have any stable public meaning.³ Second, the use of such a term is unnecessary as there already exists a wide range of available concepts to describe the epistemic dysfunctions of democracies. Third, Habgood-Coote contends that the use of “fake news” serves propagandistic aims, and that academics who rely on the concept risk importing “problematic ideology in our everyday discussions.”⁴

In this paper, my contention is that academics and journalists need not refrain from using “fake news” if they do so with care. In fact, not only do I wish to suggest that it is possible to use “fake news” in a linguistically and politically unproblematic manner, but I will argue that doing so is philosophically fruitful insofar as it allows us to raise questions that could not be formulated if the concept was abandoned. To do so, I discuss each of the three objections formulated by Habgood-Coote. First, I contend that, although “fake news” is a contested term, there is significant agreement among academics and other members of

1 Burgess and Plunkett, “Conceptual Ethics I.”

2 Habgood-Coote, “Stop Talking about Fake News!” As Habgood-Coote notes, others have argued in favor of abandoning the term “fake news.” See, for instance, Oremus, “Stop Calling Everything Fake News”; Sullivan, “It’s Time to Retire the Tainted Term ‘Fake News’”; Wardle, “Fake News”; and Talisse, “There’s No Such Thing as Fake News (and That’s Bad News).”

3 Throughout the paper, I use quotes (e.g., “fake news”) to refer to terms, not as scare quotes.

4 Habgood-Coote, “Stop Talking about Fake News!” 18. All of Habgood-Coote’s arguments also apply to the use of the term “post-truth.” For space reasons, my discussion focuses on “fake news” and remains agnostic on the value of “post-truth.”

the public about its key feature. Moreover, even if multiple definitions of the concept currently contrast with each other, using it enables us to raise important philosophical questions. Second, I argue against the claim that "fake news" is an unnecessary concept. As Habgood-Coote suggests, "fake news" relates to terms such as lying, misleading, distorting the facts, propaganda, and so on. Yet, there is philosophical value in understanding *how* precisely it relates to these phenomena. Furthermore, I contend that Habgood-Coote is not in an epistemological position that allows him to establish that "fake news" is unnecessary. Last, I suggest that using "fake news" need not serve propagandistic aims. Like many moral and political concepts, "fake news" has been weaponized by individuals who use it in a careless manner, but this alone is an insufficient reason to abandon it as a concept. What is more, philosophers can avoid using "fake news" in a polarizing way by discussing the phenomenon without engaging in epistemic policing—that is, commanding their interlocutors not to believe specific news stories or sources.

1. FAKE NEWS AS A LEGITIMATE OBJECT OF PHILOSOPHICAL INQUIRY

Habgood-Coote's first objection is that "fake news" is linguistically defective as a concept because it has no stable meaning. Not only do laypeople use it in an inconsistent manner—often to express disapproval of a specific news story—but academics and journalists do not agree on a specific definition of the term. As influential philosophical theories imply that the meaning of terms is determined by community use or expert agreement, the fact that "fake news" is a contested concept proves problematic according to Habgood-Coote.⁵ To grasp the extent of this disagreement, note that some philosophers consider that "fake news" simply expresses the property of being false or misleading and presented as news, while others add that news must be circulated with the *intention* to mislead to qualify as fake.⁶ This lack of consensus over the descriptive content of "fake news" also explains why philosophers disagree over its *extension*—that is, the "set of things it correctly applies to."⁷ For instance, those who consider that an intention to deceive necessarily lies behind fake news will rule out errors in printing or reporting as instances of it while those who consider that fake news may be accidentally produced and diffused will not.

Let us agree with Habgood-Coote that the meaning of "fake news"—a term that was already in use in the mid-2000s but rose to prominence during the 2016

5 Burge, "Individualism and the Mental"; Putnam, *Mind, Language and Reality*.

6 Levy, "The Bad News about Fake News"; Rini, "Fake News and Partisan Epistemology."

7 Habgood-Coote, "Stop Talking about Fake News!" 4.

us election campaign—is currently disputed by philosophers, other academics, and journalists. A first question worth raising is the following: Is “fake news” more contested than other concepts central to public reflection? To use a few examples, it appears that the meaning of “fake news” is disputed in a very similar way as the meaning of concepts used to describe political affiliations (neoliberal, conservative, socialist), concepts describing morally problematic forms of behavior (manipulative, passive-aggressive), and concepts created by academics or activists to describe undertheorized social issues (sexual harassment, gender, social deprivation). Here, the fact that the precise meaning of these concepts is subject to reasonable disagreement is arguably an insufficient reason to abandon them altogether.

Relatedly, the formation and erosion of agreements on the meaning of terms is a temporal process, and the judgment that experts do not agree on a definition of “fake news” is premature. For instance, philosophical discussions of fake news already seem to converge regarding the conditions that must be met for a news story to count as fake. In 2017, Neil Levy proposed to conceive of fake news as “the presentation of false claims that purport to be about the world in a format and with a content that resembles the format and content of legitimate media organizations.” While doing so, he stressed that this definition is only “intended to fix the reference for discussion, not serve as a set of necessary and sufficient conditions.” Subsequently, Axel Gelfert proposed to add a necessary condition to this definition, claiming that fake news is “the *deliberate* presentation of (typically) false or misleading claims as *news*, where the claims are misleading *by design*.”⁸ Here, it is worth noting that both philosophers agree with an important insight of Regina Rini, in whose perspective a central feature of fake news is that it *mimics* the conventions of traditional media reportage while *pretending* to fulfill its main function, which is to inform the public of what is happening in the real world.⁹ Beyond philosophical circles, communication scholars, political scientists, and psychologists have proposed a similar definition of “fake news” according to which it “mimics news media content in form but not in organizational process or intent.”¹⁰ Lastly, journalists such as Elle Hunt have argued that fake news is “manipulated to resemble credible journalism.”¹¹ *Encyclopaedia Britannica* stresses that fake news is generated by “Web sites posing as legitimate

8 Gelfert, “Fake News.”

9 Rini, “Fake News and Partisan Epistemology.”

10 Lazer et al., “The Science of Fake News,” 1094. For a similar definition, see Pepp, Michaelson, and Sterken, “What’s New about Fake News?”

11 Hunt, “What Is Fake News?”

news organizations."¹² Academics and other members of the public are thus beginning to agree that the distinctive element in fake news is not so much that it is *false*, but precisely that it is *fake*, i.e., that it amounts to a form of intellectual imposture. In fact, "fake news" may only be lacking as a term insofar as it is on its way to acquiring a more stable meaning.

Yet, even in the absence of an agreed fixed meaning, discussions of fake news can raise several interesting philosophical questions. For instance, if Levy, Rini, and Gelfert are right that the main gesture behind fake news is one of *mimicking*, is there a specific moral wrong in designing and diffusing fake news articles or does it amount to paradigmatic cases of lying? Moreover, who can be held accountable for the spread of fake news on social media? From a legal point of view, can the diffusion of fake news be prohibited on the grounds that it amounts to false representation? France's President Emmanuel Macron believes that it should be, and his government recently enacted a law against fake news.¹³ Does this law amount to a violation of our individual right to free speech?¹⁴ Certainly, epistemologists will find something interesting in the study of fake news, wondering for instance whether an individual is warranted in believing claims he encountered in a fake news article he mistook for real news. Beyond the attempt to provide "fake news" with a stable meaning—which itself appears to be a legitimate philosophical project—relying on this concept can enable academics and journalists to shed new light on the moral and epistemic value of our online interactions as well as on the justifiability of our current political and legal institutions. In other words, my suggestion is that using "fake news" is unproblematic when it is done in the context of a discussion that either aims to fix the meaning of this concept or, more generally, to question our moral, legal, and epistemic practices. While philosophers have a habit of doing so, I see few reasons to

12 *Encyclopaedia Britannica*, s.v. "journalism."

13 More precisely, France's law enables judges to order the removal of false information ("fausses informations") during electoral periods. Yet, most definitions of "fake news" imply that not all kinds false information qualify as fake news, and there is therefore a real worry that, in its current phrasing, such a law is too broad. The ambiguity comes from the fact that, in French, "faux" renders both "false" and "fake." For instance, "What you say is false!" translates as "Ce que vous dites est faux!" but "This painting is a fake" also translates as "Ce tableau est un faux." In general, no consensus has yet formed on the correct French translation of "fake news." While some simply use the English term, others prefer to speak of "fausses nouvelles" or "information fallacieuse." Recently, the Commission for the Enrichment of the French Language has proposed the term "infox," a neologism derived from "info" and "intoxication," as a translation of "fake news" (BBC News, "Fake News"). Of course, such a term suggests different associations at it evokes substance abuse.

14 See Mathiesen ("Fake News and the Limits of Freedom of Speech") for a discussion of attempts to censor fake news in relationship with free speech.

believe that journalists should not participate in this enterprise. They too have expressed interest in understanding fake news as a media phenomenon, and discussing the moral, legal, and political challenges tied to such a phenomenon is not the prerogative of academics. What is more, journalists can take the same precautions as philosophers when they use “fake news” by providing readers with a precise definition of this concept, underlining that not all news is fake, and raising epistemic, moral, and legal issues without commanding readers not to believe specific news stories or sources.

2. IS “FAKE NEWS” UNNECESSARY?

Habgood-Coote’s second argument amounts to the claim that “fake news” is an unnecessary concept. In his view, we already have access to a wide range of concepts to diagnose the epistemic dysfunctions of contemporary democracies, terms such as lies, misleading, bullshitting, false assertion, false implicature, being unreliable, distorting the facts, being biased, and propaganda. As he explains, we can “describe our current predicament perfectly adequately using these terms.”¹⁵ The assumption behind this claim is that “fake news” cannot refer to an epistemic dysfunction of democracy for which the concepts enumerated above cannot already account. I doubt that this is the case. As we have seen, at least one feature of fake news is not captured by such concepts, as discussed by Levy, Rini, and Gelfert. In their view, fake news is a *specific kind* of intellectual imposture, one that amounts to mimicking traditional news stories while pretending to fulfill the purport of news, that is, informing the public. Nevertheless, even if fake news did amount to something for which we already have a concept, there would be value in understanding how, precisely, it relates to such a concept. If fake news is reducible to propaganda, for instance, it will be interesting to determine how it compares to more classic instances of wartime propaganda.¹⁶ If fake news amounts to bullshit instead, then explaining how it does not straightforwardly amount to lying will also have epistemic value.¹⁷

A further question is whether Habgood-Coote truly is in an epistemic position to conclude that “fake news” is not sufficiently distinct from other concepts such as misinformation and propaganda, regardless of whether this conclusion is true. For the claim that “fake news” is an unnecessary concept presupposes that we have access to its meaning, that we can compare it with the meaning of other concepts we customarily use to describe the epistemic dysfunctions of

15 Habgood-Coote, “Stop Talking about Fake News!” 16.

16 Brown, “Propaganda, Misinformation, and the Epistemic Value of Democracy.”

17 Mukerji, “What Is Fake News?”

democracies, and that we can then establish that it is redundant. Yet, as we have seen, the conclusion of Habgood-Coote's first argument is that we do not really understand what "fake news" means because it has no stable meaning. This, however, seems to entail that we cannot compare its meaning to the meaning of other terms that are part of our conceptual arsenal in a sufficiently precise way to establish that it is necessary or unnecessary. In other words, the conclusion of Habgood-Coote's first argument against the use of "fake news" seems to be in tension with the assumption on which his second argument rests.¹⁸

Given his first argument, Habgood-Coote's suggestion that we should stop talking about fake news but keep using terms such as propaganda is also surprising. Indeed, there are few reasons to believe that "propaganda" has a more stable meaning than "fake news." First, the definition of propaganda proposed by Jason Stanley on which he relies has been heavily disputed by philosophers.¹⁹ Second, such a definition also contrasts with other definitions available in the contemporary literature.²⁰ Third, the meaning of propaganda is even more contested in public discourse, where partisan affiliations often incite individuals to loosely use the term in an attempt to besmirch their political adversaries.²¹ Habgood-Coote proposes to assuage this worry by explicitly associating the term with a specific descriptive content, but of course, philosophers and journalists who talk about fake news can assuage his own worry regarding their use of the term in precisely the same way—that is, by providing readers with an explicit definition of this concept. Here, my intention is not to deny that Habgood-Coote should talk about propaganda, but simply to note that the objection that "fake news" has no stable meaning also applies to terms on which Habgood-Coote relies. Why he considers that some equivocal terms should be used by philosophers ("propaganda") while others should not ("fake news") remains hard to understand.

18 My suggestion is that we need to assume that terms have a meaning to establish that they are *redundant*, not that they are *nonsense*. Indeed, it seems that we can establish that some terms are nonsense without assuming that they have a stable meaning (for instance, "jertain" in sentences like "there's a jertain in the curtain"). Yet, arguing that a term is redundant amounts to claiming that its meaning is the same as the meaning of another concept (for instance that "fake news" means the same as "propaganda," or that "jertain" means the same as "meerkat"). But how could we establish that "fake news" has the same meaning as "propaganda" without first assuming that *it does have a meaning*? I thank an anonymous reviewer for pressing me on this point.

19 Stanley, *How Propaganda Works*; Leiter and Leiter, "Not Your Grandfather's Propaganda"; Brennan, "Propaganda about Propaganda."

20 See Marlin, *Propaganda and the Ethics of Persuasion*, 22.

21 I owe this point to an anonymous reviewer.

3. DO DISCUSSIONS OF FAKE NEWS SERVE PROPAGANDISTIC AIMS?

Arguably, the crux of Habgood-Coote's argument against the philosophical use of "fake news" amounts to the claim that using such a concept will have negative political consequences that outweigh its potential benefits. Even if we admit that there is philosophical value in discussing fake news, should we not consider that relying on this concept will yield undesirable results? A first worry is that using "fake news" can incite individuals to mistake metalinguistic disputes for first-order disagreements. Suppose that we disagree about the acceptability of France's law against fake news, and this in turn incites us to think that we hold distinct political views. It remains possible that we (unconsciously) believe that the same types of speech should be legally prohibited, but that our disagreement is motivated by the fact that I envision *speech x* as fake news while you do not.

No one—including academics—is immune to metalinguistic disagreement. Yet, we can prevent semantic mishaps by providing our interlocutors with precise definitions of concepts we use. Given that his article is clear and precise, for instance, I know that Habgood-Coote uses "propaganda" in the very same way as Stanley. Similarly, when defending Mill's harm principle, philosophers can avoid confusion by specifying what type of harm is covered by the principle in their view.²² Here, the mere possibility of a metalinguistic disagreement does not warrant the claim that we should stop discussing the harm principle in the first place.

More worrisome is Habgood-Coote's suggestion that using "fake news" serves propagandistic aims. In his view, "fake news" has become a weaponized term that now functions as an epistemic slur. During the last few years, it has been used by political speakers to discredit all news that dares criticize their views. Even when academics and journalists use "fake news" with the best of intentions, Habgood-Coote contends, we play right into the hands of such dishonest speakers and risk spreading bad ideology. For instance, using "fake news" may help to disseminate a "narrative of media manipulation that parallels the right-wing ideology of media bias."²³

Beyond the question of knowing whether there is anything condemnable in highlighting the fact that news sources are biased on both sides of the political spectrum, this arguably depends on the nature of the claim made.²⁴ Surely, angry tweets about the "fake news media" legitimate attacks against journalism, especially when they come from a (relatively) authoritative figure such as the

22 Mill, *On Liberty, Utilitarianism and Other Essays*.

23 Habgood-Coote, "Stop Talking about Fake News!" 21.

24 Groseclose and Milyo, "A Measure of Media Bias"; Entman, "Framing Bias."

president of the United States. Yet, that *all* uses of “fake news”—including the most prudent ones—cue up the ideology of media manipulation is an ambitious claim, one that should be supported by empirical evidence. Indeed, it is far from evident that scholars who publish scientific journal articles about fake news, for instance, have a major impact (if any) on the public’s perception of major news outlets. Proposing a precise definition of “fake news,” expressing interest in assessing who can be held responsible for the spread of fake news on social media, and arguing that legal prohibitions against fake news are incompatible with free speech hardly warrant the generalizations that “all news is fake” and “no media is trustworthy.”

Interestingly, the risk that a term will be weaponized not only applies to “fake news” but to all politically charged concepts. Yet, we often judge that such a risk is outweighed by the political gains we make by continuing to use such concepts. For instance, it remains unclear that I should stop calling myself a feminist or a socialist just because I risk being interpreted as believing that women are superior to men or that labor camps are a good idea. Doing so may be considered provocative, but it can also spark fruitful discussions (Speaker 1: “Why do you call yourself a feminist? Do you think that all men are bad?” Speaker 2: “No, that is not what I mean by using the term.”). In many ways, discussing fake news can lead to good democratic outcomes. As mentioned, it already led a democratic public to reflect upon the ways in which governments should regulate social media. Recently, it also sparked a fruitful discussion about our individual moral duties as social media users.²⁵

Habgood-Coote also worries that “operating with the dichotomy between real and fake sources also encourages an overly simplistic picture of the epistemic vices and virtues of news sources.”²⁶ Indeed, we need to be conscious that establishment news sources often get things wrong when they are well-intentioned. It is hard to disagree with him on this point, but as mentioned above, the definitions of “fake news” that currently dominate the philosophical literature rule out accidental mistakes as instances of it. For instance, Gelfert explains that “the originator of an instance of fake news either intends a specific claim to be misleading in virtue of its specific content, or deliberately deploys a process of news production and presentation that is designed to result in false or misleading claims.”²⁷ Note also that defining “fake news” in such a way does not imply that establishment news sources are devoid of bias.

A final concern of Habgood-Coote is that applying “fake news” to a story is

25 Liao, “Do You Have a Moral Duty to Leave Facebook?”

26 Habgood-Coote, “Stop Talking about Fake News!” 21–22.

27 Gelfert, “Fake News,” 11.

not like advising our epistemic peers to avoid believing the claims it contains or giving reasons why it is poorly supported. In his view, “it is more like issuing a command to disbelieve the story,” often by manipulating their emotions and dispositions to trust. Whether inciting an individual to disbelieve a specific news source amounts to manipulation is an open question, but the important point here is that such an argument obliterates the fact that many discussions of fake news do not contain claims such as “this article is fake news” or “this article is not fake news.” As mentioned above, there is a wide range of epistemological, moral, and political questions upon which philosophers can reflect without having to decide whether specific news articles qualify as fake news.

All things considered, Habgood-Coote has successfully drawn attention to the fact that there is much controversy—both outside and inside academia—surrounding the use of “fake news.” More generally, his arguments raise the question of whether philosophers should engage in reflection on and with terms that are central to public discourse, even when the meaning of such terms is relatively ambiguous. Providing a general answer to this question goes beyond the scope of the present discussion, but my final suggestion is that refusing to do so can hinder philosophical creativity, perhaps even create an unnecessary conceptual barrier between scholarly work and public reflection. Like “neoliberal” and “feminist,” “fake news” sometimes functions as a slur, but it need not do so if used with care. When it is, it allows us to raise philosophical questions that could not be discussed if the concept was abandoned. Hopefully, a general assessment of which slurs should generally be used or avoided by academics will be a matter of future work. In the meantime, we should keep talking about fake news.

San José State University
etienne.brown@sjsu.edu

REFERENCES

- BBC News. “Fake News: French Language Body Urges Alternative Phrase.” BBC News, October 5, 2018. <https://www.bbc.com/news/world-europe-45754756>.
- Brennan, Jason. “Propaganda about Propaganda.” *Critical Review* 29, no. 1 (2017): 34–48.
- Brown, Étienne. “Propaganda, Misinformation, and the Epistemic Value of Democracy.” *Critical Review* 30, nos. 3–4 (2018): 194–218.
- Burge, Tyler. “Individualism and the Mental.” *Midwest Studies in Philosophy* 4, no. 1 (September 1979): 73–121.

- Burgess, Alexis, and David Plunkett. "Conceptual Ethics I." *Philosophy Compass* 8, no. 12 (December 2013): 1091–101.
- Entman, Robert M. "Framing Bias: Media in the Distribution of Power." *Journal of Communication* 57, no. 1 (March 2007): 163–73.
- Gelfert, Axel. "Fake News: A Definition." *Informal Logic* 38, no. 1 (2018): 84–117.
- Groseclose, Tim, and Jeffrey Milyo. "A Measure of Media Bias." *Quarterly Journal of Economics* 120, no. 4 (November 2005): 1191–237.
- Habgood-Coote, Joshua. "Stop Talking about Fake News!" *Inquiry* 62, nos. 9–10 (2019): 1033–65.
- Hunt, Elle. "What Is Fake News? How to Spot It and What You Can Do to Stop It." *The Guardian*, December 17, 2016.
- Lazer, David M. J., Matthew A. Baume, Yochai Benkler, Adam J. Berinsky, Kelly M. Greenhill, Filippo Menczer, Miriam J. Metzger, Brendan Nyhan, Gordon Pennycook, David Rothschild, Michael Schudson, Steven A. Sloman, Cass R. Sunstein, Emily A. Thorson, Duncan J. Watts, and Jonathan L. Zittrain. "The Science of Fake News." *Science* 359, no. 6380 (March 2018): 1094–96.
- Leiter, Brian, and Samuel Leiter. "Not Your Grandfather's Propaganda." *The New Rambler*, October 12, 2015.
- Levy, Neil. "The Bad News about Fake News." *Social Epistemology Review and Reply Collective* 6, no. 8 (2017): 20–36.
- Liao, Matthew. "Do You Have a Moral Duty to Leave Facebook?" *New York Times*, November 24, 2018.
- Marlin, Randal. *Propaganda and the Ethics of Persuasion*. Buffalo: Broadview Press, 2002.
- Mathiesen, Kay. "Fake News and the Limits of Freedom of Speech." In *Media Ethics, Free Speech and the Requirements of Democracy*, edited by Carl Fox and Joe Saunders, 161–80. London: Routledge, 2018.
- Mill, John Stuart. *On Liberty, Utilitarianism and Other Essays*. Oxford: Oxford University Press, 2015.
- Mukerji, Nikil. "What Is Fake News?" *Ergo* 5, no. 35 (2018): 923–46.
- Oremus, Will. "Stop Calling Everything Fake News." *Slate*, December 6, 2016.
- Pepp, Jessica, Eliot Michaelson, and Rachel Katharine Sterken. "What's New about Fake News?" *Journal of Ethics and Social Philosophy* 16, no. 2 (November 2019): 67–94.
- Putnam, Hillary. *Mind, Language and Reality: Philosophical Papers*, vol. II. Cambridge: Cambridge University Press, 1975.
- Rini, Regina. "Fake News and Partisan Epistemology." *Kennedy Institute of Ethics Journal* 27, no. S2 (June 2017): 43–64.

Stanley, Jason. *How Propaganda Works*. Princeton: Princeton University Press, 2015.

Sullivan, Margaret. "It's Time to Retire the Tainted Term 'Fake News.'" *Washington Post*, January 8, 2017.

Talisse, Robert B. "There's No Such Thing as Fake News (and That's Bad News)." *3:AM Magazine*, June 9, 2018. <https://www.3ammagazine.com/3am/theres-no-such-thing-as-fake-news-and-thats-bad-news>.

Wardle, Claire. "Fake News: It's Complicated." *First Draft*, February 16, 2017. <https://medium.com/1st-draft/fake-news-its-complicated-dof773766c79>.