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Misinformation and Elections

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Misinformation and Elections

Selections from the Collection

Curated by Michael Umberger
and Devan Orr

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Misinformation and Elections

The following books were on display in the Wolf Law Library November 2022. Links are to the books in the [W&M Libraries catalog](#). All books are held in print by the Wolf Law Library and may be borrowed by members of the William & Mary community.

- [**#Republic: Divided Democracy in the Age of Social Media**](#) by Cass R. Sunstein. (Princeton: Princeton University Press, 2017)
- [**Algorithmic Regulation**](#) edited by Karen Yeung and Martin Lodge. (New York: Oxford University Press, 2019)
- [**America Votes!: Challenges to Modern Election Law and Voting Rights**](#) edited by Benjamin E. Griffith and John Hardin Young. (4th edition, Chicago: American Bar Association, State and Local Government Law Section, 2020)
- [**Antisocial Media: How Facebook Disconnects Us and Undermines Democracy**](#) by Siva Vaidhyanathan. (New York: Oxford University Press, 2018)
- [**Bad News: Last Journalists in a Dictatorship**](#) by Anjan Sundaram. (New York: Doubleday, 2016)
- [**Ballot Battles: The History of Disputed Elections in the United States**](#) by Edward Foley. (New York: Oxford University Press, 2016)
- [**Behind the Screen: Content Moderation in the Shadows of Social Media**](#) by Sarah T. Roberts. (New Haven: Yale University Press, 2019)
- [**Believing Bullshit: How Not to Get Sucked into an Intellectual Black Hole**](#) by Stephen Law. (Amherst, NY: Prometheus Books, 2011)
- [**Big Data, Political Campaigning and the Law: Democracy and Privacy in the Age of Micro-Targeting**](#) edited by Normann Witzleb, Moira Paterson and Janice Richardson. (Abingdon, Oxon: Routledge, 2020)
- [**Blindspot: Hidden Biases of Good People**](#) by Mahzarin R. Banaji and Anthony G. Greenwald. (New York: Delacorte Press, 2013)
- [**Bullspotting: Finding Facts in the Age of Misinformation**](#) by Loren Collins. (Amherst, NY: Prometheus Books, 2012)
- [**Bunk: The Rise of Hoaxes, Humbug, Plagiarists, Phonies, Post-Facts, and Fake News**](#) by Kevin Young. (Minneapolis: Graywolf Press, 2017)
- [**Caring Democracy: Markets, Equality, and Justice**](#) by Joan C. Tronto. (New York: New York University Press, 2013)
- [**Cheap Speech: How Disinformation Poisons Our Politics and How to Cure It**](#) by Richard L. Hasen. (New Haven: Yale University Press, 2022)

- ***The Chicago Guide to Fact-Checking*** by Brooke Borel. (Chicago: University of Chicago Press, 2016)
- ***Crimes Against Logic: Exposing the Bogus Arguments of Politicians, Priests, Journalists, and Other Serial Offenders*** by Jamie Whyte. (New York: McGraw-Hill, 2005)
- ***Crisis at the Polls: An Electoral Reform Handbook*** by Robert M. Hardaway. (Westport, Connecticut: Greenwood Press, 2008)
- ***Cyberwar: How Russian Hackers and Trolls Helped Elect a President: What We Don't, Can't, and Do Know*** by Kathleen Hall Jamieson. (New York: Oxford University Press, 2018)
- ***Defending Democracies: Combating Foreign Election Interference in a Digital Age*** edited by Duncan B. Hollis and Jens David Ohlin. (New York: Oxford University Press, 2021)
- ***Defending Democratic Norms: International Actors and the Politics of Electoral Misconduct*** by Daniela Donno. (Oxford: Oxford University Press, 2013)
- ***Democracy, Inequality, and Representation: A Comparative Perspective*** edited by Pablo Beramendi and Christopher J. Anderson. (New York: Russell Sage Foundation, 2008)
- ***Disinformation: The Nature of Facts and Lies in the Post-Truth Era*** by Donald A. Barclay. (Lanham, MD: Rowman & Littlefield, 2022)
- ***Down for the Count: Dirty Elections and the Rotten History of Democracy in America*** by Andrew Gumbel. (Revised edition, New York: The New Press, 2016)
- ***The Embattled Vote in America: From the Founding to the Present*** by Allan J. Lichtman. (Cambridge, MA: Harvard University Press, 2018)
- ***Everybody Lies: Big Data, New Data, and What the Internet Can Tell Us About Who We Really Are*** by Seth Stephens-Davidowitz. (New York: Dey St., William Morrow, 2017)
- ***Facebook: The Inside Story*** by Steven Levy. (New York: Blue Rider Press, Penguin Random House, 2020)
- ***Fake News and Alternative Facts: Information Literacy in a Post-Truth Era*** by Nicole A. Cooke. (Chicago: ALA Editions, 2018)
- ***Fake News: Real Issues in Modern Communication*** edited by Russell Chun and Susan J. Drucker. (New York: Peter Lang Publishing, Inc., 2020)

- ***Fake News, Propaganda, and Plain Old Lies: How to Find Trustworthy Information in the Digital Age*** by Donald A. Barclay. (Lanham: Rowman & Littlefield, 2018)
- ***A Field Guide to Lies: Critical Thinking in the Information Age*** by Daniel J. Levitin. (New York: Dutton, 2016)
- ***The Fight to Vote*** by Michael Waldman. (New York: Simon & Schuster, 2016)
- ***The First Campaign: Globalization, the Web, and the Race for the White House*** by Garrett M. Graff. (New York: Farrar, Straus and Giroux, 2007)
- ***Flat Earth News: An Award-Winning Reporter Exposes Falsehood, Distortion and Propaganda in the Global Media*** by Nick Davies. (London: Chatto & Windus, 2008)
- ***From Gutenberg to the Internet: Free Speech, Advancing Technology, and the Implications for Democracy*** by Russell L. Weaver. (2nd edition, Durham: Carolina Academic Press, 2019)
- ***Give Us the Ballot: The Modern Struggle for Voting Rights in America*** by Ari Berman. (New York: Farrar, Straus and Giroux, 2015)
- ***The Global President: International Media and the US Government*** by Stephen J. Farnsworth, S. Robert Lichter, and Roland Schatz. (Lanham: Rowman & Littlefield, 2013)
- ***The (Honest) Truth About Dishonesty: How We Lie to Everyone – Especially Ourselves*** by Dan Ariely. (New York: Harper, 2012)
- ***How Charts Lie: Getting Smarter About Visual Information*** by Alberto Cairo. (New York: W. W. Norton & Company, 2019)
- ***How to Rig an Election*** by Nic Cheeseman and Brian Klaas. (New Haven: Yale University Press, 2018)
- ***Improper Influence: Campaign Finance Law, Political Interest Groups, and the Problem of Equality*** by Thomas Gais. (Ann Arbor: University of Michigan Press, 1996)
- ***International Election Principles: Democracy & the Rule of Law*** edited by John Hardin Young. (Chicago: ABA Section of Administrative Law and Regulatory Practice, 2009)
- ***Journalism Under Fire: Protecting the Future of Investigative Reporting*** by Stephen Gillers. (New York: Columbia University Press, 2018)
- ***Liars: Falsehoods and Free Speech in an Age of Deception*** by Cass R. Sunstein. (New York: Oxford University Press, 2021)

- ***Likewar: The Weaponization of Social Media*** by P.W. Singer and Emerson T. Brooking. (Boston: Eamon Dolan/Houghton Mifflin Harcourt, 2018)
- ***Manifesto of a Passionate Moderate: Unfashionable Essays*** by Susan Haack. (Chicago: University of Chicago Press, 1998)
- ***Message Control: How News is Made on the Presidential Campaign Trail*** by Elizabeth A. Skewes. (Lanham: Rowman & Littlefield, 2007)
- ***Mindf*ck: Cambridge Analytica and the Plot to Break America*** by Christopher Wylie. (New York: Random House, 2019)
- ***The Misinformation Age: How False Beliefs Spread*** by Caitlin O'Connor and James Owen Weatherall. (New Haven: Yale University Press, 2019)
- ***Network Propaganda: Manipulation, Disinformation, and Radicalization in American Politics*** by Yochai Benkler, Robert Faris, and Hal Roberts. (New York: Oxford University Press, 2018)
- ***Noise: A Flaw in Human Judgment*** by Daniel Kahneman, Olivier Sibony, and Cass R. Sunstein. (New York: Little, Brown Spark, 2021)
- ***The People's Platform: Taking Back Power and Culture in the Digital Age*** by Astra Taylor. (New York: Metropolitan Books, Henry Holt and Company, 2014)
- ***Popular Dictatorships: Crises, Mass Opinion, and the Rise of Electoral Authoritarianism*** by Aleksandar Matovski. (Cambridge: Cambridge University Press, 2021)
- ***Post-Truth: How Bullshit Conquered the World*** by James Ball. (London: Biteback Publishing, 2017)
- ***The Post-Truth Era: Dishonesty and Deception in Contemporary Life*** by Ralph Keyes. (New York: St. Martin's Press, 2004)
- ***Propaganda and American Democracy*** edited by Nancy Snow. (Baton Rouge: Louisiana State University Press, 2013).
- ***The Quality of Government: Corruption, Social Trust, and Inequality in International Perspective*** by Bo Rothstein. (Chicago: University of Chicago Press, 2011)
- ***Saving the News: Why the Constitution Calls for Government Action to Preserve Freedom of Speech*** by Martha Minow. (New York: Oxford University Press, 2021)
- ***The Smear: How Shady Political Operatives and Fake News Control What You See, What You Think, and How You Vote*** by Sharyl Attkisson. (New York: Harper, 2017)

- ***A Survival Guide to the Misinformation Age: Scientific Habits of Mind*** by David J. Helfand. (New York: Columbia University Press, 2016)
- ***Suspicious Minds: Why We Believe Conspiracy Theories*** by Rob Brotherton. (New York: Bloomsbury Sigma, 2015)
- ***Targeted: The Cambridge Analytica Whistleblower's Inside Story of How Big Data, Trump, and Facebook Broke Democracy and How It Can Happen Again*** by Brittany Kaiser. (New York: Harper, 2019)
- ***Tools and Weapons: The Promise and Peril of the Digital Age*** by Brad Smith and Carol Ann Browne. (New York: Penguin Press, 2019)
- ***True Enough: Learning to Live in a Post-Fact Society*** by Farhad Manjoo. (Hoboken, NJ: Wiley, 2008)
- ***Truth: How the Many Sides to Every Story Shape Our Reality*** by Hector Macdonald. (New York: Little, Brown and Company, 2018)
- ***Truth in Our Times: Inside the Fight to Save Press Freedom in the Age of Alternative Facts*** by David E. McCraw. (New York: All Points Books, 2019)
- ***Tyrants on Twitter: Protecting Democracies from Information Warfare*** by David L. Sloss. (Stanford: Stanford University Press, 2022)
- ***unSpun: Finding Facts in a World of Disinformation*** by Brooks Jackson and Kathleen Hall Jamieson. (New York: Random House Trade Paperbacks, 2007)
- ***Vote for US: How to Take Back Our Elections and Change the Future of Voting*** by Joshua A. Douglas. (Amherst, NY: Prometheus Books, 2019)
- ***Web of Deceit: Misinformation and Manipulation in the Age of Social Media*** edited by Anne P. Mintz. (Medford, NJ: CyberAge Books, 2012)
- ***Who's Counting?: How Fraudsters and Bureaucrats Put Your Vote at Risk*** by John Fund and Hans von Spakovsky. (New York: Encounter Books, 2012)
- ***Why Electoral Integrity Matters*** by Pippa Norris. (New York: Cambridge University Press, 2014)
- ***You Are Being Lied To: The Disinformation Guide to Media Distortion, Historical Whitewashes and Cultural Myths*** edited by Russ Kick. (New York: Disinformation Co., 2001)
- ***Zucked: Waking Up to Facebook Catastrophe*** by Roger McNamee. (New York: Penguin Press, 2019)

TRUTH

IS...

**Accuracy in the
recounting of
events;
conformity with
actuality;
factuality**

As lawyers, we are expected to tell the truth, and correct lies. What happens to our political and justice systems if misinformation takes over?

History of Misinformation and Elections in the United States

Misinformation has been a part of elections since the beginning of our democracy. Political rivals often publish propoganda through newspapers and published letters, from Washington onward.

The advent of the internet meant more people found more information without a reputable source linked to what they are seeing. Over the past 20 years, that proliferation of information has caused growing distrust. **Up to 76% of voters** think political distrust rather than outside influence is the greatest threat to American democracy.

Modern distrust with the election process, democracy, and information began with the *Bush v. Gore* election results, retabluation, and required a Supreme Court case to finally delcare a winner.

Misinformation in the media is a problem with multiple causes and no single solution.

The First Amendment protects freedom of speech and press from government control, but does not address the variety and accountability of media sources.

The Digital Citizenship and Media Literacy Act was reintroduced by Amy Klobuchar in October 2022 to provide federal funding to K-12 schools for media literacy education support.

Misinformation Today

According to a National Intelligence Council assessment in 2021, there was **no proof** that any foreign actor interfered in technical aspects of voting such as registration, casting ballots, tabulating results, and reporting results.

What can we do to combat misinformation and help inform others about the truth?

But an NPR/Ipsos poll in January 2022 found that approximately 2/3 of Republican respondents agreed that *"voter fraud helped Joe Biden win the 2020 election"*.

VOTE

Head to the
polls on
Election Day-
November 8,
2022

Duplicate

Consider aggregating
news from multiple
sources to avoid
confirmation bias

Share

Amplify voices from
reputable sources by
sharing with family
and friends

Confirm

Use Reuters, Snopes,
or an additional
service to confirm
the objectivity of
your source

Disengage

Consider stepping
back from social
media or other
sources of
misinformation

How to Combat Election Misinformation