The Challenges of Regulating Foreign Influence on Social Media

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Abstract

Concerns about foreign influence on social media have become increasingly prominent. The recent controversies over influence by Russian entities in the 2016 US presidential election brought disparate concerns into public view. The explosion in influence through social media platforms raises sensitivities about state intrusion and private enterprise regulation. In the context of debates over 'fake news' and subsequent regulation of political advertising on social media, the question is how to effectively prevent or manage this kind of intervention in the future. The issue of foreign entities attempting to project influence through social media is not new. A research team conducting a detailed examination of a small portion of influence campaigns conducted on Twitter argued that such actions are "an enabling tactic for foreign governments to conduct operations to undermine the abroad democratic systems" (Benge, 2019). Four analyses of the use of embargoes for political effects found similar characteristics of coordination, amplification and adaption in responses. However, the use of social media has changed significantly since the first studies of potential involvement in shaping public opinion about foreign policy during the Cold War. In an environment of ambiguous involvement and dramatic technological change, understanding the contours of the problem is not straightforward, and hence, neither is the task of addressing it. The effectiveness of such influence is largely believed to be relatively limited, indicating that the more recent concerns may have advantages over realities. On the other hand, a sophisticated use of digital technologies may amplify nefarious attempts via social media. In the context of the benefits, and potential challenges, presented by contemporary digital communication, the development of foreign influence on social media will be explored. It will be examined the potential ramifications of such influence, implications as to the nature of foreign influence operation, and possible avenues for defending against effectively regulating such operations.

Introduction

The twenty-first century has witnessed the fast proliferation of digital media and their prevalent use for political communication and information providing purposes. Yet the literature and regulatory frameworks for studying and dealing with information dissemination, especially news and political messages distributed through online social media, have not developed as rapidly as the media themselves. In particular, foreign non-governmental influences in the digital sphere have received far less attention until 2016. But this worrying gap has been exposed to the increasing awareness of growing activities of Russian and Chinese actors seeking to shape public opinion and attitudes on social media platforms (Oates, 2020). In China, the ruling Communist Party seeks to fashion the global opinion on its practices such as managing the COVID-19 pandemic, muting critical voices and distancing the democratic movement in Hong Kong. This is implemented by large numbers of accounts deliberately guided by influence campaigns aimed at extending the range and popularity of the preferred views and silencing of the unwanted ones. While there is a considerable body of research on dealing with disinformation from misinformation scholars (Dhruv Madan, 2022), much less attention has been paid to the identification and containment of purposeful foreign influence activities as well as relevant social media policies and regulations.

The difficulties in addressing these challenges are complex. Actor-based policies count on the technological companies to find and remove the prohibited activities have not shown ominously results. Meanwhile the afflicted rules worries the regulator transparency and consistence with the democratic norms and functioning. Similarly, the possibilities of counter- and co-narratives as an effective tool of counteraction are also limited. The Chinese authorities widely exploit the geographical restrictions and isolation of subnetworks from any outside uncontrolled information or communication. Consequently, due to the significant interdependence of the global information ecosystem it is nearly impossible to delineate the foreign influences among the vast variety and constant flow of communication components. Furthermore, a considerable part of these issues remains beyond the public view. (Yang et al.2021)

The Landscape of Foreign Influence on Social Media

There is widespread concern among researchers, journalists, and politicians that social media, a revolution devised to connect people, is being used by foreign governments to undermine elections in democracies worldwide. Since foreign influence campaigns on social media are hard to observe, much of the evidence of their existence has been circumstantial; based on analyzing misinformation or disinformation-like symptoms. Consequently, it remains debated whether social media is indeed a viable channel for foreign government influence campaigns. Ideally, the leveraging of a framework utilizing newly available datasets of foreign influence accounts provides the previously absent means to evaluate observed claims and quantify the scale of foreign influence accounts' effects. There had been six million engagements with URLs posted by foreign influence accounts or more than 360,000 follows of the accounts, the 20,000+ tweets posted by these accounts were retweeted by 2,862,318 users. Provided detailed analyses of the relative scale of exposure to the Russian conspiracy in the US election.

The first evidence of foreign influence accounts' presence and activities is found in November of 2016. A framework is leveraged to evaluate foreign influence accounts on Twitter during the 2016 US election. When foreign influence accounts are discussed, the focus is on possible foreign-government-run "troll" accounts that imitate political partisan behavior, disseminate misinformation and conspiracy theories, attack a country's politicians and discourse, and try to stir up divisiveness around a country's contentious issues. A database of more than 3,300 of these accounts has been publicly released, in addition to other datasets of foreign influence accounts collected in other countries. Deployment of a two-tiered framework to identify accounts that are judged to be the most indicative of the features above (Russian conspiracy accounts about the US election) is outlined. There is rarely a modicum of direct evidence of foreign influence accounts' existence and activities. Instead, most of the evidence is purely circumstantial, instead relying on analyzing misinformation or disinformation-like symptoms as indicative of foreign influence campaign activities. Position this debate by providing a comprehensive and systematic evaluation of a large-scale foreign influence account on Twitter and its effects on the 2016 US election. The focus also includes providing much needed

evidence of the relative scale of exposure to these foreign influence accounts. (Kim et al.2022)

Current Regulatory Approaches

Existing regulatory frameworks emphasize the role of states in combatting foreign influence. Since the revelations of Russian interference in the 2016 US election, various countries have implemented policies specifically aimed at monitoring and limiting the spread of disinformation (C. Nunziato, 2019). The OECD has provided core principles and policy recommendations, emphasizing collaboration among governments and with social media platforms. The UN conducted several workshops to help nation-states build capacity to identify and mitigate interference operations, while the EU has put in place an Action Plan against disinformation, including supporting independent media and social media networks to help them monitor disinformation. These policy arrangements are rendered more effective by the willingness of private companies, especially social media platforms, to engage in self-regulatory measures. Social media companies have proceeded to tighten their compliance with regulatory demands, as illustrated by several major platforms shutting down state-backed disinformation networks (Iglesias Keller, 2021). In other cases, however, companies have also resisted regulatory impositions. This is seen in the refusal of Visa and Mastercard to process donations for services on Wikileaks, demonstrating the complexities and tensions involved in the regulation of speech when intermediated by large online corporations. Compliance or resistance may also depend on the legal basis for regulation and whether companies perceive it to contradict domestic laws. In general, since multinational social media platforms are unbound to any one national jurisdictional, it is difficult for any single state to effectively regulate these platforms, especially where the regulation is perceived as a violation of free expression.

Some scholars call on an international body to assume responsibility for regulating the online speech of tech companies. Others, however, are skeptical of the effectiveness of any form of regulation, pointing out that traditional media regulations are not easily translatable to social media companies due to the different ways in which they are used. For example, a regulation demanding transparency in advertising purchases for television and print does sufficiently capture the business model and machine-learning

technology of platforms like Facebook. There may also be practical difficulties in enforcing even well-conceived regulations. For one thing, the complex algorithms of social media companies mean that it is often unclear how or why certain information is disseminated.

Technological Solutions and Challenges

Social media companies and tech firms are under pressure in numerous jurisdictions to adapt smarter business models, responsible technology practices, and fair competition strategies to avoid misuse of their market dominance. However, future scenarios show that most business models rely on the current outcome culture, while big tech continues to dominate the antitrust trenches globally (Scheidt, 2019). A very recent review notes the heavy fines brought by the DG COMP to Google over the last years that have not mitigated the tech giant's monopoly.

Technological innovation shall be seen then in a broader perspective than just as laid down by the above areas. Social media's 'addiction by design' has created an army of unhappy, brand-conscious consumers who notwithstanding do not take absolute distance from tech, despite the growing awareness of how important personal data privacy is. The latest figures show a slowdown in this trend, which is also witnessed by the few proportion of users that have opted for extra filters after the latest Facebook scandal. Perspective 2040 describes social media as more controlled by governments due to changed policies and consumer habits. Issuing immediate and globally updates social media is foreseen as hard to challenge by other actors.

Case Studies of Foreign Influence on Social Media

In 2016, Russia's Internet Research Agency had been found to have used influence campaigns targeting US citizens on various social media platforms during the election (Eady et al., 2021). As a result, there has been growing interest among scholars and the public over the issue of state actors intruding on the cyberspace of others, with numerous empirical research works showing Japan, Turkey, and many European countries as some of the countries involved in foreign influence campaigns. This section aims to present a few instances of foreign influence on social media: from countries such as China, Japan, the US, Russia, India, and Australia, and from situations like manipulation of how-to and conspiracy websites, and involvement of state propaganda or fake news media outlets. These are followed by a comprehensive

examination of the aftermath in terms of prevalence, information spread, user engagement, counter-narratives, fact-checks, and public perception. Some of these subject cases are found to have gained great attention and effectively contributed to public interest and political discourse, resulting in a tangible and significant impact. Noticing further patterns and the potential of multi-methods research, either through cross-national collaboration or verifying various available tools and methods, this overview study intends to highlight some case examples, the lessons learnt, and challenges investigating them, as an on-going matter of foreign influence in understanding politics on social media, arguably a ubiquitous complex issue.

Ethical and Legal Considerations

In protecting national security, a government must also protect individual freedoms. Inviting intervention by the same foreign powers/interests it seeks to guard against if it overstepped the bounds. Striking the delicate balance between preserving national security and protecting privacy/individual expression is paramount, but struggles persist. How to regulate foreign intervention on these platforms most effectively and which questions of privacy, surveillance and the role of government will arise in doing so is at the heart of ongoing concern. An overview of ethical and legal considerations for regulatory attempts.

Given the implications of the riot at the US capitol, online platforms faced significant pressure to censor content that could incite violence and products containing misinformation. In response, decisions were made to remove accounts but these actions also gave rise to concerns about over-censorship and widespread misinformation about the riot spread anyway. Given social media's outsized influence on public discourse and the ease with which foreign powers can interfere through clandestinely-funded political ads, bots, etc., it is essential to comprehend the broader discussion and create a framework that respects freedom of the press and does not cause over-censorship. Under pressure to protect their users and broader societies from abuse and harmful content online, social media platforms have established comprehensive content moderation systems, but moderation decisions often raise ethical dilemmas. To counter deepfake propaganda, a ban on videos altered by AI to distort reality was announced. But questions about the content and definitions of deepfake that remained unanswered has shed doubts over the decision. Calls for

transparency over moderation policies and accountability for the potential harms that may arise is made to help platforms navigate ethical dilemmas. Here, a user-centric framework and more clear guidelines is proposed to evaluate and regulate the platforms' content moderation practices. Furthermore, the legal landscape surrounding such a framework is explored to demonstrate its practicability. (Volokh, 2021)

Future Directions and Recommendations

Europe is about to hold elections to the European Parliament soon, and it is well-known that foreign actors tried to influence the US presidential election in 2016 via social media. In the coming years, public authorities need to be vigilant of the integrity of democratic institutions and processes and the fundamental right of citizens to make a free choice of their representatives in the European Parliament. In a free society, freedom of expression should be as wide as possible, including expression that is false and malicious. The spectrum of opinion, including the one which is unorthodox and has unfavourable tones, should be allowed to be expressed, because it is the bedrock of democratic understanding and public discourse (Bayer, 2019). The duties of social media are under-democratised, because so far their functioning clashed by 'anarchy vs censorship'. Tech companies point out the wish for regulation. The fundamental duties are elaborated that free speech and fair discussions can effectively prevail.

In the long run, it is better to address the symmetrical pairs, and forgiveness (e.g., in defamation) is a key for the community preservation. 'Unhardening' of discussions is also important: to make a point in an adversarial discussion, there is a temptation to simplify the argumentation to the extent that it becomes misleading. In addition, there are secondary talks and discussions on the strategies behind the public statements, e.g., taking a world phenomenon and weave a complex conspiracy theory around it.

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