

CANADIAN GLOBAL AFFAIRS INSTITUTE
INSTITUT CANADIEN DES AFFAIRES MONDIALES

Communications and the Integrity of Elections

by Heidi Tworek

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POLICY PERSPECTIVE

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The ability to conduct free and fair elections without foreign interference is a basic marker of democracy. A well-conducted campaign period and election showcase the vitality and quality of a democracy. An election also demonstrates sovereignty on the international stage by showing that a nation can choose its government without interference from foreign actors.

Communications by political parties and discussions among citizens lie at the heart of electoral campaigns. But the rapid rise of disinformation may stymie the chances of free and fair debate among Canadian voters. While the Canadian government has started to address this problem, much more might still be done to uphold the communications element of electoral integrity.

Conducting free and fair elections is not, and never was, a simple enterprise. The robocall scandal of the 2011 election is just one recent example. Free and fair debate before an election, participation in voting and a secure electoral system all create and maintain trust in political institutions. If citizens do not trust the process and outcome of an election, that can undermine any and all policy initiatives by a legitimately elected government.

The aftermath of the U.S. presidential campaign of 2016 placed the spotlight on myriad Russian activities from hacking to pushing disinformation on social media. The best-known outfit, the Internet Research Agency (IRA), took a scattershot approach to activities online. Among other efforts, IRA employees tried to stoke violence by organizing rallies through Facebook. They also created profiles of "real Americans" who commented on political events on Twitter. These efforts sought to exacerbate existing tensions within American society, ranging from gun rights to NFL players kneeling during the national anthem.

The IRA's multi-faceted activities reverberated from social media into media outlets. Thirty-two out of 33 major American news organizations embedded tweets the IRA had created. These outlets ranged from National Public Radio (NPR) and the *Washington Post* to BuzzFeed and Salon. We cannot understand how disinformation spread so rapidly without tracing how it moved across multiple platforms and media outlets.

It thus makes sense to frame the problem as an ecosystemic issue of online communication and the current media landscape. The barrier to entry on social media platforms is incredibly low; anyone with a device connected to the internet anywhere in the world can make viral material. Russia's efforts have shown one version of a playbook to disrupt democratic elections. While researchers still dispute the effects of Russian interference, the fact that the dispute remains front and centre of American politics nearly two years later already serves Vladimir Putin's purposes to undermine the transatlantic alliance and trust in democracy. Saudi Arabia's ham-fisted tweets trying to stoke Indigenous resentment and Québécois separatism served as a reminder that social media platforms have become a go-to arena for escalating diplomatic disputes.

A robust response from Canada would focus less on a particular adversary, and more on how to strengthen electoral integrity and communications. These efforts require a multi-pronged

approach. On the one hand, the government should disincentivize behaviours that manipulate the electoral process. On the other hand, it should seek to incentivize informed, deliberative discourse and participation among Canadians.

The government introduced Bill C-76, the *Elections Modernization Act*, in spring 2018. Among other things, the bill creates new rules limiting third-party spending, introduces a pre-writ period and makes voting more accessible for people with disabilities. The bill rightly focuses on both preventing interference and bolstering voter participation. Still, Michael Pal, a law professor at the University of Ottawa, has noted that the bill is "actually quite cautious, from a constitutional point of view" in the proposed length of the pre-writ period and the limited attempts to address the rise of the permanent campaign.

A two-day retreat for Prime Minister Justin Trudeau's cabinet in late August included serious consideration of how to expand C-76. The cabinet heard testimony from three experts, including Ben Scott, who had served as an advisor on policy innovation in the administration of former U.S. president Barack Obama. There was not enough time to tackle the ecosystemic issues fully before the election, but the government could still pluck the "low-hanging fruit," Scott told the cabinet.

Scott specifically suggested two policies. First, the government should require transparency for all political advertisements online. This would mean including a pop-up message disclosing the funder and why a person had been targeted with that particular ad. Second, platforms should be required to label every automated account (or "bot"). This would make it clear when a bot was being used to amplify a message, for example through favourites and retweets on Twitter.

The cabinet also heard testimony from University of British Columbia professor Taylor Owen, one of the co-authors of a Public Policy Forum (PPF) report, "Democracy Divided: Countering Disinformation and Hate in the Digital Public Sphere". The report was released on Aug. 15 and built on months of consultation and workshops in Ottawa that included experts from the United States and Europe as well as Canada. (I attended one of those workshops and co-organized the other with support from a Partnership Engage Grant awarded by the Social Sciences and Humanities Research Council). Authored by Owen and PPF president Ed Greenspon, the report offered a menu of policy options for "responding to the rapid emergence of digital risks to democratic institutions and social cohesion." The report's menu provided dozens of recommendations grouped into four main courses: rebuilding information trust and integrity, bolstering civic infrastructure, reforming the regulation of information markets and updating governance of data rights.

One problem for policy-makers in choosing which policies to explore is that we still have surprisingly little evidence of how online communications function and their effects. Twitter is the best-researched platform because its data are the easiest to access. However, only 25 per cent of Canadians use Twitter, while 67 and 63 per cent respectively use Facebook and YouTube. All the top platforms in Canada are owned and operated by American companies that do not make large amounts of data specifically on Canada easily available.

It is particularly important to collect political advertisements during an election campaign and to make them publicly accessible. This enables researchers and civil society organizations to conduct studies during a campaign and before an election is decided. Real-time collection and research can ensure that losing parties do not use the findings as a cudgel after the election. Conversely, it can ensure that winning parties don't dismiss concerns as coming from "sore losers".



Figure 1: *Facebook CEO Mark Zuckerberg testifies before the Senate Judiciary Committee of the United States Congress to answer questions regarding the social media network's perceived influence on the 2016 Presidential election. As the author notes, various social media giants, including Facebook, have been under increased scrutiny to cooperate with law-makers in the hopes of preventing future foreign interference in Western elections. (Source: Getty Images)*

One solution to enable access to evidence is a mandated research repository. This has already been suggested for the United States in a white paper by Democratic Senator Mark Warner. A research repository would not require companies to release trade secrets, like their algorithms. It would, though, build on long-standing academic methods for assessing projects and providing access to data. Canadian researchers can already receive approved access to confidential health-care data, for example, and have robust methods of ensuring privacy.

A research repository could be part of a broader effort to create an open and transparent record of online political advertising in Canada. Facebook announced plans last year to improve ad transparency and create an archive of advertisements as part of an election integrity initiative in Canada. For the first time, Facebook is now participating in a mechanism for academics to access some of its data. Called Social Science One, the idea is to have committees of leading

academics approve applications for research. This is a step in the right direction to facilitate previously impossible research, but raises questions about sustainability and the nature of access. There does not seem to be any academic from a Canadian university sitting on any committee. The initiative also only seems to address Facebook and not other Facebook-owned companies like Instagram and WhatsApp. These questions are particularly important for "dark social" like WhatsApp, where forwarding incendiary messages has already led to multiple deaths in India.

While research repositories are important for posterity, the Canadian government also needs to ensure greater responsiveness from online media companies during an election. This is the perfect time to develop a stronger dialogue and more robust consultation processes with social media companies. Twelve of the largest American tech companies met secretly in August to discuss how to prevent manipulation of information and how to protect the U.S. midterms. It is clear that the companies and their employees want to learn from their mistakes during previous elections, but are not quite sure how. The Canadian government can use this opportunity to establish dialogue. At least for now, the government is pushing on a far more open door than ever before.

The government should require companies to designate specific point people at social media and tech companies who would deal with the Canadian election. These people could act as direct, rapid response channels to ensure that any issues reported by Canadian citizens or electoral officials are swiftly examined and resolved. Long in advance of the election, the Canadian government could also establish a procedure by which the companies would make public any attempts at interference, hacking or exceeding limits on third-party spending.

Such measures may require hiring new staff who are dedicated to Canada. This is not too much to ask. After a new law requiring social media companies to enforce the German criminal code on hate speech came into effect in January 2018, Facebook recruited 65 employees just to process complaints filed under the new law. The German law only applies to companies with over two million users in Germany. Canada may not introduce the same legal measures; it can use the German example to show that companies can quickly beef up their staffing when fines are threatened.

With just over a year before the next federal election in October 2019, there is still debate about whether C-76 will be passed and implemented in time. Either way, Canadians cannot afford to throw their hands up despairingly and do nothing. Digital threats to democracy in Canada are very real, even if their impact remains unclear. There are many potential policies to counter online threats to democratic communications, while retaining and bolstering free speech and a robust free press. This is not about government controlling the online space, censoring it or curtailing free expression. Rather, it's about figuring out how we foster free and fair participation in elections, where all Canadian citizens can have a chance to discuss.

The 2019 election still offers an opportunity for Canada to show the world its democratic strength by running a well-executed election and making it the start of broader reforms to the

communications landscape. The menu of options is there. The question now is what the government will order. And it should not just be a small starter.

About the Author

Dr. Heidi Tworek *is Assistant Professor of International History at the University of British Columbia, where she is also a member of the Science and Technology Studies program, the Language Science Initiative, and the Institute for European Studies. She is a visiting fellow at the Joint Center for History and Economics at Harvard University, a non-resident fellow at the German Marshall Fund of the United States as well as a board member of the Canadian International Council's Vancouver branch.*

Heidi's work focuses on media, international organizations, and transatlantic relations. Her book, entitled News from Germany: The Competition to Control World Communications, 1900-1945, will be published with Harvard University Press in spring 2019. She has published over a dozen academic articles in venues including Journal of Global History and Journal of Policy History. Her current book project examines how Germans tried to control world communications in the first half of the twentieth century. She is also co-editor of two volumes that will appear in 2018, one on international organizations and the media, the other on the makers of global business. She manages the United Nations History Project website, the leading scholarly website on the history of international organizations. Her further research interests include contemporary media and communications, German and transatlantic politics, the digital economy, the history of technology, legal history, the history of health, and higher education. Her writing has been published in English and German in venues including Foreign Affairs, The Atlantic, Politico, War on the Rocks, Wired, Nieman Journalism Lab, Frankfurter Allgemeine Zeitung, Der Tagesspiegel, ZEIT, Internationale Politik, and The Conversation. Heidi has also appeared on the BBC, CBC, and NPR.

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Canadian Global Affairs Institute

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