



# A CAUSE FOR CONCERN: MISINFORMATION IN THE CONTEXT OF THE ISRAEL–GAZA WAR

COMMUNICATIONS LAW | NOVEMBER 2023

ALIROD AMERI & LAURA BURKE



## Structure

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Ethical Framework

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Examples of Misinformation

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Why it matters?

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How Canada can address

# Disclaimer

*As the war continues to unfold in Israel and Gaza, the violence, tension and uncertainty is understandably putting significant strain on our community. The human suffering is heart breaking and my thoughts and prayers are with everyone who is grieving and hurting, both overseas and here in Canada.*

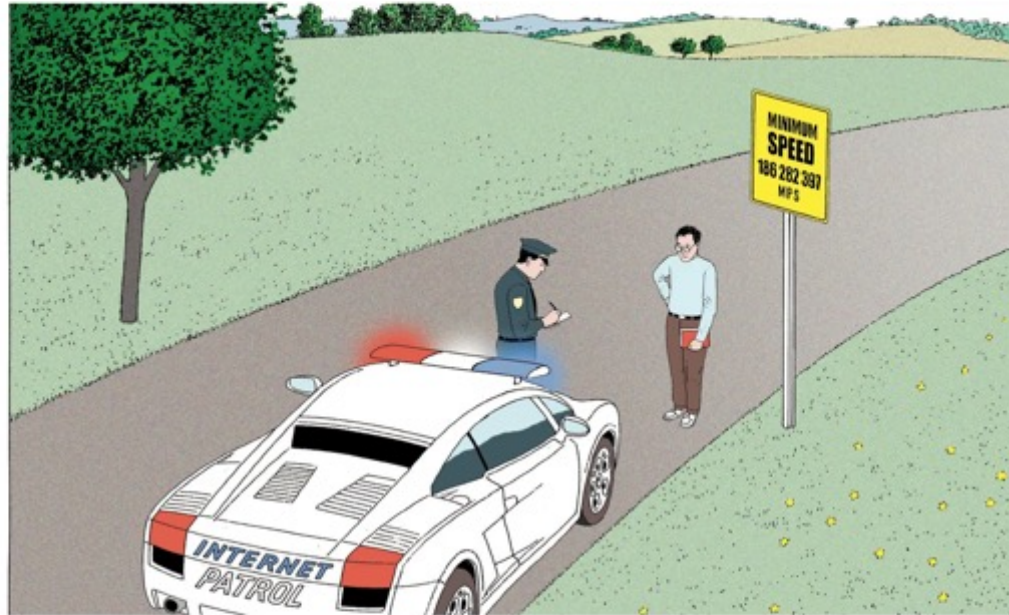
– President Benoit-Antoine Bacon, UBC

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# Is Google Making Us Stupid?

What the Internet is doing to our brains

By Nicholas Carr



Guy Billout

"media are not just passive channels of information. They supply the stuff of thought, but they also shape the process of thought."

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# Is this a new argument?



**E**t in comparauit uasa moras la  
gritas suas audiuimus effectat.  
**C**or parauit multica et conce  
pit dolorem et peperit iniquitatem  
**L**aci aperuit et effudit eum et  
madit in foueam quam fecit.  
**C**onuerteret dolor eius in capd  
eius et in uerticem ipsius iniqui  
tas eius descenderet.  
**C**onfitebor dno secundum misericordiam  
eius et psallam nomini dno altissimi.  
**S**equemur eternam. *ant.* Nequando  
capiat ut leo animam meam dñi  
non est qui redimat neque qui sal  
uum faciat. *Ps.* A porta inferi: eue  
domine animas eorum. *psalm.* nñ  
Et ne nos. sed libera. *lao prima.*





# The internet.. Its own beast

- Data in the digital universe doubles in size every 2 years (Entefy, 2016)
- The Internet, an immeasurably powerful computing system, is subsuming most of our other intellectual technologies. It's becoming our map and our clock, our printing press and our typewriter, our calculator and our telephone, and our radio and TV (Carr 2008)
- "when we read online... we tend to become mere decoders of information" (Carr 2008)
- "We are not only what we read. We are how we read." (Maryanne Wolf; 2008)
- **"as we come to rely on computers to mediate our understanding of the world, it is our own intelligence that flattens into artificial intelligence."**(Carr 2008; )

# Class Poll

- <https://app.sli.do/event/tRjz1S6djeibgcdzBK2re7>





# Israel–Gaza War Misinformation and "Fake News"


Traditional Media v Social Media





VCE

More than 2,000 people signed an open letter saying Canadian media outlets “tiptoe around coverage of Israel and Palestinians.”




By Manisha Krishnan

May 21, 2021, 12:18pm

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Two journalists from Canada’s national broadcaster say they’ve been barred from covering the ongoing violence in Israel and the Palestinian territories after signing an open letter calling for more nuanced coverage.

Politics

## Conservative MPs want to bring CBC executives before Commons committee over 'terrorism' language policy

CBC News language guide says use of the word terrorism ‘can leave journalists taking sides in a conflict’

John Paul Tasker · CBC News · Posted: Oct 16, 2023 2:06 PM PDT | Last Updated: October 16

CJPME

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## GUIDELINES FOR IMPROVED COVERAGE ON GAZA-ISRAEL WAR

Montreal, October 15, 2023 — Canadians for Justice and Peace in the Middle East (CJPME) expresses deep concern over the inconsistent media coverage of the Gaza-Israel war since October 7, 2023. CJPME has been closely following the reporting in Canada media over the past week, and is aware of many instances in which news coverage has failed to be consistent in upholding professional journalistic standards. CJPME provides the following critiques of the media response of the past week, and recommendations for future coverage:

Guidelines to journalists



ALJAZEERA

News

Israel-Gaza war

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OPINION

Opinions

## Watching the watchdogs: Fear in newsrooms silences pro-Palestine voices

Dismissals and sidelining of journalists and pro-Palestinian commentators are increasing as Israel scrambles to dominate the Western media narrative.



Rami G Khouri

Distinguished Fellow at the American University of Beirut, and a journalist and book author with 50 years of experience covering the Middle East

1 Nov 2023

# Traditional Media: Impartiality?

## CBC president defends broadcaster's Israel-Hamas coverage in a testy meeting with MPs

Conservative MP Rachael Thomas says CBC 'is on the side of Hamas'



[John Paul Tasker](#) · CBC News · Posted: Nov 02, 2023 9:13 AM PDT | Last Updated: November 2



CBC president and CEO Catherine Tait waits to appear before the standing committee on Canadian heritage in Ottawa on Thursday. (Spencer Colby/The Canadian Press)

"She defended the newsroom's longstanding practice of not referring to attacks, or their perpetrators as "terrorism" or "**terrorists**," saying CBC journalists do not want to be seen taking sides in the conflict."

*Hamas is officially designated as a terrorist organization by Canada, Australia, the United States, European Union, Israel and other countries.*

# *Broadcasting Act*

## **S.C. 1991, c. 11**

Broadcasting Policy for Canada

### **Marginal note: Declaration**

**3 (1) (d)** the Canadian broadcasting system  
should:

**(vi)** ensure freedom of expression and  
journalistic independence;

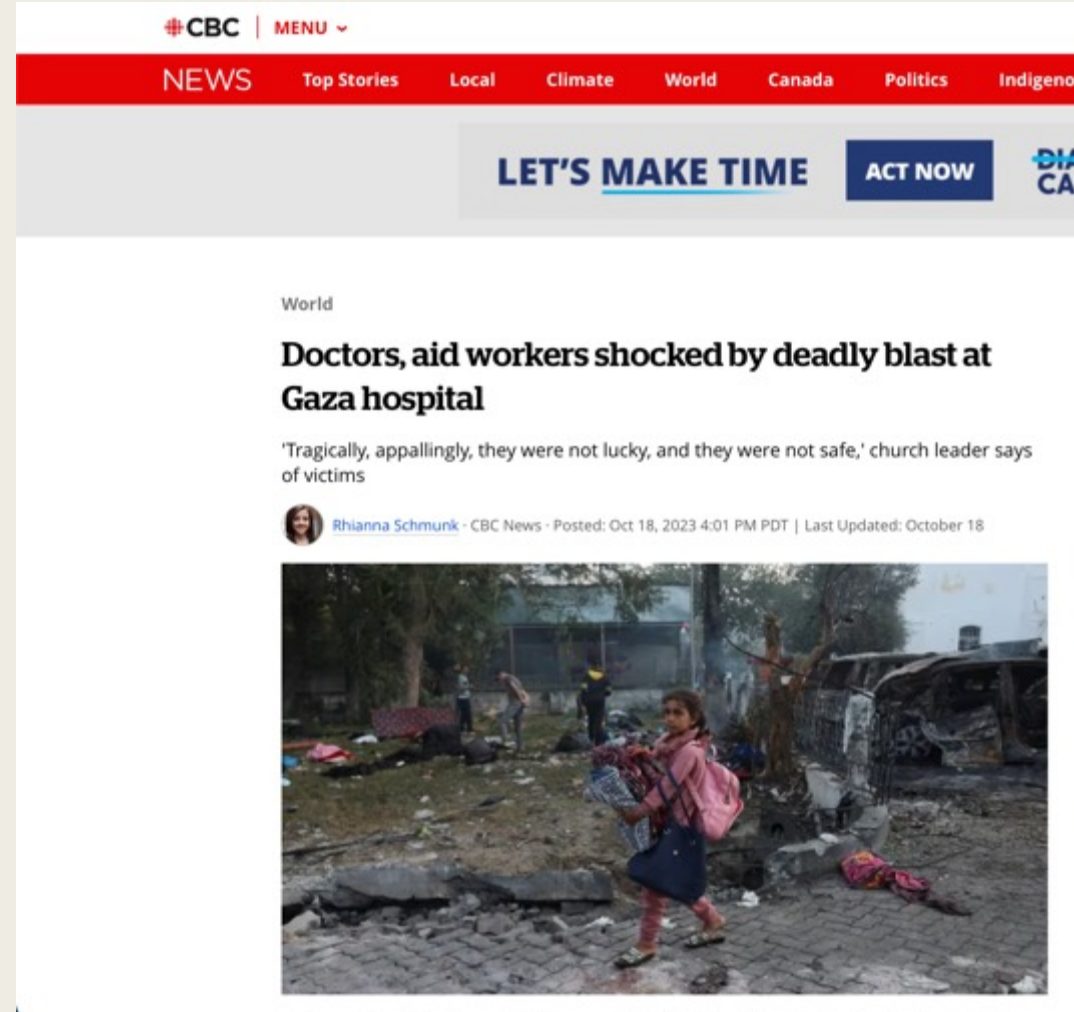


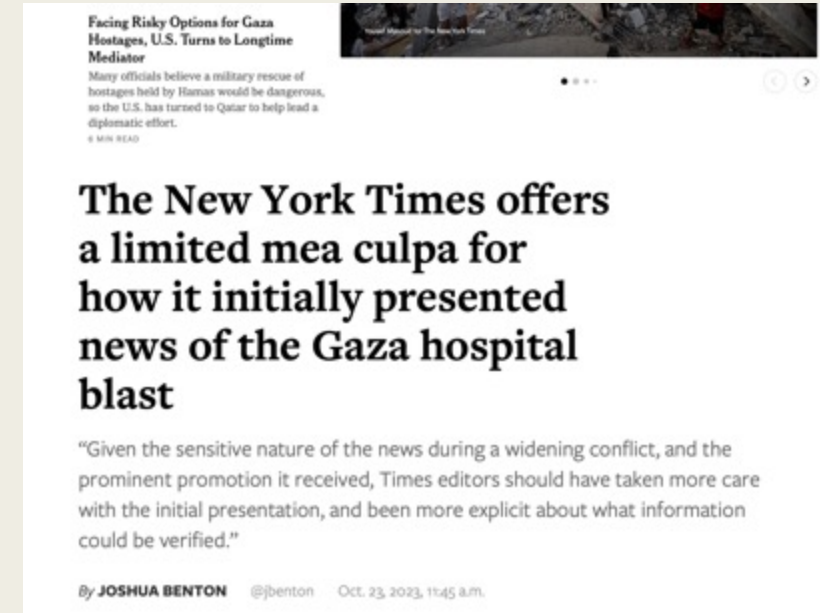
# *The Canadian Charter of Rights and Freedoms*

## Section 2(b) – Freedom of expression Provision

2. Everyone has the following fundamental freedoms:
- freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication.

# Explosion at the Al Ahli Arab Hospital Gaza

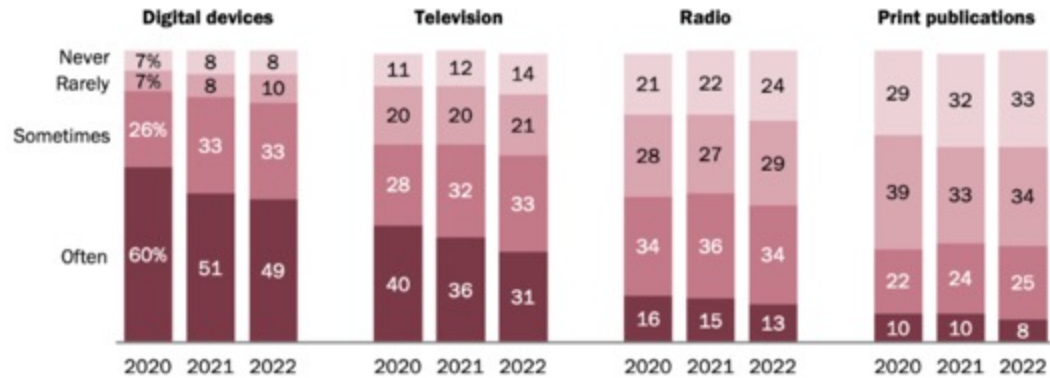




Over in the US...

## News consumption across platforms

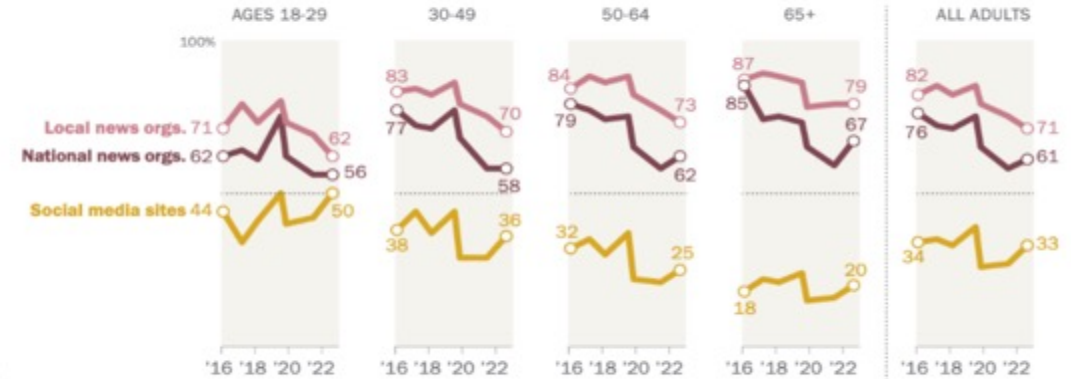
% of U.S. adults who \_\_\_\_ get news from ...



Note: Figures may not add up to 100% due to rounding.  
Source: Survey of U.S. adults conducted July 18-Aug. 21, 2022.

## U.S. adults under 30 are now almost as likely to trust information on social media sites as information from national news outlets

% of U.S. adults who say they have *some or a lot of* trust in the information they get from ...



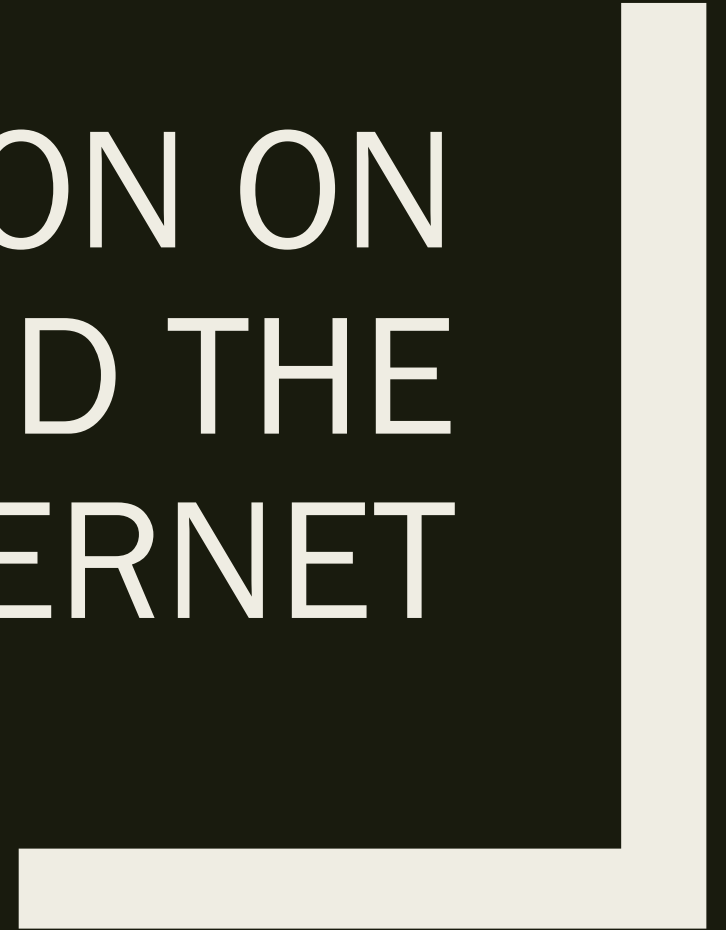
Note: In 2016, trust of information from social media was only asked of and based on internet-using U.S. adults. In the question on trust in the information from social media sites, the examples used have changed over time; for more detail on the specific wording, see the topline.  
Source: Survey of U.S. adults conducted July 18-Aug. 21, 2022. For dates of other surveys, see the topline.

PEW RESEARCH CENTER

# THE RISE OF SOCIAL MEDIA



# MISINFORMATION ON SOCIAL MEDIA AND THE INTERNET



# Social Media



The blue checkmark means that the account has an active subscription to X Premium and meets our eligibility requirements.

“The end of traditional verification marked the beginning of a **radically different information regime** on Twitter” – CNN, 21 April 2023



**“it’s profitable to spread viral  
content”**

# Social Media Monetization

“We’ve seen a lot of changes, particularly at X, formerly Twitter, that incentivize viral content that incentivize page views for monetization.”

– Valerie Wirtschafter, *Brookings Institution*



>70%

Misinformation





# X – Terms of Use

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# Elon Musk

“as Elon Musk has repeatedly done in recent incidents, the platform’s CEO made the situation much worse.”

“For following the war in real-time, @WarMonitors & @sentdefender are good,” Musk wrote in a post to his 150 million followers

The post was viewed 11 million times in three hours, drawing thanks from those two accounts, before Musk deleted it.



# Unintentional spread of misinformation

“In one case, a viral post shared on X, formerly known as Twitter, claimed an attached image depicting the bodies of at least eight children showed victims of a "child genocide in Palestine" — before later being identified as a photo taken in Syria a decade earlier.”

– Sammy Hudes, *The Canadian Press*, 20 October 2023





**M&S has apologized after being accused of posting an Instagram photo of Christmas party hats in the colours of the Palestinian flag on fire.**



# Bias confirmation

Social media aggregate people around common interests eliciting collective framing of narratives and worldviews.

Jeffrey Dvorkin, a senior fellow at the University of Toronto's Massey College and former managing editor of CBC Radio, said internet culture has allowed for the easy **sharing of images without verification**.

"The imagery is so compelling that people feel the need to do what is called **bias confirmation**. People share images that confirm their own biases, whether it's on one side or the other. Without verifying where that information comes from, people are increasingly angered and confused."

# “Why that photo you saw on social media may not be published in The Globe: Editors need to follow a rigorous validation process to confirm an image’s authenticity”

There are very real limitations that affect which stories journalists can cover, and which pictures appear in the print edition or online.

A reader emailed on Oct. 10 to express disappointment in the main image [the rubble of a Gaza City mosque destroyed by an Israeli air strike] selected for that day’s front page. “**The devastation in Israel was the real story**”, the reader said.

# Verifying information (The Globe and Mail)

- Before publishing any images, The Globe's photo editors have to confirm their authenticity, a process that takes **hours each day**.
- Was a photo taken **where** and **when** its distributor says it was?
- The process includes:
- Looking at photos of the same scene,
  - Searching for other angles, studying satellite images, and
  - Using Google Street View
- Photo editors also look at each image's metadata, including the electronic date stamp that indicates when the photo was taken. Next, they consider whether that **timing** fits with the event the photo is meant to depict.

*Photo staff are always asking: What do we need to convey? Is this image too graphic? Can we defend this choice journalistically?*



# BBC Verify

- BBC Verify comprises about 60 journalists who will form a highly specialised operation with a range of forensic investigative skills and open source intelligence (Osint) capabilities at their fingertips.







Pinned



**Shayan Sardarizadeh** @Shayan86 · 6h

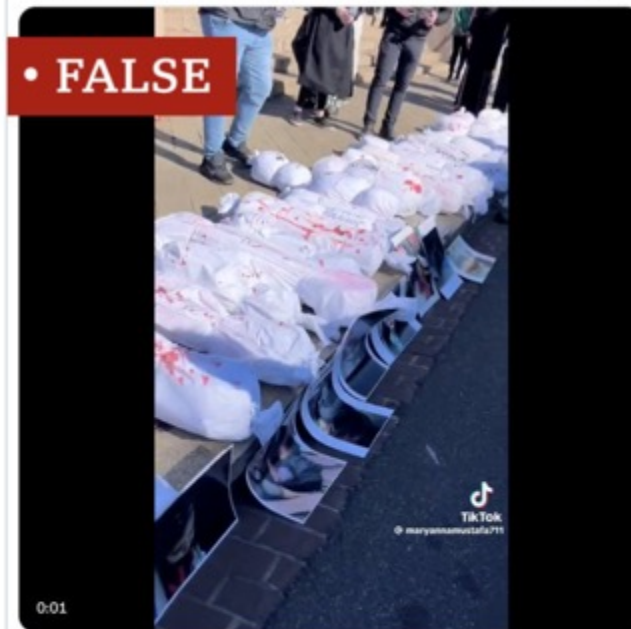


Thread: Israel-Hamas war misinformation - Day 31

This video is being widely shared with claims it shows body bags of Palestinian children lined up on a street.

But it's from Saturday's pro-Palestinian rally in Washington DC, and the body bags are symbolic, not real.

There's never been a time in the history of conflict that exterminating an entire population is acceptable — why in 2023? why the Palestinians?



From Ora Albisher

PALESTINIANS-CONFLICT-GAZA-PROTEST

Protesters hold up body bags as they gather in Freedom Plaza during a rally in support of Palestinians in Washington, DC, on November 4, 2023. At least 10 people died since October 7, 2023, after Palestinian Hamas militants based in the Gaza Strip, entered southern Israel in a surprise attack in the morning. (Photo by Stefani Reynolds / AFP) (Photo by STEFANI REYNOLDS/AFP via Getty Images)



27

612

1.2K

106K





**Shayan Sardarizadeh** @Shayan86 · 23h



This previously debunked video is going viral again. It claims to show pro-Palestinian protesters set a policeman on fire in London.

The video is from Mexico, and shows protesters set a police officer on fire after the death of a young man in police custody in 2020.



**SweetPeaBelle** @SweetPeaBel326

Savage! The UK is history. Pro Palestine aggressors are brutal animals and they keep inviting them into their country.

"Aggressive pro-Palestinian protesters set a policeman on fire in London."



12:32 PM · Nov 6, 2023 · 168K Views

1K

2.9K

2.5K

120



6

170

385

30K



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ALT





**Shayan Sardarizadeh** @Shayan86 · Nov 4



Thread: Israel-Hamas war misinformation - Day 30

These two widely shared images, one showing Israeli troops march on the streets of Gaza and the other depicting two Palestinian children mourn the death of a woman, are both AI-generated.

Neither is real.



30

430

740

75K



*“In a “tech-first” society, it is increasingly difficult to differentiate between authentic information and false claims or deliberately misleading video content.”*

– Mitali Mukherjee, University of Oxford



56%

**In 2023:** people worried  
about identifying the  
difference between what is  
real and fake on the internet  
when it comes to news

(per Digital News Report 2023 from the University of Oxford's  
Reuters Institute)



# Consequence of misinformation

"If you have no facts, you have no truth. Without truth, you can't have trust. Without any of these three, we don't have a shared reality. How can we begin to solve the existential problems that we already have?" - *Maria Ressa*





# Misinformation and government decision making

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It is now widely acknowledged that the Bush administration used faulty and false information to justify the 2003 war on Iraq, and that the mainstream media, by not adequately investigating the case for war, assisted with the project. - Kumar (2004) p.48

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the failure of the media in the US to meet the democratic needs of this society places enormous responsibility on intellectuals to produce scholarship critical of the new imperialism."- - Kumar (2004) p.48

THREATS AND RESPONSES: THE IRAQIS

# *THREATS AND RESPONSES: THE IRAQIS; U.S. SAYS HUSSEIN INTENSIFIES QUEST FOR A-BOMB PARTS*



Share full article



By Michael R. Gordon and Judith Miller

Sept. 8, 2002

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More than a decade after Saddam Hussein agreed to give up weapons of mass destruction, Iraq has stepped up its quest for nuclear weapons and has embarked on a worldwide hunt for materials to make an atomic bomb, Bush administration officials said today.

In the last 14 months, Iraq has sought to buy thousands of designed aluminum tubes, which American officials believe intended as components of centrifuges to enrich uranium. American officials said several efforts to arrange the shipment of the aluminum tubes were blocked or intercepted but declined to say, citing the sensitivity of the intelligence, where they came from or how they were stopped.

The diameter, thickness and other technical specifications of the aluminum tubes had persuaded American intelligence experts that they were meant for Iraq's nuclear program, officials said. The latest attempt to ship the material had taken place in recent months.

The attempted purchases are not the only signs of a renewed interest in acquiring nuclear arms. President Hussein has

WORLD | THREATS AND RESPONSES: THE IRAQIS; U.S. SAYS HUSSEIN INTENSIFIES QUEST FOR A-BOMB

Administration officials also assert that the acquisition of nuclear arms might embolden Mr. Hussein and increase the chance he might use chemical or biological weapons. The officials say that Mr. Hussein refrained from using chemical and biological weapons during the 1991 Persian Gulf war because he feared a retaliatory blow from the United States and that he might conclude that the Americans would not dare strike him with nuclear weapons.

"The jewel in the crown is nuclear," a senior administration official said. "The closer he gets to a nuclear capability, the more menacing is his threat to use chemical or biological weapons. Nuclear weapons are his hole card."

"The question is not, why now?" the official added, referring to a potential military campaign to oust Mr. Hussein. "The question is why waiting is better. The closer Saddam Hussein gets to a nuclear weapon, the harder he will be to deal with."

#### On the Brink of War

Hard-liners are alarmed that American intelligence underestimated the pace and scale of Iraq's nuclear program before Baghdad's defeat in the Gulf War. Conscious of this lapse in the past, they argue that Washington dare not wait until analysts have found hard evidence that Mr. Hussein has acquired a nuclear weapon. The first sign of a "smoking gun," they argue, may be a mushroom cloud.

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The attempted purchases are not the only signs of a renewed Iraqi interest in acquiring nuclear arms. President Hussein has met repeatedly in recent months with Iraq's top nuclear scientists and, according to American intelligence, praised their efforts as part of his campaign against the West.

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FROM THE EDITORS

## *FROM THE EDITORS; The Times and Iraq*

 Share full article



May 26, 2004

Over the last year this newspaper has shone the bright light of hindsight on decisions that led the United States into Iraq. We have examined the failings of American and allied intelligence, especially on the issue of Iraq's weapons and possible Iraqi connections to international terrorists. We have studied the allegations of official gullibility and hype. It is past time we turned the same light on ourselves.

In doing so -- reviewing hundreds of articles written during the prelude to war and into the early stages of the occupation -- we found an enormous amount of journalism that we are proud of. In most cases, what we reported was an accurate reflection of the state of our knowledge at the time, much of it painstakingly extracted from intelligence agencies that were themselves dependent on sketchy information. And where those articles included incomplete information or pointed in a wrong direction, they were later overtaken by more and stronger information. That is how news coverage normally unfolds.

Mea Culpa...



CAN CANADA REGULATE  
THE DISSEMINATION OF  
FAKE NEWS?



# Opportunities & Roadblocks to Regulating Misinformation

## Legislative

### 1. A Limitation on Freedom of Expression?

“It is difficult to imagine a guaranteed right more important to a democratic society than freedom of expression.” R. v. Zundel, 1992

### 2. Tort of Deciet

Covers only intentional dissemination of misleading or wrongful information. Does not solve the spread of misinformation – “special duty”

## Non-legislative

1. Media literacy programs
2. Strengthen journalistic practice

## Roadblocks

1. Bill C-11 and Bill C-18
2. International nature of the issue

