

Beyond Facts: A New Spin on Fake News in the Age of Social Media

Completed Research

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Abstract

Research has shown that individuals on social media tend to lean towards information that confirms pre-existing beliefs and steer away from information that calls these beliefs into question. This tendency to discount contrary facts questions whether fact-checking tools alone can fight the growing occurrence and spread of fake news. This study proposes an alternative approach to combat fake news by focusing on the underlying belief structures that lend credence to narratives, fake and otherwise. To accomplish this, the study adopts the lens of rhetorical theory to diagnose the discursive relationship between reported news and socially constructed beliefs. We use evidence from Alabama's controversial 2017 Senate race to demonstrate the approach. The paper concludes with implications for building tools to detect the relationship between belief structures and the decision to accept or reject news reports.

Keywords

Fake News, Rhetoric, Social Media, Discourse

Introduction

There are no facts, only interpretations – Friedrich Nietzsche

The “fake news” problem can be described as the dissemination of news stories that are intentionally and verifiably false, and could mislead readers (Allcott and Gentzkow 2017). The problem of “fake news” has been with us for centuries (ibid). The advent of social media has drastically escalated the scope of this concern. This was particularly evident in the aftermath of the 2016 US presidential elections when the phenomenon of “fake news” was widely attacked for its inordinate influence on the country's electoral process (Allcott and Gentzkow 2017; Kim and Dennis 2017; Silverman 2016). To address this problem, several fact-checking sites (e.g., snopes.com and politifact.com) as well as automated solutions such as *Hoaxy* and *Truthy* have been created (Kim and Dennis 2017). Although these solutions are useful for establishing the facts (Wintersieck 2017), they do not question the relationship between existing belief structures and reported news, and therefore, continue to be ineffective in preventing a decision to accept or reject news reports.

One reason for this shortcoming is the use of the tools after a false story has been disseminated or after the political damage has already occurred. Research has shown that rectifying misinformation may not result in a change in underlying beliefs (Flynn et al. 2017; Nyhan and Reifler 2010) and that a mere repetition of the falsehood, even in the context of refutation, can have detrimental effects because misperceptions (false beliefs) are not necessarily based on misinformation (Greenhill and Oppenheim 2017; Thorson 2015). Exposure to misinformation has also been shown to have long-term cognitive effects while corrections tend to be short-lived (Schwarz et al. 2007).

The import of fact-checking tools is also called into question by the notion of *confirmation bias* which is demonstrated in studies that show how individuals tend to favor information that confirms their pre-existing beliefs and to discount information that challenges these beliefs (Koslowski 2012; McKenzie 2006). This is demonstrated by findings that show that in the wake of a recent focus on misinformation emanating from the right, some conservative voters have become skeptical of the veracity of fact-checking sites (Allcott and Gentzkow 2017). Similarly, as Kim and Dennis (2017) point out most users of social media typically use it for hedonistic purposes such as entertainment or connection with friends. Individuals with a hedonistic mindset are more prone to *confirmation bias* because their use of the technology is more closely associated with “desirable” representations of reality than it is to “factual” depictions of the same (Hirschman and Holbrook 1982; Johnson and Kaye 2015).

The brief summary of contemporary work shows that fact-checkers have limited effectiveness in addressing the problem of fake news within the domain of social media. This study therefore proposes an alternative by focusing attention on the underlying belief structures that lend credence to narratives, fake and otherwise. To accomplish this, the study adopts the lens of rhetorical theory to diagnose the discursive relationship between fake news and socially constructed beliefs within the context of Roy Moore’s controversial candidacy in Alabama’s 2017 Senatorial elections. In particular, this paper will seek to answer the following research question: *What role does rhetorical argumentation play in constructing the belief structures that underlie “fake news” in the context of social media?*

To answer this question, the paper first provides some definitional and contextual information that shows the relationship between fake news and political spin. It then introduces a theoretical lens to explore these concepts as well as the empirical context and methodology to conduct the investigation. The paper then concludes with a brief discussion of findings and drawing out implications for development of tools to help ameliorate the problem of fake news.

“Spin” and “Fake News”

Fake News has been defined as, “news articles that are intentionally and verifiably false, and could mislead readers” (Allcott and Gentzkow 2017, p. 213). While the phenomenon of fake news is not new and can be traced as far back as the advent of Gutenberg’s printing press, fake news began to feature prominently in the US public discourse after it was identified as a significant influence on the outcome of hotly contested 2016 US presidential race (Allcott and Gentzkow 2017; Kim and Dennis 2017). In the wake of these elections, the problem has received much attention. This is evident in the creation of a special counsel to investigate Russian interference in these elections (Schwinn 2017) and the aggressive congressional questioning of representatives from internet firms, Twitter, Google, and Facebook (Byers and Fiegerman 2017) to assess the role they played in disseminating these news items.

Since fake news is essentially based on the notion of false facts, there has also been an increase in interest in the development of fact checking tools that could help stem the flow of falsehoods in the public domain (Shao et al. 2016; Wang 2017). While these tools serve a useful purpose in helping to unearth factual discrepancies, they do not resolve the more fundamental problem that occurs when there is a lack of correspondence between these facts and the underlying or subsequent beliefs of the public. In particular, these tools do not protect against the problem of spin.

Spin and the related term “spin doctoring” originated in the field of public relations and is based on the slang usage of the verbs “to spin”, which means to deceive as in “to spin a yarn” and “to doctor” which refers to ‘patching up’, ‘piecing together’ and ‘falsifying’ (Esser et al. 2000; Safire 1986; Sumpter and Tankard Jr 1994). Spin has also been defined in terms of “half-truths” or as Carson (2010) writes this discourse pertains to:

true statements or sets of true statements that selectively emphasize facts that tend to support a particular interpretation or assessment of an issue and selectively ignore or minimize other relevant facts that tend to support contrary assessments. (p. 57)

“Spin” is related to the notion of “Fake News” in that it often intentionally seeks to mislead (or obfuscate) readers, but it differs from fake news (as defined by Allcott and Gentzkow 2017) in terms of its subtlety. Spin, unlike false news, can be anchored in factually accurate statements, but gains its notoriety from its penchant for a deceitful or manipulative application of these facts. (See Table 1 below.)

News Report	As Fake News	With Spin
Democrat Doug Jones wins 2017 Senate special election in Alabama	Van full of illegals caught voting at multiple Alabama polling locations (politifact.com)	Democrat Doug Jones' win in Alabama represents an overwhelming repudiation of president Trump's political policies by Alabamans

Table 1. An Example of News, Fake News and Political Spin

Fact-checking tools, therefore, have little impact on political spin because its main failings are not related to the fabrication of falsehoods, but with the (mis)application of facts. Instead of focusing on the establishment of abstract truths and facts, spin is motivated and defined by a desire to achieve certain perlocutionary effects upon audiences (Austin 1975; Manson 2012). Spin, for example, may be designed to produce positive or negative emotions in an audience, or to ensure that the audience acts or refrains from acting in particular manners relative to a particular policy, situation or individual (Manson 2012). Facts, in the hands of a malevolent and skillful spin-doctor therefore could have as harmful (if not greater) an impact on society as falsehoods because (s)he or it (if it is a 'bot') could use both to achieve the same deleterious outcomes. Indeed, it could reasonably be argued that although the prominent concern regarding the conduct of the 2016 US elections pertains to the phenomenon of fake news, it is not fake news per se that mattered in these elections, but rather it was how the news (fake or not) was "spun" to influence the perceptions, beliefs and behaviors surrounding the election. Even though spin, like fake news, is not a new phenomenon, it too has become a more menacing problem with the advent of social media as spin is no longer the province of a select group of spin doctors but has now metastasized into a crowdsourced form that is more difficult to regulate. To help address this concern therefore this paper recommends supplementing fact-checking tools with rhetorical "spin detectors" that could help mitigate the growing problem of crowd-sourced spin.

Theoretical Background

Rhetorical vs Dialectic Argumentation

The relationship between "fake news" and "spin" is aptly captured in argument theory by the association between the allied concepts of rhetorical and dialectical forms of argumentation whose roots can be traced back to Greek conceptualizations of knowledge and its acquisition. As Hirschheim (1985, p. 10) records it, "The Greeks chose to classify knowledge into two types: *doxa* (that which was believed to be true) and *episteme* (that which was known to be true)." Argumentation from this perspective could be seen as the process of moving from "doxa" ("beliefs") to "episteme" ("truth" or "facts") with the difference between the two providing the illative motivation for an argument or argumentation. Aristotle referred to this type of argumentation (or "arguments" that sought to establish truths) as demonstrations. Demonstrations moved from necessary premises to necessary conclusions through syllogistic deduction (i.e. "all A's are B's, all B's are C's, therefore all A's are C's")(Van Eemeren et al. 1996).

Since demonstrations were dependent on truth claims they gave rise to the dialectic method of argumentation which aimed to resolve disagreements through rational evaluations of truth claims (Pinto 2001). The dialectical method consequently presented argumentation as a highly structured form of propositional logic that tested arguments by applying a set of precisely defined formal rules (Rowland 1987). As a result of its emphasis on precisely defined rules, dialectical argumentation is intrinsically abstract or theoretical in its approach, focusing on universal principles unencumbered by the details involved in particular circumstances. As Leff (2002) records, "The dialectical thesis – e.g. should a man marry? – is unencumbered by particulars, and thus dialectical arguments focus upon principles of inference per se." Unlike the question, "Should Cato marry?" which deals with a particular person the dialectical thesis addresses a prototypical man and is thus not concerned with the plethora of circumstantial details such as who, where, when, by what means, and how Cato should marry. Dialectical argumentation also focuses more on the relationship between propositional alternatives than with the relationship between the propositions and the audience (tends to transcend instead of situate). Dialectic therefore tends to be more associated with "reason" because it only considers the rational appeal of an argument (the *logos*) and can bracket matters of character (*ethos*) or emotion (*pathos*) (Leff 2002). The language of dialectical argumentation consequently is, "closed, precise, technical and plain" (ibid).

From the perspective of argument theory, the concern of fake news is aptly addressed by a dialectic process that uses robust rational principles to assess the factual basis of news story. It accomplishes its goals by seeking to distill and separate the ‘facts’ of a story from its non-rational aspects (e.g., the beliefs, opinions, emotions, motivations and character of the audience and story teller).

The ‘episteme’ concept and its related dialectical method were not without its critics in antiquity. The Sophists challenged the idea of absolute knowledge by asking how man could transcend his own language and cultural system (Hirschheim 1985). Sophists asserted that absolute truth was unknowable and perhaps nonexistent and had to be established in each individual case because as Protagoras of Abdera, who is credited with initiating the Sophist movement, stated, “Man is the measure of all things” (Foss et al. 2014). Similarly, Isocrates, an early sophist who established a school of rhetoric in Athens, argued that, “the ideal of absolute knowledge (episteme) of useful matters, i.e. those that pertain to making choices in in one’s personal life or as a member of a community, is unattainable. Therefore it is better to have the right opinions (doxa) about them than scientific knowledge of what is in this sense considered useless” (Bons 2002). Sophistry consequently developed a form of argumentation that was diametrically different from the Aristotelian syllogistic demonstrations. Since Sophistry was concerned with practical insights instead of objective knowledge and its main lens was opinion and not truth, it did not have the same rigid structure as the dialectic. As Rapp (2011) notes, Aristotle referred to argumentation that did not meet the strictures of syllogistic structure as an enthymeme and he related this argument type to persuasive discourse or rhetoric. Rhetorical argumentation consequently was loosely defined by Aristotle as “the faculty of discovering the possible means of persuasion in reference to any subject whatever” (Krabbe 2000). Unlike dialectic argumentation, which sought to attain truth, rhetoric was concerned with attaining shared opinions.

Rhetoric consequently, because of its emphasis on persuasion and not truth, involves more than an examination of propositions relative to their alternatives, but focuses on the plausibility of these propositions relative to the audience addressed (Leff 2002). Indeed, unlike the abstract or theoretical approach of the dialectic that focused on universal principles and disregarded the details of particular circumstances, the rhetorical discipline is heavily vested in the local particulars of an argument. For example, unlike the dialectical thesis – should a man marry? – which has universal connotations, the rhetorical hypothesis – should Cato marry? – deals with the specific persons and actions that enter into consideration of a social or political situation, and so rhetorical argument must apply principles to actual cases (ibid). While therefore rhetorical argumentation is likely to be less precise than dialectic argumentation it is nevertheless governed by norms of appropriateness or pertinence to a particular setting or context. As Leff (2002) writes, “To speak well rhetorically as a matter of art is to demonstrate a capacity to adapt to changing local circumstances. In other words, the circumstantial and situated character of rhetoric encourages a norm of accommodation and flexibility – a norm connected with *phronesis* (practical wisdom) or *prudentia* (prudence)”. Rhetorical argumentation therefore generates practical insights (not truths) that are geared at managing particular situations and circumstances. As Bons (2002) notes, “it is the experience of these [*rhetorical insights*] and a pragmatic analysis of them which provides one with an empirical stock of knowledge which informs one’s opinion and which enables one to respond effectively to the requirements of any given situation”. Jacobs (2000) sums up this distinctly pragmatic feature of rhetorical argumentation well when he writes, “Dialectic searches for truth; Rhetoric makes it effective”.

Rhetoric’s emphasis on persuasion also engenders it to include and highlight the role of *ethos* and *pathos* in argumentation instead of focusing solely on *logos* or pristine rational thought. As Jacob (2000) writes, “Rhetoric adds motivational appeal and linguistic style in order to animate the inferential forms and propositional content of logic”. Since rhetorical theory is concerned with non-rational aspects of discourse and engenders the roles of *ethos* and *pathos*, it seems best equipped to address the deceptive use of ‘spin’ to disseminate news stories. As Aristotle argued in the beginning of his *Rhetoric* treatise, rhetoric is the necessary counterpart of dialectic (or “fact-checking”) because rhetoric is required to defend proper decisions (you may be right, but you will still need to convince others, otherwise you are to blame (in Krabbe 2000)).

Indeed, while dialectic and rhetorical approaches seem very much opposed to each other with rhetoric criticized as feigned and unreasonable speech addressed to man’s lower instincts, rather than reason, and dialectic described as useless logic chopping, full of sophistry with no practical benefit, both could be construed as complementary sides of the same coin (Krabbe, 2002). Leff (2002) makes this case when he

observes that dialectic is dependent upon rhetoric to “close and define the situations in which it can operate.” Rhetoric, he argues, can help provide provisional, local closure when conclusive agreements are not reached through the inferential sequence. On the other side of the coin, Leff suggests that rhetoric needs to be tempered with dialectical rationality if it is to achieve its goal of effective persuasion. To help illustrate this relationship, Table 2 below provides a comparison of rhetorical and dialectical approaches to news stories.

Dialectical Approach to “Fake News”	Rhetorical Approach to “Spin”
Evaluates institutional commitments and deliberative format in order to test inferential forms and propositional content	Assesses the role of motivational appeal and linguistic style in animating the inferential forms and propositional content of logic
Searches for “truth” and facts in news stories	Assesses the “effectiveness” of assertions of fact.
Based on the premise of falsifiability (Critical in Epistemic orientation)	Based on the principle of “believability” (Relativistic in epistemic orientation)
Emphasizes the <i>logos</i> aspect of argumentation and brackets out <i>ethos</i> and <i>pathos</i>	Includes and highlights <i>ethos</i> and <i>pathos</i> in argumentation
Tendency in dialectic is to transcend	Tendency in rhetoric is to situate
Intrinsic standards for judging argument quality in terms of procedural implementation	Extrinsic standards for judging argument quality in terms of persuasive outcome
Considers the relationship of propositions to one another and follows norms of logical rationality	Considers the relationship between propositions and situations and follows norms that refer to appropriate social relationships
Viewed as a technical art	Viewed as a practical art

Table 2. Rhetorical vs. Dialectical Approaches to News Stories (adapted, Leff 2002; Jacobs 2000)

Applying Argument Theory to Fake News and Spin

Case Description and Methodology

To illustrate the import of argumentation on the phenomena of fake news and its associated concept of “political spin”, this paper applies this theoretical lens to evaluate the discourse surrounding the special election for the United States Senate that took place in Alabama on December 12, 2017. The special election was called in response to the resignation on February 8, 2017 of Jeff Sessions who went on to serve as the United States Attorney General. The case was chosen for this study as it became a hotbed for fake news stories in the wake of allegations by the multiple women who claimed that the then presumed favorite to win the election, Republican Roy Moore, had sexually assaulted or made unwanted advances to them when they were in their teens and he was in his thirties (Greenberg 2017; McCrummen 2017).

In response to the Washington Post article, which broke the news of these alleged improprieties, the media became awash with competing narratives that offered differing slants on this story. The term “fake news” was also frequently bandied about by participants in this discourse (from both sides of the political spectrum) when characterizing several of the competing narratives that emerged in the wake of these allegations.

To investigate the discourse in this domain we first examine the role played by the following, ostensibly neutral and dialectically inclined, fact-checking websites in mediating this discourse: *factcheck.org*, *Snopes.com*, *politifact.com*, and *truthorfiction.com*. It accomplishes this by searching these websites for red flags related to the discourse surrounding the allegations reported by the Washington Post and then evaluating the impact of these fact-checkers on the overall discourse. In order to assist in the development of tools that could augment these fact-checking sites, the study then proceeds to scan related discourse found in one left leaning news site (*Daily Kos*) and one right leaning news site (*Breitbart*) to look for deceitful rhetorical practices that are not captured by these fact-checker sites. The paper uses these shortcomings to showcase the potential contribution of a more rhetorical approach to addressing the problem of ‘fake’ news.

The Dialectics of the Alabama Senate Race

Fact checking websites *factcheck.org*, *Snopes.com*, *politifact.com*, and *truthorfiction.com* were created to help moderate social discourse by imbuing it with the standards of evidence-based journalism. In the case of the discourse surrounding the 2017 Alabama Senate race this function was evident in the debunking of several news stories that began to circulate in social media after the Washington Post broke the story of Roy Moore’s alleged sexual improprieties (see Table 3 below).

Fake News Story	Fact Checking Website Verdict (Rationale)
Reporter bribed woman to accuse Roy Moore of Sexual Assault/Washington Post bribing women to malign Roy Moore	<i>Verdict:</i> Snopes (False); Politifact (Pants on Fire!); Truth or fiction (Fiction) <i>Rationale:</i> No evidence; fictitious reporter; based on robocalls
Washington Post reporter who broke Roy Moore story has a criminal history of ‘faking’	<i>Verdict:</i> Politifact (False) <i>Rationale:</i> Speeding tickets and a bounced check during college do not justify allegation.
Second Roy Moore Accuser works for Michelle Obama Right NOW	<i>Verdict:</i> Snopes (False); Politifact (Pants on fire!) <i>Rationale:</i> Source is satirical website
“Sore Loser” laws would bar Luther Strange from pursuing a seat after he lost in the Republican runoff elections.	<i>Verdict:</i> Politifact (False) <i>Rationale:</i> Sore-Loser law prevented loser from running as independent, but could still win as write-in candidate within the same party
Roy Moore’s accuser worked for Democratic leaders and actively campaigned for Moore’s opponent.	<i>Verdict:</i> Politifact (Mostly false) <i>Rationale:</i> Accuser had provided sign-language services for Clinton and Biden, but no evidence of actively campaigning for Moore’s opponent
Chuck Todd (Political Director at NBC News) said the Roy Moore story “felt completely orchestrated.”	<i>Verdict:</i> Politifact (False) <i>Rationale:</i> Remarks taken out of context. Chuck Todd was referring to Republican response to the allegations.
“In a 2014 case involving a man convicted of abusing two underage girls, Judge Roy Moore disagreed and wrote the dissenting opinion.”	<i>Verdict:</i> Politifact (Mostly false) <i>Rationale:</i> Took Judge’s rulings out of legal context
Accuser admitted tampering with Roy Moore’s yearbook signature	<i>Verdict:</i> Factcheck (Distortion); Snopes (Half-truth); Politifact (Pants on Fire!) <i>Rationale:</i> Accuser made annotations to the signature, but did not admit to forging the signature.
Accuser arrested and charged with falsification	<i>Verdict:</i> Snopes (False) <i>Rationale:</i> Source is satirical website
Roy Moore is running with the full support of his party	<i>Verdict:</i> Factcheck (Exaggeration) <i>Rationale:</i> A significant number of Republicans voiced strong opposition or reservations about Roy Moore’s candidacy
Roy Moore authored a textbook arguing that women shouldn’t hold political office	<i>Verdict:</i> Snopes (Half-truth) <i>Rationale:</i> Roy Moore contributed to the book, but did not author the chapter that made this argument.
Taco Bell is Roy Moore’s main financial backer	<i>Verdict:</i> Snopes (Mostly false) <i>Rationale:</i> Although one franchise owner made a contribution to Moore’s campaign, neither Taco Bell nor its parent company appear to have donated to Moore.

Table 3. List of Fake News Stories Related to Roy Moore’s Sexual Improprieties

As is evident from the rationale used to issue the verdicts referenced in Table 3, the main discursive strategy used to debunk the claims contained in these stories was dialectic in nature. The fact checking websites evaluated claims that met the scientific standard of falsifiability (Popper 2014). For example, the allegation that Taco Bell is Roy Moore’s main financial backer or that Roy Moore’s accuser admitted tampering with Roy Moore’s yearbook signature could easily be falsified by examining the public record related to these claims. The fact-checking websites also focused on the logical (*logos*) aspects of the stories and bracketed

out matters of emotion (*pathos*) and individual character or authority (*ethos*). In the narrative that highlighted Judge Moore’s dissenting opinion in a case involving a man abusing two underage girls, for example, *politifact.com* focuses strictly on an evaluation of the facts based on the norms of logic and does not include an evaluation of the correspondence between these facts and any norms of emotional response for such circumstances.

Observed shortcomings of Dialectics and Dialectical Tools

Although the fact checking websites were able to authoritatively debunk some of the false narratives that emerged in the wake of the Washington Post story, it is also evident that these post-hoc adjudications of fact were of limited impact on the discourse surrounding this story. This is evident when examining the impact of fact-checking on the discussion of the fake news stories found in Breitbart and Daily Kos. Although *factcheck.org*, *snopes.com*, and *politifact.com* all called into question the story that suggested that Roy Moore’s accuser had admitted forging his signature (with the reviews emerging on the same day as the fake news story – December 8, 2017) a review of the comments section (57,801 posts as of February 28, 2018) revealed no shift in the discourse with the majority of the respondents adopting the editorial position on this topic without criticism (Nolte 2017a). The same was true with the Daily Kos story that attributed to Judge Moore’s dissenting opinions on court cases that involved sex offenders to an innate predatory predilection (Eleveld 2017). A review of the 110 comments (as of February 28, 2018) associated with this story revealed no reference to its factual basis as the story had emotional legitimacy for the respondents who overwhelmingly accepted its presumption of guilt relative to allegations facing Roy Moore.

Washington Post (Allegations & Grounds)	Breitbart.Com (Conservative Response)	Dailymkos.com (Liberal Response)
<p><i>Date:</i> November 9, 2017 <i>Allegation:</i> Roy Moore initiated sexual encounter with 14 yr old (Ms. Corfman) when he was 32 <i>Grounds for Publication:</i></p> <ul style="list-style-type: none"> • Corfman gave consistent stories in six interviews with the Post. • Post confirmed mother’s presence at courthouse through divorce records and location of Moore’s office. • Corroborating stories from three other women. <p>Source: McCrummen et al. 2017</p>	<p><i>Date:</i> November 9, 2017 <i>Pre-emptive Rebuttal Entitled:</i> After Endorsing Democrat in Alabama, Bezo’s Washington Post Plans to Hit Roy Moore with Allegations of Inappropriate Relations with Teenager: Judge Claims Smear Campaign <i>Grounds:</i></p> <ul style="list-style-type: none"> • Moore has been married to his wife for 33 yrs, has 4 children and 5 grandchildren. • Moore has served in public office for past 40 yrs and no such allegations have been made. • Washington Post is owned by Amazon founder and open borders champion, Jeff Bezos. • Washington Post formally endorsed Moore’s opponent, Doug Jones for the Senate Race. • Jones has associations with far-left groups financed by George Soros. 	<p><i>Date:</i> November 9, 2017 <i>Unqualified Endorsement (Sample listing of Article titles)</i></p> <ul style="list-style-type: none"> • Add ‘sexual predator’ to ‘bigot’: Roy Moore spent his early 30’s creeping on teenage girls • Roy Moore couldn’t keep his little Judge in his pocket • When they call the Roy Moore sexual predator piece ‘fake news,’ just look at the reporting • Alabama Republican defends pervert Roy Moore by comparing him to ‘Joseph and Mary’ • Roy Moore in Alabama – another way of looking at this abuser

Table 4. Immediate Response to Roy Moore Allegations

Another reason for the limited impact of fact-checking sites can be traced to the observation that indicates that emerging discourse was not strictly a deliberation of the facts (*logos*) of the case, but rather a negotiation of trustworthiness (*ethos*) and desirability (*pathos*). A review of the Breitbart and Daily Kos websites, for example, showed that neither site contained articles or comments that challenged the authenticity or factual basis of the grounds used by the Washington Post to justify its publication of these allegations. As indicated in Table 4 above, the conservative site Breitbart’s immediate response to the news story was to call into question the credibility of the source (*ethos*) and not the facts themselves while the response of the liberal site Daily Kos was to treat the allegations as settled fact and to label the judge as a

predator. Breitbart also questioned the motivation (*pathos*) behind the timing of the news story while the Daily Kos contributors manifested laudatory emotions in their response narratives.

A review of the articles published in Breitbart and Daily Kos after the initial response articles demonstrated a similar trend with both sides not quibbling with the factual details of the case, but rather arguing over subjective matters such as the burden of proof. For example Nolte (2017b), a columnist at Breitbart, argued for due process and posited that all victims should not be automatically believed. He suggested that the media were perpetrating a highly partisan campaign of emotional blackmail to define just who is and who is not a good person. In other words, he suggested that the crux of the argument related not to the facts, but the emotions and individual biases related to the case. Contributors to the Daily Kos similarly tended to emphasize the emotional/moral implications of the allegations instead of the facts, which in this case were viewed as non-controversial and settled (as is evident from a review of subsequent articles related to Judge Moore, which overwhelmingly referred to him using pejorative terms that stem from his allegations e.g. ‘pervert’, ‘predator’ and ‘child molester’).

Potential Contribution of Rhetoric

While facts serve as the foundation for discourse (as indicated in the above discussion), it is likely that the danger of “fake news” may not lie in its deviation from ‘fact’, but from its persuasive appeal based on its agreement with the pre-existent beliefs of a particular social group. Fact-checking sites, on the other hand are of limited effectiveness because their dialectic structure seeks independence or transcendence from local beliefs (i.e., the facts are the facts whether or not one believes them or not). A rhetorical lens consequently could help ease this problem by addressing the persuasive aspects of a news story relative to a particular audience. This could be accomplished by moving beyond the application of a simple true/false dichotomy to evaluate a news story, to the use of a rhetorical device that could evaluate the legitimacy of a persuasive appeal based on criteria that could be applied equally to both (or all) sides of the political spectrum. For example, instead of simply assessing whether or not the grounds offered by Breitbart in their rebuttal of the Washington Post story (or the endorsing claims made in Daily Kos) were true (see Table 4), a rhetorical device could provide an argument map (Hirschheim et al. 2012; Pawlowski et al. 2008) that showcases the various levels of argument within the discourse and ensures that argument participants are not talking past each other or using grounds from one domain of argumentation to support a claim belonging to a different domain (e.g. using grounds pertaining to ‘ethos’ aspects of an argument to support or detract from claims pertaining to ‘logos’ aspects and vice-versa). Fact-checking could also be enhanced by examining the discourse for examples of rhetorical fallacies (i.e. tools of political “spin”) such as: using emotions to distract the audience from the facts (*ad Misericordiam*), using factual, but misleading or unrelated evidence to support a conclusion (*Red Herrings*), supporting an assertion with an unrelated appeal to its popularity (*Bandwagon appeal*), attacking the origin of a claim rather than its substance (*Genetic Fallacy*), questioning a claim solely on the advocate’s interests in their claim (*Circumstance Ad Hominem*), and the offering of half-truths to purposefully obscure the entire truth (*equivocation*). These enhancements should also engage the audience so that they can assess and modify the levels of adherence that a particular claim (fake or otherwise) has with a particular audience. A core principle of rhetorical argumentation is engagement with the audience as facts that are not presented in the language of the native audience are not likely to influence the underlying belief structures.

Conclusion

Implications for the Development of “Fake News” Tools

The promise of tools to detect “fake news” is that they can help stem the flow of falsehoods that enter the public domain (Shao et al. 2016; Wang 2017). Our research, however, has demonstrated that identifying erroneous facts alone is unlikely to resolve the issue of “fake news” as it does not adequately address the underlying concern related to the social construction of beliefs that are contradicted by facts. While, for example, in the Roy Moore case, fact-checking sites focused on logical aspects of news stories (*logos*), it was evident that the emergent discussion was related to issues of trustworthiness (*ethos*) and desirability (*pathos*) of the sources. This discussion was also tainted by issues of fraud (*ethos*) and moral repugnancy (*pathos*), but these fact-checking tools were unable to provide any guidance on these matters due to the subjective nature of these concerns.

Rhetorically based frameworks, methodologies, and tools could help alleviate this concern by specifically addressing this limitation in fact-checking tools. As a first step we propose incorporating the theory of rhetorical fallacies (Hansen 2002; Van Eemeren and Grootendorst 2016) to go beyond the true-false evaluations of claims to assessments of the legitimacy of broad argument or persuasive schemes. As a next step for this study, consequently, we intend to examine the discourse surrounding the 2017 Roy Moore stories using 18 core fallacies (“gang of eighteen”) (Woods 2004) to identify fraudulent or illegitimate reasoning practices with a goal of developing a rhetorical “spin detector” that could be used to augment fact-checking techniques.

Developing frameworks, methodologies, and tools that deliver on the promise of detecting spin will be necessary but not sufficient to enable evidence-based journalism that is absent of bias (Entman 2007). We expect that this journey will extend work by others used to analyze reported news and social media to discern fact vs. fiction, detect cognitive bias (Lai et al. 2015; Mishne 2005), and even identify collective intelligence (Kwak et al. 2010).

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