

The Impacts of Generative AI on Australian Politics

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What is the question?

Does generative AI and disinformation pushed by algorithms undermine democratic processes by influencing public perception of political discourse?

Understanding Disinformation

Disinformation has long been part of the political landscape, but generative AI and advanced algorithms add a new dimension, potentially influencing public opinion on an unprecedented scale. While people may still detect disinformation today, rapid advancements in AI mean this will not always be the case, potentially impacting future elections. We propose two immediate, impactful actions for addressing this threat.

First, reforming the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2024 by introducing financial penalties for breaches, imposing injunctions and using citizens' assemblies to provide public information on deepfakes.

Second, implementing a dual approach to media literacy following Denmark's and Finland's models, leveraging the ABC's broad reach to improve the media literacy of the current participants in our democracy, as well as the next generation of Australians. This hybrid approach combines supply and demand solutions, reducing the volume of disinformation disseminated through regulations and teaching citizens how to discern truth from falsehood.¹

Disinformation differs from misinformation, which is false but lacks the intent to deceive. In the context of generative AI, disinformation takes on new dimensions, as this technology can create more convincing text, images, and videos at scale and cheaply, making it easier to deceive large audiences. While current research suggests that people are generally able to detect AI-generated content, experts predict that within five years, the technology will become so sophisticated that it will be almost impossible to distinguish it from reality without specialised tools.

The issue of disinformation is compounded by human psychological tendencies, including cognitive biases such as confirmation bias, where people seek out information that supports their preexisting beliefs.² This is exacerbated by the overwhelming amount of information available online, which can cause mental strain and lead to the uncritical sharing of false information.³ Further, social media algorithms act as an echo chamber, reinforcing beliefs and making it difficult for users to encounter differing viewpoints. These dynamics, coupled

¹ T. Assenza, A. Cardaci, and S. J. Huber, 'Fake News: Susceptibility, Awareness and Solutions' (Working Paper No 1519, April 2024, Toulouse School of Economics) 5 https://www.tse-fr.eu/sites/default/files/TSE/documents/doc/wp/2024/wp_tse_1519.pdf.

² T. Dame Adjin-Tettey, 'Combating Fake News, Disinformation, and Misinformation: Experimental Evidence for Media Literacy Education', *Cogent Arts & Humanities*, 9/1 (2022), 2037229, <https://doi.org/10.1080/23311983.2022.2037229>.

³ F. Zollo, 'Dealing with digital misinformation: a polarised context of narratives and tribes', *EFSA Journal*, 17 (2019), <https://doi.org/10.2903/j.efsa.2019.e170720>.

with the evolving capabilities of generative AI, create a particularly dangerous environment for disinformation to thrive.^{4,5}

Disinformation's Effect on Politics

Although disinformation is widespread, its direct influence on political outcomes remains debated. Evidence shows that disinformation campaigns often reach those who are already firm in their beliefs, reducing their overall effectiveness in changing voter behaviour.⁶ A prime example is Russian interference in the 2016 U.S. Presidential election, where disinformation largely reached Donald Trump supporters who were already likely to vote for him, thereby limiting its potential to swing the election.⁷ While disinformation might not always alter voting patterns, its *perceived* success in undermining democratic processes is a serious concern.

The public and government's perception of disinformation's power can erode trust in elections and democratic institutions. Sensational media headlines and government inquiries into foreign interference and fake news amplify fears, convincing the public that disinformation is pervasive and effective. This fear, in turn, can create a crisis of confidence in the legitimacy of elections and political processes, as seen in Australia with the public's reaction to disinformation campaigns during past elections, such as Labor's 2016 Medicare SMS, and the false Liberal Party 'death tax' ads in 2019 campaign. Politicians who notice this environment of distrust and fear of disinformation could also use it as a campaigning strategy to undermine information they do not like, claiming it to be "disinformation", even if this is not the case.

The Growing Threat of Generative AI and Deepfakes in Australian Politics

Evidence of disinformation campaigns in foreign elections, as well as declining trust in Australia's democracy indicate worrying signs for the upcoming 2025 Federal election. This danger is magnified with the rise of deepfakes, which use AI-generated videos that depict people saying or doing things they never did, posing a significant threat to politics. These technologies can be used to create highly convincing fake videos of politicians, which can be deployed to damage reputations, influence voters, or disrupt election campaigns. A 2020 study showed that 15% of participants believed a deepfake of the former U.S. President Barack Obama, highlighting how dangerous these tools can be.⁸

These concerns are shared by members of parliament, including David Pocock, who recently created a realistic AI-generated deepfake of Anthony Albanese and Peter Dutton to

⁴ C. O'Connor & J.O. Weatherall, 'The Misinformation Age' (2019), <https://doi.org/10.2307/j.ctv8jp0hk>.

⁵ C. Thornhill, Q. Meeus, J. Peperkamp & B. Berendt, 'A Digital Nudge to Counter Confirmation Bias', *Frontiers in Big Data*, 2 (2019), <https://www.frontiersin.org/journals/bigdata/articles/10.3389/fdata.2019.00011>.

⁶ N. Grinberg et al., 'Fake News on Twitter during the 2016 US Presidential Election', *Science*, 363/6425 (2019), 2, <https://doi.org/10.1126/science.aau2706>.

⁷ G. Eady et al., 'Exposure to the Russian Internet Research Agency Foreign Influence Campaign on Twitter in the 2016 US Election and its Relationship to Attitudes and Voting Behavior', *Nature Communications*, 14/62 (2023), 8, <https://doi.org/10.1038/s41467-022-35576-9>.

⁸ M. Appel & F. Prielzel, 'The Detection of Political Deepfakes', *Oxford University Press*, 27/4 (2022), <https://doi.org/10.1093/jcmc/zmac008>.

campaign against the use of this technology during election campaigns⁹. This technology is specifically worrying as both major parties in Australian politics have already engagement in disinformation campaigns. Due to our cognitive biases, fear-mongering advertising leads audiences to overweight negative messages. Such scare campaigns that have proved to be effective will be bolstered by the increasing believability of generative AI.

Considering the sometimes slim margins in Australia's electoral system, the use of generative AI and deep fakes could be particularly damaging in tightly contested lower house seats. Margins in lower house seats can be single digits making campaigns for them vulnerable to convincing disinformation and the use of deepfakes. Deepfakes may not alter who wins the majority of seats in an electoral contest, but they allow for targeted attacks potentially affecting individual electorate outcomes. With early voting periods, politicians have less time to respond to damaging disinformation, leaving campaigns vulnerable to last-minute attacks. With AI and deepfakes, disinformation can now be easier to make and more convincing. This raises the concern of an unresolved problem - what methods can be implemented to decrease the spread of last-minute disinformation? ¹⁰

Government Responses and Regulatory Efforts

Governments around the world, including Australia, are grappling with how to regulate disinformation in the age of AI. Most major tech companies, such as Facebook and Google, currently operate under voluntary codes of practice to manage disinformation. However, these self-regulatory measures often fall short because they rely on the companies' willingness to prioritise public interest over their commercial goals.

Australia's 2024 *Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill* (Bill) marks an important step in overcoming this issue. The Bill will empower the Australian Communications and Media Authority (ACMA) to enforce industry codes and regulate digital platforms more strictly.¹¹ Platforms will be required to address disinformation risks, implement media literacy initiatives, and maintain transparency about how they handle disinformation.¹² However, the enforceability and effectiveness of the Bill in combating disinformation could be vastly improved, as recommended below.

Proposed Solution

The Bill should learn from the strict and comprehensive regulations of the European Union's Digital Services Act (DSA) on digital platforms. While the Bill empowers ACMA to impose mandatory standards if self-regulation fails, Australia should enhance enforcement and deterrence by introducing financial penalties for non-compliance, like those imposed by the DSA.¹³ Since coming into effect in 2022, the European Commission has launched investigations into breaches of the DSA by X (formerly Twitter), Tiktok, AliExpress and

⁹ J. Evans, 'Senator David Pocock Creates AI Deepfakes of Anthony Albanese and Peter Dutton to Call for Ban Ahead of Election' *ABC News* (7 Sep. 2024), <https://www.abc.net.au/news/2024-09-07/david-pocock-creates-ai-deepfake-of-albanese/104323688>.

¹⁰ R, Andrew. 'Disinformation, Deepfakes, and Democracies: The Need for Legislative Reform', *UNSW Law Journal*, 44/3 (2021) <https://doi.org/10.53637/DELS2700>.

¹¹ Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2024 (Cth) s 11 ('The Bill').

¹² The Bill s 17.

¹³ *Digital Services Act 2022* (EU) art 52 ('DSA').

Meta.¹⁴ In July 2024, the Commission released its preliminary findings that X was in breach of the DSA for lack of advertising transparency, misleading authentication features and blocking data access for researchers investigating how malicious content spreads on the platform.¹⁵ If these preliminary findings are confirmed, a penalty of 6% of the total worldwide annual turnover of X will be ordered.¹⁶

The Bill encourages transparency by requiring digital platforms to report on misinformation and disinformation risks and their responses to these risks.¹⁷ However, Australia should adopt the DSA's comprehensive requirements for transparent reporting, covering content moderation policies, algorithms, advertising transparency, and actions taken against disinformation.¹⁸ This will also help in improving the public's trust in information providers.

The Bill does not prevent political parties from lying in their electoral ads. Truth in political advertising laws could be introduced to prohibit fraudulent information from political parties, instil greater trust in government institutions and limit the ability of disinformation to sway elections. While these laws already exist in South Australia and the ACT, the Commonwealth government has committed to introducing some form of truth in political advertising law before the 2025 election in Australia.¹⁹ In lieu of these laws, ongoing injunctions on publications and republications could be placed to prevent the spread of harmful content. However, there are four major critiques of these legislative proposals where it is too narrow-focused. First, there are practical problems concerning what type of complaints can be addressed and the circumvention of legal limitations. Second, the question of which penalties are fair. Third, a limit on political advertising poses a breach of constitutionalised freedom of political communication. Last, questions exist concerning who should be the arbiter of truth and what methods will fairly ascertain the truth.²⁰

Electoral commissions and courts do not want to be responsible for assessing truth in political advertising or determining which information is false and therefore requires an injunction as it may lead to political consequences. Electoral commissions rely on widespread community trust as they do not want to be perceived as biased, especially during a campaign, and may not even be equipped to operate assessments fairly. Furthermore, complaints in court are inappropriate for responding efficiently to the quick spread of disinformation during electoral campaigns as court proceedings can be lengthy. With that said, an ongoing injunction does open the potential for opponents participating in "lawfare" as Professor Emerita Anne Twomey stated, "where each side tries to take down its opponent's advertisements and tie up its finances and attention on dealing with legal proceedings in the midst of an election campaign". A suggested alternative would be to

¹⁴ European Commission, *Commission Sends Preliminary Findings to X for Breach of the Digital Services Act* [press release] (12 July 2024), https://ec.europa.eu/commission/presscorner/detail/en/ip_24_3761.

¹⁵ *ibid.*

¹⁶ *ibid*; DSA art 52.

¹⁷ The Bill s 17.

¹⁸ DSA art 42.

¹⁹ Y, Ng, 'The Government is Looking to Combat Disinformation - But What About Truth in Political Advertising', *The Conversation* (18 Sep. 2024) <https://theconversation.com/the-government-is-looking-to-combat-disinformation-but-what-about-truth-in-political-advertising-239094>.

²⁰ Administration of the 2023 NSW State Election and Other Matters (2024).

introduce the role of randomly selected citizens, in the form of citizens' assemblies, making determinations on disinformation during election campaigns.²¹

The Importance and Limits of Media Literacy

Media literacy is a key strategy in combating disinformation, equipping individuals with the skills to critically evaluate the information they encounter. Programs like *pre-bunking* expose people to manipulation tactics before they encounter falsehoods, helping them recognise disinformation early.^{22, 23} Studies show that media literacy improves critical thinking and reduces susceptibility to false information, especially among younger audiences.^{24, 25} Denmark has become a leader in this area, integrating media literacy into its national curriculum.²⁶ The Danish government has launched initiatives aimed at encouraging critical thinking and media evaluation skills from an early age, including campaigns to prevent foreign disinformation attacks and materials to educate citizens on avoiding false information.²⁷

Assuming disinformation will persist with the growing dangers of generative AI, a fundamental understanding of media literacy within a population is required, as a healthy democracy necessitates the safe engagement of politics through media. Currently, the Australian Media Literacy Alliance of broadcasters, libraries and universities is the largest organisation promoting media literacy, it concludes (alongside the Senate Inquiry into Nationhood, National Identity and Democracy²⁸) that a national media literacy strategy funded by the federal government is necessary to protect the health of Australia's democracy. The AEC's 'Stop and Consider' campaign, which began during the 2022 Federal election, provided basic tools to combat the emotive draw of political advertising that exacerbates existing biases²⁹.

²¹ Administration of the 2023 NSW State Election and Other Matters (2024).

²² C. Arnott, 'In a Year of Global Elections, How Do We Stop the Spread of Misinformation? "Prebunking" is Part of the Solution', *The Conversation* (1 Jul. 2024), <https://theconversation.com/in-a-year-of-global-elections-how-do-we-stop-the-spread-of-misinformation-prebunking-is-part-of-the-solution-233115>.

²³ Australian Electoral Commission, *Submission to Senate Environment and Communications Legislation Committee Inquiry into the Communications Legislation Amendment (Combating Misinformation and Disinformation) Bill 2024 [Provisions]* (2024), available at: <https://www.aec.gov.au/media/files/submissions/Submission-No-4-AEC.pdf>.

²⁴ T. Dame Adjin-Tettey, 'Combating fake news, disinformation, and misinformation: Experimental evidence for media literacy education', *Cogent Arts & Humanities*, 9/1 (2022), 2037229, <https://doi.org/10.1080/23311983.2022.2037229>.

²⁵ J. Henley, 'How Finland starts its fight against fake news in primary schools', *The Guardian* (29 Jan. 2020), <https://www.theguardian.com/world/2020/jan/28/fact-from-fiction-finlands-new-lessons-in-combating-fake-news>.

²⁶ D. Funke & D. Flamini, 'A Guide to Anti-Misinformation Actions Around the World', *Poynter*, (2018), <https://www.poynter.org/ifcn/anti-misinformation-actions/>.

²⁷ European Commission, 'Media literacy and safe use of new media', *YouthWiki*, (23 Nov. 2023), <https://national-policies.eacea.ec.europa.eu/youthwiki/chapters/finland/68-media-literacy-and-safe-use-of-new-media>.

²⁸ Parliament of Australia, *List of Recommendations*, *Aph.gov.au* (2024), available at: https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Nationhood/Report/section?id=committees%2freportsen%2f024372%2f76059.

²⁹ AEC, 'AEC Launches Campaign to Combat Disinformation', *Australian Electoral Commission*, (2022), <https://www.aec.gov.au/media/2022/04-12.htm>.

However, media literacy has its limitations. While it helps individuals recognise misleading content, it does not fully address systemic issues like social media algorithms that prioritise sensational or false content.³⁰

Proposed Solution

While inclusion in the education system will protect Australia's democratic future, its benefits will only be known within the next generation. The growth of generative AI and deepfakes requires immediate action. The Australian Media Literacy Alliance and the Senate Inquiry into Nationhood, National Identity, and Democracy have called for a national media literacy strategy, like Denmark's, to help citizens navigate disinformation. A well-funded approach would equip individuals to become informed consumers of information, protecting democratic institutions from the growing threats of disinformation and generative AI. The Australian Broadcasting Corporation (ABC), as a trusted and accessible national broadcaster, is well-positioned to support these efforts. Leveraging the ABC's broad reach, from ABC Kids TV for children to a strong media presence for young adults, could enable effective dissemination of media literacy skills. Government support, as demonstrated through initiatives like the Communications Legislation Amendment, could strengthen the ABC's role in improving media literacy across age groups.³¹

Similarly, Finland's approach to combating disinformation provides a promising framework that should be replicated in Australia. Finland has an established media literacy program in their education system going back as far as the 1970s, while disinformation campaigns in 2014 saw a reformed strategy that considered the impacts of disinformation more broadly. Alongside education, the training of thousands of civil servants, journalists and teachers in media literacy, as well as NGO-supported one-on-one training for seniors, made for a campaign that targeted demographics currently participating in democracy³².

With the uncertain future of generative AI, ensuring students have access to media literacy training and continued support as they become participants in Australia's democracy is highly important. This requires easy and straightforward access to resources and materials that assist media literacy skills for all demographics, especially those most vulnerable to disinformation. By learning from Denmark and Finland's proactive stance, Australia can strengthen its media literacy efforts and better safeguard its democracy.

Bottom Line

Generative AI is changing the scope of disinformation in the context of political discourse. Deepfakes are becoming more believable while algorithms continually exploit pre-existing human biases. Although there is no direct link to a change in voter outcomes, greater distrust of political media, informed by the fear of potential disinformation, indirectly affects voters. To address this, putting forth a regulatory framework that protects individual rights to freedom of political communication but limits destructive disinformation campaigns is the

³⁰ M. Bulger & P. Davison, 'The Promises, Challenges, and Futures of Media Literacy', *Journal of Media Literacy Education*, 10/1 (2018), <https://doi.org/10.23860/jmle-2018-10-1-1>.

³¹ Australian Broadcasting Corporation (ABC), *Submission on Options to Support the Independence of the ABC* (2023), <https://www.infrastructure.gov.au/sites/default/files/documents/nbi-australian-broadcasting-corporation.pdf>.

³² J. Henley, 'How Finland starts its fight against fake news in primary schools', *The Guardian* (29 Jan. 2020), <https://www.theguardian.com/world/2020/jan/28/fact-from-fiction-finlands-new-lessons-in-combating-fake-news>.

first step. In combination with an improved approach to media literacy, Australia can improve its response to disinformation and begin future-proofing against generative AI.