

Fake News as a Method of Warfare

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Abstract

The use of fake news in warfare is not new, but its impact has grown significantly in the digital age due to unregulated social media platforms. This article highlights how fake news, particularly in conflicts, has evolved through advanced tools like artificial intelligence to create false narratives. For instance, in Sep 2024, misinformation campaigns used doctored videos to falsely implicate the Israeli Defence Forces, illustrating the destructive power of disinformation. In conflicts such as those between Russia and Ukraine, and Israel and Hamas, fake news has included inflated body counts and mislabelled photographs, fostering mistrust and influencing public opinion. Disinformation, once a tactical warfare tool, now threatens stability by misdirecting civilians and exacerbating conflicts. While International Humanitarian Law allows certain disinformation as a 'Ruse of war', the unchecked spread of fake news via platforms like Facebook, YouTube, and WhatsApp raises significant concerns. In India, adversaries have leveraged these platforms

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to spread anti-government propaganda, prompting the Ministry of Information and Broadcasting to block several channels spreading fake news. This article concludes that combating disinformation requires regulating content, promoting digital literacy, enhancing public awareness, and investing in fact-checking mechanisms. Proactive international collaboration is vital to counter its weaponisation and safeguard public trust.

Introduction

In Sep 2024, it was reported that pagers belonging to members of Hezbollah were simultaneously detonated. The next day, walkie-talkies all over Lebanon began exploding. These explosions killed at least 26 people and wounded thousands of others. Hezbollah accused Israel of these blasts.¹ The next day, a video with the logo of the American news channel Cable News Network (CNN) featuring journalist Jake Tapper hosting a show was shared on social media platforms. In the clip, the host spoke about the recent pager attack in Lebanon and mentioned that after using pagers and walkie-talkies, another attack took place where the rectum of goats exploded, killing an additional 1,800 people, injuring thousands of others as well as killing countless goats. Lastly, the anchor added, "People for the Ethical Treatment of Animals has just issued a statement denouncing the actions of the Israeli Defence Forces (IDF) for the senseless killing of all those goats". On fact-checking, it revealed that the voice of the anchor in the video has been manipulated using Artificial Intelligence (AI) tools. The reporter's real name is Danny Polishchuk, a Toronto-based comedian and actor, and the video was created in a satirical take on the situation in Lebanon.

Information empowers. Therefore, its two incarnations, misinformation and disinformation², are potent. Misinformation and disinformation have become unique features of the 'Information' or 'Digital' age. They refer to a range of ways in which sharing information causes harm, including as a method of warfare. Disinformation is weaponised, but unlike kinetic weapons that indiscriminately devastate every entity within its 'Mean effectiveness area', the impact of disinformation is based on perceived, notional or actual power wielded by the receiver and is time-critical. In

2002, the-then United States (US) President George W Bush and a few top government officials made fake allegations that the Iraqi Government was preparing Weapons of Mass Destruction (WMD) — nuclear, biological, or chemical weapons. As a result of this false campaign, a multinational US-led coalition invaded Iraq on 19 Mar 2003, without any mandate from the United Nations. Within weeks, the US achieved the primary objective of Operation Iraqi Freedom, as the military operation was called, ousting the regime of Saddam Hussein.³ In reality, there was no threat of WMD because they did not exist. When the war in Iraq ended in 2011 with the-then US president Barack Obama declaring the withdrawal of troops, a deeply traumatised country was left behind with a bankrupt economy.⁴ Since the 2003 invasion, Iraqis have been subjected to genocide, terrorism, poverty, and the displacement of millions of people; and the killing continues to this day.

The current traction of disinformation is due to fast and nearly unchecked communication flow. Everyone with a smartphone and internet connection can ‘Create’ news and, without any verification tools, the masses can fall prey to it. Mass communication, which was broadly based on government-controlled broadcast and telecast, and independent publishing houses in the last century, has now shifted into the hands of common people. Based on the intentions, news is being ‘Created’ by all entities and, of late, smart tools like AI have come into play.⁵

Mis/Disinformation in Armed Conflict

Disinformation: A Timeless Weapon in Warfare. The use of mis/disinformation as a military tactic is not a modern concept. Sun Tzu maintained that all warfare is based on deception. In the last century, Mao Zedong’s assertion that the Chinese Communist Party “Can only defeat the enemy by holding propaganda leaflets in the left hand and bullets in the right”⁶, makes the role of disinformation clear. Fake news or rumours of tallow and lard-greased cartridges played an important role in the Sepoy Mutiny of 1857 in India. Many sepoys believed that the cartridges issued with the new rifle were greased with lard (pork fat), regarded as unclean by Muslim sepoys, and tallow (cow fat), which angered the Hindu sepoys, as cow is considered a manifestation of a goddess to them. The Mahabharata, an ancient Indian epic, also

contains the story of Ashwathama's death resulting from the use of disinformation as under:

- During the war, Dronacharya was plundering through the Pandava troops, wreaking havoc, and was needed to be stopped. However, he was a formidable warrior, and his only weakness was his affection for his son, Ashwathama.
- Krishna, therefore, told Yudhisthira to lie and tell Dronacharya that his son, Ashwathama, is dead. Yudhisthira, who was widely renowned for never telling a lie, of course, refused. However, Krishna explained that this was a war that must be won and, therefore, lying about Ashwathama was the right thing to do in the larger context.
- As Yudhisthira ponders this, Bhima killed an elephant named Ashwathama and roared, "Ashwathama is dead"!
- Dronacharya approached Yudhisthira and asked him, "Is Ashwathama dead"?
- Yudhisthira replied, "Yes, Ashwathama is dead". He paused and added, "*Ashwathama hathaha iti narova kunjaro*va (Ashwathama is dead, but I do not know whether it is a man or an elephant)". His last words, deliberately ambiguous, were lost in the noise of war.
- Dronacharya, trusting that Yudhisthira could never lie, believed that his son was dead. Heartbroken, he bowed his head in grief and was eventually killed, changing the tide of the war.

Disinformation in Modern Conflicts: A Weapon of Influence.

Since the beginning of the Russia-Ukraine war, false and misleading information has been spread on social platforms by many media outlets. Even though Romania is not directly involved in the war between Ukraine and Russia, its people have dedicated themselves to helping refugees, especially through voluntary action. According to official border police figures, by the beginning of Dec 2022, over 98,000 Ukrainians had crossed the border into Romania. However, even among Romanians, an increasing amount of information has been circulating via social media, causing a certain degree of hysteria, anxiety, and uncertainty about the future.⁷ The 2023 Israel-Hamas conflict, which began in early Oct 2023, saw

various instances of fake news spreading worldwide. Hamas's use of disinformation was engineered by well-trained individuals exploiting vulnerabilities in social media and communication channels, including doctoring videos and flooding social media with thousands of fake pro-Hamas bots. Hamas used psychological and information warfare to supplement its kinetic warfare, aiming to weaken Israel both militarily and in the court of public opinion while subverting its international legitimacy and damaging Israeli morale and confidence.⁸

Attack on Al-Ahli Hospital. On 17 Oct 2023, a blast struck Al-Ahli Hospital in Gaza, killing more than 500 civilians. Immediately, Palestinian authorities blamed Israel for the attack. Public opinion in the Arab world largely sided with the Palestinians, condemning Israel for committing war crimes. However, the Israeli government firmly denied any involvement with the bombing, claiming that, for unknown reasons, Hamas struck its own hospital. According to the IDF's analysis of footage, the crater created by the blast was too small to be caused by Israeli weapons. Moreover, the IDF released a conversation, presumably between two Hamas militants, in which they appeared to acknowledge striking Al-Ahli Hospital.⁹

Kharkiv, Ukraine. In early Apr 2024, some residents of Kharkiv received a series of chilling text messages from government officials telling them to flee the city before the Russian forces surrounded it. One alert stated, "Due to the threat of enemy encirclement, we urge the civilian population of Kharkiv to leave the city by 22 Apr". This alert bore the logo of the State Emergencies Service of Ukraine and mapped out safe escape routes on a slick infographic. However, it was fake. A Ukrainian security official stated that the Russians frequently sent large numbers of text messages from devices (Leer-3 systems) attached to Orlan-10 long-range reconnaissance drone which can penetrate dozens of kilometres into Ukrainian airspace. The devices imitate cellular base stations to which phones automatically connect in search of coverage.¹⁰

Fake News: A Weapon of Conflict. During 'Grey-zone Conflict' or 'Armed Conflict', fake news can lead to death, injury, imprisonment, discrimination, or displacement. It can directly or indirectly fuel vicious cycles of violence. Propaganda, misinformation, and fake news have the potential to polarise public opinion, promote violent extremism and hate speech, and ultimately

undermine democracies and erode trust in democratic processes. According to Claudia (2012), the dissemination of false and misleading information has been enabled by two main factors: The complexity of assessing the truthfulness of facts during war, and media outlets are often inclined to lower the bar of the fact-checking process to deliver information as quickly as possible.¹¹

The Viral Threat of Mis/Disinformation. Although the phenomena of mis/disinformation are not new, they have recently gained significance recently with the widespread availability of sophisticated digital media. Today, the Internet is the primary vehicle for spreading messages to the masses. The sharing of text, images, videos, or links online, for example, allows information to go viral within hours. Once 'Such' information is believed by the receiver, it is difficult to undo for two reasons: first, people persuaded by false information very rarely encounter the truth themselves; and second, even if they later encounter the truth, they are reluctant to adjust their beliefs.¹²

Impact during Armed Conflict

Disinformation can have a devastating impact during armed conflicts. Unreliable information can prevent people from accessing safe places, causing them to withdraw from certain areas through dangerous passages or hindering access to essential services or humanitarian assistance. These are as follows:

- **Humanitarian Consequences on the Population.** Such information can harm people's physical, psychological, economic, and social well-being. People may be misdirected away from life-saving information or lead them to make decisions that cause physical harm. They may become targets of violence, harassment, or intimidation.
- **Developing Hatred and Violence.** Fake news can fuel hatred and unrest, encouraging violence. During armed conflict, it may undermine people's protection and any opportunity for conflict resolution.
- **Violation of International Humanitarian Law (IHL).** The dissemination of false/harmful information may influence the behaviour of combatants or arms bearers, leading to avoidable violence against adversaries, thus, violating IHL.

- **Undermining Trust Toward Humanitarian Organisations.** The spread of false and manipulated information about humanitarian organisations erodes people's trust in their activities, including their neutrality and independence. This damages their reputation and hinders relief operations. IHL prohibits inciting violence against humanitarian organisations and their personnel.

International Law and Fake Information

International law does not prohibit states from spreading misinformation or disinformation. IHL permits acts to confuse or mislead an enemy as a 'Ruse of war', provided these actions comply, as far as these actions comply with other applicable rules of international law.¹³ Belligerents have long exploited the military value of disinformation as ruses of war to deceive their enemies. Ruses of war are methods, resources, and techniques that can be used to convey false information or deny information to opposing forces. They can include physical, technical, or administrative means, such as electronic warfare measures, false intelligence information, utilisation of enemy codes, passwords, and countersigns, and the transmission of false or misleading radio or telephone messages, among other methods. However, clandestine or treacherous attempts to injure the enemy are prohibited under IHL. It is explicitly prohibited to kill, injure, or capture an adversary by resorting to perfidy.¹⁴

According to the International Committee of the Red Cross, 'Circulating misleading messages' is a form of ruse.¹⁵ Several national military manuals endorse the use of 'Misinformation', 'Disinformation', 'False Information', 'Psychological Operations' or 'Bogus dispatches and newspapers'.¹⁶ The Tallinn Manual on the International Law Applicable to Cyber Warfare also provides examples of acceptable ruses including 'Psychological warfare activities' such as 'Dropping leaflets or making propaganda broadcasts'.¹⁷

The United Nations General Assembly Resolution 36/103 states that states must abstain from any defamatory campaigns, vilification or hostile propaganda aimed at intervening or interfering in the internal affairs of others. It prohibits states from exploiting and distorting human rights issues as a means of interference in the internal affairs of states, exerting pressure on other States or

creating distrust and disorder within and among states or groups of states.¹⁸

According to Katz (2021), disinformation in armed conflict may cause serious harm to civilians, including severe mental suffering. Modern disinformation operations disproportionately target civilian populations and circulate at unprecedented speeds and scales and cannot be considered as a ruse of war. The concept of 'Ruse' is the practice of an era when deception was supposed to yield tactical gains without harming the civilians.¹⁹

Action by the States

Mis/disinformation can affect a broad range of human rights and increase tensions during an armed conflict or public emergencies. Instead of imposing restrictions, states must promote and protect free and independent media and access to information. Doing so will build trust in public institutions and governance. States should also undertake digital and media literacy programmes to enable more resilient and meaningful participation online. In Europe, Stopfake.org was launched in 2014 to combat fake news spreading across the internet during Ukraine's crisis in Crimea. This site checks facts, verifies information, and refutes inaccurate reports and propaganda about events in Crimea. In Qatar, 'Lift the Blockade' is a government website set up in Sep 2017 to counter what Qatar regards as fake news distributed by geopolitical rivals to justify the imposition of economic sanctions amid the Gulf crisis. Several states have taken regulatory measures to combat misinformation and disinformation on the grounds of protecting national security, public order, public health, or morals. Additionally, many states have established government fact-checking departments.²⁰

In India, Facebook, YouTube, and WhatsApp are particularly vulnerable to fake news. There is no specific law against fake news in India.²¹ Free publication of news flows from Article 19 of the Constitution guaranteeing freedom of speech.²² The Indian police, over the last few years, have opened investigations against numerous individuals for allegedly spreading misinformation and fake news. Spreading fake news and mis/disinformation is considered a crime under the Bharat Nyaya Sanhita, 2023, the Disaster Management Act, 2005, and the Information Technology Act, 2000. The Press Information Bureau (PIB) Fact Check Unit in India takes up queries related to the Government of India, its

ministries, departments, and public sector entities. Any matter that does not pertain to the Union Government is not taken up for evaluation/fact-checking by the PIB Unit.

Conclusion

Information empowers, and its two incarnations, misinformation and disinformation, are potent and often weaponised. Fake news refers to the intentional release of fabricated information designed to mislead its audience. In today's digital age, unregulated social media platforms have facilitated the widespread dissemination of fake news. In India, prominent social media platforms are Facebook, Instagram, Twitter, YouTube, and WhatsApp. The country's adversaries use these platforms to spread false news and misleading reports against it. Such content is generally created with malicious intent to cause harm by both state and non-state actors. It can be used to damage the reputations and integrity of individuals and organisations and is often employed as a means of swaying public opinion. The impact of social media platforms on the prevalence of fake news during conflicts, such as the Russia–Ukraine war and the Israeli-Hamas/Hezbollah war, has raised serious concerns. For the armed forces, the best strategy to counter fake news will be to create a 'Digital Army' to combat mis/disinformation on social media networks.

Endnotes

¹ Jonathan Yerushalmy and Dan Milmo, "Hezbollah device blasts: how did pagers and walkie-talkies explode and what do we know about the attacks"? *The Guardian*, 18 Sep 2024, <https://www.theguardian.com/world/2024/sep/18/hezbollah-pagers-what-do-we-know-about-how-the-attack-happened>

² The terms, "disinformation" and "misinformation" both refer to false information but are separated by an element of intentionality in the former: disinformation is "deliberately misleading or biased". "Fake news" is often a form of disinformation or misinformation, though has not been defined correctly. Other related concepts, such as "propaganda", "psychological operations", "influence operations", "information operations", "information warfare" and "cognitive warfare", may also feature some combination of disinformation, misinformation, misleading information and accurate information. Katz Elan, *Liar's War: Protecting civilians from disinformation during armed conflict*, *International Review of the Red Cross*, Vol. 102, No. 914, 2020, pp. 659-682.

³ In the year 2002, US President Bush and senior members of his administration outlined the dangers that they claimed Iraq posed to the US and its allies. Two of the administration's arguments proved especially powerful, given the public's mood: first, that Hussein's regime possessed "weapons of mass destruction;" and second, that it supported terrorism and had close ties to terrorist groups, including al-Qaida, which had attacked the US on 9/11. Several investigations by independent and governmental commissions subsequently found there was no factual basis for either of these assertions. Carroll Doherty and Jocelyn Kiley, *A Look Back at How Fear and False Beliefs Bolstered US Public Support for War in Iraq*, Pew Research Centre, 14 Mar, 2023.

⁴ Lily Hamourtziadou, "Iraq 20 years on: death came from the skies on March 19 2003 – and the killing continues to this day", *The Conversation*, 17 Mar 2023, <https://theconversation.com/iraq-20-years-on-death-came-from-the-skies-on-march-19-2003-and-the-killing-continues-to-this-day-201988>.

⁵ Nathan Beauchamp-Mustafaga, et al, "Dr. Li Bicheng, or How China Learned to Stop Worrying and Love Social Media Manipulation", *Rand Publications*, 01 Oct 2024, accessed 03 Oct 2024, https://www.rand.org/pubs/research_reports/RRA2679-1.html.

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⁷ Mona Vintila, et.al., "Fake news during the war in Ukraine: coping strategies and fear of war in the general population of Romania and in aid workers", *Frontiers in Psychology*, May 2023, p. 10.

⁸ Jacob Olidort, "The Other Front of Israel's War: Disinformation Operations by Hamas and Its Supporters", *The Jewish Institute for National Security of America*, 19 Oct, 2023.

⁹ Brown, P. Et al., (2023), "Gaza Hospital; what video, pictures and other evidence tell us about the Al-Ahli hospital blast", *BBC*, <https://www.bbc.com/news/world-middle-east-67144061>

¹⁰ Max Hunder, "Russia vs Ukraine: the biggest war of the fake news era", *Reuters*, 01 Aug, 2024, <https://www.reuters.com/world/europe/russia-vs-ukraine-biggest-war-fake-news-era-2024-07-31/>.

¹¹ Padovani Claudia, et.al., "Italy: A highly regulated system in search of equality", *The Media for Democracy Monitor* 2021, pp. 315–386.

¹² Chema Suarez-Serrano, "The Limits of Fake News as Methods of Warfare", in Pablo Antonio Fernandez-Sanchez (ed.), 2022, *The*

Limitations of the Law of Armed Conflicts: New Means and Methods of Warfare, The Netherlands: Brill, pp. 231-253.

¹³ Article 37(2) of the 1977 Additional Protocol I explicitly permits “ruses of war” – “acts which are intended to mislead an adversary or induce him to act recklessly but which infringe no rule of international law applicable in armed conflict and which are not perfidious.”

¹⁴ Rule 57, Jean-Marie Henckaerts and Louise Doswald-Beck (eds.), 2005, *Customary International Humanitarian Law*, Vol. 1, Rules, Cambridge University Press/ International Committee of the Red Cross.

¹⁵ Jean-Marie Henckaerts and Louise Doswald-Beck (eds), 2005, *Customary International Humanitarian Law*, Vol. 2: Practice, Cambridge: Cambridge University Press.

¹⁶ For instance, the US Law of War Manual provides, “Ruses of war are considered permissible. In general, a belligerent may resort to those measures for mystifying or misleading the enemy against which the enemy ought to take measures to protect itself. Ruses of war are methods, resources, and techniques that can be used either to convey false information or deny information to opposing forces”, *Department of Defence—Law of War Manual*, Office of the Counsel, US Department of Defence, Jun 2015 (updated Jul 2023), pp. 334-335.

¹⁷ Tallinn Manual on the International Law Applicable to Cyber Warfare, 2013, *Cambridge University Press*, Cambridge, Rule 61, para. 2; Rule 31, para. 5.

¹⁸ Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States, GA Res 36/103, UN Doc A/RES/36/103, 09 Dec 1981.

¹⁹ The gravity of these harms, along with the modern nature of wartime disinformation, is out of keeping with the traditional classification of disinformation in IHL as a permissible ruse of war. Elan Katz, Liar’s war: Protecting civilians from disinformation during armed conflict, *International Review of the Red Cross*, Vol. 102, No. 914, 2020, pp. 659-682.

²⁰ Strongwater Ali, Combating Disinformation Through International Law, *International Law and Politics*, Vol. 55, 2023, pp. 33-41.

²¹ In India, the government recently passed a policy that bans members of the military from using social networking platforms like Facebook, Instagram, Twitter etc. Further, the government ordered the military members to delete their social media accounts. Delhi High Court in the case of *Lt Col Pk Choudhary v. Union of India* (decided on 05 Aug 2020) held, “.... if the government, after complete assessment, has concluded that permitting the use of certain social networking websites by personnel

of its defence forces is enabling the enemy countries to gain an edge, the Courts would be loath to interfere”.

²² On 02 Apr 2018, the Indian Government amended the ‘Guidelines for Accreditation of Journalists’, to tackle fake news across media by providing for cancellation of accreditation of journalists even before the completion of the proposed 15-day inquiry. It was withdrawn in 15 hours after protests by the media.