**The Unknowing Third Party Candidate: Artificial Intelligence**

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*The* *New York Times* published an article that presented differentiating sentiments from high school students surrounding Chat GPT, an artificial intelligence platform. Chat GPT is a free platform which increases accessibility for Americans who cannot access paid news sources. Some students endorsed the tool and said, “ChatGPT is certainly not the end of the world, nor the eradication of writing as a whole” while other students criticized Chat GPT as they said, “...Chat GPTwould rob them of their motivation, creativity and critical thinking.”[[1]](#footnote-1) These arguments represent the dichotomy of opinions surrounding a societal push towards artificial intelligence (also referred to as AI). On the surface Chat GPT appears to be a revolutionary and equitable tool; however, upon further analysis it is evident that Chat GPT is a threat towards completely misinforming vulnerable Americans. Utilizing Supreme Court cases and understanding the evolution of American access to information, this essay will explore how misinformation can obstruct elections and ultimately threaten American democracy.

James Madison was one of the key architects of the Constitution and proponent for the spread of knowledge to establish a vibrant democracy. To understand how misinformation is toxic to American democracy, it is important to understand media and information literacy. Now Madison once said, “And a people who mean to be their own Governors, must arm themselves with the power which knowledge gives. In a similar vein, he asserted that the advancement and diffusion of knowledge is the only Guardian of true liberty.”[[2]](#footnote-2) Madison’s point is that for a democracy to thrive, citizens need to have the information whether that be for social, political, or economic politics. The bottom line is that misinformed individuals will lead to misinformed choices at the polls. That is why there are specific rules and legislation surrounding defamation and libel within newspapers because of the sole reason that misinformation can be toxic for America as a whole. Now Madison and the founding fathers could not have predicted the advancement in technology like voice cloning and Chat GPT, but the value surrounding an informed citizenry still holds true.

Going forward, it is important to remember Madison’s plea to Americans to use information as the most important tool towards protecting individual liberties. The problem with AI and platforms like Chat GPT is that they are notorious for pushing false information. If an individual were to ask a question into one of these platforms, a response will always be generated; however, the integrity and truth value of these responses are not consistent. In fact, the CEO of NewsGuard said, “Crafting a new false narrative can now be done at dramatic scale, and much more frequently — it’s like having A.I. agents contributing to disinformation.”[[3]](#footnote-3) The main flaw is that incorrect information will always be generated utilizing artificial intelligence and has the probability to target Americans of all ages. This concept of misinforming American citizens is particularly salient to elections.

Elections have consequences and if citizens are not provided with sufficient and factually correct resources these consequences will permeate for decades to come. In recent years, social media intake has increased immensely and is a common platform for campaigns to reach average Americans. President Franklin Roosevelt (FDR) had fireside chats as his mechanism for a bully pulpit and it only makes sense that campaigns on both sides utilize social media to increase awareness. The problem is that artificial intelligence can produce voice cloning or recorded videos that the campaign never meant to make. For example, AI could create a video of Joe Biden saying irrational slogans or any lines the creator wished to be said. Now, this video could be posted and viewed by millions of individuals without those individuals necessarily understanding the satire or intent behind the video. Perhaps a platform like Instagram might take it down, but it could spread to other platforms in an expedient manner and be impossible to prevent from viewing. This is highly problematic because not only are there webpages espousing incorrect information; technology is being weaponized to completely manipulate elections. These videos and web pages are not necessarily obvious, but are rather camouflaged, showing the real threat to creating an entirely misinformed population.

Artificial intelligence also gives certain groups with immense power and money access to these platforms creating an inequitable situation. While accessing Chat GPT and seeing a cloned video pop up on social media may be free, the creation of such ideas requires money and resources. CNN was able to estimate that 30 percent of all ads are through digital media platforms.[[4]](#footnote-4) This statistic is incredibly important because this illustrates and important reality, that those with money have the ability to produce media for elections that can skew American policy choices. No matter what side of the political spectrum Americans are on, it can be agreed upon that election spending has really increased to a gross level surpassing billions of dollars. The bottom line is that individuals of specific interest groups can use funds to utilize artificial intelligence platforms and ultimately hijack elections. For example, the National Rifle Association (NRA) could donate large sums of money towards Chat GPT platforms and ultimately have information lean towards supporting Second Amendment rights, in lieu of the reality of gun violence in America. This is a tricky situation in that it is incredibly difficult to track these interactions with interest groups because of how anonymous and sophisticated these platforms have been programmed. In a post *Citizens United* *v. FEC* world, campaign funding has increased tremendously, and AI will just be a mechanism for large corporations and interest groups to push their values in a way that is inequitable compared to the average American.

In addition, the Supreme Court prescribed its advice concerning how AI will affect democracy within the judicial branch. Oral arguments were presented to the justices in *Relentless v. Department of Commerce*  on January 17, 2024. This case dealt with the extent agencies can interpret their authority through the incorporation of the *Chevron* doctrine. The legal precedent at hand would affect whether agencies had as much power during the legislation process in Congress. The reason this case is being cited is that Justice Elena Kegan discussed the hypothetical situation about AI and its role in an agency’s authority. Chief Justice Roberts even said, “obviously has great potential to dramatically increase access to key information for lawyers and non-lawyers alike…. just as obviously it risks invading privacy interests and dehumanizing the law.”[[5]](#footnote-5) The issue the justices brought up that even politicians and individuals within the bureaucracy could succumb to the plague of misinformation that artificial intelligence offers. It is naive to believe that only American citizens will be the victim of distorted political messaging when in fact politicians also can access improper information for policy decisions. Now not only is there a flaw within the access of information, but there is also the real danger of politicians falling into the trap of distorted political information.

A common misconception is that artificial intelligence only affects those in vulnerable positions, but there have been multiple situations in which highly educated individuals have been the victim of artificial intelligence. In fact, in June of 2023, two New York attorneys were sanctioned by a U.S. judge for their use of Chat GPT when they cited case law. As indicated in the article, “The judge also said that the lawyers continued to stand by the fake opinions after the court and the airline questioned whether they existed.”[[6]](#footnote-6) The dangerous aspect of this case is that the attorneys continued to argue for real life clients with case law that never existed. These two individuals were experienced attorneys as well showing that no one is safe from the manipulation that AI offers when it comes to information. This example furthers the concerns the justices had in that all sectors of the democratic process can be obstructed and manipulated. If information is consolidated and centralized through AI, this completely obstructs the ability to have an effective judicial system, a core aspect of democracy.

Although AI does have the potential to obstruct elections, the judicial process, and democratic information accessibility, there are potential precautions that could be taken to remedy the situation. To start, education surrounding AI is an essential starting point. In my experience as a student, professors who have permitted me to use AI as a resource to learn, but not as a platform to cite information, have been incredibly helpful. It allowed me to explore these platforms and to understand the weight of the material. In most situations, telling people to completely ignore an idea or concept is very harmful and just leads to a larger gap between fact and fiction. Secondly, when it comes to educating individuals there really needs to be a greater emphasis on not relying on news from social media. Considering the realities of cloning and Google voice videos, there is even more misinformation within these quick clips that appear on Instagram or Tik Tok. The danger in social media is that clips are only for ten seconds, and this is harmful towards the average voter. There needs to be a cautionary message about artificial intelligence, but that goes without saying that there needs to be caution exerted towards using social media to access news stories. Lastly, there needs to be more regulatory activity from a legislative perspective when it comes to interest groups using AI to spread their messages. There is regulation when it comes to newspapers and even social media. Officials are currently debating a potential Tik Tok ban; however, because AI is so new these regulations have not been made at this time. However, it is important for government leaders to establish guidelines in order to maintain election and policy integrity in light of recent technological innovations.

In summation, it is important to understand how the distortion of truth by AI platforms remains a threat to elections, the policy process, and the judicial process, all of which are core tenets of the democratic process. Circling back to James Madison, to protect the democratic process already established, precautions need to be taken before platforms like Chat GPT completely uproot and undermine the election and policy process.

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