

Social Media and Information Integrity in Elections in Nepal

Yuba Raj Guragain
Election Commission of Nepal

ABSTRACT

This paper intends to explore how elections are being influenced through social media and what managerial measures have been adopted to promote information integrity in the electoral context of Nepal. This paper found that the political parties along with candidates and the Election Commission of Nepal enhanced the use of social media for disseminating electoral information in the elections. Moreover, besides the informational aspect of the social media in elections such as discussions, deliberations as well as concerns over disinformation and misinformation in elections, the aspects of emotional appeal and response are also found dominant. In this context, for promoting information integrity and deterring information pollution in elections, the Election Commission of Nepal as an independent election management body is found to have used a 3-P strategic model composed of promotional, preventive and punitive approaches with having a focus on informational aspect of social media in elections. However, depending on the deep-rooted social and cultural values, prevalent information culture, information behavior, globalized information environment as well as subject to the level of individual educational status and media literacy in the populace, myriad challenges including informational and emotional deceptions tend to appear in elections in Nepal.

Keywords: Social Media, Elections, Information, Informational Deception, and Emotional Deception

A. BACKGROUND

According to the report of the National Population and Housing Census 2021 of Nepal, 61.96 percent of the population is within the age group of 15-59. It is the youth population who are generally believed to be friendly to social media. Similarly, the report also indicates that 66.17 percent of the population lives in the urban municipalities and that means the population tends to have easier access to internet than those who live in rural municipalities. Moreover, in relation to the literacy, the report mentions that overall literacy is 76.2 percent while that of the female is 69.4 percent and among the literate ones, the largest proportion of the population, 28.7 percent, has completed only the primary level. Thus, even if media awareness is something different from general level of literacy, the given statical scenario, especially relating to the largest portion of elementary education holders, is likely to draw attention in relation to their use of social media.

Regarding the access of internet across the country, the economic survey report of 2007-2008 writes that the number of internet users reached almost three hundred thousand just before the report date while the report of 2021-2022 (economic survey, 2021-2022: 102) writes that the number of internet users including mobile data reached to 36 million and this swift increase was because of COVID-19 when most of the services were delivered online. This certainly indicates the development of online and internet culture including the culture of using social media in the country in later years.

Social media, by its own name, is a media for society or in other words, a medium for the flow of information for social networking. As it is just a medium, it neither suggests good or bad nor facts or fiction. Similarly, elections are the political decision-making processes by the society. The most significant process of the elections is the voting itself and, in this context, Lau and Redlawsk (2006: 17) highlight the significance of information in the voting with stating that “voting is about information and thus, understanding how people acquire and use information in making vote decision is crucial”. Thus, in principle, the relation between election and social media come closer due to information.

Regarding the use of social media in Nepal, Aryal (2023: 67) writes, “social media are the major source of disinformation” and Koirala (2023: 50) states that disinformation, misinformation and fake news are dangerous, they have threats “to sway elections, frame policy discussions and incite violence” while with reference to a research findings of a non-profit organization, Gurung (2023: 39) writes, “About 95.5 percent of the internet users encounter false information primarily disseminated through social media platforms such as YouTube, Facebook and Twitter”. All these instances and assertions indicate a significant role of social media for manipulating information in Nepal and therefore, how the situation is being managed to promote informational integrity in social media in the context of elections happens to be one of the questions that this paper intends to explore.

A user of social media is an individual who is the product of concerned society. Thus, information culture of an individual is also related to the social and cultural configurations. About Nepalese society, Bista (1991) writes that the society is more affected by fatalism, dependency and chakari or sycophancy and these syndromes have constrained the competency in the people. Thus, this aspect also has to be explored in relation to the use of social media in elections in the Nepalese context.

B. ANALYTICAL FRAMEWORK

Social Media and Elections

Elections are the basic components for electoral democracy while elections are themselves affected by the information through social media. Then, the use of social media in elections is also related to democracy. In this regard, Bimber (2003: 6), with reference to Robert Dahl, writes that “democracy is threatened more by inequalities associated with information and knowledge than by inequalities in wealth or economic position”. In this sense, in the ages of internet and digital space, such inequality tends to be related to the physical access such as online and offline worlds, malpractices within the online world such as misinformation and disinformation or in the skills and abilities of the social media users.

Similarly, Hinck, Cooley, and Kluver (2020) see the global influence of information in democracy and elections through constructed reality with different sorts of strategic and tactical narratives. The strategic narratives are directed to infrastructures and the tactical ones are contextual and short-term. Along with this view, elections and its management cannot be considered as a domestic affair but international as well. Moreover, Cosentino (2020: 2) with reference to Baron Cohen, writes that “democracy which depends on shared truth, is in retreat and autocracy which depends on shared lies, is on the march”. These indicate the influence of social media in democracy and elections not only in terms of international influence but also in emotional aspects.

In relation to the influence of social media in elections, among others at the macro level, two lines of thoughts are seen – cognitive or information focused and emotion focused. Those who focus on informational part assesses its roles for the enhancing transparency, accountability, discussions, deliberations and providing opportunity to reach to the unreached and hear the hitherto unheard ones in order to deepen and broaden the democratic system. Mossberger and Tolbert (2010: 201) write that the interactivity aspect, which is different from the features of traditional media, tends to promote electoral participation by “*making information gathering, discussion, communication and mobilization easier*”. They also tend to shade lights in the possibility of information manipulation and information pollution. On the other side, some others such as Cosentino (2020) see the social media as a means of emotional expressions appealing to anger and fear endangering the trust in society and institutions. At this point, wherever the social media user is, such as in a national territory or in an international set up, these two aspects certainly imply for the influence on the voters for their rational or emotional decision making in elections and on the inter-party or inter-candidate rational or emotional competition.

The perspective of information ecology as forwarded by Davenport (1997) seems to be dynamic to capture different aspects of information in elections such as information environment, information strategy, information politics, information culture and information behavior. This framework tends to facilitate to design thinking in relation to the dynamics of social media in the area of information management. With this reference, it is not simply the multiplication of the information staff that the social media has rendered but factors such as the likelihood of the society that how easily people tend to trust the online information along with for what and to whom, the political parties and the candidates target the information are also to be considered.

Social Media, Information, and Decision Making in Elections

Lau and Redlawsk (2006) discuss on the four models from rational through early socialization and fast and frugal to intuitive ones. In the rational choice model, voters actively seek information, develop alternatives, analyze consequences, and make decisions while in the early socialization and cognitive consistency model, information is passively gathered or voters are exposed to information.

From a broader sense, information through social media matters in elections not only for decision making by the voters but also for the participation and overall power structure. Such as Prior (2007) writes that the use of media in campaigning itself affects if the voters are stimulated to participate in the election or not, this further effects on who to vote and how to through the consumption of information by the voters. Moreover, the writer also argues that the influence of the choice of media on the floating and marginal voters is one thing but its effects, such as in the cases of new media, on the elimination of the elite based dissemination of messages, information and news, further influences the distribution of power.

Focusing on the freedom of choice of the voters, Mossberger and Tolbert (2010: 210) argue that “*a healthy polity will contain multiple ways of participating as well as multiple sources of information that are easily accessed*”. In this sense, the social media multiply the opportunity for the voters to understand the candidates. Huckfeldt and Sprague (1995: 18) write that “*citizen value political information but they prefer to obtain it inexpensively*”. With all these literatures focusing on the decision-making models of voters, distribution of power relation, and freedom

of choice, the significance of information is certainly highlighted in making decisions in elections but what if the information granted is itself deceptive or if the information appeals more to emotions rather than to rationality. These aspects are equally significant.

In the context of elections, United Nations Development Program (UNDP, 2024) treats information two senses. One is the information integrity and the other is information pollution. Information integrity refers to accurate, consistent and reliable information while information pollution includes manipulation of information making it false and misleading and it may be available online or offline with intentional or unintentional purpose.

On the other side, stating that disinformation tends to be more in a divided society than in a trust based one and sharing disinformation can be taken as a political participation of the people but this type of dark participation can lead to polarization, Humprecht (2023: 4) writes "*Populist attitudes are often associated with an antidemocratic worldview and individuals with populist attitudes are also more likely to believe in disinformation*". All these imply that online information pollution is not only the case of an individual actor, or party or institution but also it is related to the value system of the individuals and institutions. Moreover, in similar line, Bateman and Jackson (2024) depict difficulty and complexity to understand and measure disinformation. They treat it as a historical phenomenon rooted in the social, political and economic complexities in societies and therefore, argue that (ibid: 2) "*Technocratic solutionism still has serious limits against disinformation*" and thus, "*diversified mixture*" approach is supposed to work to control disinformation.

Approaching elections from more emotional aspects, Armoudian and Crigler (2010: 313) write "*emotions are a key dimension influencing elections*" in which "*candidates and media activate and interact with consumer emotions through effective framing and priming both verbally and non-verbally*". This argument has some kind of alignment with the argument of Cosentino (2020) who sees dominant roles of social media for emotions rather than for arguments in societies. These tend to imply that elections are already emotional while social media make it further emotional. Similarly, Fulmer, Barry and Long (2009) in their study on human interactions get the roles of both information and emotions along with informational and emotional deception. Then, in the social media-based interactions in the context of elections, the presence of both these informational and emotional dimensions cannot also be ruled out.

Data and Research Method

This paper deals with such concepts as social media, information integrity, informational and emotional deception and decision of the voters in voting. These are naturally more qualitative concepts to measure. It, with reference to previous research in this area, used secondary data particularly from the local, provincial and federal elections in Nepal for analysis. Such secondary data were received from the reports and publications of the Government of Nepal, Election Commission of Nepal, Ministry of Finance and newspaper articles. Moreover, as the use of social media in elections is relatively a recent phenomenon in Nepal, as stated by Economic Survey report (2021-2022) and Aryal (2023: 57), from the year 2019 with the influence of COVID-19, the use of social media increased sharply. Thus, this paper used the synchronic approach of analysis focusing on the local, provincial and federal elections in 2022. Similarly, it has based its analysis in the information ecology framework to systematically explore and organize the issues as the use of social media is primarily based on information and communication in the electoral context.

C. RESULT AND DISCUSSION

Social Media and Electoral Information Integrity in Nepal

Depending on different variables discussed in literatures on the issue of social media, democracy and elections, this paper categorically discusses on information environment, information strategy, information culture, information behavior and the efforts of the Election Commission of Nepal to promote electoral information integrity in the existing environment. These are presented and discussed as follows:

a. Social Media and Information Environment

From domestic perspective, the Constitution of Nepal, 2015 sets a macro level environment for the free dissemination of information. Article 17 of the Constitution guarantees the freedom of opinion and expression, article 19 guarantees the right to communication, and article 27 guarantees the right to information. Similarly, the Electronic Transactions Act, 2008 was brought to ensure the validity, authenticity and reliability of the production, processing and dissemination of the electronic data. Clause 47 of the act bans on the publication of illegal and morally indecent materials in the computer or the internet. However, both of these legal documents do not spell out about the social media.

In 2020, Election Commission of Nepal framed a policy named "Policy on the Use of Social Media in Electoral Management, 2020". The policy writes that as the number of social media users is growing and it is essential to assure the security as well as effective use of social media in elections, therefore, it writes that it was brought to achieve the goal of making the "use of social media safe, systematic, reliable, dignified, and accessible for electoral fairness".

Later on in 2023, the Government of Nepal is found to have introduced the Directive for Managing the Use of Social Networks, 2023 for the regulation and self-regulation of the social media network operators and the users. For the promotion of information integrity, the directives makes provisions such as the requirement of registration of social media companies under the Ministry of Communication and Information Technology, prohibition to create or publish fake ID, misinformation, disinformation or mal-information, or the contents that renders social conflicts and the requirement of platform operators to assign point to contact in Nepal to monitor social media contents and address complaints if any as well as the platform operators are also obliged to remove legally banned and unethical contents within 24 hours of the reporting of the complaints. The directive also makes provisions for organizing educational and awareness programs relating to the use of social media.

In the operational level, the number of internet users has significantly increased but that does not mean full coverage including in the rural areas. Moreover, people in rural areas may not be online always. Second is the low level of education and awareness which implies to what extent and purpose, the social media is used, and other factors such as the information culture to what extent and how information is shared, deliberated as well as cognitive and emotional discomforts are personally delt. Owing to these online and offline worlds, educated, semieducated and uneducated groups and

personal capacity of people to handle information may imply informational inequality in Nepalese context.

From the view of international information environment, with the growth of social media, the information environment seems to be globalized or at least internationally influencing. Such as in the press release of 1 May 2022 relating to the then local elections, Election Commission of Nepal writes that for the effective implementation of the provisions on the use of social media in elections as reflected in the codes of conducts, the Commission made attempts to establish contacts with the social media companies, and it further writes that the Commission had directed the Nepalese embassies in China, India and the US through the Ministry of Foreign Affairs of Nepal to facilitate to establish such contacts and make arrangements for working with the companies. Moreover, it also writes that the provisions of the codes of conducts relating to misinformation, disinformation and fake news had also been communicated to the companies through these Nepalese embassies.

Moreover, the Economic Survey (2021/2022: 60) writes that until mid-March 2022, a total of 5,665,226 Nepalese people have taken work permit for foreign employment and *“the government has opened 110 countries on institutional basis and 178 countries in personal initiatives for foreign employment”*. Similarly, a significant number of students are studying abroad. Nepalese people living abroad for employment or study tend to have substantial emotional and informational influence in the domestic elections as the information environment is global. . Then the question of how the election management body takes action in the case of disinformation spread by individuals from abroad, and information manipulation by companies stationed abroad seem to be complex. Thus, from the international perspective, in-depth research seems to be essential for deeper understanding in this area.

As discussed above, the macro environment at the domestic level indicates that Nepal has made ample legal and policy provisions for the free flow of information, rights of people for the expression of their opinion, and for receiving, disseminating and broadcasting information. But at the international environment, the informational influence seems to be increased but required parameters for its systematic and accountable operation and use tend to be in question.

b. Social Media and Information Culture

Information culture deals with how easily information is shared, circulated and trusted by the people. The hypodermic influence of information, particularly the disinformation and misinformation in people, fundamentally relies on how easily the information is passed on and how easily it is accepted in the society and to what extent the recipients view the information with critical consciousness or accept the information as given. To understand this, the features of Nepalese society have to be understood.

Bista (1991: 91) writes that one of the features of *chakari* is related to information and such *“information might be meant to amuse the patron, benefit him or consists simply of things that would like to hear, particularly about revolts”* and further writes that the society is vertically organized. From the perspective of social media use, the social and cultural value of pleasing the patron may promote the design and production of false and fake information just to please one's leader.

Moreover, Bista argues that the sense of we-feeling and they-feeling is stronger in the Nepalese society where (ibid: 98) “academic qualifications, training, background, working discipline, integrity of character and other such attributes are not as important or helpful as the sense of belonging to a particular circle”. In such a social setting, do people tend to focus on performance voting? The answer tends to be a big no. This trend of remaining attached to a certain group might promote the potentials of misinformation in the eco-chamber of the in-group or the circle cannot also be ruled out including the sharing of the misinformation to validate that one is the active member of the circle as a form of chakari. This generates possibilities for informational deception.

Secondly from the emotional perspective, as the society is more inclined to fatalism, it intensifies the sense that people are less likely to concentrate in empirical observations, arguments and causality but rather their emotions can easily be manipulated. The group or circle-based value system also implies the feeling of emotional solidarity. These socio-cultural phenomena tend to signify stronger roles of emotions and feelings in competitive environments such as elections.

As Cosentino (2020: 3), who reflecting on the influence of social media, writes “we now live in a post-truth world, where emotions and beliefs trump evidence-based arguments”, the deep-rooted social values might be getting fertile grounds to be more influential with social media to make things further emotional. This tends to enhance chances for emotional deception which affects voting patterns depriving the voters of rationality and arguments.

Finally, the vortically organized society indicates that the subordinate section of society tends to believe and follow the superordinate section of the society, namely the information provided by the educated people, people in power and authority, and the people of upper caste and seniority tend to influence the mass. The information produced, provided and shared by them, whether the information is fake or false, may not be taken with critical views. This tends to be further dangerous in the in-group community of people. Even if with the process of modernization and development, such syndromes of fatalism, dependency, and chakari in Nepalese society might have been gradually weakened but as the social and cultural values are deep rooted in the society and their changes take time.

c. Social Media and Information Strategy in Nepal

As a whole, there are three main parties in strategic sense – the election management body at the role of referee, the political parties and candidates at the supply side and the voters in the demand side. Depending on their respective strategies, the supplier and the demand makers tend to use different tactics utilizing their human and constitutional rights of freedom of expression, right to information and communication while the referee uses its managerial strategies for promoting informational integrity and deterring the information pollution in the electoral information dynamics.

However, things are not so simple and linear in practice in the process of disseminating information through social media, such as positive campaigning or promoting the agenda and performance of candidates and parties is taken as normal but negative campaigning is also seen. On the other hand, the, political parties, candidates or their activists or supporters may also include their strategic orientations in giving

information which tend to appeal either for cognitive or for affective or emotional decisions.

In relation to what causes emotional response, as Robinson (2004) writes, interests at stake, state of body, mind and vividness have main roles for emotional release. In this sense, disinformation produces emotional response as it is already in contrast with the interests subject to the reality. On the other side, even the factual information in the form of video or photo due to its vividness produces emotions just as (ibid: 40) writes *“the vividness of the perception or mental image that prompts the affective appraisal: we are more likely to get emotional about refugees when we see them on TV than if we read about them in the newspaper”*. The vividness is certainly strengthened through photo, video and live streaming. Moreover, the storage of such vivid contents for longer time in social media and their expanded reach through social media tend to sustain the emotional effects in both temporal and spatial senses. In this situation, it may be difficult for those who do not have critical media awareness to go on with self-reflexivity and think over their own thoughts. This may allow to be govern with emotions and lies.

Within the information strategy, what information, how and in what frequency, it is delivered is equally significant. Moreover, the question of using facts or values or mixed in the design of the contents also makes sense to appeal to human psychology. In this context, Bateman and Jackson (2024: 4) argue that why people tend to believe in information does not only depend on the realistic contents but also on *“other factors such as repetition, narrative appeal, perceived authority, group identification, and the viewer’s state of mind can matter more”*. Following this line of argument, it tends to be difficult for the election management body to reach to the narrative style of a presenter or the state of body and mind of an information consumer to reduce the emotional appeal thanking place from social media.

A case in point, it was named as negative campaigning, in the federal and provincial elections in 2022, a campaign called *“No Not Again”* was found to have launched by some youths asking the voters not to vote for the repeatedly elected veteran leaders of the political parties who had already been ministers and prime ministers in the country. Here, the campaign, by its name as well as the fast circulation of the information in the social media, might indicate the emotional significance. Stating that elections in Nepal are customarily emotional, Dahal (2022) writes that this campaign of ‘no not again’ is more a populist one. His analysis rests on the fact that the campaigning was against the established leaders promoting the sentiment of anti-establishment. Moreover, this also suggests a fast organization of youth emotions.

Political parties and candidates are using social media in different ways. Such as Kumar, (2022) writes, through social media, different people had declared their candidacy far before the official candacy registration day in the 2022 local elections and therefore, some political parties had also warned not to declare candidacy on their own. Political parties, their sister organizations and candidates had their social media accounts, they went live with events and speeches, had different audios and videos praising their parties and leaders while belittling other parties, some had separate social media unit in their organizations, and some had conducted social media based competition to prepare best videos for their party. These instances imply different aspects in electoral scenario such as

the social media has proliferated the number of information staff and an individual tends to have more power than the organized whole. If so is the case, traditionally organized hierarchy based political parties might also be getting challenges to become more horizontal and individual oriented.

d. Information Behavior in Elections

From the perspective of information ecology, information behavior deals with the changes in the activities and behavior of the recipients or the consumer of the information. This aspect of information happens to be significant in the use of social media for it has been more on the individual access and use in the digital space. Similarly, it is also significant to deal with the instances of factual or fake information as it has relations with the personal cognitive and emotional capacity of the user to explore on to what extent, the information renders changes and to what extent the user can analyze and withstand the changes instigated by the information.

The post-election review of the parliamentary and provincial elections 2022 in Nepal found, as per the seventeenth report of the Election Commission of Nepal (Dec. 2023: 191 & 192) writes that social media were used to promote voter education as well as information dissemination and mechanisms were also set up to promote information integrity but still there were such problems as hate speech, character assassination of parties and candidates as well as expansion of fear and threats through social media. However, this study has the limitation to study to what extent such threats or creation of fear affected the candidates and the voters in their electoral participation.

This further suggests that Nepalese society is highly deceivable even with outright fake information, let alone the hidden tactics of astroturfing, click-baiting, and content farming in the use of social media. This is further corroborated with the portraits of Koirala (2023) who argues, reflecting on different cases of the misuse of social media and owing to linguistic, cultural and political diversities and polarizations in Nepal, that the photos and videos in social media intend to incite social sentiments creating hybrid security threats.

The behavioral influence at the individual level can also be accessed through the level of awareness and education of the people. As the overall literacy of Nepal is 76.2 percent while among the literate ones, the largest proportion of the population, 28.7 percent, has completed the primary level. This statical picture signifies that 23.8 percent, who are beyond the literacy, may just get information and they do not necessarily express themselves in the social media.

Those beyond literacy and those living in remote rural areas, they can be kept at the margin from the perspective of the use of social media. They tend to be more affected by what information they get. They do not tend to make efforts to explore more and more information about the parties or the candidates for their decision making. Under the aforementioned overall information ecology, Election Commission is found with its own strategies to promote information integrity in Nepal.

e. Social Media Strategy of Election Commission

Election Commission of Nepal is found to have devised different policy, institutional and managerial measures to promote informational integrity in social media in elections

particularly in the 2022 elections in Nepal. Such efforts of the Commission can be grouped and analyzed as follows in the promotional, preventive, and punitive pillars:

1. Promotional Measures

Election Commission of Nepal is an independent constitutional body as provisioned in the Constitution of Nepal and its independence and neutrality tend to reinforce the trust in the public about its performance. As Humprecht (2023:1) writes “trust in institutions that publish reliable information can act as a shield against disinformation”, the Commission is seen to be maintaining its independence and trust in its information outflow through different information outlets.

The Commission has been using social media such as Facebook, X, and YouTube for different electoral purposes. Such as Commission’s third strategic plan (2019-2024) in its working policy 2.12, writes “the use of media and social media in elections will gradually be made more systematic and effective”. The document had planned to use social media for enhancing voter registration, voter education and in election operation.

Commission’s policy on the use of social media in electoral management, 2077 (2020) has the objectives of facilitating effective use of social media in elections along with enhancing its reliability and sees the opportunities of expanding voter education, enhancing transparency, communication and coordination through social media. The policy expresses the organizational commitments for immediate dissemination of information, interactive communication, assuring wider access, reliability and diversity of contents in social media.

Another promotive technique of the Commission included the competition among the social media users to reach more viewers with informative electoral contents. Such as Rai and Ghimire (2022) write that the Commission launched a short informative video sharing competition scheme in social media in the context of local election in 2022 in Nepal. The Commission wanted to disseminate its electoral information through social media through this. In this competitive scheme, the Commission had announced a cash reward of twenty thousand to the social media users who post or share such videos at least reaching to two million viewers and if they reach to more viewers, the amount of money to be rewarded would increase.

The Commission had also adopted a task force-based technique to promote digital electoral education through social media. In the context of local election 2022, the task force composed of social media experts was assigned with the job of designing contents for social media, increasing the number of followers of the social media of the Commission, taking notes and responding to social media-based comments and feedback among others.

The post-performance report of the Task Force submitted on 28 May 2022 writes that such contents types as photo, video, infographics, ebulletin, link, release, report and countdown were used in the social media to promote digital electoral information and the total reach of all of these contents was more than ten million. According to the report, among these content types used, video and infographics showed significance in terms of reach, shares, likes, reactions and clicks.

According to the seventeenth report of the Commission, the Commission had coordinated with the parent company of Facebook along with Twitter and TikTok to promote information integrity in parliamentary and provincial elections in Nepal in 2022. Similarly, to promote the authenticity and reliability of electoral information through one window, a press office had also been established and operated in the election period. The office had produced contents for social networks.

For this, the Commission is found to have launched its social media policy, had the strategic plan of streamlining social media for election management and for people's participation, operated its own social media accounts, introduced the rewarding scheme for the social media users for sharing Commission's contents, promoted digital voter education with digital security features, maintained its independence and trust, had daily and regular publication of digital bulletins in social media in the election period and also enhanced social media awareness.

In the promotional aspect as discussed above, the Commission is seen to have focused on the information part such as for expanding voter education, for a greater number of voter registration, for transparency in election operation, and for letting the people know about what misinformation and disinformation are. As the emotional reactions are not only related to misinformation and disinformation, the truthful contents having vividness, being contrary to one's belief or interests as well as state of body and mind of the information consumer may also produce fast and easy emotional expressions and for this to deal rationally, individual self-awareness is needed.

2. Preventive Measures

Election Commission of Nepal seems to have used its election codes of conducts and press releases as a primary tool to prevent information pollution in social media on an incremental basis. Such as the Codes of Conducts of 2015, including its first amendment in 2016, are found to have prohibited the use of social media in the silent period and dissemination of false information by other mass media using their social networks for that it writes "no votes shall be solicited and election campaign shall be conducted through social network with the use of electronic means such as S.M.S., Facebook and Viber". Along with this, it also has the provision which states "not to publish, broadcast or disseminate the baseless information in favor of or against candidate or political party on electronically used social networks such as S.M.S., Facebook, Twitter, and Viber".

Later on, in the Election Code of Conduct of 2022, it is found that the Commission further added and detailed the provisions with defining the social media. The document included different 15 not-to-do arrangements and provisions relating to different actors, stakeholders including the provision of filing complaints. Commission's third strategic plan (2019-2024), under its working policy 4.5 is found to have stated that the Commission plans to "prepare and implement procedure and mechanism for social media monitoring".

On 1 May 2022, the Commission published a press release with the subject line "about the use of social media in elections" in which it stated that in the then local elections, some bad contents including disinformation, misinformation and hate

speeches were found to have targeted to some electoral candidates and political parties and the Commission warned all the concerned to refrain from such practices as it would affect free, fair and credible electioneering environment. The release also directed to submit the social media accounts of the contesting political parties in the Commission and in the office of the concerned returning officer if they want to use social media as prescribed by the election codes of conducts. It also directed the Press Council Nepal and the Federation of Nepali Journalists to effectively monitor the issues of disinformation, misinformation and fake news in elections in their jurisdictions.

Monitoring the use of social media from the internal mechanism of the Commission and through the external mechanism of Press Council Nepal was another approach. The Commission had framed a Task Force composed of experts in the area of social media, information technology and cyber and security for promoting digital education and monitoring social media for local level election in 2022. The Task Force had one of the mandates of analyzing and monitoring of the use of social media in election along with identifying and recommending measures to deal with misinformation, disinformation and fake news. As per the report of the Task Force submitted on 28 May 2022, the task force had continuously monitored the social media contents with using mediatoolkit but it could not fully monitor boosted advertisements of the candidates.

The final report of Press Council Nepal (15 June 2022), relating to the monitoring of codes of conducts in the media in the context of local elections, writes that it had monitored the codes of conducts in elections as per the agreements with the Commission done on 9 April 2022. The report portrays some instances which were made viral and the Council took necessary actions in the election period. Such cases include as a video of a mayoral candidate who was accused of stealing a gold chain in a gold shop, a case of gender insensitivity accused to a mayoral candidate, a case of telephone talk related to sexual affairs accused to a mayoral candidate, a case of accusation against a mayoral candidate for advertising in the silent period with a fake headline broadcasted beforehand, and cases of hate speech and defamation by the leaders of political parties.

The agreement document between the Election Commission and the Press Council Nepal, under the points number three and four, makes provisions that the Press Council Nepal monitors for the false electoral information in the social media used by journalists, media houses along with the social media accounts which were not registered under media houses. Furthermore, the agreement states that the Press Council Nepal would take actions on the breach of codes of conducts under its jurisdiction and recommend for the Commission if such cases would not fall in its jurisdiction.

As discussed above, the arrangements are found to have mostly focused to deter or control the spread of misinformation or disinformation rather than exploring if such social media contents had emotional appeals such as producing threats or fear or anger.

On the other side, to access such emotional appeals may also be problematic as it tends to be related to the level of individual cognitive and affective capacity and how it can be monitored are parts of further research. Here, the mechanisms such as press office or task force along with coordination with other institutions for effective monitoring are seen to have been used, but due to the growing popularity of social media among people and different roles of social media relating to information and emotions, a permanent mechanism tends to work well to enhance dynamic efficiency of the Commission.

3. Punitive Measures

The punitive measures are designed for punishing those who perform illegal and unethical activities through social media. For this, the Electronic Transactions Act, 2063 (2008) is one of the legal documents which has the provision that if any person publishes or displays legally prohibited or other materials which are contrary to public morality or which spread hate or jeopardize harmonious relations, in such cases, the person is liable to *“the fine not exceeding one hundred thousand rupees or with the imprisonment not exceeding five years or with both”*.

The Election Commission Act 2017, clause 10 gives the power to the Commission to cancel elections of a constituency or of polling centers if undue influence including the exercise of threat, intimidation, fear or terror is proved. Similarly, clause 22 writes that the Commission can issue codes of conducts to *“maintain fairness, impartiality, transparency, and fearless environment in election”*. These legal provisions treat elections in more or less psychological sense and these further may also indicate the psychological and value-based nature of Nepalese society.

D. CONCLUSION

As it was found that the number of social media users or the information staff has increased significantly in Nepal. The overall free media environment as assured by the Constitution of Nepal and other provisions relating to rights to information of the people certainly expand the freedom of each social media users to participate, express and enjoy their physical and digital space. However, at the same time, challenges of the election management body tend to have increased due to the expansion of information environment from local individual to international social media companies not only for assuring information integrity but also for assuring level playing field.

In terms of informational sense, the availability of multiple channels for expressions, such as physical and digital, promotes divergent views and such sharing of ideas and open discussions are contributive for consolidating democracy. All the Election Commission of Nepal, political parties, candidates and the voters are found to have used this dimension of information dissemination through social media in Nepal. However, within this informational aspect, with regards to the digital divide in rural and urban settings, subject to deep-rooted socio-cultural values and the level of education and media awareness in the populace, possibility of informational deceptions such as disinformation, misinformation and fake news cannot be disregarded in Nepal.

On the other side, in the emotional aspect of the social media, as it is less related to cognitive process and rationality but more related to the availability of ample opportunities of circulating vivid emotional contents for longer time, easiness for prompt reactions and network building, the stronger social feeling of in-group and out-group; social, cultural and political diversities as well as subject to arrangements made in legal documents and observing remarks in reports, the emotional dimension of the use of social media also seems to be stronger in Nepal. These, rather than ruling out the potentials for emotional deceptions, further reinforce the possibility of emotional manipulations in the electoral contests. As per the situation portrayed and discussed, assuring free, factual and accountable flow of information in informational aspect and ensuring the regulated release and response of emotions in emotional aspect, particularly in competitive electoral environment, seems to be challenging in Nepal.

However, to enhance the electoral integrity through information integrity, the Commission is found to have made efforts with adopting a mix of promotional, preventive and punitive (3P) approaches in which all the legal, policy based, managerial as well as technical measures are found to have used. The efforts of the Commission for information integrity in elections were clearly seen in the strategic plan, policy paper, codes of conducts, coordination with social media companies, frequent press releases and internal and external mechanisms of monitoring. With theses, the finding also indicates the informational aspect more prioritized than the emotional aspect in these efforts. Thus, it is worth-suggesting to deal with both the informational and emotional aspects of social media for creating an election environment in which accountable and factual information freely floats strengthening rational deliberations to further deepen and broaden democracy in Nepal.

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