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Joseph E. Uscinski & Ryden W. Butler
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Joseph E. Uscinski and Ryden W. Butler

THE EPISTEMOLOGY OF FACT CHECKING

ABSTRACT: *Fact checking has become a prominent facet of political news coverage, but it employs a variety of objectionable methodological practices, such as treating a statement containing multiple facts as if it were a single fact and categorizing as accurate or inaccurate predictions of events yet to occur. These practices share the tacit presupposition that there cannot be genuine political debate about facts, because facts are unambiguous and not subject to interpretation. Therefore, when the black-and-white facts—as they appear to the fact checkers—conflict with the claims produced by politicians, the fact checkers are able to see only (to one degree or another) "lies." The examples of dubious fact-checking practices that we discuss show the untenability of the naïve political epistemology at work in the fact-checking branch of journalism. They may also call into question the same epistemology in journalism at large, and in politics.*

During the 2012 election cycle, fact checking became a prominent facet of campaign news coverage. For example, the *Tampa Bay Times* fact-checking arm, PolitiFact, assessed more than 800 statements related to the 2012 presidential campaign alone.[1] The injection of fact checking into political coverage has largely been welcomed by news outlets and news audiences; fact-checking outlets are frequently cited by other journalists and by politicians whose opponents have been accused by the fact checkers of mendacity. With rating systems enumerated by "Pinocchios"

and capped by "pants-on-fire" ratings, fact checking appears in many respects little different than other sensationalized "infotainment"-style news coverage that attempts to shoehorn reality into commercially marketable segments. But arguably it is worse, because it both reflects and encourages a simplistic understanding of a complex world.

The current prominence of fact checking suggests that now is an appropriate time to critically examine the fact checkers' practices and assumptions. We find that fact checkers often attempt to check statements that are not facts and cannot be verified as true or false. In other instances, the typical tools of journalism available to most fact checkers are not adequate for investigating the statements in question. In both cases, as well as others we document, fact-checking organizations often go beyond simply "checking facts" in attempting to determine the truth behind many statements. Yet this practice contradicts the premise of fact checking: that one can compare statements about politics, policy, society, economics, history and so on—the subject matter of political debate—to "the facts" so as to determine whether a statement about these topics is a lie. Our alternative premise is that the subject matter of politics is often complex, ambiguous, and open to a variety of conflicting interpretations, even when empirical claims are being made. Therefore, people may genuinely disagree about the truth. The fact that a politician disagrees with a fact checker about the facts does not make the politician a liar any more than it makes the fact checker a liar.

Of the *Washington Post*'s ratings for all of the 2012 presidential contenders, only 7 of the 267 statements checked were rated as fully true (no Pinocchios). It is unlikely that presidential candidates spoke truth only 3 percent of the time. We are not denying that politicians often shade the truth, exaggerate it, distort it, or misrepresent it. But we do deny that this is all there is to political debate, so that each political statement about a fact can be sorted neatly into the categories of "truth" or "lie."

The methodological criticisms of fact checking in the first section of the paper double as reasons for agreeing with our position: If facts were as self-evident as the fact checkers take them to be, they would not have to engage in methodologically questionable practices. In the second section, we discuss several examples to demonstrate the dubiousness of the assumptions of fact checkers.

I. NAÏVE FACT-CHECKING METHODS

Making no claim to be exhaustive, the following sections levy five methodological criticisms against contemporary fact checking. The purpose is not to advocate protocols or policies for fact-checking organizations to adopt; there may be no remedies. A content analysis of fact checking articles is discussed where appropriate to suggest how broadly each criticism applies.[2]

Selection Effects

Politicians, campaigns, interest groups, and activist organizations make innumerable supposedly factual statements. This should come as no surprise: The primary means political actors have for reaching their objectives is to communicate information to voters. Given the number of claims made each day, testing the veracity of each would be an impossible task.

Therefore, fact checkers must pick and choose. Which actors will have their statements checked? Which particular statements will be checked? In attempting to answer these questions, Bill Adair, founder of PolitiFact, provides the following criterion: "We select statements that we think readers will be curious about. If someone hears a claim and wonders, 'Is that true?' then it's something that we'll check" (Cohen 2011). This method of selecting claims to check well suits the imperatives of news organizations as commercial enterprises, but it does not provide a method for selecting claims rigorously.

In the social sciences, the issue of choosing which statements to examine might be referred to as "case selection." Whether deciding to study a single case or thousands of them, social scientists must (1) explain why their selection of cases is valid to test the proffered theories, hypotheses, and conclusions, and (2) explain why the selection of cases will not lead to a biased or predetermined outcome.

It is true that, as opposed to scrutinizing the veracity of factual claims, social scientists often test general theoretical relationships between different types of fact. But case selection affects fact checking as well, because fact checkers' determinations are more than just tools to determine if individual *statements* are true or not. The ratings of individual statements often speak more generally to the honesty of particular political actors. For example, actors who receive more "pants

on fire" or "Pinocchio" ratings may appear more dishonest than those who receive fewer such ratings. In this way, the interpretation of the ratings becomes like the generalizable claims made in social-science: Actors with more statements deemed false are thought to be liars, while actors with fewer statements deemed false are thought to be honest.

In summarizing their ratings for all presidential candidates during the 2012 race, the *Washington Post* (Downs, Kessler, and Zamora 2012) found that a Republican, Jon Huntsman, was the most honest of all the candidates with an average of only 1.5 Pinocchios. The *Post* also found that Republican vice-presidential candidate Paul Ryan was more honest than Vice-President Joe Biden (1.88 to 2.33 Pinocchios, respectively). The problem with these summary ratings is that they lack selection criteria, thus implying, but not proving, various degrees of mendacity. The fact that Biden received more Pinocchios than Ryan might indicate that he lied more than his Republican opponent. It may also indicate that more of Biden's a priori questionable statements were checked in relation to Ryan's. Or it may indicate that fact checkers rated Ryan's statements more favorably than Biden's, or that the more "interesting" statements made by Biden happened to seem untrue to the fact checkers more often than did the interesting statements of Ryan, while on the whole, Ryan might have lied more and Biden less (accepting the premise that the opposite of the truth as perceived by a fact checker is a lie). Despite the ease with which such summary ratings are presented, they can be highly misleading.

Consider a race between candidate Smith and candidate Jones. Smith makes 100 statements on the campaign trail, of which 95 are true and 5 are false. Jones makes a similar 100 statements during the campaign, of which 50 are true and 50 are false. Let's say a fact checker can check only 5 facts from each campaign so he chooses what *ex ante* appear to be the biggest "lies" told by each. The fact checker happens to find that Smith's five *ex-ante* "lies" are, indeed, lies (i.e., false). He then picks 5 of Jones's 50 lies and finds that those 5 are lies. At the end of the campaign, each candidate had 5 statements checked that were deemed lies. Both candidates appear to be equal (and consummate) liars because 100 percent of their checked statements are rated false. The problem is that Smith's statements were, in reality, factually correct 95 percent of the time whereas Jones's statements, in reality, were factually correct only 50 percent of the time. But the sampling procedure used by the fact checker makes both candidates appear equally (dis)honest. Without systematic

statement selection, fact checkers may inadvertently (or deliberately) cherry pick and consequently, construct inaccurate images of political actors.

There are two major ways in which sampling problems like the one mentioned above might occur. First, political journalists, like most people who are intently interested in politics, often use political ideology to interpret an otherwise chaotic political world (Converse 1964; Zaller 1992, 7). The cognitive function of the ideology might make it impossible to produce an ideologically unbiased sample of statements, regardless of the intention and professionalism of the fact checker. Even though ideological bias may be unconscious and unintended, it can drive case selection: Issues deemed important by a fact checker's ideology might receive more attention, and statements incongruent with a fact checker's view of how the world works may be subject to more scrutiny. This is the case even if the fact checker asks herself which statements her readers might find "interesting." A pollster cannot determine such interest without implying, in the process of administering the survey, that the statements listed are in fact dubious. So the fact checker must rely on her gut feeling about what is interesting, and the cognitive function of ideology is precisely to highlight some facts as more interesting than others—because they represent aspects of reality that are made pertinent by the ideology.

Some readers may not think that ideology is likely to be prevalent among professional journalists to begin with, or that it does not serve the cognitive function we attribute to it. These are matters that surely should be studied empirically. Nonetheless, we think it indisputable that *some* statement-selection criterion, or criteria, are inevitable. If it is not ideology that guides the fact checker's "gut," it must be something else. Whatever it is, it will produce a bias, because the only unbiased method would be to produce a universe of all political statements and then randomly sample them. We now turn to demonstrating the unfeasibility of this option.

Confounding Multiple Facts or Picking Apart a Whole

The appropriate universe of statements would, in this case, have to be a universe of all statements of fact. In reality, however, facts can be divided up in any number of ways depending on one's theoretical notions, however tacit these might be. Therefore, fact checkers often combine

multiple statements into one factual claim or disaggregate a single statement into several factual claims. This is not objectionable; it is inevitable. But it is naïve to think that the resulting list of facts is unbiased by conceptual filters—theories, such as ideologies.

PolitiFact's home page says that its fact checkers "divide the statement into individual claims that we check separately."[3] It also says that it "sometimes rate[s] compound statements that contain two or more factual assertions. In these cases, we rate the overall accuracy after looking at the individual pieces" (Adair 2013).

In our sample of 1,057 fact checks, about 40 percent (422) combined multiple claims. Imagine that candidate Smith makes five supposedly factual claims in one statement. If fact checkers bundle these claims together and provide one singular rating—"Mostly True" for example—audiences may consequently view all the claims made in Smith's statement as mostly true when in fact some may be wildly false and others completely true. In assigning such "meta-ratings," fact checkers must make highly subjective judgments about how to weight individual claims in the final rating. On the other hand, take this Romney claim during the second presidential debate of 2012: "Domestic oil and gas production were at their highest levels in years; all of the increase had come on private, not public lands, and . . . the Obama administration had cut oil and gas permitting in half on public lands" (Cooper et al. 2012). If the fact checkers concluded that the second and third claims were true but the first one false, it would not diminish the force of the point that Romney was making, yet if the statement were broken into "factual" components, Romney would be rated as "lying" one time out of three. But if the first and second claims were judged true but the third false, it would (arguably) demolish the point he was making, but this would not make his statement 66 percent true. So breaking a claim into multiple "facts" may sometimes be necessary and sometimes misleading, as may be the practice of aggregating multiple facts. One might argue that these are judgment calls that the reader can trust the fact checker to make or that the reader can disagree with the fact checker about. But the same could be said if we substitute the word *politician* for *fact checker*. In short, fact checking is inherently political, because in selecting evidence and dividing it into discrete "facts," the journalist is doing just what the politician she is checking does.

Another way of putting our point about the aggregation or disaggregation of facts is to say that context matters. A fact can be

ripped out of context just as a phrase or a sentence can be; the context, however, in the case of a fact is not the surrounding words of the speaker but the objective reality represented by the factual claim. In aggregating or disaggregating factual claims, fact checkers are trying to contextualize. But the appropriate context of a fact is almost always legitimately contestable, and it usually is in fact contested, in politics. Such differences of opinion cannot be reduced to, or resolved by, the way one decides to count up facts, as if each fact or group of facts announces itself as a discrete entity that can be judged separately from the others.

Even though fact checkers "try to get the original statement in its full context,"[4] the "true" context is itself a matter of dispute. Thus, when fact checkers attempt to determine the context of statements, they must and do go beyond the boundaries of "fact checking" because they are invariably forced to make subjective judgments based on incomplete information, just as all political actors do. Fact checkers are participants in the political argument; the problem is that they present "the facts" as if they are so clear that they stand alone, and that their content, their context, and their classification as one or several facts are self-evident.

Causal Claims

A causal claim is one that asserts a relationship between facts. For example, a political scientist might claim a causal relationship between macroeconomic conditions and the presidential vote, asserting that a better economy leads the incumbent party to perform better in the election. This claim has less to do with either macroeconomic conditions or the vote than with the relationship between the two: how much one variable fluctuates when the causal variable takes on a different value (King, Keohane, and Verba 1994, 85). While definitions of causality vary, social scientists are generally cautious in asserting causal relationships because it is rarely clear which effects stem from which causes. Here is an example offered by Gary King and his colleagues (ibid., 83):

> One of the major questions that faces those involved with politics and government has to do with the consequences of a particular law or regulation. Congress passes a tax bill that is intended to have a particular consequence—lead to particular investments, increase revenue by a certain amount, and change consumption patterns. Does it have this effect? We can observe what happens after the tax is passed to see if the intended consequences appear; but even if they do, it is never certain that they *result*

from the law. The change in investment might have happened anyway. If we could rerun history with and without the new regulation, then we would have much more leverage in estimating the causal effect of this law. Of course, we cannot do this.

As King and his colleagues point out, investment patterns, revenue, and consumption patterns may have changed in the expected direction even without the law being implemented. Other factors, such as a booming stock market or increasing property values, may have driven the observed changes in investment patterns, revenue, and consumption. Perhaps the legislation had the opposite of the intended effect on investment patterns, revenue, and consumption, but because other factors canceled out the negative effects of the legislation, we don't observe the law's negative effects.

In seeking to identify casual relationships, social scientists employ a variety of methods, such as experiments, complex statistical analyses, time series, and comparative case studies. These sophisticated methodologies go beyond the set of tools available to the typical fact checker. But more important, causal relationships cannot be verified by "looking up the answer," which is the typical methodology used by fact checkers. Because of this, social scientists tend to think of causal theories as having more or less support, rather than belonging on a true-false continuum.

Take this frequently made claim:

> So far, the Recovery Act is responsible for the jobs of about 2 million Americans who would otherwise be unemployed. . . . The Recovery Act is on track to save or create another 1.5 million jobs in 2010. (Jacobson 2010)

Much like the example above from King et al., we do not know the counterfactual. That the Recovery Act employed 2 million people may be verifiable: We can observe the number of jobs directly funded by the Act. But it is not clear that those people would have "otherwise been unemployed" without the passage of the Recovery Act.

Here is a statement checked by PolitiFact (Jacobson 2009): "Forty-five percent of Americans went without needed health care due to cost." It may be verifiable that 45 percent of Americans went without needed health care, although there are legitimate and ongoing debates over whether doctors overprescribe diagnostic tests, medications, and so on;

i.e., the definition of "needed" is in dispute. But the causal issue is whether the lack of care is due to its high cost. Many people may have gone without health care because they did not want to undergo a particular procedure, did not want to take time off of work, were afraid of the doctor, didn't have local access, or simply had other priorities. It is difficult to determine the exact causes of why so many Americans did not get health care.

Finding evidence for these sorts of claims requires social-scientific methods. Experimentation might be needed, for example. But even after amassing such evidence, social scientists would be hesitant to dichotomize causal claims as true or false. Such claims are not facts and should not be treated as such.

Predicting the Future

Policy alternatives are generally debated in terms of their effects on future outcomes. There is no way to verify the effects until the outcome has occurred (or not). In discussing how they choose claims to be checked, PolitiFact puts forth the following criterion (among several): "Is the statement rooted in a fact that is verifiable?" (Adair 2013). Because the future cannot be observed, claims about the future cannot be verified and should not be checked as facts. Despite this, 18 percent of the articles in our sample attempted to verify such unverifiable claims.

To cite a few examples, when Rep. Fred Upton (R–Mich.) stated that the Keystone pipeline will "help bring down prices at the pump," he received a "One Pinocchio" rating from the *Washington Post*'s Fact Checker because some experts disagreed with his projection (Kessler 2012). But because the pipeline has yet to be built, none of the projections, either by Upton or by experts, can be verified. PolitiFact rated "Half True" a claim by Texas Governor Rick Perry that "when you sanction the Iranian central bank, that will shut down (Iran's) economy" (Selby 2011). Their reasoning: "The move would have uncertain effects. . . . It's not proven that Iran's economy would shut down." This is true of all predictions. While it might seem appropriate to some to rate these claims as half true, there is no way to know if that is appropriate since the claim could turn out to be completely true or completely false. Again, the simplistic, black-and-white world of "fact" versus "lie" proves to be inadequate and, again, "fact checkers" respond by checking something other than facts.

Because statements about the future refer to events that have not yet happened, the statements cannot be compared to reality, but rather only to other projections. Thus, fact checkers often compare a politician's prediction to another prediction—perhaps from a non-partisan source, an expert, or a government agency. This presents two problems. First, it gives the fact checker the discretion to choose as "true" predictions made by several different sources, so that the journalist's prediction of which prediction is most likely to be accurate substitutes for a test of the predictions themselves. Second, the dynamic complexity of politics and policy render even the most respectable projections error-prone. Nonpartisanship does not bestow magical powers of prognostication. In 1965, the House Ways and Means Committee projected that Medicare would cost \$12 billion in 1990; the actual cost was \$98 billion.[5] Thus, when an Obama campaign ad claimed that "because of Barack Obama 32 million new people will have healthcare," PolitiFact rated the claim "mostly true" because "though an estimate, it comes from a nonpartisan source, the Congressional Budget Office" (Moore 2012). The CBO might eventually be correct, but then it again, its estimates may once more turn out to be wildly inaccurate.

Some of the considerations brought to bear by fact-checking outlets on claims about the future should provide even more pause. PolitiFact claims that "their rulings are based on when a statement was made and on the information available at that time" (Adair 2013); "We don't go back and re-evaluate if new facts come to light later, because it doesn't make sense to give people credit for evidence they couldn't possibly have known about at the time" (Jacobson 2013a). First, it is very difficult for fact checkers to determine what political actors did or did not know at any given time. But more important, what PolitiFact is saying here is that even if a politician makes a prediction that turns out to be 100 percent accurate, she would still be labeled a liar because her prediction differed from other contemporaneous predictions that eventually turned out to be wrong.

Finally, we may find here a root of the tendency—although one that is not universal among all fact checkers—to classify what is supposedly inaccurate as a "lie." At least when it comes to the future, there are no facts to be checked, so the fact checker may end up checking the intention of a speaker rather than the accuracy of what she said. A lie is an intentional falsehood; when the falseness of a statement cannot be established, the fact checker settles for checking the intention. But there

is almost never any evidence of such an intention except the failure of the politician to agree with predictions that the fact checker finds so self-evidently credible that only a deliberate liar would contradict them. In short, the tendency to equate (putative) inaccuracies with lies may stem from the premise of the entire fact-checking enterprise: not merely that there is an objective reality (a premise with which we agree), but that it is so unambiguous that journalists who are not even specialists on a given matter can easily discover the objective truth about it. This is not to say that the job should be farmed out to specialists; specialists can disagree, and the methods of social science are not firmly enough grounded in objective reality to make a consensus of experts a reliable barometer of truth. It is instead to say that fact checking ignores the most important objective reality of politics: namely, that all the facts discussed in politics are ambiguous enough to make for legitimate doubt. This is especially true, though, of "facts" about the future.

Inexplicit Selection Criteria

Our analysis of fact-checking articles suggests there are rarely explicit standards for judging the compiled evidence. This keeps the decision-making process in a black box and allows fact checkers unwarranted discretion in choosing how to rate statements. Fact checkers not only decide if statements qualify as truth, but they also decide what truth is.

To illustrate this point, take an October 11th, 2011 statement by then Republican presidential candidate Rick Santorum: "The poverty rate for families in which a husband and a wife work is 5 percent, but in families headed by one person . . . it's 30 percent today" (Moorhead 2011). PolitiFact rendered the statement "Half True" for two reasons. First, Santorum's numbers were off; second, two parent households are not the only factor driving income and poverty.[6] PolitiFact turned to the U.S. Census to test Santorum's claim. Instead of Santorum's 5 percent and 30 percent, the census data showed 6.2 percent and 27 percent. On one hand, the fact checker could label Santorum's statement "pants-on-fire" because 5 and 30 are obviously different from 6.2 and 27. On the other hand, it is reasonable to expect that numbers used in rhetoric will not be exact values. For example, 7.9925 is not 8, but a candidate communicating the value of 7.9925 at a stump speech would in most instances be inclined simply to say "8" for fear of sounding robotic. The question we then need to ask is: How far off can an approximation be

before it can no longer reasonably be considered true? As it stands, no one knows where the line is drawn between reasonable numerical rounding, rhetorical license, pretty close estimations, and falsehood. This point is further underscored by the fact that many of the data on which fact checkers rely are estimates, and that all statistical samples are prone to some amount of error. Thus, many statements are rated not based upon their congruence with "Truth," but rather on their congruence with an imperfect estimate of "Truth." It is also possible that Santorum's numbers were a precise rendition of a source other than that of the U.S. Census. Census numbers, like all statistics, are not self-evident facts, and Santorum may have used a source that arrived at slightly different numbers than did the Bureau of the Census.

Another way that a lack of explicit standards frustrates the veracity of fact checkers' rulings involves the choice of evidence to bring to bear on a statement. Santorum's statement about the poverty rate of single-parent households makes no claim about to *why* they have higher rates of poverty than two-parent households, but PolitiFact addressed the *causes* of the numbers in its ruling:[7] "More importantly, not only marriage, but also the job market is important to families staying out of poverty. We rate the claim Half True" (Moorhead 2011). (PolitiFact does not explain why the job market would affect two-parent families less than it affects one-parent families.)

As another example, take Marina Navratilova's claim that you can be fired for being gay in 29 states. PolitiFact rated this claim Half True (Jacobson 2013b). Their reasoning:

> If you frame this statement in the context of blanket protections by states, she's correct. Still, even in those 29 states, many gay and lesbian employees do have protections, either because they work for the government, because they live in a city that bars such discrimination, or because they work for a company that has pledged not to discriminate based on sexual orientation.

None of these facts has any relevance to Navratilova's claim that you can be fired for being gay in one of those states, as she did not say that *everyone* who is gay can be fired for that reason in those states. Without explicitly stating how they will investigate claims or render judgments, fact checkers can include any criteria for judging statements without having to make clear why those criteria are germane.

In many instances, fact checkers rate definitions as true or false—a fundamental philosophical mistake. For example, Senator John Cornyn said the move to delay Chuck Hagel's nomination as Defense Secretary was "not a filibuster" (Holan 2013). PolitiFact turned to several political scientists—Sarah Binder, Steven Smith, Gregory Koger, and Richard Arenberg—who all gave slightly different definitions of a filibuster. Three believed the delay was a filibuster, one did not. PolitiFact therefore ruled Cornyn's statement "Mostly False." However, definitions are not facts, nor are they substantive. Instead, they are stipulations that vary from person to person. (What really matters is whether the speaker is communicating a term clearly enough that the audience knows what he means.) Cornyn's claim was accurate according to his own definition and Arenberg's, but not Binder's, Smith's, and Koger's. But Cornyn did not claim to be using a definition generally accepted by political scientists, let alone by the four whom PolitiFact happened to call.

Consider along the same lines the accusation that Barack Obama is a socialist. When the claim was made by U.S. House candidate Roger Williams in Austin, PolitiFact wrote:

> The Associated Press posted a news article on the socialist charge about Obama quoting Greg Pason, national secretary of the Socialist Party USA, saying that Obama's health care overhaul "is anything but socialist. It's bailing out for-profit companies." More broadly, Billy Wharton, co-chair of the Socialist Party USA, wrote a commentary published in the *Washington Post* on March 15, 2009 suggesting that not only is Obama no socialist, he may "not even be a liberal. Socialists understand him more as a hedge-fund Democrat—one of a generation of neoliberal politicians firmly committed to free-market policies," Wharton wrote. (Selby 2012)

But Williams did not say that Obama is a socialist as self-declared socialists define socialism, nor should he have done so any more than self-declared socialists should base their definition on the views of self-declared anti-socialists such as Williams. In checking claims such as these, fact checkers are no more checking facts than they do when they check predictions. They are choosing from among several competing definitions, and their own implicit judgment about who is an "authority" on a given subject determines which definition is the "correct" one. As is true of fact checkers' predictions of the future, their treatment of causal theories, and their decisions about how to rate truth and count facts, fact

checkers who declare the "correct" definitions of terms are setting themselves up as arbitrators of political truth, such that they themselves have become political actors. As such, they are not engaged in calling out liars; they are engaged in unwitting social analysis of the sort that rightly generates contestation when engaged in by politicians and public officials.

II. "FACT CHECKING," JOURNALISM, AND POLITICAL DEBATE

In the weeks following the September 11, 2012 attack on the U.S. diplomatic outpost in Benghazi, Republican presidential candidate Mitt Romney repeatedly argued that President Obama refused to label the incident a "terror attack." Upon repeating this claim during the second presidential debate, moderator Candy Crowley interjected an on-the-spot fact check by asserting that the President had called the incident in Benghazi an act of terrorism, and in doing this, derailed Romney's line of attack against the president. Following the debate, many questioned the veracity of Crowley's fact check and she back-pedaled, declaring the next day that "the president did not say that" the Benghazi attack was an act of terror.[8]

This was a classic example of the problem with fact checking, as Crowley was not clearly right either at first or upon reconsideration. The truth was unclear. Transcripts show that Obama did use the word terror in his Rose Garden speech: "No acts of terror will ever shake the resolve of this great nation, alter that character, or eclipse the light of the values that we stand for."[9] It is open for interpretation, however, whether the phrase "acts of terror" referred to Benghazi or not. There is nothing in the speech itself that makes this clear.

To casual observers, determining if a politician said something or not may seem to be a straightforward task; we should be able to consult official records and see. But in reality, the meaning of political talk is sometimes opaque and interpretation is in the eye of the beholder. This ambiguity, however, never seems to make fact checkers question the adequacy of their implicit epistemology. This may be due to the fact that fact checking is conducted by journalists, and journalism is inherently selective and, arguably, naïve in reporting "the facts."

Consider media coverage of the "Kay report," congressional testimony reporting preliminary findings of the Iraq Survey Group, which, after the Iraq War, was charged with the task of finding out whether Iraq had possessed weapons of mass destruction. On October 3, 2003, the first *New York Times* story on the Kay report said that the Iraq Survey Group

> failed to find illegal weapons after three months of scouring the country, but [Kay] said the group had discovered some evidence of Saddam Hussein's intent to develop such weapons and even signs that Baghdad had retained some capacity to do so.
>
> . . .
>
> Dr. Kay testified that the Iraq Survey Group, the weapons hunting team he leads, had discovered evidence of equipment and activities that were never declared to United Nations inspectors in the years before the war, according to the statement. He said his team had found signs of research and development involving biological warfare agents, signs that Baghdad had explored the possibility of chemical weapons production in recent years and signs that Mr. Hussein retained an interest in acquiring nuclear weapons. (Risen and Miller 2003)

In the liberal online magazine *Slate*, however, Fred Kaplan (2003), calling the Kay report "a shockingly lame piece of work," rebutted Kay's assertions about Iraqi WMD programs:

> Throughout the report, Kay kicks up a sandstorm of suggestiveness, but no more. He notes, in alarming tones, the discovery of "a clandestine network of laboratories and safehouses within the Iraqi Intelligence Service," including equipment "suitable for continuing CBW [chemical and biological weapons] research." . . . This is an interesting finding, but it says nothing about CBW development or production or deployment, and proves nothing about whether the equipment was actually intended or designed for CBW purposes.
>
> The report cites "multiple sources" who told Pentagon agents "that Iraq explored the possibility of CW production in recent years." But there is no indication Iraq went any further. In fact, the report adds, when Saddam asked a senior military official "in either 2001 or 2002" how long it would take to produce new chemical weapons, "he responded it would take six months for mustard" gas. Another senior Iraqi official, replying to a similar request in mid-2002 from Saddam's son Odai, estimated it would take "two months to produce mustard and two years for Sarin."

Similarly, the day after its initial story, a *Times* editorial stated that Kay's report showed that Iraq's WMD programs "barely existed and posed no immediate threat to the international community."[10] Finally, consider an account of the Kay report published by Accuracy in Media, a conservative media–watchdog group:

> Inspectors made several dramatic discoveries about Iraq's efforts to build ballistic missiles. Saddam Hussein was clearly intent on developing missiles with ranges that violated the limitations imposed on Iraq's program after the 1991 Gulf War. Iraq's missile program has also been benefiting from foreign assistance. North Korea is named as one foreign supplier, but there are references to other foreign countries and "entities" helping the Iraqis. Kay's report shows that Saddam Hussein never lost interest in obtaining nuclear weapons and that he sought to restart the program in 2000. A cadre of nuclear scientists had been kept together and Iraq may have been "reconstituting" a uranium enrichment program. But Kay was brutally honest on one point: his team has yet to uncover evidence that Iraq took "significant post-1998 steps" to build a nuclear warhead or produce fissile material.
>
> And he openly acknowledged that his team hasn't found "stockpiles" of WMD weapons [sic]. It is still too early to "say definitively" that such stockpiles do not exist or that weapons might have been moved elsewhere. And his report details the challenges facing his team, including indications that Iraqi scientists have been trying to cover their tracks by destroying key evidence. (Trulock 2003)

Each of these four accounts of the Kay report makes a series of factual claims, all of which are (at least arguably) accurate. Yet the authors of each report would have grounds for criticizing the other three reports as misleading, regardless of how many accurate factual claims the other stories made. The account with the least number of claims (the *Times* editorial) is not necessarily the least representative of what Kay said, let alone the least representative of the actual situation in Iraq. In each story, it is not the number of accurately reported facts but their juxtaposition with other facts, to the author's analysis, and to the writers' and readers' prior assumptions that drives the conclusion: i.e., the content and context of the facts, not their mere truthfulness. The very possibility of these various interpretations is created by the ambiguity of the objective situation as it is subjectively perceived.

There is a huge universe of facts from which human reporters must select a handful as *the* (representative, significant, telling) facts. This entails

that there will usually be plausible arguments for a different selection of facts, a different contextualization of them, a different grouping of them, or a different definition of some of them. Moreover, since most political discussion is future oriented (what will the effects of a policy be?), even debates about what is now true or was true will often occur only because of assumptions or claims about what certain past or present facts suggest about the future. Therefore, most journalism may be subject to the problems we have identified in its fact-checking branch. So, too, may most political discourse—and social science.

However, wise social scientists generally do not try to predict the future, and in discussing the present or the past, they lay out their analytical and case-selection criteria as explicitly as they can; they stipulate the definitions of ambiguous terms, they do not claim that the authority of an expert or nonpartisan source establishes the truth, and, most important of all, they do not ever declare that the case is closed because the facts are self-evident. Yet the openness of the social scientist to new evidence or the reinterpretation of old evidence is incompatible with the needs of citizens, politicians, and therefore journalists for clear-cut binary answers. The journalist who saw the world as ambiguous would never get a story written, and the fact checker who saw it that way would never be able to do his job. Yet we have gotten along without fact checking before, leaving politics open to ambiguity to that extent. There is little reason to think that by cementing the notion that there is no ambiguity, fact checkers are doing us a service.

NOTES

1. "Statements from the National: 2012 U.S President's Race," Politfact.com, 2012, http://www.politifact.com/truth-o-meter/elections/2012/us-president/
2. A sample of 1,057 unique claims made between September 2009 and November 2012 were selected at random from three different fact-checking agencies: the *Washington Post*, the *New York Times*, and PolitiFact. A second coder was used to determine intercoder reliability; the second coder recoded twenty percent of the sample. Across all categories, the two coders agreed 97 percent of the time, providing an acceptable Krippendorf's alpha of .7.
3. "About PolitiFact," Politfact.com, 2013. http://www.politifact.com/about/.
4. Ibid.
5. "U.S Health Plans Have History of Cost Overruns," *WashingtonTimes*, 2009. http://www.washingtontimes.com/news/2009/nov/18/health-programs-have-history-of-cost-overruns/?page = all.
6. "U.S. Census data backs the general point Santorum is making, that households with two adults fare better than those with a single head of household. But his

numbers are off on both ends, so the difference is not as great as he suggests. For married couples, the percentage in poverty is higher than he said—5.8 percent in 2009 and 6.2 percent in 2010, versus 5 percent. And for households with a single head, it was lower—roughly 27 percent for both 2009 and 2010. Santorum represented the general trend correctly, but his numbers were off in both cases" (Moorhead 2011).

7. Subsequent to making this statement, Santorum did suggest proposals for addressing poverty by focusing on stronger families, but these were not the statements checked by PolitiFact.

8. Candy Crowley, CNN, 17 October 2012.

9. "Remarks by the President on the Deaths of U.S. Embassy Staff in Libya," Office of the Press Secretary, *theWhiteHouse.gov*, 12 September 2012, http://www.whitehouse.gov/the-press-office/2012/09/12/remarks-president-deaths-us-embassy-staff-libya.

10. "The Elusive Iraqi Weapons," *New York Times*, 4 October 2003.

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