

UNDERSTANDING FAKE NEWS ACROSS DISCIPLINARY BOUNDARIES: A SCOPING REVIEW OF LEGAL, POLITICAL, AND EPISTEMOLOGICAL FRAMEWORKS

COMPREENDENDO AS FAKE NEWS ATRAVÉS DAS FRONTEIRAS
DISCIPLINARES: UMA REVISÃO DE ESCOPO DAS ESTRUTURAS JURÍDICAS,
POLÍTICAS E EPISTEMOLÓGICAS

COMPRENDIENDO LAS FAKE NEWS A TRAVÉS DE LAS FRONTERAS
DISCIPLINARIAS: UNA REVISIÓN DE ALCANCE DE LOS MARCOS JURÍDICOS,
POLÍTICOS Y EPISTEMOLÓGICOS

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ABSTRACT

The phenomenon of "fake news" has emerged as a critical challenge requiring interdisciplinary understanding, with different academic frameworks approaching this issue through distinct conceptual lenses. This scoping review systematically mapped and compared how legal, political, and epistemological frameworks conceptualize, define, and propose responses to fake news phenomena. Following PRISMA-ScR guidelines, we conducted a comprehensive review using Semantic Scholar's corpus of over 126 million academic papers, identifying 40 relevant studies spanning 2017-2025. Legal frameworks (25 studies) predominated, focusing on definitional challenges and enforcement complexities, while legal-political frameworks (7 studies) emphasized instrumentalization and power dynamics, and epistemological frameworks (2 studies) addressed knowledge fragmentation and trust erosion. Response mechanisms included legal regulation, platform co-regulation, technical solutions, and media literacy initiatives, though implementation challenges were universal. The findings reveal substantial variation across frameworks in conceptualizing and responding to fake news, with legal frameworks struggling with definitional clarity, political frameworks highlighting instrumentalization risks, and epistemological frameworks addressing deeper trust issues. Context-dependent factors, including regime type, legal tradition, and media system structure, significantly influence effectiveness. Integrated, adaptive approaches addressing multiple dimensions simultaneously show promise but require further empirical validation for comprehensive policy development.

Keywords: Fake News. Misinformation. Legal Frameworks. Political Science. Epistemology. Information Disorder.

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RESUMO

O fenômeno das "fake news" emergiu como um desafio crítico que requer compreensão interdisciplinar, com diferentes estruturas acadêmicas abordando esta questão através de lentes conceituais distintas. Esta revisão de escopo mapeia e compara sistematicamente como as estruturas jurídicas, políticas e epistemológicas conceituam, definem e propõem respostas aos fenômenos de fake news. Seguindo as diretrizes PRISMA-ScR, conduzimos uma revisão abrangente usando o corpus do Semantic Scholar com mais de 126 milhões de artigos acadêmicos, identificando 40 estudos relevantes abrangendo 2017-2025. As estruturas jurídicas (25 estudos) predominaram, focando em desafios definicionais e complexidades de aplicação, enquanto as estruturas jurídico-políticas (7 estudos) enfatizaram instrumentalização e dinâmicas de poder, e as estruturas epistemológicas (2 estudos) abordaram fragmentação do conhecimento e erosão da confiança. Os mecanismos de resposta incluíram regulamentação legal, corregulamentação de plataformas, soluções técnicas e iniciativas de alfabetização midiática, embora os desafios de implementação fossem universais. Os achados revelam variação substancial entre estruturas na conceituação e resposta às fake news. Fatores contextuais incluindo tipo de regime, tradição jurídica e estrutura do sistema midiático influenciam significativamente a efetividade. Abordagens integradas e adaptativas que abordam múltiplas dimensões simultaneamente mostram promessa, mas requerem validação empírica adicional para desenvolvimento abrangente de políticas.

Palavras-chave: Fake News. Desinformação. Estruturas Jurídicas. Ciência Política. Epistemologia. Desordem Informacional.

RESUMEN

El fenómeno de las "fake news" ha emergido como un desafío crítico que requiere comprensión interdisciplinaria, con diferentes marcos académicos abordando esta cuestión a través de lentes conceptuales distintos. Esta revisión de alcance mapea y compara sistemáticamente cómo los marcos legales, políticos y epistemológicos conceptualizan, definen y proponen respuestas a los fenómenos de fake news. Siguiendo las directrices PRISMA-ScR, realizamos una revisión integral utilizando el corpus de Semantic Scholar con más de 126 millones de artículos académicos, identificando 40 estudios relevantes que abarcan 2017-2025. Los marcos legales (25 estudios) predominaron, enfocándose en desafíos definicionales y complejidades de aplicación, mientras que los marcos jurídico-políticos (7 estudios) enfatizaron la instrumentalización y dinámicas de poder, y los marcos epistemológicos (2 estudios) abordaron la fragmentación del conocimiento y erosión de la confianza. Los mecanismos de respuesta incluyeron regulación legal, corregulación de plataformas, soluciones técnicas e iniciativas de alfabetización mediática, aunque los desafíos de implementación fueron universales. Los hallazgos revelan variación sustancial entre marcos en la conceptualización y respuesta a las fake news. Los factores dependientes del contexto, incluyendo tipo de régimen, tradición legal y estructura del sistema mediático, influyen significativamente en la efectividad. Los enfoques integrados y adaptativos que abordan múltiples dimensiones simultáneamente muestran promesa, pero requieren validación empírica adicional para el desarrollo integral de políticas.

Palabras clave: Fake news. Desinformación. Marcos LEGALES. Ciencia Política. Epistemología. Desorden Informacional.



INTRODUCTION

Background and Rationale

The proliferation of false or misleading information, commonly termed "fake news," represents a multifaceted challenge that transcends traditional disciplinary boundaries. While the phenomenon itself is not new, its scale, speed of dissemination, and potential societal impact have intensified with the proliferation of digital platforms and algorithmic content curation. This has prompted diverse academic and policy responses across legal, political, and epistemological domains, each approaching the challenge through distinct theoretical lenses and proposing different intervention strategies.

The fragmentation of responses across these disciplinary frameworks raises critical questions about coherence, effectiveness, and potential unintended consequences. Legal scholars focus on definitional precision and enforcement mechanisms, political scientists examine power dynamics and democratic implications, while epistemologists investigate knowledge production and trust structures. Understanding these different approaches and their interactions is essential for developing comprehensive, evidence-based policy responses.

Research Question and Objectives

This scoping review addresses the research question: "What are the key differences in how legal, political, and epistemological frameworks conceptualize and respond to the phenomenon of fake news?"

Specific objectives include:

- Mapping conceptual approaches across legal, political, and epistemological frameworks
- Identifying and categorizing proposed response mechanisms within each framework
- Analyzing implementation challenges and contextual factors affecting intervention effectiveness

- Examining interactions and tensions between different framework approaches
- Identifying knowledge gaps and directions for future research

METHODOLOGY

Study Design and Protocol

Using the research question "What are the key differences in how legal, political, and epistemological frameworks conceptualize and respond to the phenomenon of fake news?", we searched across over 126 million academic papers from the Semantic Scholar corpus. We retrieved the 498 papers most relevant to the query based on semantic similarity, citation patterns, and content analysis algorithms.

We screened sources that met specific criteria through a holistic assessment. Framework analysis required studies to examine legal frameworks, political systems, or epistemological theories addressing fake news. Source types included peer-reviewed articles, government documents, legal documents, or official policy papers. Institutional analysis required studies to analyze institutional responses to fake news and their implementation. Methodological approaches included theoretical analysis, policy analysis, case studies, or comparative studies. We required systematic analysis rather than opinion or editorial content, explicit addressing of conceptual or response mechanisms for addressing fake news, and systemic approaches going beyond purely technical detection methods or individual psychological responses to address systemic frameworks.

We considered all screening questions together and made a holistic judgment about whether to screen in each paper, recognizing the interdisciplinary nature of the research question and the need for flexible assessment across different methodological traditions.

We extracted data across five key dimensions using systematic instructions. For the conceptualization of fake news, we extracted specific definitions or taxonomies used in each study, looking in the introduction or methodology sections for explicit definitions and prioritizing the most detailed when multiple definitions were present. We recorded key dimensions used to categorize fake news, including the motivation of creators, intent to deceive, and types of fake news such as satire, hoax, propaganda, and trolling.

For epistemic frameworks, we identified epistemological approaches used to analyze fake news, examining how studies conceptualized knowledge production, discussions of epistemic authorities or institutions, and explanations of how knowledge is challenged or undermined. We specifically noted key epistemic challenges identified, proposed mechanisms of epistemic fragmentation, and theoretical perspectives on knowledge verification.

We extracted regulatory strategies and policy interventions proposed to address fake news, categorizing interventions using Lessig's four modalities where possible: law, architecture (code/technical solutions), social norms, and markets (Lessig, 2006). For each identified approach, we recorded specific intervention details, rationale for the intervention, and potential limitations or challenges.

For intervention effectiveness, we identified assessments of intervention effectiveness against fake news, including empirical evidence of intervention impact, challenges in implementing solutions, and unintended consequences. We recorded specific outcomes measured, effectiveness metrics, and contextual factors influencing intervention success.

Finally, we extracted analyses of broader societal implications of fake news, including discussions of political polarization, trust in institutions, and information ecosystem dynamics, noting key social challenges identified, potential long-term consequences, and proposed mechanisms of social fragmentation.

RESULTS

We identified 40 studies meeting the inclusion criteria, published between 2017 and 2025. Table 1 presents the characteristics of included studies by study focus, methodology, geographic scope, and framework type.

Table 1

Characteristics of Included Studies

Study	Study Focus	Methodology	Geographic Scope	Framework Type
Barros et al., 2022	Legal/Political	Social systems theory, case law analysis	Brazil	Legal-political
Ang et al., 2023	Legal/Policy	Qualitative interviews, thematic analysis	Global	Legal
Baade, 2018	Legal/International	Legal-historical	International	Legal

		analysis		
Atakul, 2022	Legal/Political	Comparative legal analysis	US, EU	Legal-political
Strandburg et al., 2022	Legal/Policy	Theoretical, taxonomy, regulatory modalities	US	Legal
Renda, 2018	Legal/Policy	Policy analysis	EU	Legal
Abiri and Buchheim, 2022	Epistemological	Theoretical, policy critique	US, Global	Epistemological
Levi, 2018	Legal/Political	Theoretical, media analysis	US	Legal-political
Napoli, 2017	Legal/Epistemological	Theoretical, legal doctrine critique	US	Legal-epistemological
Helm and Nasu, 2021	Legal/Policy	Normative and empirical evaluation	International	Legal
Van Alstyne, 2021	Legal/Policy	Theoretical, mechanism design	US	Legal
Smith et al., 2021	Legal/Comparative	Documentary legal review	ASEAN	Legal
Van Alstyne, 2023	Legal/Policy	Theoretical, information economics	US	Legal
Calvert et al., 2018	Legal/Constitutional	Theoretical, First Amendment analysis	US	Legal
Vese, 2021	Legal/Policy	Legal analysis	International/EU	Legal
Durach et al., 2020	Legal/Policy	Policy overview	EU, Global	Legal
Cavaliere, 2022	Legal/Policy	Legal analysis	EU	Legal
Lee et al., 2025	Epistemological/Legal	Narrative review, comparative case studies	US, Brazil, Hungary, UK	Epistemological-legal
Miró-Llinares and Aguerri, 2021	Political/Empirical	Systematic review	Global	Political
Filho et al., 2022	Legal/Political	Legislative and judicial analysis	Brazil	Legal-political
Goodyear, 2020	Legal/Policy	Legal analysis	US	Legal
Lee, 2023	Legal/Constitutional	Legal analysis	Korea	Legal
Lira et al., 2024	Legal/Policy	Qualitative, literature review, case studies	Brazil, International	Legal
Farkas, 2023	Political/Epistemological	Discourse analysis, qualitative	US, UK, Denmark	Political-epistemological
Vese, 2021	Legal/Policy	Legal analysis	International/EU	Legal
Amato et al., 2021	Legal/Political	Sociological, systems theory	Brazil	Legal-political
Marsden et al., 2020	Legal/Policy	Policy analysis	EU	Legal
Kulnev, 2025	Legal/Philosophical	Theoretical critique	US	Legal
Lee, 2021	Legal/Policy	Comparative legal analysis	US	Legal
Katsirea, 2018	Legal/Comparative	Legal analysis	EU, US, UK,	Legal

			Germany	
Neo, 2021	Political/Comparative	Qualitative Comparative Analysis	Asia-Pacific	Political
Leiser, 2017	Legal/Policy	Legal analysis	UK, US	Legal
Ocheredko and Starkova, 2021	Legal/Comparative	Comparative legal analysis	Russia, EU, Malaysia	Legal
Labarre, 2024	Epistemological	Quantitative, index development	Comparative	Epistemological
Goodyear, 2020	Legal/Policy	Legal analysis	US	Legal
Cho, 2025	Political/Comparative	Typological, case studies	Singapore, Philippines	Political
Silva Junior, 2023	Legal/Political	Theoretical, bibliographic	Brazil	Legal-political
Smith, 2019	Legal/Comparative	Legal analysis	France, UK	Legal
Santiago, 2024	Legal/Political	Theoretical, integrative review	Brazil	Legal-political
Hartmann and Iunes, 2020	Legal/Policy	Literature review, legislative analysis	Brazil	Legal

Legal frameworks dominated the literature with 25 studies, followed by legal-political frameworks (7 studies), political frameworks (3 studies), epistemological frameworks (2 studies), and one study each using legal-epistemological, political-epistemological, and epistemological-legal frameworks.

Methodological approaches included legal analysis (18 studies), theoretical approaches (13 studies), policy analysis (4 studies), comparative legal analysis (4 studies), qualitative methods (3 studies), literature reviews (3 studies), case studies (3 studies), quantitative methods (2 studies), and other specialized methods including systematic review, sociological, typological, empirical evaluation, media analysis, and historical analysis.

Geographic scope varied widely, with the United States (16 studies), European Union (9 studies), Brazil (8 studies), United Kingdom (5 studies), international scope (5 studies), global scope (4 studies), and other regions including Asia-Pacific, ASEAN, Korea, Hungary, Germany, Denmark, Russia, Malaysia, Singapore, Philippines, and France.

Conceptual Frameworks

Legal studies consistently reported the absence of a universally accepted definition of fake news, with intent to deceive, cause harm, or profit as key dimensions. Strandburg et al. (2022) emphasized the complexity of "mixed motives" and varying intentionality behind

information creation, while Smith et al. (2021) highlighted how "definitional ambiguity" complicates enforcement across ASEAN legal systems.

Some frameworks distinguish between misinformation (false but not intended to harm), disinformation (false and intended to deceive), and malinformation (genuine information used to cause harm) (Ang et al., 2023). However, many studies reported that legal definitions often struggle with the politicized and ambiguous nature of the term, leading to challenges in enforcement and risks of overreach (Atakul, 2022).

Political analyses emphasize the use of fake news for regime legitimization, suppression of dissent, or electoral manipulation. Miró-Llinares and Aguerri (2021) characterized fake news as a "moral panic" and highlighted "threat construction" in their systematic review, while Neo (2021) analyzed "securitization" processes and "regime response typologies" across Asia-Pacific contexts.

The concept is often mobilized as a "floating signifier" whose meaning is contested and shifts in discourse, especially in debates over democracy, journalism, and public trust (Farkas, 2023). Political frameworks highlight the use of fake news as both a tool and a pretext for restricting civil liberties, particularly in non-democratic or illiberal regimes (Neo, 2021; Cho, 2025).

Epistemological studies focused on the fragmentation of knowledge, the erosion of trust in epistemic authorities, and the breakdown of shared factual ground. Abiri and Buchheim (2022) emphasized "epistemic fragmentation" and "trust deficits" in US and global digital contexts, arguing that "platform resistance" complicates efforts to rebuild epistemic authority.

The rise of digital platforms is reported to exacerbate epistemic divides, with algorithmic tailoring reinforcing confirmation bias and undermining common knowledge (Napoli, 2017). Labarre (2024) proposed "epistemic vulnerability" as a system-level measurement framework, though noted challenges in measurement and maintaining system-level focus.

Response Mechanisms

Table 2 presents the comprehensive analysis of frameworks, key concepts, response approaches, and implementation challenges across all reviewed studies.

Table 2

Frameworks, Key Concepts, Response Approaches, and Implementation Challenges

Study	Framework Type	Key Concepts	Response Approaches	Implementation Challenges
Barros et al., 2022	Legal-political	Systems theory, judicial deference	Draft statute, regulated self-regulation	Difficulty in regulation, reliance on judicial deference
Ang et al., 2023	Legal	Misinformation/disinformation/malinformation	Legal boundaries, AI moderation, media literacy	Complexity, need for collaboration
Baade, 2018	Legal	False vs. distorted news	Repressive regulation, pluralist media	Balancing regulation and free speech
Atakul, 2022	Legal-political	Overregulation, politicization	National laws, platform duties, media literacy	Over-blocking, definitional ambiguity
Strandburg et al., 2022	Legal	Motivation, intent, taxonomy	Model interventions	Mixed motives, platform incentives
Renda, 2018	Legal	Responsible behavior, pluralism	Media policy, user empowerment	Enforcement, complexity
Abiri and Buchheim, 2022	Epistemological	Epistemic fragmentation	Tailored regulation, platform gatekeeping	Trust deficits, resistance from platforms
Levi, 2018	Legal-political	Press delegitimization	Platform self-regulation, press empowerment	Distrust, need for legal protections
Napoli, 2017	Legal-epistemological	Counterspeech doctrine	No specific interventions	Technological change undermines doctrine
Helm and Nasu, 2021	Legal	Correction, removal, sanctions	Correction, blocking, criminalization	Psychological biases, overreach
Van Alstyne, 2021	Legal	Mechanism design	Tiered legal solutions	Distinguishing speech types, legal change
Smith et al., 2021	Legal	Intentionality, state actors	Standalone laws, administrative penalties	Definition, enforcement, misuse
Van Alstyne, 2023	Legal	Externalities, market failures	Section 230 update, statistical sampling	Complexity, ambiguity, decentralization
Calvert et al., 2018	Legal	Structural rights	First Amendment interpretation	Disconnect between theory and doctrine

Vese, 2021	Legal	Freedom of expression	Reliability ratings, user empowerment	Bias, effectiveness
Durach et al., 2020	Legal	Self/co/direct regulation	Co-regulation, media literacy	Coordination, enforcement
Cavaliere, 2022	Legal	Verifiability, transparency	Code of Practice, technical solutions	Definition, overregulation
Lee et al., 2025	Epistemological-legal	Epistemic fragmentation	Judicial independence, digital forensics	Political will, technical bias
Miró-Llinares and Aguerri, 2021	Political	Moral panic, threat construction	Legislation, criminalization	Freedom of expression risks
Filho et al., 2022	Legal-political	Political/economic motives	Penal laws, platform transparency	Root causes, platform cooperation
Goodyear, 2020	Legal	Liability models	DMCA principles, self-regulation	Legal barriers, compliance
Lee, 2023	Legal	Manipulation, democracy	Limited legal regulation, self-regulation	Expression restrictions
Lira et al., 2024	Legal	Regulatory balance	Civil Rights Framework, adaptive policy	Evolving scenario, continuous assessment
Farkas, 2023	Political-epistemological	Discursive struggles	No specific interventions	Conceptual contestation
Vese, 2021	Legal	Freedom of expression	Public law, reliability ratings	Effectiveness, bias
Amato et al., 2021	Legal-political	Systems theory, desinstitutionalization	Data protection, cyber courts	Vague definitions, infrastructure
Marsden et al., 2020	Legal	Co-regulation, AI	Codes of conduct, AI moderation	Balance, algorithmic bias
Kulnev, 2025	Legal	Marketplace of ideas	No specific interventions	Empirical verification
Lee, 2021	Legal	Platform design	Communications Decency Act amendment, design changes	First Amendment scrutiny
Katsirea, 2018	Legal	Untruthful expression	Fines, fact-checking, ad tweaks	Overregulation, platform compliance
Neo, 2021	Political	Securitization, regime type	Crackdowns, civil liberty curtailment	Political motivation
Leiser, 2017	Legal	Deceptive communication	General Data Protection	Privacy focus, technology

			Regulation, algorithmic solutions	cooperation
Ocheredko and Starkova, 2021	Legal	Criminalization, international law	National laws, stakeholder cooperation	Distinction, consensus
Labarre, 2024	Epistemological	Epistemic vulnerability	No specific interventions	Measurement, system-level focus
Goodyear, 2020	Legal	Public health, inherent powers	Health Misinformation Act, torts	Legal challenges, effectiveness
Cho, 2025	Political	Regime response typology	No specific interventions	Public sphere structure
Silva Junior, 2023	Legal-political	Viral effects, delay	No specific interventions	Systemic delay
Smith, 2019	Legal	Democratic legitimacy	Fast-track procedures, transparency	Chilling effect, vagueness
Santiago, 2024	Legal-political	Manipulation, democracy	No specific interventions	Informational domination
Hartmann and Iunes, 2020	Legal	Legislative disconnect	No specific interventions	Theory-practice gap

Legal approaches encompassed diverse strategies from criminalization to administrative oversight. Barros et al. (2022) analyzed "draft statutes" and "regulated self-regulation" in Brazilian electoral contexts, while Filho et al. (2022) examined "penal laws" and "platform transparency" requirements. However, implementation challenges were consistently identified, with Helm and Nasu (2021) noting risks of "bias" and "overreach" even in well-intentioned interventions.

Co-regulation emerged as a favored approach, combining state oversight with platform responsibility. Marsden et al. (2020) advocated for "co-regulation" and "AI moderation" in EU contexts, though noted challenges in achieving "balance" and addressing "algorithmic bias." Durach et al. (2020) similarly supported "co-regulation" and "media literacy" approaches but highlighted "coordination" and "enforcement" difficulties.

Technical interventions showed promise for addressing scale challenges but faced significant limitations. Cavaliere (2022) examined "technical solutions" and "transparency" requirements in EU digital advertising contexts, though noted persistent problems with "definition" and "overregulation." Van Alstyne (2023) proposed "statistical sampling"

approaches for "Section 230 updates" but acknowledged "complexity," "ambiguity," and "decentralization" challenges.

Platform-based solutions ranged from content removal to algorithmic adjustments. However, studies noted concerns about privatized censorship and concentrated content governance authority in technology companies (Lee, 2021). The effectiveness of technical solutions was consistently questioned, with multiple studies noting the inability of technological approaches to address underlying epistemic fragmentation (Abiri & Buchheim, 2022).

Media literacy and user empowerment approaches aimed to address demand-side factors by improving users' capacity to evaluate information quality. Renda (2018) emphasized "user empowerment" alongside "media policy," though noted "enforcement" and "complexity" challenges. Atakul (2022) highlighted "media literacy" as part of comparative analysis across US and EU contexts, but warned of "over-blocking" and "definitional ambiguity" risks.

However, studies noted limitations in media literacy approaches. Durach et al. (2020) identified challenges in "coordination" and "enforcement" of media literacy programs, while other studies noted potential backfire effects, resource intensiveness, and difficulties reaching vulnerable populations most susceptible to misinformation.

Implementation Challenges

All studies included at least one implementation challenge. Regulatory complexity or ambiguity, including theory-practice gaps and technological change, was identified in 8 studies. Effectiveness or bias concerns, including measurement issues, algorithmic bias, and privacy focus, appeared in 8 studies. Conceptual or definitional issues, including ambiguity, contestation, and distinguishing speech types, were noted in 8 studies.

Enforcement, compliance, or coordination challenges were discussed in 7 studies. Free expression risks, including chilling effects and the need for legal protections, appeared in 6 studies. Political or systemic barriers, including political will, public sphere structure, informational domination, and systemic delay, were identified in 5 studies. Overregulation, overreach, or over-blocking concerns appeared in 4 studies, while platform resistance, incentives, or cooperation issues were noted in 3 studies.

DISCUSSION

Framework Effectiveness and Contextual Considerations

Several studies reported that success is often contingent on clear definitions of fake news. Proportionality of response and integration of legal, technical, and social interventions are frequently cited as important factors. Co-regulation and adaptive policy frameworks are highlighted as promising, but evidence of sustained impact is limited.

Common implementation barriers include ambiguity in legal definitions and boundaries, overregulation and chilling effects on free expression, technological challenges in content moderation and verification, lack of trust in institutions and epistemic authorities, and political instrumentalization of fake news for repression.

Multiple studies suggest that effectiveness varies significantly depending on the context, shaped by factors such as regime type, media system structure, legal traditions, and technological environment. Interventions that work well in one setting might be ineffective or even damaging in another, emphasizing the importance of tailoring approaches to specific contexts.

Framework Interactions and Tensions

Legal and political frameworks often intersect in the design and implementation of regulatory responses, with political imperatives shaping legal definitions and enforcement priorities. The use of fake news as a justification for securitization or repression is particularly salient in non-democratic contexts (Neo, 2021).

Epistemological analyses highlight the limitations of legal and political responses that focus solely on content or intent, arguing for interventions that address underlying epistemic fragmentation and restore trust in knowledge-producing institutions (Lee et al., 2025; Abiri & Buchheim, 2022). Some studies propose integrating epistemology and media literacy into legal education and policy design.

Tensions arise between the need for effective regulation and the protection of fundamental rights, as well as between national legal traditions and transnational digital platforms. The inadequacy of single-framework solutions is a recurring theme, with calls for integrated, adaptive, and context-sensitive approaches (Lira et al., 2024; Marsden et al., 2020).

Limitations

This review has several limitations. The search strategy, while comprehensive, was limited to the Semantic Scholar corpus and may have missed relevant grey literature or non-English publications. The rapid evolution of the field means recent developments may not be fully captured. Additionally, the interdisciplinary nature of the topic means disciplinary silos may limit comprehensive coverage within individual studies.

Quality assessment was not systematically conducted, given the diverse methodological approaches and the scoping review methodology. Future systematic reviews with formal quality assessment would complement these findings.

CONCLUSION

This scoping review demonstrates substantial variation in how legal, political, and epistemological frameworks conceptualize and respond to fake news. Legal frameworks prioritize definitional clarity, proportionality, and the balance between regulation and free expression, but often struggle with ambiguity and enforcement. Political frameworks focus on the instrumentalization of fake news for regime legitimation or suppression, with responses shaped by regime type and political context. Epistemological frameworks highlight deeper challenges of knowledge fragmentation and loss of trust, advocating for interventions that restore epistemic authority and common ground.

Response mechanisms are diverse, encompassing legal, technical, social, and market-based approaches. Co-regulation and adaptive policy frameworks are increasingly favored, but evidence of effectiveness is limited. Implementation barriers are pervasive, including definitional ambiguity, technological complexity, and risks to fundamental rights.

Contextual factors such as legal tradition, regime type, and media system structure are critical in shaping both conceptualization and response. Many studies highlight the inadequacy of single-framework solutions and the need for integrated, context-sensitive approaches that address the legal, political, and epistemological dimensions of the fake news phenomenon.

Future research should prioritize empirical evaluation of integrated interventions, development of context-sensitive implementation guidance, and investigation of long-term impacts on information ecosystem health. Only through such comprehensive, evidence-based

approaches can societies effectively navigate the complex challenges posed by information disorder in democratic contexts.

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