The occurrence of fake news and tensions regarding the social support of the Superior Electoral Court (TSE) and the Federal Supreme Court (STF)

A ocorrência de fake news e as tensões ao suporte social do Tribunal Superior Eleitoral (TSE) e do Supremo Tribunal Federal (STF).

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Abstract: Introduction: Fake news has become a significant threat to democracy, particularly in public spaces and justice systems. In this context, misinformation can impact public organizations and institutions, including the Brazilian Superior Electoral Court (TSE) and the Supreme Federal Court (STF). **Methods:** This qualitative study analyzes secondary data from fact-checking agencies, court websites, and verification panels. The research adopts Framing Theory as an analytical tool to examine the dissemination and impact of fake news on the social support of these courts from 2018 to 2022. **Results:** Findings indicate that fake news significantly influences public debate in the electoral sphere, shaping perceptions of judicial institutions. The study highlights the vulnerability of courts to misinformation and its effects on their legitimacy.

Discussion & Conclusion: The study underscores the role of fake news in eroding institutional credibility and influencing electoral discourse. Addressing misinformation requires strategic communication efforts to strengthen public trust in judicial institutions.

Keywords: Fake News; Social Support; Courts; Institutions; Electoral.

Introduction

Fake news has become a significant issue in the context of courts, involving various actors and discussion spaces while causing notable institutional changes. This study aims to characterize the occurrence of fake news and analyze the tensions it creates in the social support of the Superior Electoral Court (TSE) and the Federal Supreme Court (STF).

To achieve this, materials from multiple sources were collected and categorized according to their relation to social support tensions and fake news. The data underwent content analysis, revealing how fake news exposes institutions to reputational risks and affects their credibility. Both the TSE and STF are not only actors in the electoral and judicial system but also frequent targets of misinformation, facing growing pressures and tensions that shape public debate. The spread of fake news can erode social support for organizations, questioning their legitimacy and undermining their authority. This is particularly concerning for public institutions, where reputation plays a fundamental role in maintaining trust. Fake news contributes to public skepticism, regardless of institutional performance, reinforcing negative perceptions and weakening the courts' ability to operate effectively (Lee, Hameduddin & Lee, 2023).

Given the increasing frequency and impact of misinformation, it is essential to understand how these narratives shape public perception and influence institutional credibility. This study explores fake news as a structural component of the judicial environment, particularly its effects on the TSE and STF. Fake news influences public discourse, either through indirect references to justice institutions or direct attacks on their legitimacy. By mapping the public debate, the research identifies key actors, narrative frames, and the courts' role in this context.

The 2018 election took place in a context of institutional distrust, the strengthening of polarized discourse, and questioning of the electoral system, which intensified over time with attacks on institutions such as the STF and TSE. As the 2022 election approached, the strategy of delegitimizing institutions became more pronounced, with allegations targeting fraud in electronic voting machines. The TSE strengthened

actions against the spread of false information, but disinformation continued to circulate, leading to episodes of political violence, challenges to the electoral process, and culminating in attacks on the headquarters of the Three Powers in 2023.

The rise of social media and digital communication platforms has facilitated the rapid spread of false narratives, many of which directly target the electoral process and the judiciary. Fake news has fueled skepticism regarding electronic voting machines and the impartiality of the courts, with political movements and digital influencers playing a significant role in amplifying these claims. As misinformation circulates, it deepens polarization and fosters distrust in democratic institutions. The analysis of collected data highlights the key themes in misinformation campaigns targeting the TSE and STF. The most recurrent false narratives include unfounded allegations of electoral fraud, misinformation about court rulings and their political implications, and claims of bias among STF justices.

The study finds a strong correlation between misinformation peaks and critical political events, such as judicial rulings and election periods. These moments often coincide with increased public scrutiny and targeted disinformation campaigns, further damaging institutional credibility. In response, institutions have implemented various strategies to counter misinformation, including partnerships with fact-checking agencies and public awareness campaigns. However, despite these efforts, the scale and speed of fake news dissemination continue to pose significant challenges (Cometta, 2021). The rapid spread of misinformation, often amplified by digital platforms, makes it difficult for institutions to maintain public trust. This underscores the need for coordinated regulatory measures, media literacy initiatives, and stronger mechanisms to combat disinformation and

preserve the legitimacy of democratic institutions.

1. Fake News, Agenda Setting, and Social Support: Concept and Possibilities

In the conceptual field, the relevance of the fake news issue concerning the courts arises from four elements: materiality (what it is), means of dissemination (how it spreads), intended effects, and consequences. From the materiality perspective, fake news constitutes information, accounts of facts, or their description, even if false, with the intention to inform, creating a factual presumption where texts, images, among other elements, present themselves to recipients as reporting or describing facts, referring to data, to objective elements of reality. Regarding means of dissemination, fake news is distributed and consumed primarily in the digital environment (Costa, 2022). It represents an informational guerrilla, produced to generate an effect, often of a political nature. From a behavioral standpoint, fake news aims to induce people to take specific actions (Gomes & Dourado, 2019).

Therefore, information, websites, and content identified as fake news demonstrate proximity to fact-based news media, suggesting a reciprocal agenda of publications (Vargo, Guo, & Amazeen, 2018). Fake news can redirect the attention of journalistic media, often diverting focus from relevant issues. As pointed out by Wardle e Derakhshan (2017) and Molina et al. (2021), fake news can take various forms: (1) satires created for entertainment; (2) fraudulent news with the intent to deceive, using selected or decontextualized parts; (3) false news making intentional misleading connections and suggesting a conspiracy; (4) news linking non-authentic photos or videos to promote a false story; (5) manipulat-

ing photos, quotes, or facts together to create a false image (deep fakes); (6) using completely fabricated and entirely false images; and (7) beyond the reporting itself, fake news can deceive through the medium, acting as an imposter by tricking the audience into thinking their platform is a well-known source (Costa, 2022).

In addition to fake news, other studies demonstrate the influence of media on content recipients. Gutmann (2006) emphasizes that "in the literature on mass communication, there is a diversity of works dedicated to studying the possibilities of influence of messages transmitted by the media on their audience" (p. 27). An example of this is agenda setting, a "mass media process that presents certain issues frequently and prominently, with the result that large segments of the public perceive these issues as more important than others" (Coleman et al., 2008, p. 147). The more prominence and coverage a problem receives, the more important it becomes to the public. However, the description of agenda setting also includes the interference of prominent figures, political actors who end up transferring issues they consider important to the public.

Given the interconnectedness of public debate mediated by different actors and interests, it is emphasized that in situations with high linkage of information characterized as fake news with the purpose of destabilizing and tensioning the social support of organizations such as higher courts, journalistic media, fact-checking agencies, and the courts themselves react by disseminating new information, correcting what has been disseminated to minimize disinformation. However, the speed and power of these actions are not always the same.

Social support is understood as manifestations of support for organizations and institutions, assessed through organizational and institutional legitimacy. Organizational

legitimacy interacts with various sources and organizations subject to social evaluation (Bitektine, 2011). Another element concerns the criteria used by different sources when assessing the legitimacy of organizations and their actions, which are varied and can be useful for identifying different dimensions of legitimacy, given the complexity, multiplicity, and levels of evaluation among micro, meso, and macro (Bitektine & Haack, 2015).

The intention of this study is to show that this context of fake news is full of elements that destabilize (or have the potential to destabilize) the social support of justice organizations, such as the breakdown of trust, questioning of legitimacy, and inquiries at the organizational and institutional levels. In other words, justice organizations are subject to social context, including the impact of fake news. Therefore, both the implications of fake news and their effects on social support have been described and categorized (Costa, 2022).

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Given the interconnectedness of public debate mediated by various actors and interests, we emphasize that in situations where information characterized as fake news is highly linked with the purpose of destabilizing and creating tension within societal support to organizational structures. Institutions such as higher courts, journalistic media, fact-checking agencies, and the courts react by disseminating new information and correcting what has been spread to minimize disinformation. However, the speed and power of these actions are not always the same.

Organizational and institutional legitimacy assesses how organizations and institutions gain and maintain social support. Organizational legitimacy interacts with various sources and is subject to social evaluation (Bitektine, 2011). Recent research identifies the media as a key source for societal perceptions, alongside other legitimacy sources such as individuals, investors, social movements, and other stakeholders (Deephouse et al., 2017). The criteria used by different sources when assessing the legitimacy of organizations and their actions are varied and can help identify different dimensions of legitimacy, given the complexity, multiplicity, and levels of evaluation among micro, meso, and macro (Bitektine & Haack, 2015).

In Brazil, the debate on fake news and its impact on judicial institutions has gained significant scholarly attention. Tovar (2020) discuss how judicial control mechanisms have evolved to counteract misinformation, emphasizing the regulatory challenges faced in the digital era. Costa (2022) highlight how courts have actively sought to combat disinformation by integrating digital tools and partnerships with fact-checking agencies. Cunha Filho, Carvalho and Carvalho (2022) further explore the various typologies of fake news, demonstrating that current regulatory efforts

remain insufficient to effectively address the complexity of misinformation campaigns.

From a legal perspective, Tovar (2020) compare international and Brazilian regulatory frameworks, emphasizing the need for stronger institutional responses to digital disinformation. Meanwhile, Barboza and Strapasson (2024) analyze how the Supreme Federal Court (STF) has sought to reinforce its legitimacy in the face of growing attacks fueled by fake news. Their study highlights the intersection between public perception and institutional stability, showcasing the judiciary's strategic communication efforts.

A crucial aspect of this discussion involves the justice system's role in safeguarding electoral integrity (Meira Zauli, 2011). Tovar (2020) argues that electoral courts must adopt more robust deliberative frameworks to enhance public trust in democratic institutions. Similarly, Meira Zauli (2011) examine how data protection laws intersect with judicial mechanisms to prevent misinformation from influencing electoral outcomes.

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2.   Methodological Procedures

In this research, a variety of sources were selected to collect data with the aim of gathering information about fake news within the scope of electoral courts during the period of 2018.

The research universe can be briefly defined as follows: news verified and labeled as fake news; news linked to the Google News indexer about reactions to fake news; documents and reports linked to the Parliamentary Inquiry Committee (CPMI), Parliamentary Inquiry (CPI), and the Fake News Inquiry; judicial decisions from the Electoral Justice viewed through precedents; decisions from the Supreme Court (STF); bulletins and news from official sites presenting positions and unfavorable reactions to fake news (Cunha Filho, Carvalho & Carvalho, 2022). The research's temporal scope (2018 to 2022) was defined based on the presidential election period in Brazil, According to Table 1.

Table 1
Data Source

Objective	Main source
Collection of papers on fake news and justice organizations.	Sistema CAFe (acesso a periódicos CA-PES)
	Bases: *Web of Science*; *SciELO*; *Scopus*; *ProQuest Search*; *Elsevier*.
Public debate surrounding Fake News, TSE (Superior Electoral Court), and STF (Federal Supreme Court). Fake news by the organization itself or by other actors in the field.	Indexador Google notícias pelo amplo tráfego de notícias
	Sites jornalísticos oficiais:
	https://g1.globo.com/fato-ou-fake/
	https://oglobo.globo.com/fato-ou-fake/
	https://piaui.folha.uol.com.br/lupa/tag/fato-ou-fake/
	https://agenciadenoticias.bndes.gov.br/lista/fatoboatos
	https://legis.senado.leg.br/comissoes/comissao?0&codcol=2292
	http://www.tse.jus.br
	http://portal.stf.jus.br
	https://www12.senado.leg.br/verifica
	http://www.tvjustica.jus.br
	https://sintse.tse.jus.br/
	https://www.cnj.jus.br/programas-e-acoes/painel-de-checagem-de-fake-news/

It is important to note that fake news is understood as what has been declared as untrue by the actors involved in the field under study. Fake news was operationalized by identifying, in the collected material, one of the three aspects related to the content of news disseminated in Brazilian journalistic media or the substance of justifications expressed by field actors regarding news associated with the organizations under analysis.

In line with the qualitative approach of this research, we selected bibliographic materials and official documents to understand the impact of fake news within the scope of higher courts through content analysis. Data sources included: official websites linked to TSE and STF, data from the National Council of Justice (CNJ); official documents and reports from the CPMI on fake news, some documents and pieces from Inquiry No. 4,781 the 2019, despite being confidential; news linked to fact-checking agencies and the Google News indexer. Therefore, it is a documentary-bibliographic research with a longitudinal cross-sectional cut, given the period between 2018 and 2021 (Godoy et al., 2010). Table 2 describe the collected and selected material to compose the database for this study.

Table 2
Collected data

Source	Data	Documents	Total
National Council of Justice (CNJ)	Fake News Verification Panel	161 news/checks	161
Senate	CPMI Reports	40 texts and reports; 68 Hearing documents; 5 media/videos; 303 requests, received documents, and letters.	416
Supreme Federal Court (STF)	Investigation No. 4.781	2 documents	2
Supreme Federal Court (STF)	News	20 news	20
Fact-checking agencies and TSE	*Fake news involving courts; Fact or Hoax*	186 news/checks	186
			785

Regarding the news, the total number was obtained in the search using the keywords: fake news; TSE; and STF. The inclusion criterion was checked news that included TSE or STF, in the period between 2018 and 2022. As an exclusion criterion, repetition was utilized. Therefore, the news was

tabulated in spreadsheets to check for repetition and exclude repeated items.

Inclusion Criteria

To collect news from different sources, the terms and keywords were: "Fake news," "TSE," "STF," and "Electoral." This search resulted in 2,132 documents. Subsequently, a floating reading was conducted to verify if they aligned with the research and collection objectives. Additionally, other exclusion criteria were established, such as:

a) In the case of news about fake news, contents that were not necessarily fact-checks were excluded, for example, awards, opinion articles, or lists of fake news (e.g., "see the 10 funniest fake news of 2018");
b) Duplicate content, meaning the same news checked by different sources;
c) Fact-checks with compiled news listed individually;
d) Fact-checks that only involved candidates without mentioning the electoral process or electoral justice;
e) Fact-checks that presented various news on various topics but not related to the electoral scenario;
f) Fact-checks of political speeches and candidate interviews;
g) News of reactions that did not meet the research scope;
h) News about reactions outside the temporal scope;
i) News about reactions to fake news not linked to the electoral scenario or electoral justice.

After this screening, the process of collecting and secondarily excluding news consisted of determining, among the remaining news, which were suitable for the research and

which, in some way, were related to the electoral scenario or directed at TSE and STF. We created a flowchart to describe the various news situations and the necessary reasoning to identify whether the news was valid for collection or not. Later, we transformed it into Table 5, which has the same functionality (to assist this reasoning, a keyword tracking system was implemented in the fact-checking).

After adopting the inclusion and exclusion criteria, a floating reading was subsequently conducted, and data were tabulated with the filling of information and key elements to aid in the analysis. As previously emphasized, the data in this investigation were processed through content analysis, a technique that, in its constitutive nature, seeks the representation and evaluation of social identities for the understanding of a certain complex social reality (Maryns, 2013).

The content analysis followed the following flow:

I)   Pre-exploration phase of the material and floating readings: the documents were analyzed and separated by document type, types of news, and subjects (fake news or reactions to fake news). Then, the documents were read carefully, focusing on interesting or important parts;

II) Coding: readings of all collected material were undertaken to systematize ideas and their meanings, as well as to select units of recording or units of meaning (Berelson, 1984), which include words, sentences, and phrases;

III) Categorization: with the coded documents, it was possible to proceed with the categorization process, defined based on the combination of elements identified in the units of recording in accordance with the analytical categories established within

the study's scope resulting from the objectives. As explained by Bardin (2016, p. 74), categorization consists of "an operation of classifying constitutive elements of a set by differentiation and then by regrouping according to the genus (analogy), with previously defined criteria";

IV) Framing: based on the chosen cuts, we conducted thematic analysis, resulting from the content analysis with a logical-semantic method. Thus, frames result from the coding and categorization process.

3 Fake News in the Context of Courts

With the aim of understanding the mechanisms driving social support, based on the communication phenomenon (fake news) within the justice organizations, and to advance inductively in qualitative research by attempting to build a theorization that involves social support in the organizational and institutional context, we collected data from various sources (described in frames – Pires, 2008) to understand newsworthy events, evidence that shapes discursive expressions and their evaluation and dissemination, i.e., how they present themselves and interfere in the actions of justice organizations. Table 3 explains which segments were coded.

Table 3

Categories, meanings, and conditions

	Category	Interpretation	Meanings and Conditions
Parte 1	Tension on Social Support	Legitimacy	(1) questioning of actions and processes; (2) processes of legitimization; (3) questioning the existence of the organization; (4) acceptability and credibility; and (5) norms, values, and beliefs.
		Reputation	(1) questioning of reputation; (2) reflects the results; (3) over time; (4) appears as an element of evaluation of the organization by agents; and (5) how it is recognized.
		Trust	(1) questioning trust; (2) reflects credibility; (3) transparency and the risk linked to the performance presented by an organization; and (4) conveyed image.
	Institutional arrangement	Legal	(1) laws; (2) regulations; (3) normative acts; and (4) law as a coercive system.
		Cultural/Cognitive	(1) symbolic representation; (2) cultural frameworks; (3) behavior of actors in the field; and (4) patterns of behavior.
		Normative	(1) moral principles; (2) norms; (3) values; and (4) compliance.
	Fake News	Misinformation	(1) incorrect information; (2) unintentional; (3) erroneous attributions; and (4) mistaken content.
		Desinformation	(1) intentionally harmful content; (2) false context; (3) misleading content; and (4) fabricated content.
		Malinformation	(1) intention of harm; (2) leakage cases; (3) harassment and hate speech.

The themes that emerged from the field and were presented in the results are linked to the pre-defined categories and codes. The constitutive and operational definition of the categories is understood as: (a) tension on social support, which refers to threats, the straining of social support, and manifestations of public support for justice organizations, specifically the TSE and the STF. It comprehends social support as the expression of questioning its legitimacy. Questioning implies contestation and doubt about the role and actions performed by the courts; and (b) fake news, something reported that lacks plausibility and justification for a certain type of belief or fact, configured and presented by certain means to shuffle, falsify, and confuse processes and facts (Gelfert, 2018). Pieces of fake news were considered contents that: (i) are related to justice organizations, especially the target organizations; (2) are considered false by the actors in the analyzed field; (3) are configured and presented by certain means to shuffle processes and established assumptions about the justification of a certain type of belief; that is, what has been declared as untrue by the actors within the study field.

Fake news is part of social media and the Brazilian political context. In 2018, we observed a network of false information structured on social media and messaging apps, facilitated by the use of technologies such as automated profiles and the use of bots (Zhou & Zafarini, 2020). Technology favored the excessive dissemination of information, message exchange, and exposure of opinions, often fraudulent and manipulated. The population, in this sense, faced something new without knowing how to deal with it appropriately.

Currently, fact-checking agencies have been working to verify posts and information circulated in digital media to guide the population. However, this does not happen

instantly, and when it comes to the political and electoral environment, it can lead to situations of institutional disruption. This scenario demonstrates its effect on various organizations, especially those in the justice system, destabilizing their social support (Hunt & Gentzkow, 2017).

Based on the collected data, we noticed that fake news is not directed only at individuals, politicians, and candidates but also at organizations and institutions. In the case of the STF, for example, the data presents a series of messages and fake news on social media directed at the ministers, who are important figures representing the Supreme Court (Cunha Filho, Carvalho & Carvalho, 2022). Thus, questioning the actions and decisions made by them has a liminal relationship between the individual and the organization they represent.

The collected documents underwent content analysis and were coded into the following categories: (a) tension on social support and (b) fake news. Out of the total documents analyzed (n=785) and sites visited for data collection, fact-checked news, jurisprudence, processes, letters, and reports, we coded 23,142 segments corresponding to the categories in question. In Table 11, we specify these segments and their respective codes. The themes emerged from the pre-defined categories and codes, supporting the understanding not only conceptually about the categories but also their empirical configuration in the field of justice institutions and organizations. The data present excerpts and coded segments referring to the analytical category Fake News, portraying issues related to the concept, operationalization, dissemination mechanisms, and messages linked to the courts.

Based on the collected data, we understand that fake news corresponds to the method of disseminating information with the intention of generating misinformation against individuals, organizations, and institutions, thereby causing

distrust and instability (Castells, 2018). According to Falcão and Souza (2021), "the driving force behind post-truth would be contained in a crisis of representativeness of institutions as a whole, in the ruin of trust in societies, specifically in the relationships between the political class, citizens, and institutions" (p. 58). This includes courts in their organizational and institutional aspect, considering that they are part of a public debate on social media, which has impacted interaction with users and actors in this field.

The methods adopted to link, operationalize, and disseminate information make use of various technologies that enable rapid dissemination and sharing of materials, such as social media, robots, automated profiles, cyborgs, deepfake, and others, which distort reality with such intensity that they can influence and manipulate individuals who consume them (Zhou & Zafarini, 2020). In addition to technologies, we found that the fake news system used against the courts not only shares untruths but also distorts facts and circulates old news as if it were current (Cunha Filho, Carvalho & Carvalho, 2022).

Public discourse employs a new configuration that changes the rules of the game, the use of "social bots," which are accounts controlled in an automated way to generate content, establish relationships, and interact algorithmically, with or without human intervention. Bots rely on the communicative interaction of users on social networks and apply techniques of computational intelligence and Big Data. There is evidence of messages that repeat among different users simultaneously, configuring as bots and/or cyborgs (Castillo et al., 2019).

It is worth noting that examples related to fake news (Costa, 2022), despite targeting specific events, are linked to organizational and institutional factors. Even when related

to an election or public debate about voting machines, for example, these are issues that touch on the exercise of organizational activities; and when they transcend the organizational level, as in the case of discussions about the fairness of the electoral process, there is even an institutional problem (Meira Zauli, 2011).

Initiatives by private companies and civil society against manipulation, fake news, and misinformation demonstrate that it is not only a legal and institutional problem but also a political, economic, and social one (Cunha Filho, Carvalho & Carvalho, 2022). Therefore, actions that go beyond the legal environment are important, including for educating the population about information consumption. However, despite strategies aimed at minimizing the dissemination of fake news, there are still groups that take them as a reference and express themselves on social media through comments and positions that consequently interfere with the image, reputation, trust, and legitimacy of organizations and institutions, as has happened with the TSE and the STF (Cometta, 2021). Messages and positions are directed at individuals, organizations, and institutions, causing organizational and institutional problems.

The production of fake news serves the objectives of an exercise of power. The identified strategies for the dissemination of fake news include pages and profiles on social networks that simulate the format of professional media outlets with the intention of confusing the reader (Jang & Kim, 2018). For example, we noticed the articulation of news associated with political strategies to interfere in the outcome of the democratic electoral process (Tovar, 2020). This practice devalues not only the courts as institutions linked to electoral issues but also the journalistic and communication institution itself, as well as the conventional electoral

process, electoral rules, and interference in the outcome of elections and democratic principles (Meira Zauli, 2011). In public discourse, six main fronts of debate were identified, as indicated in Table 4.

Table 4

*Configuration of the public debate involving TSE and STF*

Public Debate	Fake News
Electoral Process	The electoral process linked to dynamics, methods used, and the operationalization of elections. Electoral campaigns through the internet and social media. Legal aspects regarding possibilities and permissions involving electoral propaganda and illicit conduct in campaign and the spread of fake news. Election results and candidacies.
Authorities' Actions	Questioning the actions of parties, politicians, authorities, and courts in the economic, electoral, and legal spheres. Debates and news aiming to present favoritism and relationships of interest between courts and politicians.
Court Decisions	Messages and news about actions and positions of the courts, decisions, processes, and investigations.
Ballot Boxes	Debates and distorted news about ballot boxes.
Printed Vote	Debates and distorted news about printed votes.
Insults and Defamation against Institutions and Authorities	Libel, defamation, fraudulent news against institutions, organizations, authorities, courts, and their modes of operation.

In each one, we observed a direct and indirect effect on the courts. The TSE and STF are direct targets of fake news when messages on social media address

topics that fall under the responsibility of the courts, such as voting machines. The indirect impact of fake news is felt when news is shared that attempts to shake or destabilize the image of ministers or authorities linked to the courts, to demonstrate inconsistency in the conduct of decisions and processes by such authorities.

Figure 1
Context of fake news involving TSE e STF
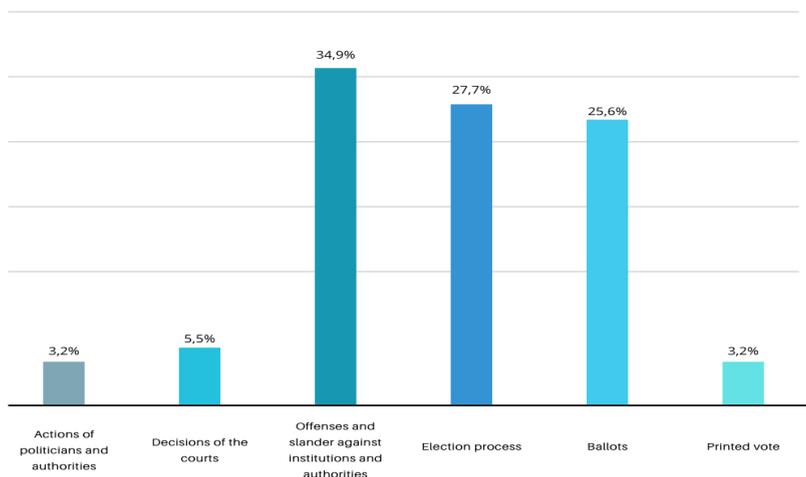
The themes identified in public discourse correspond to fake news present in the context of the activities of the courts. In this regard, it was possible to identify the impact of each of the themes, i.e., the percentage of representativity in the context of fake news involving the TSE and the STF, as shown in Figure 7. In it, we highlight the main themes addressed by fake news, as well as the tally of the quantity of materials considered false or fraudulent in each theme, fact-checked by fact-checking agencies, directly linked to the courts and the distribution of these messages between the TSE and the STF.

The characterization of the public debate context involving fake news, the TSE, and the STF in the electoral and

legal field reveals: exposure of authorities; court decisions; elections; voting machines; offenses; relations with politicians; and the electoral process. Consequently, the themes highlighted and the differences between them are subdivided into three classes: (a) authorities, courts, and their legal role; (b) TSE and the management of the electoral process; and (c) fake news directed at candidates.

Furthermore, other subthemes linked to the collected documents are related to fake news in the electoral field: the electoral manipulation strategy; attacks on professional journalism; electoral crime; denial of science; destruction of opponents' image; hate speech; racial and gender prejudice; and narratives that violate ethics and morality (Meira Zauli, 2011).

In total, the courts had an average of 229 potential exposures to false news sources during 2018 and 2022, involving electoral themes and fact-checked by agencies, also according to CNJ data (2022). This represents the number of fact-checked fake news that generated a subsequent position after this verification, in order to provide correct information and minimize misinformation. However, we observed a mismatch because, in this sum, only what was broadcast as news is considered, although there is a high number of messages, tweets, and other formats used on social media that also produce misinformation. Institutions, thus, appear both as targets and key actors.

However, based on other collected documents, including reports from the CPI, the CPMI on fake news, and Inquiry No. 4,781, the distribution of public discourse directly involving the TSE and STF evoked themes such as: printed vote (5%); voting machines (32%); relations with politicians in processes and jurisprudence involving fake news (22%); electoral process (30%); political parties (1%); direct offenses

to the courts (7%); decisions of the TSE and STF (26%); benefits of parties and politicians in the electoral and legal sphere (2%); and offenses to authorities (ministers) in the performance of their activities in the courts (51%).

In indirect public discourse, some themes are repeated, although they do not directly mention the TSE and STF, but have the potential to destabilize them. For example, there were debates and distorted news about: printed vote, citing other countries (2%) and voting machines (2%); a possible connection of the TSE, STF, and authorities/ministers to politicians, characterizing a certain relationship (13%); the electoral process (14%); offenses and slanders against politicians and parties (29%), on random topics not directly related to the election but seeking to tarnish the reputation and affect the democratic electoral process; elections (3%); court decisions (5%) - a fake news that can exemplify the indirect debate involving decisions is "recent judicial decision determined a 48-hour WhatsApp block"; even without mentioning the TSE and STF, the reader can associate -; and finally, authorities (40%), with a higher percentage compared to other themes.

Regarding the set of actors involved in the debate on fake news in the electoral and justice organizations, we observe the active role of the executive, legislative, and judicial branches, as well as the organizations representing them, in addition to civil society, politicians/candidates, authorities, private organizations, digital platforms, social media users, researchers, media, professionals, and fact-checking agencies. Therefore, the increased circulation of fake news generates misinformation and news that are confused between facts and opinions. Informational disorder and intersection with a political identity are overlapping aspects that can generate tensions in the democratic electoral process (Tovar, 2020).

3.1 The Phenomenon and Pressures on Institutions

The news and messages that invade emails, social networks, computers, and users' lives feed big data with information and are often fueled by the consumers themselves (Jang & Kim, 2018). However, currently, we are part of a system that has become almost indispensable or nearly impossible to avoid data sharing, given that virtually all apps, social networks, and websites request them. There is thus a new configuration that involves the relationship between people, the use of technologies, and how everyone gets informed.

In this relationship, algorithms have impacted and directed information to platform and website users, which, in a certain way, can bias decisions, positions, and, above all, access to information and facts (Sanches, 2021). All of this is made possible by complex and effective control systems that can analyze people's profiles (including political intentions) and send distorted and fraudulent information in an attempt to manipulate political interest. Today there is a simplification of information, and the criticism arises because many citizens start with an impression and end up with an opinion. The critic's journey on the internet does not have this information maturity journey; on the contrary, from the impression, one jumps to the opinion (Sanches, 2021).

The lack of maturity on the reader's part, when exposed to news, can generate informational dysfunctions, something exacerbated by fake news, which has the power, in turn, to direct public debate, as well as agenda setting, and manipulate with the use of fraudulent narratives intended to cause harm not only to individuals but also to organizations and institutions like the TSE and STF. Thus, linked to the

potential to destabilize and generate tensions on the courts, it was possible to identify in the collected data the frames, their components, and their developments, which generate tensions on social support (Nóbrega, 2021). As indicated in Table 5, the frames were characterized as legal, electoral, political, technological, and ethical/moral.

Table 5

Frames and their tensions above the Social Support

Frame	Components of tensions on social support	Unfolding of direct debate	Unfolding of indirect debate
Legal	Outdated rules in the face of the phenomenon of fake news. Legal characterization and concept of fake news and disinformation campaigns as a crime.	Construction of rules that organize the actions of actors in the electoral field. Rules for automation and mass message dissemination. Construction of a legal order. Positioning of the court and the authorities representing them. Court actions in situations involving fake news.	Discussions in the electoral environment that demonstrate the need for the creation of legal instruments aimed at combating fake news. Pressures for actors to participate in a legal order. Public debate involving laws aimed at fake news.
Electoral	Discrediting of public agents and courts; Strategies to counter disinformation.	Actor as a reference in the public debate on electoral disinformation, with actions to minimize the effect of fake news on public discourse.	Discursive dispute about the electoral process presents the need for readjustment.
Political	Political and ideological dispute.	Political pressure, threats to democracy, and the social support of institutions. Public debate involving courts in the fight against fake news.	Weakening of relationships between different actors and institutions. News attempting to discredit the actions of authorities linked to the courts.
Technological	Fake news generating misinformation as a product of information technology.	Rethinking the business model and management of platforms, with consequent economic and legal repercussions (enforcement and compliance). Digital platforms with limited resources in receiving complaints and low control of disseminated content.	Public debate on the use of platforms and technologies. Digital education to combat misinformation.
Ethical / Moral	Hypothesis of moral failure	Transparency of results of electoral processes. Transparency and access to information.	Debate about new models of audit and verification of results.

The frames represent the context linked to the factor of analysis, its characterization, and its impact on higher courts. The debate has a variety of participating actors focused on topics involving fake news, either surrounding a news characterized as fake news or the responsibility of higher courts to deal with this information circulating in the context; this is the distinction between direct and indirect debate. The frames, therefore, are expressions of the debate (Duque, 2015).

The erosion of social support occurs when there is a corrosion of the purpose of these organizations' existence or due to challenges to the authority of these organizations, as synthesized in Table 6.

Table 6

Implications of the debate

Impact	How?	Unfoldings
Threat to social support	Fake news can weaken the understanding of how the social environment interprets the actions of the courts. Thus, echoing in the social sphere, they pose a threat to legitimacy, reputation, and trust.	Courts take positions and react to maintain their social support. Protagonism, defense discursive strategies. This debate weakens the history of reputation building. Inserts elements of suspicion into trust relationships.
Greater exposure of justice organizations	Greater exposure of justice organizations for taking a stance in the debate. They defend themselves and work in an environment that rejects fake news.	Work on awareness, dissemination, guidance, and education fronts, and normatively, notifications, lobbying.
Agenda setting, both direct and indirect, of different actors in the field.	Implication on agenda definition. Involves different field actors, who can characterize elements and debate agendas at different moments.	Brought fake news to the agenda, due to tensions in policies oriented towards fake news. Theme repercussions and greater prominence of the courts. They ceased to be presumed legitimate and sought a way out through discourse. Discursive and operational justifications.

The analysis reveals that the dissemination of fake news affects the social support of higher courts in multiple ways. First, it undermines the legitimacy, reputation, and trust placed in these institutions. Furthermore, the growing exposure of the courts in public debate — as targets or reactive actors — intensifies institutional pressure. Finally, this scenario also influences the shaping of public agendas, leading the electoral justice system to act not only as an arbiter of the process but also as a protagonist in defending its image and authority. These developments reinforce the role of disinformation as a disruptive force in the democratic balance and in public perceptions of judicial institutions. The implications of fake news on social support can be summarized with the assistance of Figure 2.

Figure 2
The implications of fake news on social support
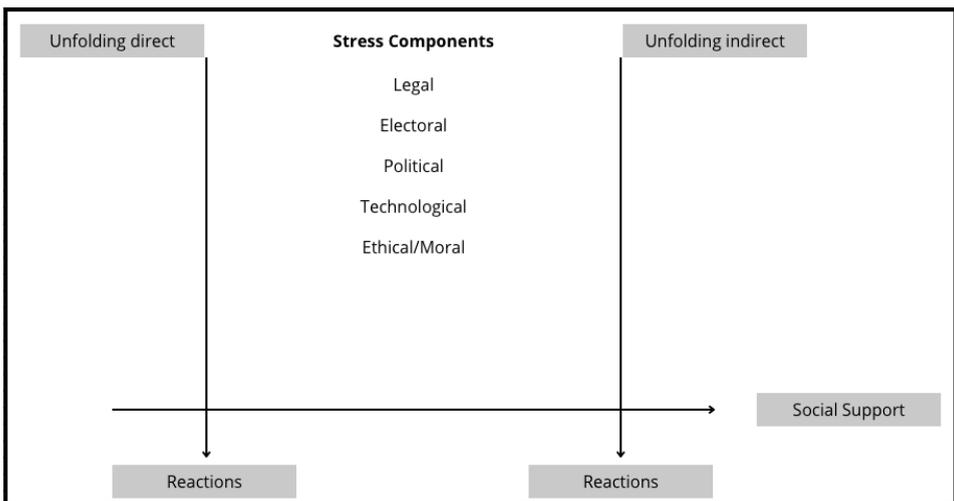
The spread of fake news in the digital space occurs through sophisticated mechanisms that exploit the dynamics of digital platforms. The rise of social media and the speed

at which information spreads have significantly expanded the reach of these false news reports. One of the key factors in this dissemination is the use of bots, cyborgs, and automated profiles, which multiply content and generate a false sense of engagement and credibility. These mechanisms create an ecosystem in which disinformation is amplified, contributing to the erosion of public trust in democratic institutions (Tovar, 2020). Furthermore, political influencers and alternative media play a crucial role in spreading disinformation, often acting deliberately to serve ideological or political interests. When the same narrative is repeated across different channels, subjective truth occurs, where the population begins to believe a falsehood simply due to the constant repetition of the content.

Fake news has a significant impact on social support through different unfolding mechanisms (Cunha Filho, Carvalho & Carvalho, 2022). This phenomenon occurs through direct unfolding, when false news directly targets an institution such as the TSE (Superior Electoral Court) or the STF (Supreme Federal Court), undermining their credibility, and through indirect unfolding, where disinformation creates an environment of widespread distrust. The analyzed image highlights five stress components that enhance this impact: legal (regulatory challenges and difficulty in punishing fake news disseminators), electoral (questioning of the electoral system), political (intensification of polarization), technological (use of algorithms and bots for dissemination), and ethical/moral (threat to transparency and democracy).

These factors trigger institutional reactions aimed at mitigating the impact of disinformation, such as fact-checking initiatives and media literacy education. However, as we indicate, these responses are often insufficient given the speed and reach of fake news dissemination (Cunha Filho, Carvalho & Carvalho, 2022).

The spread of fake news directly impacts institutional legitimacy by questioning the legality and impartiality of judicial decisions, creating a discourse of bias and political favoritism (Bitektine & Haack, 2015). This delegitimization process is reinforced by the systematic repetition of messages on social media, contributing to an environment of collective distrust. The research reveal that between 2018 and 2022, 229 potential fake news exposures directly related to the TSE and STF were identified, demonstrating the high volume of attacks against these institutions. This constant pressure leads to institutional wear and an increasing need for interventions to restore public credibility.

Moreover, the reputation of the STF and TSE is constantly shaken by the circulation of disinformation that distorts the content of judicial decisions and attributes non-existent statements to justices, suggesting manipulation of electoral processes (Deephouse et al., 2017). Data analysis shows that fake news regarding the security of electronic voting machines accounts for 32% of verified news, reinforcing the relevance of this topic in public debate. The dissemination strategy of these narratives weakens the public's recognition of the integrity of these institutions, creating an environment of instability and distrust (Cometta, 2021).

Finally, public trust in the judiciary is significantly harmed as fake news undermines the transparency of institutions. Allegations of fraud in electronic voting machines, for example, generate a perception of insecurity in the electoral process, distancing the population from the Electoral Justice system and impacting democratic stability (Castells, 2018). The data reveal that 51% of the analyzed fake news contained direct attacks on authorities, demonstrating how the disinformation strategy is linked to an attempt to weaken public figures and, consequently, the institutions they represent. This scenario highlights the need for coordinated

measures involving digital regulation, media literacy, and the strengthening of fact-checking mechanisms to mitigate the destructive effects of disinformation on social support.

4. Conclusion

In all the analyzed frames, threats to the TSE and the STF were identified, to which the courts seek to react. There is a weakening of the democratic electoral process due to the elements present in fake news, triggering misinformation and destabilizing voters. Even when compared to other issues involving the media (for example, agenda setting, whose intention is to highlight certain themes and debates), there is a significant difference because fake news not only aim to emphasize topics but, through technological tools, disseminate on a large scale decontextualized, fraudulent, and misleading information.

This study characterized fake news and its impact within the justice organizations, especially the Brazilian superior courts (TSE and STF), empirically demonstrating how this has occurred. Additionally, arguments were presented illustrating how technology interferes with public discourse and, consequently, with the legitimacy, reputation, and trust of organizations and institutions, and how this has advanced with an impact on democratic processes and legislative, cultural, and regulatory systems.

Throughout the study, we have observed an ongoing debate about fake news in Brazil involving the superior courts, as evidenced by news reports, documents, administrative actions, legislative projects, investigations, and other forms of positioning. This debate encompasses various topics: the actions of politicians and authorities, court decisions, offenses and defamation against institutions and authorities,

the electoral process, electronic voting machines, and printed ballots (Bostrom & Yudkowsky, 2018).

A portion of this debate is focused on attacks against justice organizations, serving as both the subject and target of fake news. Another part positions justice organizations as actors with responsibilities regarding fake news. Justice organizations face increased exposure as they take a stance in the debate, simultaneously becoming both subjects and targets of fake news. In light of these findings, coordinated public policies, judicial transparency, and digital literacy emerge as essential tools to rebuild trust and counter the disruptive power of disinformation.

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