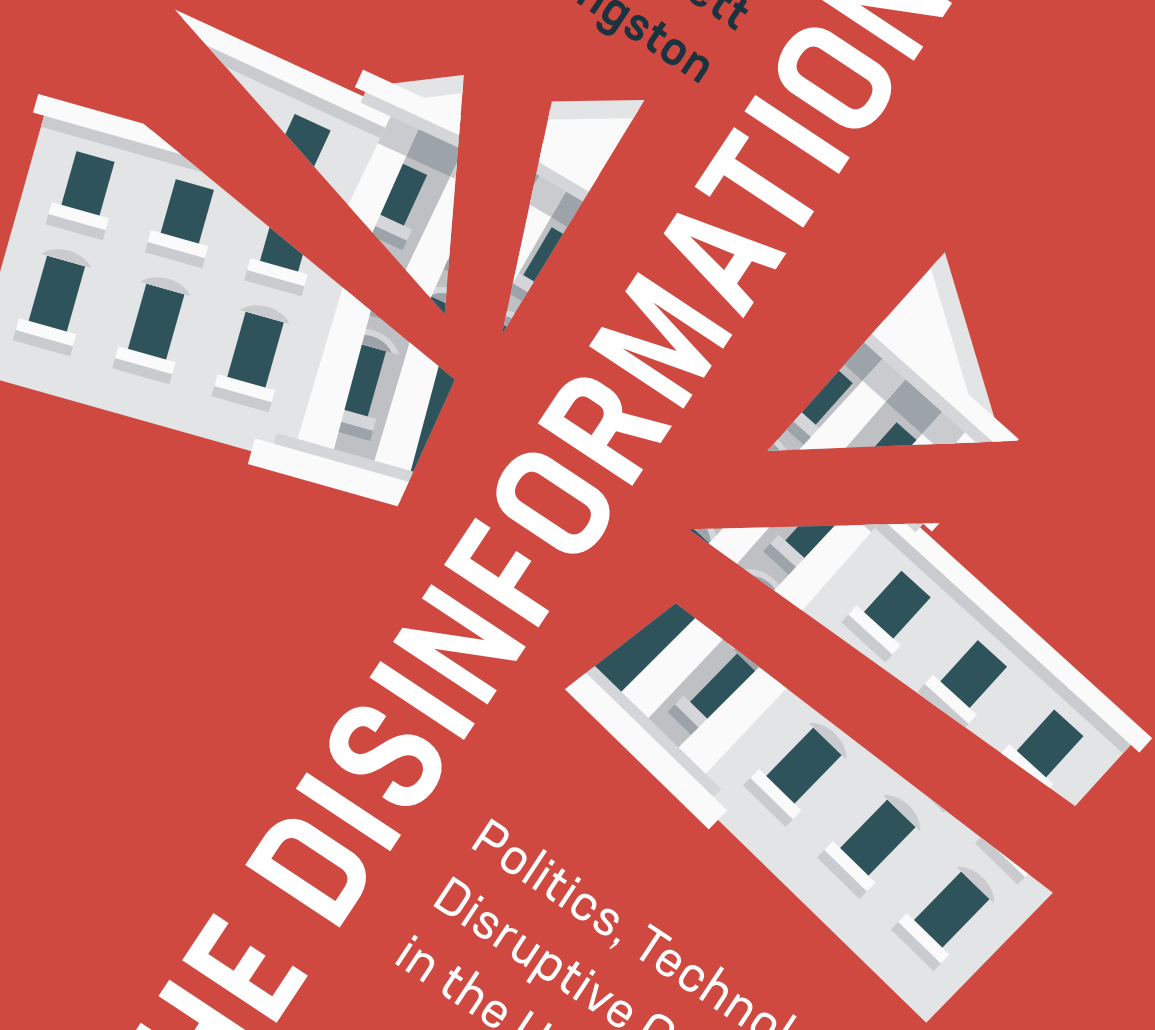
SSRC Anxieties of Democracy

THE DISINFORMATION AGE

EDITED BY
W. Lance Bennett
Steven Livingston



Politics, Technology, and Disruptive Communication in the United States

The Disinformation Age

The intentional spread of falsehoods – and attendant attacks on minorities, press freedoms, and the rule of law – challenge the basic norms and values upon which institutional legitimacy and political stability depend. How did we get here? *The Disinformation Age* assembles a remarkable group of historians, political scientists, and communication scholars to examine the historical and political origins of the post-fact information era, focusing on the United States but with lessons for other democracies. Bennett and Livingston frame the book by examining decades-long efforts by political and business interests to undermine authoritative institutions, including parties, elections, public agencies, science, independent journalism, and civil society groups. The other distinguished scholars explore the historical origins and workings of disinformation, along with policy challenges and the role of the legacy press in improving public communication. This title is also available as Open Access on Cambridge Core.

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SSRC Anxieties of Democracy

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With liberal democracies afflicted by doubt and disquiet, this series probes sources of current apprehensions and explores how such regimes might thrive. What array of pressures most stresses democratic ideas and institutions? Which responses might strengthen these regimes and help them flourish? Embedded in the Social Science Research Council's program on "Anxieties of Democracy," the series focuses on how representative institutions – including elections, legislatures, political parties, the press and mass media, interest groups, social movements, and policy organizations – orient participation, learning, and accountability. The volumes in the series further ask how particular policy challenges shape the character of democratic institutions and collective actors, and affect their capacity to address large problems in the public interest. These challenges include, but are not limited to: (1) designing democratic institutions to perform successfully under conditions of social and political polarization; (2) managing and orienting contemporary capitalism and alleviating hierarchies of inequality; (3) addressing questions of membership, including population movements and differentiated citizenship; (4) choosing policies to balance national security and civil liberty; (5) exploring the effects of global climate on citizens and the human impact on the environment; (6) managing the development of media and information technologies to ensure they enhance, rather than degrade, robust pluralism and civil political engagement.

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The Disinformation Age

Politics, Technology, and Disruptive Communication in the United States

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Preface
The Origins and Importance of Political Disinformation

Democracies around the world face rising levels of disinformation. The intentional spread of falsehoods and related attacks on the rights of minorities, press freedoms, and the rule of law all challenge the basic norms and values on which institutional legitimacy and political stability depend. The many varieties of disinformation include: politicians lying about their policies and political activities; attacks on the scientific evidence surrounding important issues such as climate change; the spread of "deep state," "globalist" and various bizzare conspiracy theories; and the invention of stories to inflame existing social and political conflicts.

The sources of these claims include elected politicians, movement leaders, social media influencers, foreign governments, and political information sites that often use familiar journalistic formats to package propaganda. Many of these efforts come from the radical-right movements, parties and wealthy libertarian interests that oppose broad and inclusive democratic representation, and the public interest protections of government. *The Disinformation Age* traces the origins, mechanisms, effects, and possible remedies for the spread of these forms of disruptive communication. While this volume focuses on the United States, similar patterns can be found in many other democratic nations.

Consider just one example of how disinformation can disrupt democratic political institutions. Following an historic reign of error and the promotion of thousands of "alternative facts," Donald Trump ventured into new and uncharted territory by inviting various leaders of foreign

nations to investigate the activities of his domestic political rival, Joe Biden. Most of his concerns were specifically framed in terms of the disinformation circulating in right-wing circles, which challenged official government investigations concluding that Russian operatives had hacked Democratic National Committee email servers; leaked information damaging to presidential candidate Hillary Clinton; and spread "fake news" stories via Facebook and other social media during the 2016 election. Trump's alternative account of these events was typical of the fluid nature of information unhinged from evidence, reason, and credible sources.

Although years of lies and false claims had become routine in the course of Trump's "Twitter presidency," he seemed to cross a constitutional line by pressuring a foreign leader to intervene in US domestic politics. A whistleblower reported a phone call between Trump and Ukrainian President Zelensky during which Trump urged the Ukrainian leader to dig up dirt on Joe Biden and his son Hunter, in exchange for the US military aid needed to fight a Russian-backed insurgency in the country. The whistleblower complaint to the Inspector General of the Intelligence Community described how Trump used the power of his office to "solicit interference from a foreign country in the 2020 election."[1] Among the favors Trump asked of the Ukrainian president was a demand for him to look into the whereabouts of a "missing" computer server used in the Democratic National Committee (DNC) hack. Trump's request followed the logic of a conspiracy theory originating, in part, with Russian sources, which claimed that actors in Ukraine had organized the hack.

This wasn't the first time Trump raised the matter of a "missing" DNC server or implied a Ukrainian link, specifically that the cyber-security firm, CrowdStrike, that investigated the hack was connected to Ukraine. On another occasion, Trump said, "That's what I heard. I heard it's owned by a very rich Ukrainian, that's what I heard."[2] In a 2017 interview with the Associated Press, Trump referred to CrowdStrike as a "Ukraine-based" company. None of these claims were true. CrowdStrike is in fact headquartered in Sunnyvale, California, with an office in Arlington, Virginia. It was founded in 2011 by an accountant from New Jersey named George Kurtz and a Russian-born American citizen named Dmitri Alperovitch. What about the missing server that, according to the right-wing conspiracy theorists, was spirited away to Ukraine by CrowdStrike? In actuality, no servers located locally to the DNC were involved in the breach. Even though the facts of the case led to Trump's impeachment by Democrats in the US House of Representatives and an eventual trial in the Senate, Trump and his supporters continued to rely on the conspiracy theory.

Reporting by Ashley Parker and Philip Rucker in the *Washington Post* covered a presidential Twitterstorm that went on for weeks after the start of the impeachment inquiry (one burst included thirty-three tweets in twenty minutes). Trump told his sixty-five million followers that the proceedings amounted to a coup. He charged the head of the congressional impeachment inquiry with treason. And he retweeted a warning from a prominent religious leader that his impeachment would "cause a civil war-like fracture in this nation." Stephen Miller, a Trump senior policy adviser, told Fox News's Chris Wallace that the whistleblower was "a deep state operative, pure and simple." Rather than a half-baked conspiracy, Trump's supporters saw a lying press colluding with the "deep state" to produce fake news in support of endless witch-hunts against a beleaguered president fighting to save America.

The story that developed interactively between Trump and his supporters did not spring from thin air. It was spread in timely fashion by a distributed propaganda network backed by wealthy political interests and amplified by various political organizations and related media platforms. According to Jane Mayer writing in the *New Yorker*, the Ukraine conspiracy got its start with a Florida-based organization called the Government Accountability Institute (GAI), which bills itself as "America's Premier Investigative Unit Exposing Cronyism and Corruption." GAI was founded in 2012 by Stephen Bannon, the same erstwhile Trump ally who once headed Breitbart News and cofounded the ill-fated Cambridge Analytica, which compromised the accounts of more than fifty million Facebook users in spreading stealthy propaganda for Trump in the 2016 elections, and in support of the "Leave" campaign in the UK Brexit referendum earlier that year. GAI had been given millions of tax-exempt dollars by Robert Mercer's family foundation. The Mercers also supported Breitbart, and Robert Mercer cofounded Cambridge Analytica with Steve Bannon. Rebekah Mercer, Robert's daughter, is the GAI's board chair. The Mercers also donated generously to the Trump campaign. GAI president Peter Schweizer, also an editor-at-large at Breitbart News, was well-known for his conspiracy writing about Hillary Clinton. His later book about Biden and his son laid out the basic outlines of Trump's Ukraine conspiracy theory, and earned Schweizer an appearance on *Hannity* and other Fox News programs to publicize the conspiracy.

Mission accomplished: the damaging evidence-based account that Trump was trading foreign aid for political favors was thus neatly

repaired by the alternative story that he was, in fact, making sure that countries with which the USA does business were not corrupt. According to the disinformation account, Trump and his team were investigating the real corruption of the past government and Joe Biden. The core audience for this alternative version were Trump supporters who follow him on Twitter, Fox News, Rush Limbaugh's radio talk show, and many other media outlets involved in amplifying the story.

How is such strategic disinformation produced and spread, and with what effects? These are core questions around which a new field of communication research is emerging: the study of disinformation and networked propaganda. This field has room for both qualitative research (e.g., who funds the disinformation sites, political organizations and think tanks?) and quantitative work (e.g., how do large volumes of dubious content flow through various information and communication networks?). This emerging area of study, as illustrated by the range of work in this book, also looks at challenges to the traditional press and the practice of journalism, as well as the erosion of democratic legitimacy and liberal values. These threats raise important questions about how to protect democratic institutions and values, and how to regulate disruptive information and the political organizations and media companies implicated in its spread.

HOW DID WE GET HERE?

There are many explanations for how we arrived at our current "post-truth" era. Some point to social media's propensity to algorithmically push extremist content and to draw likeminded persons together with accounts unburdened by facts. Others emphasize the role of the Russians, Iranians, North Koreans, or Chinese in efforts to disrupt elections and exaggerate domestic divisions. Other standard accounts point to voter ignorance, racial resentments or religious intolerance. Adherents to these explanations advocate better media literacy and citizenship education, and more fact-checking in journalistic accounts. While there is merit to these and other accounts, they fail to address the full scope of the problem.

In varying ways, several of the contributors to this volume focus on the erosion of liberal democratic institutions, particularly parties, elections, the press, and science. These institutions produce information anchored in norm-based processes for introducing facts into public discourse, including peer-review in science, rules of evidence in courts, professional practices and norms of fairness and facticity in journalism. At the end of

the day, Trump's unhinged conspiracies reflected not just his personal psychological condition, but also a broader institutional crisis that brings with it an epistemological crisis. In the absence of authoritative institutions, Trump and his enablers were unanchored by facts. Instead, they had "alternative facts."

WHY THE INSTITUTIONAL CRISIS?

Some erosion of trust in institutions stems from historic incidents of government deceit, such as years of lying about the Vietnam War, followed four decades later by the lies supporting the disastrous invasion of Iraq in 2003. As the messenger for government communications, journalism also suffered because of its uncritical coverage of the pretext of the war. The business press also could have added more critical reporting to its boosterish coverage of Wall Street prior to the financial collapse of 2008. Meanwhile, business has also contributed to the spread of disinformation by promoting harmful products that have put public safety and health at risk, with particularly egregious examples including the denial of scientific evidence about the risks of cigarette smoking, pesticides, and other chemicals, as well as climate change.

While this legacy of deceptive communication may have weakened public trust in traditional, authoritative information sources (e.g., government and science), the recent era has witnessed more systematic efforts by political organizations and media companies to ramp up public anger and mistrust. Further complicating these problems is the proliferation of communication technologies that enable citizens to produce and spread content, as well as to consume it, from a greater range of questionable sources than ever before. This book explores the rise of the current disinformation order and the role of democratic institutions, political organizations, and information and communication technologies in that story. While this is largely a story about the United States, the political and communication processes involved also apply in different ways to other democracies. We hope that our frameworks will be of use to scholars in other countries.

ABOUT THIS BOOK

The authors gathered here are distinguished representatives of the interdisciplinary perspectives of history, political science, sociology, law, and communication – fields that are all helpful to understanding the origins and importance of the problem. While some observers approach

disinformation as something that has emerged seemingly from nowhere, the chapters in this book trace various origins, such as: the history of business deception in promoting corporate interests over the public interest, government lying to promote dubious policies, and the rise of political influence networks that limit the capacities of government to represent the public interest. These historical factors have contributed both to the erosion of trust in public institutions, and to a related decline in confidence in the news media that have traditionally connected public authorities and citizens. As authoritative information is increasingly challenged, new digital platforms and social media networks supply the demand for alternative political truths that are actively consumed by disaffected citizens. The growing volume of disinformation fuels political movements and parties largely on the radical right, resulting in attacks on the press, the fostering of hate, efforts to exclude various minority groups, and the rise of ethnic nationalism in many nations. The book traces the origins of this decline of institutional authority, the state of current disinformation systems, the historical origins of systemic disinformation, the importance of independent public media, and possible regulatory and political remedies for these problems.

In Chapter 1, Lance Bennett and Steven Livingston define the nature of disinformation, and outline the challenges to healthy democratic discourse. Disinformation is often explained in terms of individual-level psychological processes, including the tendency to seek information that is supportive of existing beliefs or to be more skeptical of information that runs contrary to existing beliefs. These might be thought of as demand-side explanations. With its endless supply of unfiltered and often unhinged claims, social media is said to exacerbate these mental proclivities. With the problem understood in this way, obvious solutions involve media-literacy programs, fact-checking, and some form of content regulation.

While not dismissing the significance of cognitive processes, Bennett and Livingston step back to consider the broader political and economic attacks on public institutions that have traditionally produced authoritative information in democracies. This account focuses on the rise of political influence networks anchored in think tanks, lobbying campaigns, tax-supported "charitable" political organizations, and electoral campaign finance laws. These efforts to undermine the representative capacity of parties, governments and state institutions have also undermined the credibility of many elected officials, along with the legacy press which carries their messages. The result has been a political backlash against previously authoritative institutions by those on both left and right. The

right especially has organized around ethnic nationalism, anti-immigration, and other divisive political issues. These political ruptures are magnified and supported by the large disinformation networks that have grown with the help of wealthy business interests and the elected officials that they support. Understood through a political and economic lens, solutions are found in reforms designed to strengthen authoritative institutions.

The following section of the book covers the current political communication situation, beginning with Chapter 2 by Yochai Benkler that describes the results of a large-scale study of the political media ecosystem during the 2016 US presidential campaign and the first year of the Trump presidency. The major finding is that the American political media ecosystem is asymmetrically polarized, with an insular, well-defined right wing, and the rest of the media, from the center-right to the far left, forming a single media ecosystem anchored by traditional media organizations like the *New York Times* or the *Washington Post*. The analysis shows that the American radical right is more active in producing and sharing disinformation than the left. The chapter then offers an analysis of why political economy, rather than technology, was the source of this asymmetry. Benkler outlines the interactions between political culture, law and regulation, and communications technology, which underwrote the emergence of the propaganda feedback loop in the right wing of the American media ecosystem.

Chapter 3 by Paul Starr describes how we became so vulnerable to disinformation in this digital era. He argues that, like recent analyses of democratization, which have turned to the reverse processes of democratic backsliding and breakdown, analyses of contemporary communication need to attend to the related processes of backsliding and breakdown in the media – or what he refers to as "media degradation." After defining that term in relation to democratic theory, Starr focuses on three developments that have contributed to increased vulnerability to disinformation: 1) the attrition of journalistic capacities; 2) the degradation of standards in both the viral and broadcast streams of the new media ecology; and 3) the rising power of digital platforms with incentives to prioritize growth and profits and no legal accountability for user-generated content. Policies of limited government and reduced regulation of business, along with partisan politics, have contributed to these developments.

The next section of the book examines key historical roots of the problem. Chapter 4 by Naomi Oreskes, Erik Conway, and Charlie

Tyson asks a deceptively simple question: how did so many Americans come to believe that economic and political freedoms are indivisible from one another? One part of the answer involves organized campaigns by trade associations to sell these principles to the American people. This chapter examines one such campaign: the National Association of Manufacturers' propaganda effort of 1935–1940. A central part of this campaign was the radio show *The American Family Robinson*. This folksy drama of small-town American life didactically warned of "foreign" socialist theories and reassured listeners of the beneficence of business leaders. The program offers a case study in corporate propaganda. In its bid to convince listeners that the American way of life depends on the free market – and that any move toward social democracy presents a threat – the show dramatizes argumentative and rhetorical procedures that continue to shape American political culture.

Chapter 5 by Nancy MacLean examines an important source of the strategic disinformation now rife in American public life: the Koch network of extreme right donors, allied organizations, and academic grantees. She argues that these architects of the radical transformation of our institutions and legal system have adopted the tactic of disinformation in the knowledge that the hard-core libertarian agenda was extremely unpopular, and therefore required stealth to succeed. The chapter tells the story of how Charles Koch and his inner circle, having determined in the 1970s that changes significant enough to enable a "constitutional revolution" (in the words of the political economist James McGill Buchanan) would be needed to protect capitalism from democracy, then went about experimenting to make this a reality. In the 1980s, they first incubated ideas for misleading the public to move their agenda forward, as shown by the strategy for Social Security privatization that Buchanan recommended to Koch's Cato Institute, and by the operations of Citizens for a Sound Economy, the network's first astroturf – or fake grassroots – organizing effort. Subsequent practices of active disinformation by this network, for a project that could not succeed by persuasion and organizing alone, become more comprehensible when understood as driven by a mix of messianic dogma and self-interest. Later cases include tobacco "scholarship" for hire by Buchanan's colleagues at George Mason University to deter the public health campaign against smoking; climate science denial to stop action on global warming; promotion of the myth of mass voter fraud to leverage racism to restrict the electorate; assurances of the benefits of an Article V Constitutional Convention, restricted to a few pre-announced changes; and the use of concocted memes of violent mobs

requiring restraint, in order to win passage of new legislation to criminalize protest, particularly against the fossil fuel industry.

The next section bridges the historical roots of the problem with the challenges of making contemporary policy to regulate these abuses of transparent communication. Chapter 6 by Dave Karpf explores how online conspiracy theories, disinformation, and propaganda have changed over the twenty-five-year history of the World Wide Web. Drawing a historical comparison between digital disinformation in the 1996 presidential election and the 2016 presidential election, the chapter explores how the mechanisms of online diffusion, the political economy of journalism and propaganda, and the slow, steady erosion of load-bearing norms among political elites have combined to create a much more dangerous context today than in decades past. The chapter concludes with a discussion of how technology platforms, political elites, and journalistic organizations might respond to the current state of online disinformation.

Chapter 7 by Heidi Tworek explores five historical patterns in information manipulation and suggests how these patterns can guide contemporary policy-making about the Internet. The historical resonances remind us to pay attention to physical infrastructure, understand disinformation as an international relations problem, examine business structures more than individual content, consider long-term consequences of regulation, and tackle broader economic and social issues beyond media. The framework of five patterns emerged from Tworek's testimony before the International Grand Committee on Big Data, Privacy, and Democracy in 2019.

Ben Epstein (Chapter 8) concludes the policy section by explaining that although the dangers of disinformation campaigns are real and growing quickly, effective interventions have remained elusive. Why is it so difficult to regulate online disinformation? This exploration builds on the chapter by Heidi Tworek and analyzes three major challenges to effective regulation: 1) defining the problem clearly so that regulators can address it, 2) deciding who should be in charge of creating and enforcing regulations, and 3) understanding what effective regulation might actually look like. After analyzing these challenges, Epstein suggests four standards for effective regulation of disinformation. First, regulation should target the negative effects, while consciously minimizing any additional harm caused by the regulation itself. Second, regulation should be proportional to the harm caused. Third, effective regulation must be able to adapt to changes in technology and disinformation strategies. And fourth, regulators should be as independent as possible from political and corporate influence.

The following section examines the possible role of, and challenges to, public broadcasting in restoring trusted public information. In Chapter 9, Patricia Aufderheide asks: Can US public broadcasting provide a unique bulwark against disinformation? At a time when commercial journalism's business model has eroded and disinformation abounds, there are ample reasons to turn to the public broadcasting service model. The service was founded with Progressive-era rhetoric about an informed public, and has withstood relentless attacks from neoconservatives, although not without casualties. Public broadcasting has two of the most trusted media brands in the USA, National Public Radio (NPR) and Public Broadcasting System (PBS). Aufderheide shows how the structure of public broadcasting both limits its ability to serve as a counter to disinformation, and also in some ways protects it against attacks.

In Chapter 10, Victor Pickard makes the case for why a new public media system is necessary to confront the "systemic market failure" plaguing American journalism. While underscoring normative foundations, this chapter tries to address the "how did we get here?" and "what is to be done?" questions. After contextualizing problems with disinformation and the contemporary journalism crisis, the chapter explores various criteria for what this new public media should entail, and concludes with a discussion about the necessary policies for actualizing structural alternatives to the overly commercialized American media system. This analysis addresses similar recent developments with other public systems around the world, including the BBC.

The concluding chapter by Steven Livingston and Lance Bennett (Chapter 11) reviews the historical attacks on authoritative public institutions, and raises the question of why many of the political organizations responsible for eroding trusted information sources should continue to be granted tax-protected status as charitable organizations. This seemingly bizarre reality shows how far public institutions in the United States have become bent to the service of private interests that aid the spread of disinformation. This conclusion invites readers to think about why there is so little attention devoted to the protection of democracy and the quality of citizen information upon which it depends.

NOTES

1. Michael D. Shear and Nicholas Fandos, "Impeachment Report Says Trump Solicited Foreign Election Interference," *New York Times*, December 13,

2019, www.nytimes.com/2019/12/03/us/politics/impeachment-trump-intelligence-committee.html.

2. Dan Primack, "Trump gets facts wrong on DNC cybersecurity company," *Axios*, April 24, 2017, www.axios.com/trump-gets-facts-wrong-on-dnc-cybersecurity-company-1513301806-82976411-9d64-4898-ae9b-0a68b9a350bb.html.

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PART I

DISINFORMATION IN POLITICAL AND HISTORICAL CONTEXT

1

A Brief History of the Disinformation Age

Information Wars and the Decline of Institutional Authority

W. Lance Bennett and Steven Livingston

Much attention has been focused in recent years on growing levels of disruptive communication – "fake news," disinformation, and misinformation – in contemporary democracies. Media organizations and social media platforms in many nations are circulating conspiracies, manufacturing "alternative facts," inventing imagined incidents, or blaming political opponents for real ones. By the time President Donald Trump reached his 1,055 day in office (December 10, 2019), he had misled or lied to the American people 15,413 times.[1] In one stretch prior the 2018 midterm elections, he averaged thirty false or misleading statements *per day*.[2] Undaunted by news reports of his habitual dissembling, Trump greeted the reports with the blanket retort of "fake news." Despite Trump's unprecedented role as "outliar-in chief," the mainstream press in the USA could not do much more than keep a running tally of his daily mendacity. Such mainstreaming of disinformation lends legitimacy to its proponents, and spreads confusion among the good burghers who cannot comprehend what is happening to their country.

In the argument that follows, we define disinformation as intentional falsehoods or distortions, often spread as news, to advance political goals such as discrediting opponents, disrupting policy debates, influencing voters, inflaming existing social conflicts, or creating a general backdrop of confusion and informational paralysis.[3] Different nations have their own versions of these problems, perhaps led by the USA and Brexit-era Britain, but versions of these problems exist in other democracies around the world. For example, large volumes of disruptive propaganda about immigrants and climate change have been produced by the Alternative für Deutschland party and its followers in Germany.

There are also "illiberal" democracies, including Hungary, Poland, and Turkey, where disinformation supports a transition to more authoritarian regimes with overt press censorship and the suspension of basic rights and legal processes. Though our account is focused on the United States, we sketch a framework based on declining institutional authority that invites comparisons to other national cases and traces the roots of disinformation through several historical eras.

These ruptures in shared political reality undermine basic norms and communication processes on which democracies depend for policymaking, conflict resolution, acceptance of outcomes, and general civility. What explains these developments? How did facts become unhinged from important public policy debates and assessments of the worthiness of political leaders? Citizens still anchored by established democratic institutions often find these developments hard to fathom and more than a little unsettling.

We argue that a crisis of legitimacy of authoritative institutions lies at the heart of our current disinformation disorder. In a well-functioning public sphere, institutions anchor public debate in a mix of competing political goals and values, authoritative evidence claims, and norms and processes for communicating and resolving disagreements. Yet, those norms of reasoned debate between competing viewpoints have given way to wilful distortion and reckless prevarication that disrupt the basic functioning of democratic public spheres. For every fact that seems key to discussing important issues such as immigration or climate change, opponents are ready with alternative facts that distort perceptions of problems and solutions. Institutional arenas designed to articulate and resolve political differences through reasoned debate based on evidence are disrupted and fail to provide the gatekeeping roles that once kept politics bounded by a more or less shared set of institutional norms and processes. How did this happen? First, we will examine some of the conventional explanations that are currently circulating in society, and then offer a broader model of democratic disruption.

CONVENTIONAL EXPLANATIONS FOR DISINFORMATION

The origins of these developments remain poorly understood, though several standard explanations are heard on talk shows and the conference circuit. Many observers put the lion's share of blame squarely on social media.[4] There is, of course, good reason for this. Facebook and

YouTube, perhaps more than other platforms, have gamed algorithms to monetize animus and rage.[5] Yet as reasonable as concerns about this are, this account does not explain why the demand for disinformation has grown, or how selected content circulating on social media often becomes amplified in legacy media, despite fact checking and other flags raised by news organizations. While blaming social media addresses one element of a larger problem, this account misses the breakdown of institutional authority which has undermined trust in official information. In particular, putting the spotlight on social media alone, misses deeper erosions of institutional authority which involve elected officials – traditionally among the most prominent sources of authoritative information – themselves becoming increasingly involved in the spread of disruptive communication.

Despite these deeper issues, many suggestions about restoring reason and order in distressed public spheres emphasize fact-checking, media-literacy initiatives, or policies requiring media giants such as Facebook and YouTube to police content. Though generally well intentioned, these approaches are unlikely to produce the desired results, in part because growing numbers of citizens want to believe alternative facts that appeal to the deeper emotional truths and feelings of political and economic marginalization. Moreover, it is unlikely that elected officials supported by such followers would regard efforts to regulate their communication on social media as anything but censorship.

Nonetheless, the common-sense focus on fact-checking and correcting individual belief in improbable information, makes it understandable that many explanations emphasize individual cognitive processes. Some people are understood to be particularly susceptible to disinformation. Indeed, for some there appears to be a demand for emotionally soothing, if factually unsound narratives. Conspiracy theories and vitriolic content engage those vulnerabilities and use them to manipulate and deceive receptive populations. Other observers claim that conservatives, who circulate more of this kind of content, are motivated by a primordial fear of disorder.[6] More circumspect claims suggest only that there are discernible patterns in individual responses to new information. Those patterns reveal the effects of different information-processing styles, associated with varying demographic details (age, education, race, etc.) and contingent conditions.[7]

Many experiments have found a human tendency to privilege information aligned with prior beliefs. This is often referred to as confirmation

bias. Disconfirmation bias or motivated skepticism describes the same concept from the other direction. Together, both tendencies lead to polarization. To protect existing beliefs, individuals tend to seek out reasons to dismiss or avoid engagement with information that is disconfirming of prior beliefs, while seeking out emotionally soothing truths that confirm convictions. Some have even speculated that information at odds with existing beliefs is mentally reversed and understood in terms that are aligned with prior beliefs. Brendan Nyhan and Jason Reifler found that a perverse "backfire effect" occurs when efforts to correct factually unsound beliefs leads to a deepening of convictions.[8] As happens with laboratory-based experiments, this finding failed to find support in subsequent experiments. Ethan Porter and Thomas Wood, for example, found little evidence for the presumed deepening of convictions found by Nyhan and Reifler.[9] Eventually, all four scholars came together around a single experiment that found that the backfire effect is indeed elusive, though people still stick with their deeper political convictions, irrespective of whether any given bit of information is factually sound. Trump supporters, as it turns out, take him seriously but not literally.

As interesting as these evolving research insights might be, their focus on isolated individuals asked to discern truth from fact – in real time, on a broad range of topics – seems a poor fit with either the political nature or the scale of the problem. Looking at how individuals process (dis)information seems to fit better with fact-checking and media-literacy approaches than with broader systemic explanations. Moreover, a key assumption of the individual effects research literature seems to be that people are operating in relative isolation. Yet even at the individual level in the social media age, people are not isolated information processors. They look for trusted information from their social networks and often participate in the production and distribution of large volumes of disruptive content.

Our point here parallels similar criticisms of framing research offered decades ago. For example, James Druckman and Kjersten Nelson's observations about the limitations of experimental research on framing effects, applies equally well to individual-level research about disinformation:

> Analysts have documented framing effects for numerous issues in various contexts. Nearly all of this work uses surveys or laboratory experiments where individuals receive a single frame and then report their opinions, without any social interaction or access to alternative sources of information. Study participants thus find themselves in a social vacuum, receiving frames and reporting their opinions with no possibility to discuss the issue at hand.[10]

The application of an experimental research paradigm that stretches back to mass-media effects research half-century ago, seems out of synch with the current era of more interactive and differently cued and shared information. This seems a case of trying to fit old political communication models to a much different political, social, and technological era.[11] And, as noted above, many of these demand-side approaches circle back to recommendations to simply educate people about detecting and avoiding disinformation. In addition to avoiding the question of why so many people easily exchange facts for deeper emotional truths, support for fact-checking also rests on the assumption that errors occur episodically in an otherwise functioning information order. This understanding simply does not square with the industrial-scale production of broad and sustained disinformation narratives that define so much of the global political landscape. The propagation of misleading content is not a bug, it is a feature, as Facebook's refusal to correct wilful lies in political ads underscores. In this environment, relying on fact-checking and media-literacy campaigns seems rather futile, and is likely to appeal most to those who do not need them.

Other popular explanations point to the well-documented efforts of the Russians and other foreign governments to disrupt elections and amplify social conflicts in Europe and the United States.[12] Based on these concerns, international organizations from NATO to the EU have sought to uncover and counter various foreign sources of disinformation. In addition to international organizations, the recent period has witnessed an explosion in the number of research centers and institutes in Europe and the United States devoted to disinformation research. Each project maps episodes of foreign influence in Western democratic politics. Yet despite these concerted efforts, it remains unclear how hackers, bots, and sock-puppets – human-directed accounts using assumed identities – can be prevented from spreading fabrications, especially when they amplify widely available state propaganda channels such as RT and Sputnik. Even more challenging is the fact that *foreign* disinformation often amplifies narratives promoted by prominent *domestic* sources (or the other way around), including Fox News in the US, the most popular domestic 24 hour news channel. For example, during the historic impeachment process in 2020, Trump and his defenders claimed – contrary to broadly available evidence from investigations by state security agencies – that the hacking of the Democratic National Committee (DNC) and Clinton campaign emails in the 2016 election originated in Ukraine and not from Russia. This was an obvious lie, as his Republican Party defenders in Congress

certainly realized, along with his political advocates on Fox News. Trump and his disinformation chorus also claimed that a computer server at the heart of the DNC hack had been spirited away to Kyiv by a shady Ukrainian cybersecurity company. There was never a single server physically present at the party headquarters, and the security company was actually located in California. The conspiracy theory paralleled Russian state propaganda designed to draw away critical attention from the Kremlin's interference in the US 2016 election.[13]

Our concern is that these and other popular understandings of disinformation problems, along with the related solutions, tend to focus on the *symptoms* and not on the *causes* of contemporary communication disorders. Locating the trouble in social media, confused citizens, or with foreign governments, fails to explain the deeper origins of the problem. Our account draws on a broader examination of decades of capture and erosion of governing institutions by wealthy interests and aligned political elites, unable to sell their actual agendas to the public without increasing levels of disinformation. This disruptive communication is spread through think tanks, corporate deception, partisan political organizations, election campaigns, and by government officials inclined to spin and distort their truth claims to promote otherwise unappealing policies and actions. Both legacy and social media communicate these alternative realities to and from publics, who complete the disinformation circuit by spreading it, and by voting for politicians who confirm it. In the process, growing numbers of citizens withdraw support and confidence in public institutions and responsible officials who produce more trustworthy information. This set of problems did not just happen suddenly. In the next sections we look at some of the historical origins.

A DEEPER INSTITUTIONAL EXPLANATION

In this accounting, our current post-fact era is best explained by the systematic weakening of authoritative institutions of liberal democracy. For decades, conspiracy theories and hateful and crackpot ideas have circulated on the fringes of society. In most earlier cases, they were held in check by institutional vetting and gatekeeping. Even the McCarthy Red Scare during the 1950s seemed an episodic exception to the rule, which ended when the Senate censured the Republican Senator from Wisconsin after he attacked the Army. In the more recent impeachment proceedings against Donald Trump, the Senate trial did not admit witnesses or

evidence, as the Republican majority deemed additional evidence unnecessary for the foregone conclusion of a pro-Trump verdict.

In the past, more responsible parties, trusted press institutions, and more functional election and institutional processes resisted bringing conspiracies into the center of politics. When large majorities of the population trusted parties, governments, and institutions at higher levels, unhinged ideas were not given traction in mainstream media. The current information disorder is the result of the erosion of liberal democratic institutions, especially those involved in vetting political claims according to the authority of evidence, and in accordance with established processes and norms. While there are few, if any, absolute truths in politics, assessing the plausibility and potential corruption of political actions is aided by such institutional gatekeepers as: independent judiciaries that adhere to rules of evidence and precedence in reaching decisions, peer-reviewed science, professional journalism that faces reputational costs for inaccurate reporting, and apolitical civil services that promulgate and enforce regulations according to best available practices and scientific evidence. Also among these institutions are political parties that are meant to organize and articulate collective demands and grievances according to the interests and goals of their constituencies.

When these institutions operate with high levels of public confidence, they produce information that is generally trusted and kept within the bounds of recognized social values, political norms, and conventional understandings about what is and what is not acceptable. Political debates are meant to hinge on contested interpretation of facts, or facts contextualized differently by competing values, but not on alternative facts. However, decades of corrosive political and economic pressure have eroded public confidence in these institutions. For example, as ideologies and competing views about regulating markets, or the role of government in providing social welfare, have faded, once distinctive political parties have turned to branding, product marketing, and strategic communication techniques to win votes.[14] In Europe, even parties such as the German Greens have drifted in neoliberal directions (e.g., pro-growth and market-based policy), favoring "green growth" and business-friendly policies in order to position themselves to enter government and gain shares of state support. Comparable disconnections between traditional party principles and voters also characterized the "Third Way" British Labor Party under Tony Blair, the Schroeder Social Democrats in Germany, and the Clinton Democrats in the United States in the 1990s. Similar changes in many

nations have ushered in an era of what Colin Crouch has called "post-democracy."[15]

Even greater institutional drift and values erosion has occurred in the US Republican Party. In the early 1960s, the party leadership soundly rejected fringe radicals like the John Birch Society and its mix of fervent anti-Communism and bizarre conspiracy theories.[16] In recent years, however, the party has embraced conspiracy theories and disinformation as a governing philosophy. Repeated so often, such theories have become tropes: climate change is a hoax; tax breaks for billionaires produce trickledown benefits for the poor and middleclass; and deregulation spurs innovation. As one recent account of the resurgence of the John Birch Society noted, "The Society's ideas, once on the fringe, are increasingly commonplace in today's Republican Party." As one contemporary Bircher in Texas noted, "State legislators are joining the group." Furthermore, the John Birch Society was reported to have common cause with "powerful allies in Texas, including Senator Ted Cruz, Representative Louie Gohmert and a smattering of local officials."[17] This vignette illustrates a much broader phenomenon. Institutions once able to vet truth claims, institutions that once defined a more cohesive public sphere, have fractured, leaving an epistemological vacuum filled by citizens who feel lost in a world spinning – and being spun – out of control.

FROM SPIN TO DISINFORMATION

In this view, much of the disruptive communication we witness in contemporary democracies began in the growing emptiness, or what Murray Edelman called the banality, of mainstream political discourses.[18] The stretching of political credulity has grown over several decades as popular leverage over parties has shifted away from such mechanisms as labor movements on the left, and toward the greater influence of corporate business interests over economic and social policy. As a result of broad changes in both global and national economies over the last half-century, along with business pressures to shield economic choices from voters, the center-left and center-right parties in many democracies have lost touch with their traditional voters.

In our view, information credibility in democracies depends on authoritative sources offering a resonant mix of value positions, supported with varying degrees of evidence and reason about why those

positions make sense and how they could actually happen. When public confidence erodes due to lying, deception and a steady diet of spin and banal rhetoric from once credible authorities, the result is a decline in public trust in the information produced by those official sources, and in the press that carries their messages. This rupture of communication spheres – bounded by the interplay of citizens, parties, press, and public institutions – opens up communication spaces for ever-greater departures from conventional political reason and established civic norms. Put simply, as the legitimacy and credibility of authoritative institutions erodes, citizens are left adrift and in search of emotionally affirming alternative facts.

The preponderance of this transgressive, reason-bending communication stems largely from the radical right. From the Tea Party and, later, the Trump-inflected Republicans in the United States, to the Alternative für Deutschland party in Germany, the Sweden Democrats, or the UK Independence Party (UKIP) in Britain that was displaced by a radicalized Conservative Party under Boris Johnson, a host of new or reinvented radical-right parties have adopted nostalgic, reactionary visions that support emotional nationalist agendas. These agendas attack elite "deep state" and "globalist" institutions with conspiracy theories, and widen social divisions with racism, religious hatred, alarming stories about migrants, and other exclusionary discourses. Later in the chapter, we discuss why disinformation tilts to the right, and why so many similar themes appear in different democracies.

Media and communication technologies do, of course, play a role in the process. With today's multimedia and international communication flows, there are ready supplies of disruptive information at hand and international political networks to coordinate its use. The rise of digital platforms and social media make it possible to reach large numbers of people, and to cross national borders with content that is far harder to monitor than that of legacy print and broadcast media. These flows of deception, propaganda, and divisive speech are proving difficult to regulate within traditional norms and laws about free speech. The regulatory challenges stem, in part, from the volume, speed, and opacity of social media networks, and, in part are due to the claims by movements and elected parties that such communication is legitimate.

Such disruptive communication inevitably enters mainstream public spheres that were once bounded by institutional gatekeepers. The

dilemma is that when large publics become detached from conventional norms of reasonable discourse, and elected politicians abandon facts that prove inconvenient to policy objectives, the rising volume of disinformation becomes impossible for the conventional press to ignore. After all, the things that elected officials say must be reported, and the positions of prominent parties cannot be ignored. As a result, citizens in many democracies today have choices between large competing alternative public communication spheres, each one engaged in the struggle to define the very norms of inclusion, rights, tolerance, and other protections that make liberal democracy different from other brands of politics. These struggles have become highly disruptive to the normative orders that make democracy a place where citizens can disagree reasonably and tolerate their differences.

EARLY TWENTIETH CENTURY ORIGINS: PUBLIC RELATIONS AND DEMOCRATIC MANAGEMENT

The dawn of the twentieth century witnessed the American empire facing a variety of political challenges, from radical labor movements pitted against ruthless robber barons, to the specter of socialism spreading from Europe. European elites and intellectuals such as Carl Schmidt and Friedrich Hayek were engaged with similar concerns from a European perspective. The fears on both side of the Atlantic were amplified by the Russian Revolution and general political instability in Europe following World War I.

In this period, elites discussed strategies for the responsible management of popular passions to prevent further disruptions of political and economic systems, particularly in the United States, which had escaped the worst ravages of World War I and its aftermath. The idea of "managing" public opinion emerged from communication strategies used to shape public impressions of events such as the Ludlow, Colorado massacre in which armed guards of mine owner John D. Rockefeller, Jr., along with national guard troops, fired into an encampment of striking miners and their families. Ivy Lee, who was hired to burnish Rockefeller's grotesque public image presaged a much later era of alternative facts by asking, "What is a fact? The effort to state an absolute fact is simply an attempt to give you my interpretation of the facts."[19]

Perhaps the greatest communication success of all was selling the US entry into World War I. Woodrow Wilson had been elected president on the promise to keep the United States out of the war, but the battlefield misfortunes of allies led Wilson to form the Committee on Public Information to develop a sweeping propaganda campaign to enter the war and "Make the World Safe for Democracy." Credit is often given to Edward L. Bernays, a member of the CPI, for producing the formal justification for the uses of what was then called propaganda to manage unruly democratic societies. In his classic work, *Propaganda,* in 1928, Bernays reflected on the pioneering communication strategies used to pacify public protest against the war: "It was, of course, the astounding success of propaganda during the war that opened the eyes of the intelligent few in all departments of life to the possibilities of regimenting the public mind."[20]

No sooner had the idea of a democracy-friendly propaganda been born than the Nazis thoroughly discredited the concept. This prompted Bernays to practice his own art by renaming the field with his book *Public Relations,* in 1945.[21] He now called the fledgling science of opinion-molding, the "engineering of consent."[22] The creation of public impressions was, for Bernays, the heart of the democratic governing process: "Those who manipulate this unseen mechanism of society constitute an invisible government which is the true ruling power of our country . . .. The conscious and intelligent manipulation of the habits and opinions of the masses is an important element in democratic society."[23]

Even for some of the early practitioners, the idea of engineering consent raised serious moral questions. For example, Walter Lippmann, who was a leading public intellectual and an advisor to presidents, wrote classic works such as *Public Opinion* (1922) and *The Phantom Public* (1925), in which he worried about the fragile status of truth and transparency when power was narrowly held and unwisely used.

For the next century, major battles over the problem of power, public perception, and deception centered around the balancing of business interests for open markets and minimum government regulation, against the public interests of workers, families, consumers, and other groups in society. In Europe, as early as the 1920s, the International Chamber of Commerce pioneered a multinational strategy for lifting government restrictions on markets, trade, and capital flows. However, those efforts were disrupted by the rise of social democratic parties and the many post World War I instabilities associated with depression, fascism, and

war. Popular democratic movements and elections often challenged business agendas. The business excesses leading to the Great Depression in the United States were pushed back by social reform governments led by Franklin Roosevelt and the Democrats in the 1930s and 1940s.

However, elite resistance to democratic regulation of business persisted even during the Great Depression, as discussed by Naomi Oreskes, Eric Conway, and Charlie Tyson in this volume. With the support of the DuPont fortune, for example, the American Liberty League was formed in 1934 with the aim of undermining the Roosevelt administration and the New Deal.[24] Among other New Deal policies, DuPont opposed child labor protections as violations of the sanctity of families to decide. These were not popular ideas in an era of sweeping social and economic reforms, and Franklin Roosevelt was reelected president in 1936 with the largest landslide since 1820.

Until the later decades of the twentieth century, the managed communication frameworks that supported, and were supported by, democratic institutions held up rather well. Between the end of World War II and the 1980s, relatively coherent communication flowed between parties and voters, aided by an emerging mass media carrying relatively authoritative political messages to a large "captive public."[25] Trust in the institutions of press and politics was high, with the exception of episodes such as the Watergate scandal of the Nixon administration, which was rectified by journalistic and congressional investigations that produced rebounds in institutional trust levels. However, there were other strains in the credibility of official communication, including wars in Vietnam and Iraq, that were sold and conducted through official deceptions that strained the credibility of official government information. Adding to what became called a public "credibility gap" were various corporate deceptions such as tobacco company claims that cigarettes did not cause cancer, chemical company claims that pesticides and other toxics were safe, and other episodes of outright lying from businesses.

A shift from such episodic to more systemic deception began to emerge as growing networks of neoliberal economists and libertarian business interests continued to promote free-market economics and limited government, but found conventional public relations and lobbying inadequate to the task. Those networks envisioned the production of ideas through think tanks and academic disciplines to sell otherwise unpopular programs to politicians, parties, journalists, and voters. This neoliberal movement became organized during the 1950s, and became operationally

successful when a set of historical opportunities presented themselves during the 1970s.

MID-TWENTIETH CENTURY: THE WEAPONIZATION OF IDEAS FOR LIMITED GOVERNMENT

Beginning after World War II, a network of prominent public intellectuals and economists from Europe and the United States gathered around the Austrian economist Friedrich Hayek to explore the "crisis of civilization" created by oppressive government. The aim was to develop strategies to promote a utopian vision for reorganizing societies around free markets, which were thought to be arbiters of truth in the allocation of social values. The initial meeting in 1947 included Karl Popper, Michael Polanyi, Milton Friedman, and Ludwig von Mises (who stormed out of the meeting, proclaiming "you're all a bunch of socialists").[26] Much of the initial funding came from Credit Suisse. More recent funders include the Koch and DeVos foundations. That network named itself the Mont Pelerin Society (MPS) after its early Swiss meeting place overlooking Lake Geneva. Over the course of the two next decades, the MPS developed plans to spread a utopian political and economic philosophy variously termed libertarian capitalism or "neoliberalism."[27] The core strategy involved the spread of aligned think tanks to promote limited government and free-market thinking among publics, politicians, and in public policies. At the time of this writing, the MPS website explains that despite their differences in philosophy, most members "see danger in the expansion of government, not least in state welfare, in the power of trade unions and business monopoly, and in the continuing threat and reality of inflation."[28]

The core aim of this elite movement was to limit the capacity of government (and voters) to regulate business and markets. While this international network of academic, political, and business elites remains relatively small in number, their agenda has been greatly amplified by thousands of affiliated think tanks and political organizations promoting the privatization of public assets and the rolling back of state regulation of markets. The first MPS aligned think tank was the still influential Institute of Economic Affairs founded in 1955 by MPS member Anthony Fraser, a wealthy businessman who went on to develop the international Atlas Network of aligned think tanks discussed below. IEA was influential in Margaret Thatcher's rise to power, and in designing cuts in the UK public sector, while promoting public sector and labor wage austerity. More

recently, IEA was active in the Brexit campaign, and in promoting the so called "hard Brexit" option on grounds that the only way to break ties with the oppressive regulations of the European Union and create truly free markets was via a kind of shock therapy.[29]

This emerging theory of the subordination of governments to markets would eventually put this movement of academics, public intellectuals, politicians, and business elites squarely up against the challenge of popular democratic opposition that, as noted above, had defeated other pro-business agendas following the Great Depression. The evolved networks of national level think tanks, charitable foundations, and political organizations thus developed political strategies to limit the counteractions of workers, consumers, environmentalists, and other democratic publics deemed hostile to business interests and market solutions. Indeed, a key area in which the neoliberals departed from earlier laissez faire economics was in coming to accept the necessity of using government to engineer markets to benefit business competition, and then to limit the capacity of governments to reverse that engineering through popular democratic processes.

To preview future developments in this history, we will see that after some initial successes during the 1980s and 1990s in selling voters on market freedoms, the gap between rhetoric and policy outcomes eventually became harder to sell. This eventually resulted in efforts by politicians and organizations aligned with the US variant of the neoliberal movement to deploy more direct strategies to undermine popular representation mechanisms, ranging from unbalanced voter redistricting, to restrictive voter registration and identification laws. These strategies added to the disinformation wars; with voter restrictions sold through fabricated evidence or unsupported claims of voter fraud, while gerrymandering was defended with dubious claims of preserving natural communities of interest or protecting state level political prerogatives. All along the way, increasingly implausible rationales became necessary to justify such policies. Disinformation became diffused by politicians whose election funding came from sponsoring interests, and thus entered the journalistic mainstream, echoed by the growing supply of "experts" from aligned think tanks and political organizations.

While many and perhaps most business interests continued to play by democratic rules, the growing networks of organizations affiliated with MPS saw democracy itself as a problem. As a result of the political organizations created to limit both popular understanding and participation within still existing democratic nations, disinformation became

systematically produced and then introduced by affiliated politicians into daily institutional life and reported in the mainstream press. The eventual result has been to undermine the authority of those institutions and set in motion a series of unfortunate events, such as the recent and largely unintended rise of radical right-wing movements and their attendant disinformation networks.

In an early sign of this reordering of democratic and economic priorities, members of the MPS networks expressed high regard for the economic policies of the Pinochet dictatorship in Chile in the 1970s. This was particularly true among key US advocates for placing markets above politics, including luminaries such as Nobel economists James Buchanan and Milton Friedman, and Hayek himself. The Chilean government received economic advice from various MPS aligned economists, including the so-called "Chicago Boys" representing the University of Chicago brand of economics. Milton Friedman himself, pronounced the new economy under the dictatorship, "The Miracle of Chile." The prescriptions advanced by neoliberal economists were baked into Chile's constitution, something that remained true decades after Pinochet's departure from power.[30] This view made it clear that the freedom component of the neoliberal vision was concentrated in market relationships, not civil liberties, although the public rhetoric later produced by think tank networks in democratic nations promised that market solutions to public problems would deliver increased individual freedom from burdensome government.[31]

Milton Friedman attended the first meeting of the MPS in 1947 and became its first non-European president in 1970. He joined the advisory board of the American Enterprise Institute in 1956 and helped steer the venerable conservative think tank toward a neoliberal agenda. He would go on to win a Nobel Prize, and advise leaders such as Ronald Reagan and Margaret Thatcher on social and economic policy.

While Friedman and the other Nobel Laureates associated with MPS were among the key influencers, it was Hayek who set in motion the utopian vision that would eventually precipitate a clash with democratic institutions. As a young economist in Vienna, Hayek had watched the unmanageable chaos of democracy in Europe between the wars and concluded that it would be impossible sell his utopian vision on its own terms to broader publics. He counseled the core network to operate on the basis of a "double truth." As described by Philip Mirowski and Dieter Plewhe, "Hayek hit upon the brilliant notion of developing the 'double truth' doctrine of neoliberalism – namely, an elite would be tutored to

understand the deliciously transgressive Schmittian necessity of repressing democracy, while the masses would be regaled with ripping tales of 'rolling back the nanny state' and being set 'free to choose.'"[32] Over the next seventy years, this political idea network has grown through the funding of think tanks, academic schools of thought, and political organizations, that served, in Hayek's phrase, as "secondhand dealers in ideas,"[33] to retail his utopian vision to publics through politicians and the press.

Although this movement took different forms in different nations, much of the central vision in the United States can be found in an early strategy memo produced for industrialist Charles Koch by Richard Fink, then a young economics PhD student. Koch was the son of John Birch Society cofounder, Fred Koch, and at the time of this writing, ranked among the ten wealthiest individuals in the world. He was influenced early on by Hayek, and joined MPS in 1970, and has since provided funding for a number of affiliated MPS organizations, primarily in the US. Among these, he cofounded the Cato Institute in 1977 as an early US branch of the Atlas Network of affiliated think tanks. Koch and the Cato Institute refer to their variant of the Hayek vision as libertarianism. Koch was thus receptive when Fink proposed funding an academic program in Austrian economics (which would later become the Mercatus Center at George Mason University).[34] Fink, who would go on to become executive vice president of Koch Industries and president of the Koch foundation, wrote a memo titled "The Structure of Social Change," which drew inspiration from Hayek, and treated the manufacturing of ideas and ideology like the production of commodities:

> Universities, think tanks, and citizen activist groups all present competing claims for being the best place to invest resources. As grant-makers, we hear the pros and cons of the different kinds of institutions seeking funding. . . . Many of the arguments advanced for and against investing at the various levels are valid. Each type of institute at each stage has its strengths and weaknesses. But more importantly, we see that institutions at all stages are crucial to success. While they may compete with one another for funding and often belittle each other's roles, we view them as complementary institutions, each critical for social transformation . . ..
>
> The higher stages represent investments and businesses involved in the enhanced production of some basic inputs we will call "raw materials." The middle stages of production are involved in converting these raw materials into various types of products that add more value than these raw materials have if sold directly to consumers. In this model, the later stages of production are involved in the packaging, transformation, and distribution of the output of the middle stages to the ultimate consumers. Hayek's theory of the structure of production can also help us understand how ideas are transformed into action in our society.[35]

As Nancy MacLean points out (in this volume and elsewhere), free-market libertarian policy preferences were never popular with broader publics. During the 1960s, many Americans embraced a vision of social and economic rights protected by government, albeit with divisive conflicts surrounding African Americans and other minorities. This tide of support for government protections resulted in a crushing defeat of the first economic libertarian presidential candidate. In 1964, Barry Goldwater won only six states: his home state of Arizona and five states of the Deep South of the old Confederacy. As MacLean explains, "The regional concentration of his vote pointed to a larger truth about the Mont Pelerin Society worldview. As bright as some of the libertarian economists were, their ideas made the headway they did in the South because, in their essence, their stands were so familiar." She continues, "White southerners who opposed racial equality and economic justice knew from their own region's history that the only way they could *protect their desired way of life was to keep federal power at bay*, so that majoritarian democracy could not reach into the region."[36]

While free-market libertarians struggled to convince popular majorities to embrace anti-government economic policies, aligned politicians were more successful in promoting the belief that the federal government gave unearned advantages to domestic racial minorities, and later, to immigrants. In his first run for president in 1976, Ronald Reagan mixed libertarian anti-regulation rhetoric with racist dog whistles that included a tale about a "welfare queen" who took advantage of the hardworking American taxpayer. In speeches across the country, Reagan claimed that she "used 80 names, 30 addresses, 15 telephone numbers to collect food stamps, Social Security, veterans' benefits for four nonexistent deceased veteran husbands, as well as welfare. Her tax-free cash income alone has been running $150,000 a year."[37] Reagan promoted images of bureaucrats who helped African American "welfare queens" cheat the system.[38] Later on as president, he evoked howls of laughter and outrage among conservatives and the growing ranks of blue collar Republicans with famous lines such as his litany of the nine most terrifying words in the English language: "I'm from the government, and I'm here to help."[39]

Racial dog whistles became all the more pronounced by the time Reagan's vice president ran for the presidency himself in 1988. George H. W. Bush's campaign manager Lee Atwater teamed up with Floyd Brown to make one of the most outrageous political commercials in US campaign history. The Willie Horton advert claimed Democratic candidate Governor Michael Dukakis had allowed a brutal killer out on a weekend

furlough. While temporarily free, Horton raped a woman. If the same advert were produced by the Russian Internet Research Agency today, it would be labelled disinformation. Even though Dukakis was not responsible for letting Horton out on a weekend furlough, voters believed he was. The disinformation skills honed in the 1980s were on display three decades later when Floyd Brown and his son were revealed to be running a series of extremist websites pumping out eye-grabbing, sometimes racist content, in part to engage the faithful and in part to generate advertising revenue.[40]

While racial hostility powered by disinformation helped fuel white working- and middle-class anti-government sentiments, the volume was later ramped up by right-wing talk radio, and, since the turn of the last century, Fox cable news. As Reece Peck has observed, Fox found rhetorical and performance formats that abandoned reason and evidence to selectively brand anti-government and pro-business thinking for working-class audiences.[41] Behind the scenes of Fox, the political operations of media mogul Rupert Murdoch also suggest that forces well beyond the MPS have been involved in stirring a populism born of confusion.

Indeed, the rise of the radical right was in many ways an unintended or accidental outcome of MPS activities, but it appeared to be more part of the plan in Murdoch's empire. Murdoch media operate on three continents and helped propagandize the early rise of Margaret Thatcher and Ronald Reagan, while playing more recent roles in the Brexit disinformation campaign in the United Kingdom. In his native Australia, Murdoch media helped elect Prime Minister Tony Abbott, who pronounced climate science "crap" and led the overturning of the national carbon tax in 2014.[42] More recently, Murdoch media successfully promoted the rise of Scott Morrison to prime minister. Morrison once brought a piece of coal into parliament to denounce climate science and to advocate digging up more of the toxic fossil fuel.[43] And Murdoch columnist Andrew Bolt attacked Greta Thunberg, a leader of the children's movement Fridays For Future, as suffering mental disorders that intensified unnatural fears of climate change.[44]

THE MAKING OF A POLITICAL MEDIA MONSTER

Fanning the flames of hatred and division in society has turned out to be a dangerous game, creating something akin to political Frankenstein monsters in many nations. Such results reflect the basic contradiction in the neoliberal project: people would not buy it on its own terms. But the growing uses of disinformation about race, religion, rights, climate

science, and other topics have resulted in large movements and parties that are not easily managed, and not sure to stay within the lines of the original political strategies. Indeed, Donald Trump was far from the preferred candidate of the Koch brothers and their political organizations in the 2016 election, but they later managed to shape and to benefit from many of his policies, if not his trade wars. Although surely not envisioned by many of the original libertarian MPS leaders, or perhaps even by later promoters in the United States, the growing importance of right-wing populist media and the movements and parties it has mobilized have enabled at least partial alignment with the libertarian anti-government agenda, with continuing areas of friction such as trade wars and government welfare for ethnic nationals, or so-called "welfare nationalism."

In its current forms, one can see the historical progression of media formats that offered popular voice to increasingly aggressive right-wing party politics. In the United States, politically divisive media have long fanned hatred of government, and attacked mainstream journalism as having a left-wing bias. Early right-wing stereotypes branded the establishment press as the "liberal media" and the "lamestream media." From there, it is not much of a stretch to today's charges that the mainstream press is the real source of "fake news," and to "lying press" echoes from the past.

Consistent with the underlying ideas that government should be limited, and that markets should become the arbiters of truth and social justice, we also see the deregulation of the responsibilities of media as part of this story. For example, the development of partisan media with few obligations for veracity or civility was aided in the United States by Reagan-era communication policies which killed the fairness doctrine in 1987. This essentially lifted the requirement for balance in political programming. A decade later, President Clinton supported telecommunications deregulation that further concentrated ownership, weakened community programming, and brought even more right-wing content into households. The fact that deregulation of media ownership and content guidelines gained bipartisan support is another indicator that the free-market agenda increasingly captured politicians on both the left and right.

To offer a sense of the audience reached by mass-produced disinformation, right-wing media personality Rush Limbaugh had around 20 million listeners at his peak in the 1990s, and some 13 million at the time of writing, when he was diagnosed with advanced lung cancer (after years of denying the risks of smoking). More than a dozen websites producing

a mix of partisan news and disinformation each attract a million or more unique visitors per month. The overall right-wing US audience may be as large as 30 to 35 percent of the adult population. It is also worth considering that Facebook may be the largest purveyor of right-wing media content and disinformation in the world today.

Despite the social divisions and political outrage stirred by politicians on the so-called "New Right" in the 1970s, it is not clear that leaders such as Reagan or Thatcher would have risen as far, or as fast had it not been for historic opportunities created by events well beyond their command. As noted above, the political tides of democracy in both the United States and Europe through the 1960s ran against the idea of subordinating government (and democracy) to business and markets. As often happens in history, the intervention of unexpected events created opportunities for once marginalized ideas to gain access to circles of power, and fundamentally change the character of public communication in the United States and other democratic societies.

THE GREAT REALIGNMENT: FROM KEYNESIAN TO FREE-MARKET ECONOMICS

From the Great Depression through the 1960s, much of the democratic world embraced the ideas of Keynesian economics, which was often credited with reversing the catastrophic effects of the Great Depression. The postwar era was a time of high economic growth and relatively equitable sharing of productivity compared to earlier and to more recent eras of capitalism. Government spending counted for relatively high proportions of GDP in most developed nations, and the risk of too much state deficit spending was held in check by a novel international monetary system agreed upon at meetings in Bretton Woods, New Hampshire in 1944. At the core of that system was the regulation of international financial exchange through a gold standard, with an International Monetary Fund set up to bridge short-term imbalances of payments. The world currency was the US dollar, and the United States participated in reconstructing much of the postwar economy. Labor unions were strong, and interests of labor and business were balanced through various arrangements in different nations.

Beginning in the late 1960s and into the 1970s, a number of unforeseen historical factors intruded into this relatively prosperous picture. In particular, the United States fell into an international payments crisis due to

heavy debt loads from the Vietnam War abroad, and the Great Society program at home, and ended up unable to redeem massive foreign debt at the set price of gold. In 1971 Richard Nixon pulled the US out of the gold standard, and, following repeated runs on the dollar by currency speculators and creditors, the United States devalued the dollar, and the Bretton Woods system collapsed in 1973. On top of this, a perfect storm of economic crisis was created when a previously moribund Arab oil cartel sharply increased the price of petroleum, and embargoed sales to the United States and other allies of Israel during the Yom Kippur War of 1973, sending another shock through the world economy.

This moment spelled opportunity for neoliberals who were positioned to feed new policy initiatives to rising conservative politicians such as Margaret Thatcher in Britain and Ronald Reagan in the United States. Both were long fans of Hayek and were courted by MPS think tanks and idea peddlers such as Milton Friedman. It is ironic that Milton Friedman had quipped in 1965 that "we are all Keynesians now,"[45] a line often attributed to Richard Nixon who later made a similar remark when removing the United States from the gold standard. Friedman's quip was part of a more nuanced view that the old regime might be coming to an end. His star rose further with his explanation of the lethal economic combination of "stagflation" (stagnant growth and inflation) that burdened the world economy in the 1970s, a pairing not easily explained by Keynesian models.

Key members of the neoliberal network were by that time well positioned to feed policies and public talking points to a new generation of politicians who would go on to lead a great political realignment. As noted earlier, Thatcher drew on the Institute for Economic Affairs, the prototype MPS think tank created by Hayek associate Anthony Fisher, who started the rollout of the Atlas global network that at the time of this writing numbers 483 affiliates in 93 nations. In 1977, Fisher cofounded the Manhattan Institute in the United States with George Casey, who managed Reagan's successful 1980 presidential campaign, and later became his CIA director.

The earlier blueprint of the Fink memo was now being realized in several ways: in the coordinated development of political strategies to guide policy agendas, in researching and drafting model legislation, and in packaging such products in communication terms that suited audience tastes for lower taxes and more consumer freedom. Early visions of managed democracy based on public relations now became full-service policy design shops that fed experts to the press as well as legislative

hearings, and helped with staffing government agencies and political offices. The creation of aligned political organizations, often chartered as tax-exempt legal charities, enabled money to flow to advocacy causes and political campaigns, and to blur the sourcing of those funds, as Jane Mayer reveals in her discussion of the weaponization of philanthropy in her book *Dark Money*.[46] The mix of money, multi-leveled political organization, and strategic communication helped elect growing numbers of politicians, who, in the 1980s and 1990s, sold the free-market (and lower taxes) political agenda with variations of the simple and initially appealing utopian vision that "free markets make free people."

However, as the free market model spread to other nations through international trade agreements; national labor markets were disrupted as manufacturing jobs moved to cheaper sites of production. Unions were weakened and wages stagnated. Fiscally conservative politicians used business downturns to impose austerity policies and public user fees as permanent conditions. Businesses with options to move elsewhere gained increasing influence in national politics.

In this period dating from the 1990s, societies changed fundamentally as modern-era federations of civic organizations which had aggregated interests through parties and interest networks fell away, and more people were, in Robert Putnam's classic phrase, "bowling alone."[47] The academic literature of this era focused on the breakdown of modern social structure and the rise of personalized identity management in societies with less social support provided by traditional structures of class, religion, family, or profession.[48] This was the brave new world of Margaret Thatcher's proclamation "there is no such thing as society." The civic structures of the modern era were replaced by more individualized market experiences entailing heightened personal risk, and less stable careers and lifestyles than earlier generations. In short, Thatcher, like other free market fundamentalists, thought of society as one vast market of individual winners and losers. So-called "millennial" citizens constructed flexible social identities and managed career mobility through the social networking technologies of the Internet. This precipitated a communication shift toward political marketing and spin at the very core of our democracies. As a result, any chance of meaningful public communication was weakened.

All of these changes led to greater voter instability and a more compressed political spectrum as traditional political parties, both left and right of center, were drawn toward market policies. These disruptions in traditional voter alignments – along with parties losing memberships and

becoming more extensions of the state than civil society organizations – resulted in a hollowing out of parties and electoral politics.[49] This precipitated a communication shift toward political marketing and spin that further weakened the meaningful public communication at the core of democracies.

THE HOLLOWING OF POLITICS AND THE AGE OF SPIN

Since the 1990s, mainstream parties and public officials in most of the developed OECD democracies have been pressured by global trade regimes and leveraged by domestic business interests to adhere to the tenets of privatization, market deregulation, welfare cuts, and public sector austerity. As a result, under the leadership of Blair in the United Kingdom, Schroeder in Germany, and Clinton in the United States, among others, there was a gradual rightward movement of center-left parties. This limited government capacity – whether on the center-left or center-right – to solve growing domestic problems. The result was a dramatic disconnection between parties, elections, and meaningful voter representation on issues that majorities of citizens cared about, particularly in areas of health, education, social welfare, and other public sector programs.

The erosion of representative governance varies from country to country, but it has become pronounced in many OECD nations. Recent comparative research shows that the electoral representation of specific issues in developed democracies declines dramatically moving down the economic ladder, particularly with regards to social welfare policies.[50] Given the diminishing levels of credible representation for growing numbers of citizens, it is not surprising that public confidence in political institutions has declined steadily over this period. These declines in institutional trust have been accompanied by declining trust in the mainstream press, which carries the pronouncements of officials from those institutions.[51] At the time of writing, trust in European governments and political parties averaged below 40 percent, according to Eurobarometer polls conducted by the European Union.

This "hollowing out" of parties and elections cut traditional voter blocks adrift and left them understandably skeptical about any political offers.[52] As a result, mainstream parties and neoliberal think tanks found it harder to sell their ideas to publics without resorting to saturation marketing, press spin, and the invention of claims and attacks driven by political necessity.[53] The levels of untruth and inflammatory content in

political messages during this period varied from country to country depending on the relative health of party-voter relations, and national laws governing political and electoral speech, among other factors. In the United States, the strange equation of money and free speech resulted in relentless and ever more expensive political marketing, with few of the restraints found even in commercial product advertising (think of the "swift boater" attacks on John Kerry in the 2004 election; the anti-Obama "birther" movement championed by talk radio, social media, and Donald Trump throughout much of the Obama presidency; or the decades of coordinated attacks on climate science by think tanks and the Republican Party).

As officials adopted more extreme discourses to gain attention and damage opponents, mainstream journalists were hard-pressed to ignore (or editorialize about) that content without being accused of liberal bias. In the United States, the professional press norm of balance often led to the inclusion of science-skeptic views from politicians or "experts" provided by think tanks funded by the oil industry and related interests, resulting in growing bias in allegedly objective news reports.[54] In this and other areas, the mainstream news gates opened to a flood of dubious information and shouting pundits. During this time, one increasingly heard prominent elected officials proclaim that climate science was a hoax (e.g., US Senator James Inhofe, chair of the Committee on Environment and Public Works), or that feeding poor children would create dependency on government (e.g., former US House Speaker Paul Ryan), among other positions inconsistent with known facts. More recently, the fire hose of lies from Donald Trump may have been bad for democracy, but it has been good for the news business. To their credit, many prominent news organizations began to document Trump's lies, as they were too frequent and too blatant to overlook. However, such reporting simply produced volleys of fake news accusations from both sides.

Although the political spectacle may be good for television ratings, the growing signs of institutional corruption have grown as rhetoric and political outcomes became harder to reconcile. This has further stigmatized government for many citizens, leading many on the right to blame the deep state and other conspiracies for the problems. At the same time, observers who point out the role of money, think tanks, or politically oriented "charitable organizations" as underlying sources of democratic corruption and related communication distortion, have often been subject to political attacks from other elements of this political movement such as watchdog groups on the lookout for "liberal" biases in legacy media and the academy.

Given the growing chaos and instability of everyday politics, it is clear that the volume of spin and disinformation has not worked well to convince citizens of much beyond the conclusion that politics seems broken. The idea of PR imagined a century earlier as a set of tools to manage the perceptions of publics led by responsible elites, has crashed against the reality of irresponsible elites determined to engineer democracy itself against unhappy majorities. Beyond the confusing communication that fills the news, radical right politicians and networks of political support organizations have begun redesigning government, at both state and federal levels, to limit the capacity of citizens to challenge austerity, welfare, and public service cuts, and other aspects of the free-market regime. The recent period in the United States has witnessed sweeping electoral redistricting and voter-suppression laws, government bureaucracies populated with "public choice" advocates, and a pipeline of judicial nominees schooled in fundamentalist free-market principles. The overall impact has been to undermine the capacity of citizens to use democracy to strike a better balance between business, markets, and social welfare.[55]

ATTACKS ON THE INSTITUTIONAL FOUNDATIONS OF DEMOCRACY

Today there are a number of wealthy libertarians bidding for political influence, with disagreement on goals and tactics, and many other actors such as the Murdoch family agitating from other directions. However, it is clear that in the United States, much of the vision, funding, and coordination for the democracy redesign project have come from the Koch network. The decades-long project of funding university research centers, think tanks, charitable foundations, astroturf political groups, training public servants, and screening and funding political candidates, has consolidated into what journalist Jane Mayer calls "The Kochtopus."[56] This Kochtopus has been directly or indirectly involved with a variety of political initiatives, including:[57]

- Killing restrictions on political spending by corporations and the rich. This was realized by the 2010 Citizens United Supreme Court decision that essentially lifted limitations on political donations.
- Suppressing the voting rights of students, people of color, the elderly, and others who tend to oppose Republican policies and candidates.

- Undermining labor unions, as furthered by the 2017 Supreme Court decision in the *Janus v. AFSCME* case.
- Eliminating the right of consumers, workers, and others to sue corporations, forcing them instead into corporate-controlled arbitration.
- Eliminating the social safety net including food stamps, jobless benefits, Social Security, Medicare, and Medicaid.
- Eliminating regulations that protect people and the environment from corporate abuse.
- Gerrymandering voting districts.
- Packing courts with pro-corporate judges, and staffing executive agencies, particularly during and after the Trump transition.
- Undermining confidence in science and sowing confusion about climate change, the environmental damage done by extractive industries, and the health effects of tobacco, sugar, and other consumer products.
- Undermining the legacy and credibility of news media, from Vice President Spiro Agnew's now quaint "nattering nabobs of negativism," to out-of-touch liberal elites, and purveyors of fake news.

These developments have come a long way from Ronald Reagan's symbolic attacks on big government. Indeed, it is these more recent impairments of democratic processes that have turned Reagan's words into a self-fulfilling prophecy. All of this has created understandable loss of trust in governing institutions and the press and opened the gates to even higher volumes of disinformation that further threaten the democratic production of credible communication.

DISINFORMATION AND THE FUNCTIONING OF DEMOCRATIC INSTITUTIONS

How would we know if all of these related political and communication strategies are having clear effects on the defining qualities of democracies? The sweeping corrosion of democratic institutional foundations is hard to summarize empirically, beyond specific elements such as the earlier-mentioned research on declining electoral representation. Using a broad set of sixty indicators, a report by *The Economist* in 2018 listed the United States in twenty-fifth position among 167 nations in the rankings of democratic health, down from seventeenth place when the same study was conducted in 2007. Over this period, the United States has been reclassified from "full" to "flawed" democracy.[58]

Among the challenges facing public communication in light of such developments is the problem of what to call democracies that no longer function properly. In particular, how do we reconcile even rudimentary definitions of democracy with outcomes that increasingly favor wealthy elites over average citizens. As daily spin becomes less credible, and the Internet ever more accessible, there is stiff competition over how to understand such matters. Few public authorities or journalistic information brokers are able to referee the information chaos as it spills out of previously recognized political bounds.

These information dilemmas became more pronounced following the global financial collapse of 2008, in which deregulated banking and financial markets issued unstable loans and sold dubious financial products that resulted in a global crash in which millions of people lost homes, jobs, and retirement security. This crisis coincided with the rapid rise of social media, which provided platforms for the spread of disinformation that challenged official communication. Above all, an enormous unintended outcome of all of the careful political work that led to decades of sweeping government deregulation was the rapid rise of disruptive radical right-wing movements following the crisis. These developments included: the Tea Party in the United States (which, along with the election of Donald Trump have transformed the Republican Party), the Sweden Democrats, Alternative für Deutschland, and the Italian Five Star Movement, among others. In addition, a number of existing radical right parties grew in influence during this period, including: the Austrian Freedom Party, Geert Wilders' Party for Freedom in the Netherlands, the UK Independence Party, the French National Front, Polish Law and Justice, and the Danish People's Party. Those movements not only spread high volumes of disinformation, but they present threats to the neoliberal order with populist, anti-globalist politics, and interestingly selective attacks on elite economic rule.

A LEGACY OF UNINTENDED CONSEQUENCES: RIGHT-WING MOVEMENTS AND EMOTIONAL TRUTHS

The questions of how the sweeping economic crisis at the end of the first decade of this century happened, and what to do about it, triggered global protest on both left and right. It is interesting to note that the left has taken a very different path than the right, and one not as fully associated with disinformation or democratic disruption.[59] On the right, digital and social media were filled with rapidly spreading rumor and conspiracy theories.

Those media spheres were not embedded in the traditional press systems that helped connect government and publics in modern postwar democracies. In particular, radical right media often attacked the mainstream press, and rejected official pronouncements and journalism in favor of rumor, conspiracy and alternative facts.

These alternative media networks often acted as political organizations, mobilizing angry publics around emotionally charged themes, including: global economic conspiracies (and sometimes Jewish banking conspiracies); the ills of globalization and multiculturalism and related threats to white nationalist identity; fears of immigrants and refugees; the dangers of Islam; departures from traditional gender roles; and the so-called deep state, among others. The financial crisis, coupled with the spread of social media, helped bring these seemingly unrelated themes out from the social margins, endowed them with conspiratorial connectivity, and echoed them around the world, taking root in different national right-wing formations.

Over the decade following the financial crisis, the number and size of radical right movements and parties in many democracies grew. As the movements grew, so did the media platforms that fed them a steady supply of disinformation. In the process, as discussed further below, those disinformation networks acted as mechanisms for separating the politics and communication of discontent from the more conventional partisan or oppositional exchanges and debates that define healthy democratic public spheres.[60] The radical right in many nations has moved from counter publics trying to become part of the legitimate public sphere, to transgressive publics trying to transform those spheres into illiberal democracies.

While the spread of radical right populism is not ideally aligned with the libertarian capitalist agenda that partly and inadvertently triggered it, there are some resemblances to earlier generations of libertarian conservatives in terms of racism and exclusionary politics. As noted earlier, much of the nationalist right agenda is not cleanly aligned with the ideals of free market visionaries, but many "hard right" nationalist Brexit leaders opposed intrusive EU regulations in national markets, and received counsel from that venerable neoliberal think tank, the IEA. Another friction point involves many radical right populist movements and parties favoring "welfare nationalism," with public benefits reserved for "real" or "true" citizens to the exclusion of immigrants. For example, a right-wing Italian government formed in 2017 proposed a national minimum income, which set it at odds with the European Central Bank over fiscal matters. Public welfare of any sort is not easy to reconcile with the

economic libertarian doctrine. As a result, the current political challenge for elites trying to guide the neoliberal movement is to try to steer these fractured politics toward useful electoral outcomes, often with disruptive appeals based in conspiracy, hate, and racism.

Such efforts to manage right-wing populism to advance the core free-market, limited democracy agenda, include such breathtaking stratagems as the Koch network's successful support for the Tea Party merger with the Republican Party.[61] That movement continues to be mobilized by disinformation and emotional identity appeals from Facebook campaigns, Fox news programming, and many other media platforms. This eventually yielded the Trump presidency, which exposed new frictions between the neoliberal movement and the political monsters it had created. Those frictions, in turn, require more creative management of disinformation and the democratic process.

The idea of economic libertarian or neoliberal elites managing the political monster of radical right populism may seem both an unlikely prospect and an unholy alliance. However, racism, anti-immigrant sentiments, and/or Christian and traditional family values deliver votes, often resulting in few conflicts with the core economic agenda. Perhaps more importantly, there is also a shared convergence point: authoritarian or illiberal solutions for various social and political problems of democracy. For these and other reasons, it reveals little about contemporary radical right politics to call them "populist."[62]

Whether appealing to racism, threats to nationalist identities, or deep state conspiracies, disinformation feeds demand for emotional, hyperpartisan truths. This demand for emotional, rallying communication is met with a mix of volatile information produced online, often in interaction with politicians echoing and inserting politically coded language or "dog whistles" in mainstream news media. The logic of this communication interfaces well with election campaign communication, and enables resulting governments to implement the free-market state engineering discussed earlier.

Some of the disinformation that feeds disjointed politics is produced by grassroots networks ranging from 4chan discussions to Alex Jones' Infowars rants. More often, the amplification and strategic targeting of the disinformation comes from more prominent sites, funded in some cases by the same wealthy elites who backed the think tanks, politicians, and deceptive political marketing operations discussed above. In the United States, well-produced information sites such as Breitbart (partly funded by Robert Mercer) stabilize the grassroots social networks and

amplify weaponized information that is targeted to achieve various objectives. Other radical right media have attracted a host of wealthy political backers, including the Daily Caller (Foster Friess and the Koch Foundation), Fox (Rupert Murdoch), Sinclair Broadcasting (Julian Sinclair Smith), and YouTube's PragerU (fracking billionaires Dan and Farris Wilks), just to mention a few. In this mix, broadcasting continues to be important. Local newspapers and television stations have atrophied or died as advertising revenue has been siphoned off by online platforms, and conglomerates like Sinclair Broadcasting distribute cookie-cutter content with a conservative, pro-business spin to affiliate stations all over the country.[63] These media channels are not always in alignment, but in many cases, they operate as networked political organizations capable of responding to external threats or promoting shared interests.

Shaping the flow of disinformation further guards against any of these movements or parties threatening business interests. And the drift toward authoritarianism promises a deeper subordination of democratic institutions. A turn toward "managed democracy" of the Russian variety, or "illiberal democracy" as in Hungary is emerging as a pattern developing cross-nationally on the right.[64] Given the disruption of traditional press and political institutions and the tilt toward hybrid models of authoritarian democracy, it is not surprising that foreign disinformation has entered national public spheres, either overtly in forms such as RT, or covertly via hackers, trolls, sockpuppets, and bots. Although tracing the money is even more difficult in Europe than in the US, investigations have variously linked US billionaire Robert Mercer and Russian funding to the UK Brexit campaign, along with a central role for IEA.[65] Also in Europe, when successful parties gain seats in parliaments, state funding is secured that can go toward political information sites and party think tanks.

And so, lacking public support for more openly stated economic policy preferences, free-market libertarians have again formed unholy alliances, much as they did in earlier eras when their support was thin. These alliances of convenience may include white nationalists who are also deeply antagonistic toward government, though for different reasons.[66] There is growing evidence that similar alliances are being forged in nations as diverse as the United States, the United Kingdom, Austria, Germany, and Sweden.[67]

Perhaps the most important characteristic of these disinformation networks is that they attack the most basic communication logic of democracy: the principle of reasoned debate and engaged partisan opposition. These networks tend not to be located in the traditional left/center/right

mainstream media sphere, as shown by Benkler, Faris and Roberts in their analysis of the media flows in the 2016 US elections. What they term "network propaganda" on the right does not operate as an oppositional partisan sphere that is responsive to competing ideas, but as an asymmetrical sphere operating via different information logics in which more extreme information circulates more widely, with the result of disrupting conventional politics and communication.[68] And so, the United States has developed a large alternative public sphere that is, at best, disruptive, and at worst, hostile to the basic principles of liberal democracy and reasoned discourse. In many ways, this can be understood as an opportunistic extension of the discontents created by earlier efforts to limit democracy in pursuit of unpopular policies.

CONCLUSION

None of these historical developments follows neatly from any single causal source. However, there are common themes and currents running through the narrative, such as the historical bending of public communication to serve business imperatives that have grown increasingly at odds with public preferences and public interest standards of health, consumer safety, or environmental sustainability.[69] These distortions of communication have grown greater as unpopular social and economic policies have been introduced in many democracies. Such distortions of domestic communication have been compounded by deceptions surrounding foreign entanglements, as in cases of US deceit about wars in Vietnam and Iraq, the United Kingdom doctoring intelligence about Iraq, Dutch deceptions involving Afghanistan, or the German government's lack of transparency in the Balkan wars.

Beyond these episodic factors, the role of systemic crises such as the breakdown of the world economic order in the 1970s, created opportunities for the entry of radical ideas into national politics. These dynamics of disinformation have been further animated by recent economic, environmental, and refugee crises. Even the Covid-19 pandemic became polarized in some countries, as in the United States, where wearing masks and social distancing became contested. All of these factors have created unintended consequences such as the growth of radical right movements and parties, with their own production of high volumes of dubious information which has further destabilized democratic communication.

From this analysis, it follows that stemming the flood of contemporary disinformation is unlikely to be aided by regulating social media, fact-

checking, or improving media literacy. Our analysis suggests that solutions lie in *repairing the basic functioning of democratic institutions themselves*. This may be easier to imagine if we allow ourselves to think more critically about democracy in its present condition. All along the way as this story has unfolded, there has been a tendency to minimize, normalize, or otherwise fail to see the systemic nature of key developments, such as:

- Allowing charity laws to be abused by partisan organizations (in the United States and United Kingdom).
- Allowing obscene amounts of money into politics through campaign finance and dark money political organizations (particularly in the United States).
- Failures to monitor and address the disconnection between traditional parties and citizens (many nations).
- Failures to monitor or address the declines of electoral representation (many nations).
- Accepting stealthy and false political marketing as free speech (led by the United States, but of concern in many nations).
- Allowing the micro targeting of citizens by social media companies using massive databases of highly personal information (many nations).
- Lax reporting of lobbying and political finance (many nations).
- Failures to innovate journalism formats that have lost public credibility (many nations).
- Difficulties regulating the basic business models of social media companies that enable the monetization of deceptive communication (most democratic nations).

As this mix of intentional and collateral damage to democracy has grown, the number of unpleasant political, economic, and social side effects has also multiplied. This results in growing communication credibility problems. Beyond the myriad ground-level examples such as climate change skepticism, or conflating crime, terrorism and immigration, we may also want to focus on big picture communication challenges, such as the question of what you call democracies no longer functioning as such? Although the name "democracy" continues to be applied to these variously diminished polities, the term "post-democracy" may be more appropriate, as developed in the analysis of Colin Crouch.[70]

We do not wish to wax nostalgic about earlier democratic public spheres that have always privileged certain groups and values over others.

However, the present situation involves formerly marginalized antidemocratic tendencies that are now attaining large-scale circulation. We propose that this is due, in part, to mainstream political parties and public officials becoming less authoritative as sources of information and even abetting some of the problems, while the press that carries their messages has naturally lost credibility in the bargain.

The erosion of institutional processes that offered better political representation and clearer communication, and the resulting corrosion of norms and boundaries on reasoned public debate, have left growing numbers of citizens angry, disillusioned, and seeking alternative information. This seems to us to be the crux of the current era of disinformation. In this view, the answers to restoring evidence, reason, and respect for various civic norms lie in repairing public institutions that have been damaged by information warfare intended to limit the ability of people to regulate their own social and economic affairs. The solutions involve finding ways to restore more representative and responsive parties, elections, and government, and to reinvent a press that may help develop and tell that story.

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PART II

THE CURRENT SITUATION

2

A Political Economy of the Origins of Asymmetric Propaganda in American Media

Yochai Benkler

EPISTEMIC CRISIS: DID TECHNOLOGY DO IT?

The election of Donald Trump and success of the Brexit campaign created a widespread sense among liberal and conservative elites that something had gone profoundly wrong. Both results were a resounding rejection of the combination of cosmopolitanism and globalization, deregulation, privatization, pluralism, and a commitment to market-based solutions to public problems that typified *Homo Davosis*.

Throughout the first year after the 2016 US presidential election, the leading explanations of epistemic crisis offered by academics, journalists, and governments focused on technology. Some focused on political clickbait entrepreneurs, who had figured out how to get paid through Facebook's advertising system by using outrage to induce readers to click on "fake news" items. Others focused on technologically induced echo chambers (where endless options for news allow us to self-segregate by our own choices into separate communities of knowledge) or filter bubbles (where companies use algorithms that feed us divergent narratives in order to trigger our persistent interest), suggesting that the epistemic crisis was the result of social media. For a brief period, Cambridge Analytica, a company that claimed to have used psychographic data collected from Facebook to target political ads, claimed credit for both Trump and Brexit. Those claims turned out to have been little more than snake oil. For many who focused on Russia, Russian interference too was anchored in technology – email hacks and networks of bots and sockpuppets manipulating online discourse. Yet others focused on alt-right trolls

who thought they had "memed" Trump into the White House from 4chan and Reddit.

In an effort to provide an evidentiary basis upon which to distinguish and measure the relative importance of such sources of epistemic crisis, my team analyzed four million stories relating to the US presidential election, and after the election, to national politics more generally. Our data spans from April 2015, the beginning of the presidential election cycle, through January 2018, the one-year anniversary of the Trump presidency. We reported the results in *Network Propaganda: Manipulation, Disinformation, and Radicalization in American Politics*.[1]

AN ASYMMETRIC MEDIA ECOSYSTEM

Our major finding was that the American political media ecosystem is fundamentally asymmetric. It has a well-defined, relatively insular right wing, anchored by Fox News and Breitbart, but the rest of the media ecosystem is more politically diverse and highly interconnected; ranging from editorially conservative sites like the *Wall Street Journal* or *Forbes* to historically left-wing media like *Mother Jones* or *The Nation* and newer left-activist sites like the *Daily Kos*. The widespread assertions about echo chambers or filter bubbles would have predicted a symmetric pattern, given that both right-leaning and left-leaning audiences in America occupy the same technological frontier. The basic sociological and psychological dynamics that predict echo chambers derive from experiments that apply equally across the population. Incentives that drive companies to establish filter bubbles are the same for both groups, and there is no recorded finding that social media companies treat audiences differently. All these elements would predict a clear right, a clear left, and possibly some less well-attended center, only loosely connected to the two more significant symmetrically polarized groups. But that is not what we found.

For the four million stories in our data set, we used network analysis to understand the shape of attention and authority, both on the supply side and the demand side. For the supply side we analyzed networks in which media sources were nodes, with edges defined by links from one media source or another. We observationally assigned the political orientation of the sites into five quintiles: sites whose stories were tweeted or shared on Twitter by a ratio of 4:1 or more by users who had retweeted tweets by Donald Trump, we defined as "right." Sites whose stories were tweeted by a ratio of 1:4 or more by Clinton supporters, we defined as "left." Sites whose stories were tweeted by ratios of 3:2 or 2:3 respectively, we called

center-right and center-left, and sites that tweeted at a roughly 1:1 ratio we called "center." This measure, based on observed behavior of 45,000 Twitter users, yielded media oriented scores that were highly correlated with those identified in a study from 2015, which used Facebook users' self-reported ideology and usage patterns.[2]

The link networks that we constructed from our data reflect the choices of authors and publishers to link to other sites. They are distinct both from the choices of algorithms that social media companies use, or the choices of readers about the stories they share. Using these measures, it is clear that the right-wing sites are a distinct and insular community that link to each other much more than to media in any other quintile (left, center-left, center, center-right), or that media in any other quintile link to their own quintile. Moreover, attention to right-wing sites increases, both as measured by inlinks and as measured by tweets and Facebook shares, the more exclusively right-wing oriented they are. By contrast, for sites ranging from the center (in which our observational measure includes the *Wall Street Journal* and *Forbes*) to the left, there is a single, strongly connected network, with a normal distribution of attention peaking on the traditional professional media that our measure identifies as center-left: the *New York Times*, CNN, and the *Washington Post*. There are very few sites that are observationally "center-right"; the most notable include historically right-wing publications such as the *National Review*, the *Weekly Standard*, and *Reason*, who did not endorse Trump. These outlets received little attention over the period we studied.

We also produced Twitter-based networks to describe attention on the demand side. The nodes were the same media outlets, with the same method of political identification, but the edges were based on how often two sources were tweeted on the same day by the same person, with a higher number of co-tweets between any two sites suggesting that the two sites share an audience. Again, we found a highly divided and asymmetric media ecosystem. While the left-oriented sites are moderately less tightly connected to the center and center-left sites when measured by audience attention than when measured by the attention of other media producers, the right-oriented sites are much more clearly separate from the rest of the media ecosystem. Moreover, on the right, the sites that rise to particular prominence using social media metrics, whether Twitter or Facebook, quickly move from partisan media with some of the trappings of professional media, like Fox News, to conspiracy-mongering outrage producers like the Gateway Pundit, Truthfeed, TruePundit, or InfoWars. While we observed some hyperpartisan sites on the left, such as Occupy

Democrats during the election or the Palmer Report in 2017, these are fewer and more peripheral to the left-oriented media ecosystem than the hyperpartisan sites oriented toward the right.

Our observations of macro-scale patterns of attention and authority among media producers and media consumers over the three years surrounding the 2016 US presidential election are consistent both with survey data on patterns of news consumption and trust, and with smaller scale experimental and micro-scale observational studies. A Pew survey right after the 2016 election found that Trump voters concentrated their attention on a smaller number of sites, in particular Fox News, which was cited by 40 percent of Trump voters as their primary source of news. The equivalent number of Clinton voters who cited MSNBC as their primary source was only 9 percent.[3] More revealing yet is a 2014 Pew survey on news consumption and trust in media across the partisan divide which may help explain the rise of Trump and his successful capture of the Republican Party, despite holding views on trade and immigration so diametrically opposed to the elites of the party of Reagan and Bush, and exhibiting personal behavior that should have been anathema to the party's Evangelical base. The Pew survey arrayed participants on a five-bucket scale including consistently liberal, liberal, mixed, conservative, and consistently conservative. Respondents who held mixed liberal-conservative views and liberal views differed very little. Those characterized as liberal added PBS to their list of trusted news sources, while sharing the other major television networks that those who held mixed views trusted most – CNN, ABC, NBC, and CBS. Consistently liberal respondents preferentially trusted NPR, PBS, the BBC, and the *New York Times* over other television networks. A bare majority trusted MSNBC over those who distrusted it. By contrast, conservatives reported that they trusted only Fox News, while consistently conservative respondents added Sean Hannity, Rush Limbaugh, and Glenn Beck to Fox News as their most trusted sources.[4] Two distinct populations: one that trusts news it gets from PBS, the BBC, and the *New York Times*, and the other which locates Hannity, Limbaugh, and Beck in the same place of trust.

It seems clear that the business models and institutional frameworks of these two sets of sources will lead the former to be objectively more trustworthy than the latter, and that a population that puts its trust in the latter rather than the former is liable to be systematically misinformed as to the state of affairs in the world. Consistent with that prediction, studies of the correlation between political knowledge and the tendency to believe conspiracy theories have found that for Democrats, the more

knowledgeable respondents are about politics, the less likely they are to accept conspiracy theories or unsubstantiated rumors that harm their ideological opponents. For Republicans, more knowledge results, at best, in no change in the level with which they accept conspiracy theories, and at worst, increases their willingness to accept such theories.[5] Again, consistent with what one would predict from patterns of attention and trust we observe and evident from the survey data, more recent detailed micro-observational work on online reading and sharing habits confirms that sharing of fake news is highly concentrated in a tiny portion of the population, and that population is generally more than 65 years old and either conservative or very conservative.[6]

These findings provide strong reason to doubt the technological explanation of the perceived epistemic crisis of the day. At baseline, technology diffusion in American society is not in itself correlated to party alignment. If technology were a significant driving force we should observe roughly symmetric patterns. If anything, because Republicans do better among older cohorts, and these cohorts tend to use social media less, technologically driven polarization should be asymmetrically worse on the left, rather than on the right. The fact that "fake news" located online is overwhelmingly shared by conservatives older than sixty-five, who also make up the core demographic of Fox News, and that only about 8 percent of voters on both sides of the aisle identified Facebook as their primary source of political news in the 2016 election, support the conclusion that something other than social media, or the Internet, is driving the "post-truth" moment. And the political polarization that undergirds the search for belief-consistent news not only precedes the rise of the Internet, but actually progressed earlier and is more pronounced in populations with the least online exposure since 1996.[7]

THE PROPAGANDA FEEDBACK LOOP

Analyzing a series of case studies of the most widely shared false stories, such as the Clinton pedophilia frame that resulted in "Pizzagate"; the Seth Rich conspiracy; or the assertion that Trump had raped a thirteen-year-old; as well as detailed analysis of each of the "winners" of Trump's "Fake News Awards" for 2017, reveals that the two parts of the American media ecosystem follow fundamentally different dynamics.

The cleanest comparison is between the two stories that emerged in the spring of 2016. The first asserted that Bill Clinton flew many times to "pedophilia island" on Jeffrey Epstein's plane. The second was that

Donald Trump had raped a thirteen-year-old girl at a party thrown by Epstein. The two stories were equally pursued by the most highly tweeted or Facebook-shared extreme clickbait sites who sought to elicit clicks by stoking partisan outrage on both the right and left. The differences between the two parts of the media ecosystem emerge, however, when considering the top of the media food chain. On the left, leading media quickly debunked the anti-Trump story, finding that the lawsuit in which the allegations had been made was backed by an anti-Trump activist, and the story died shortly thereafter. By contrast, the Clinton pedophilia story originated on Fox News online, and was quickly replicated and amplified across the right-wing media ecosystem. It was repeated on Fox television, both on Brett Baier's "straight" news show and on commentary shows like *Hannity*. The story became Fox News' most Facebook-shared story of the entire campaign period, and elaborations of the Clinton pedophilia frame continued to appear on Fox News throughout the campaign, and provided validation to conspiracy theories from a broad range of other outlets. The reporter who "broke" the story on Fox News online, Malia Zimmerman, suffered no repercussions, and indeed was the same reporter who later "broke" the Seth Rich conspiracy story. This story claimed that Rich, a DNC staffer found dead in an apparent robbery murder, had in fact been murdered because he, rather than Russian intelligence operatives, was responsible for the leak of the DNC emails.

We found similar patterns throughout our case studies, on both sides. When mainstream media reported a false story, the errors were found by other media within the mainstream, and public retractions followed in all but one of the cases we studied. Reporters were usually censured or fired when they made false factual assertions. By contrast, in right-wing media reporting, falsehood was never fact-checked within the right-wing media at large (only by external fact-checkers), retractions were rare, and there were no consequences for the reporters.

In effect, we see two fundamentally different competitive dynamics. On the left, outlets compete for attention, often aiming to stoke partisan outrage through framing and story selection, but always constrained both by the fact that audiences pay attention to a broad range of media and by a mainstream professional media delighted to catch each other out in error. As a result, the tendency to feed audiences whatever they want to hear and see is moderated by the risk that an outlet will lose credibility if it is found out in blatant factual error. In addition, reporters suffer professional reputational loss when their stories turn out to have been false.

Things are different on the right. Here, there is no tension between commercial and ideological drivers and professional commitment to factual veracity. We see a propaganda feedback loop with an absence of correction mechanisms which results in the unconstrained propagation of identity-consistent falsehoods. Media outlets police each other for ideological purity, not factual accuracy. Audiences have become used to receiving belief-consistent news, and abandon outlets that insist on facts when these are inconsistent with partisan narratives. The phenomenon is not new, and was lamented as early as 2010 by the libertarian commentator Julian Sanchez, who described it as "epistemic closure" on the right.[8]

It is nonetheless important not to be Pollyanna-ish about mainstream media. From Stuart Hall's groundbreaking work in the 1960s and 1970s on the role of mainstream media in constructing race and class; through the 1980s, with Ben Bagdikian's work on media monopolies, Neil Postman on the inanity of television, and Edward Herman and Noam Chomsky on war propagandism; to the work of Robert McCheseny, Ed Baker, and others in the 1990s on the destructive impact of market incentives on the democratic role of media, a half century of trenchant critique demands that we not idealize mainstream commercial media simply because we encounter even more destructive forces in the right-wing ecosystem. Early enthusiasm for the potential of the Internet to improve our public sphere reflected not only Silicon Valley neoliberalism (although there was plenty of that), but for many, myself included, also reflected a recognition of the limits of mainstream media and observations of successful distributed, non-market media that offered a genuine alternative and more democratic voice within a networked fourth estate. The *New York Times'* coverage of WMD (Weapons of Mass Destruction) was only the most prominent beating of war drums that typified American mainstream media in the buildup to the Iraq War, and in the 2016 election our work in *Network Propaganda: Manipulation, Disinformation, and Radicalization in American Politics* documented how central a role mainstream media played in shaping the public's perception that Clinton was primarily associated with scandals, not policies. The entire public conversation of police shootings of unarmed black men was transformed by citizens armed with video cameras visually documenting blue on black crimes and distributing them on decentralized networks that forced traditional media to pick them up. There is, moreover, plenty of groupthink and kowtowing to owners and advertisers in mainstream media, and the tension between journalistic ideals and commercial drivers (and the venality of owners) is alive and well. But in our observations of specific factual

claims, as opposed to both broad ideological framings, and specific, emotional appeals aimed to stoke outrage, we saw the tension between professional norms and commercial drivers played out as a reality-check dynamic. And that tension moderates the prevalence and survival of audience-pleasing, bias-consistent, outrage-inducing narratives that are factually false. Because of this dynamic, mainstream media, for all its systemic limitations, does not pose the same acute threat to democratic practice as the present right-wing outrage industry.

THE POLITICAL ECONOMY OF OUR ASYMMETRIC MEDIA ECOSYSTEM

Partisan media is hardly new in America. Patronage-funded partisan media was the norm for nineteenth century newspapers; professional journalism focused on factual news under norms of neutrality emerged largely only after World War I.[9] During the heyday of high modernist professionalism in journalism, from the end of World War II to the 1970s, these norms were most evident in the valorization of fact-based reporting. Media concentration (three broadcast networks as well as a growing number of one-newspaper towns) made reporting from a consensus viewpoint and avoiding offending any part of your audience good business. Even at that time, though, partisan media existed on both the right and the left. On the left, repeated attacks during the first and second Red Scares largely suppressed socialist voices, but outlets rooted in the earlier progressive era, like *The Nation* or *The Progressive*, were joined in the 1970s by *Mother Jones* and later by the *American Prospect,* as well as Pacifica Radio on the air. These were all relatively small-circulation affairs and were not, in the main, commercially driven.

The same was true on the right until the late 1980s. Beginning with the founding of *Human Events* in 1944 by the remnants of the America First movement, and followed by the Manion Forum on radio and the *National Review* in 1955, a network of right-wing outlets cooperated and supported each other throughout the post-war period.[10] At no point during this period, however, was this network able to replicate Father Coughlin's market success in the 1930s, who reached 30 million listeners, and whose shift from support for the New Deal to increasingly virulent anti-Semitic and pro-Fascist propaganda became the basis for one of the classics of propaganda studies.[11] Instead, it existed on a combination of relatively low-circulation sales, philanthropic support from wealthy conservatives, and reader and listener contributions.

Like their left-oriented counterparts, these mid-century conservative outlets could not overcome the structural barriers to competing in concentrated media markets. The three networks dominated the news. Radio, under clear ownership limits, had to operate in ways consistent with the fairness doctrine, which made nationwide syndication costly. Local newspaper ownership was fragmented, and local monopolies benefited by serving all readers in their markets. It was simply too hard for either side to capture large market shares.

This had changed dramatically by the end of the 1980s. The most distinctive feature of present-day right-wing media is that it is very big business. Beginning with Rush Limbaugh in 1988, and extending through the launch of Fox News in 1996 to Breitbart in 2007, with non-fiction best sellers from Ann Coulter and others in the present, stoking right-wing anger has become big and lucrative business.[12] And it is that fundamental shift from the non- or low-profit model to the profitable business model that has created a dynamic that forces all the participants in the right-wing media ecosystem to compete on the terms set by the outrage industry.

What happened on the right, and why didn't it happen on the left? Why in 1988? To answer these questions, we have to look at the political economy in the United States, and in particular at the interaction between changes in law and regulation, political culture, technology, and media markets that stretch back as early as 1960. I summarize these factors in figure 1. The short version of the answer is that changes in political culture created a large new market segment for media that emphasized white, Christian identity as a political identity; and that a series of regulatory and technological changes opened up enough new channels that the old strategy of programming for a population-wide median viewer, and hoping for a share of the total audience, was displaced by a strategy that provided one substantial part of the market uniquely-tailored content. And that content was the expression of an outraged backlash against the civil rights movement, the women's movement, and the New Left's reorientation of the moral universe inward, to the individual, rather than to the family or God. The left, by contrast, was made up of a coalition of more diverse demographic groups, and never provided a similarly large market to underwrite a commercially successful mirror image.

The first channel expansion came from UHF television stations in the 1960s. The All Receiver Act in 1961 required television manufacturers to ship televisions that could receive both UHF and VHF stations. Before the Act, because few televisions received UHF, few stations existed, and because few stations existed, few consumers demanded all channel

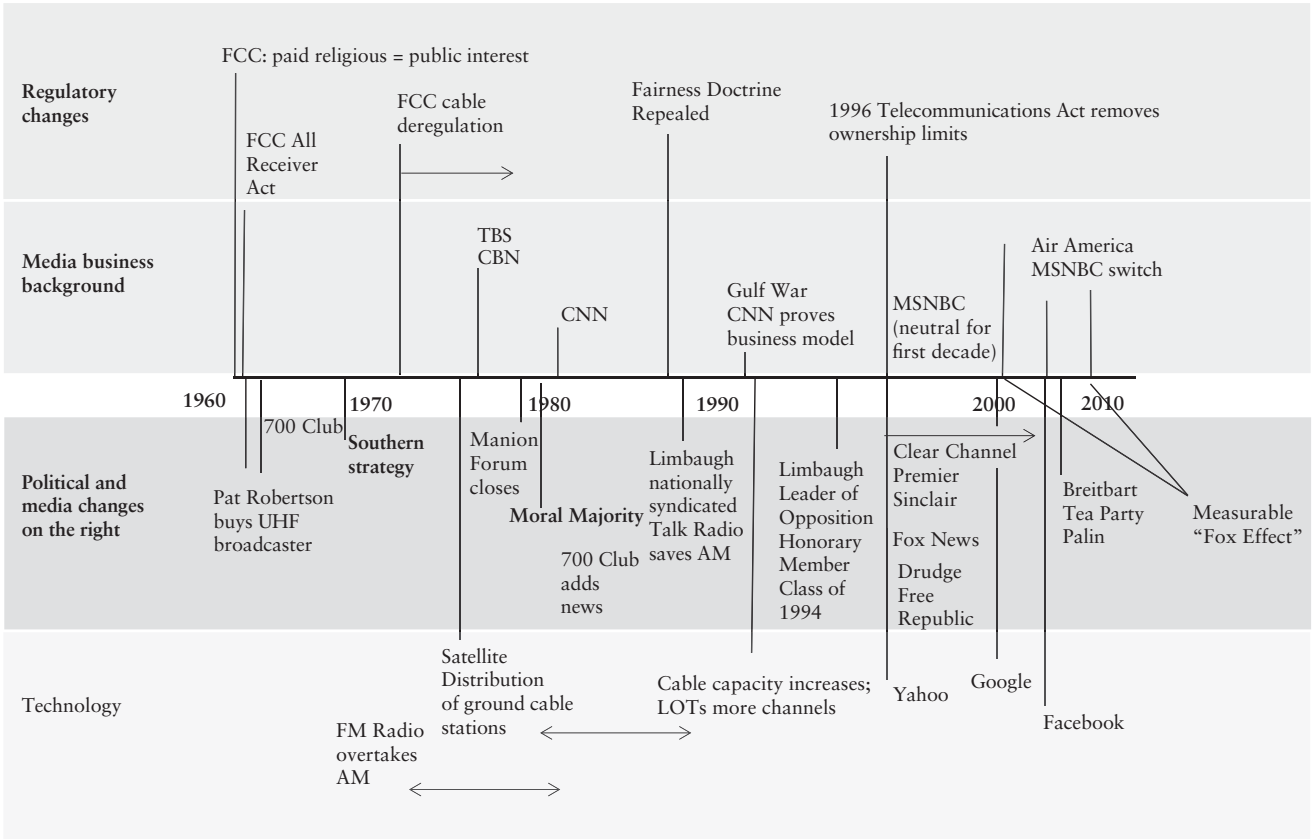

FIGURE 1 Feedbacks create supply and demand conditions to make right-oriented outrage-peddling a lucrative business.

televisions. This regulatory move allowed the technical base for a larger number of channels to emerge. Complementing this move, the FCC (Federal Communications Commission) changed its rules regarding the public interest obligations of broadcasters, and permitted broadcasters to count paid religious broadcasting against their public interest quota. This change permitted Evangelical churches, who were happy to pay for their airtime, to crowd out and displace mainline Protestant churches that had previously been the dominant religious broadcasters and had relied on what the FCC called "sustaining" (free) access to the airwaves. Pat Robertson's purchase of an unused UHF license in 1961, and his launch of the 700 Club in 1963, epitomize these two pathways for the emergence of televangelism.[13] And televangelism, in turn, forged the way for the emerging right-wing media ecosystem.

The second channel expansion happened in the 1970s, through a combination of technological and regulatory changes surrounding cable and satellite transmission of television. In the 1960s through mid-1970s, the FCC had used its regulatory power largely to contain the development of cable. The shift in direction toward deregulation, which swept across trucking, airlines, and banking in the 1970s, reached telecommunications as well (I'll return to the question of why the 1970s in the last part of the chapter), and the FCC increasingly removed constraints on cable companies and cable-only channels, allowing them to compete more freely with over-the-air television.[14] At the same time, development in satellite technology to allow transmission to cable ground stations allowed the emergence of the "superstation," and Ted Turner's launch of TBS as the first national cable network. Robertson soon followed with the Christian Broadcasting Network (CBN), and in 1980 Turner launched a revolutionary product: a 24-hour news channel, CNN. Within a dozen years, CNN was to equal and surpass the three networks; 30 percent of survey respondents who got their 1992 presidential election news on television got it from CNN.[15]

The final piece of the media-ecosystem puzzle came from developments in an old technology – radio. During the 1970s, FM radio, long suppressed through sustained litigation and regulatory lobbying gamesmanship, came into its own, and its superior quality allowed it to capture the music market. AM radio broadcasters needed a new format that would not suffer from the difference, and were ready to adopt talk radio once it was unleashed. And unleashed it was when, after spending his entire tenure pursuing it, Ronald Reagan's FCC Chair, Mark Fowler, succeeded in repealing the fairness doctrine in 1987. Liberated from the demands of

response time, radio stations could now benefit from a new format, pioneered by Rush Limbaugh. In 1988, within months of the repeal of the fairness doctrine, Limbaugh's three-hour-a-day program became nationally syndicated, using the same satellite technology that enabled distribution to ground stations and made cable networks possible. His style, based on strong emotional appeals, featured continuous criticism of mainstream media, systematic efforts to undermine trust in government whenever it was led by Democrats, and policing of Republican candidates and politicians to make sure they toed the conservative line defined the genre.

For the first time since Father Coughlin in the 1930s, a clear right-leaning, populist and combative voice emerged that was distinct from the ideologically committed but market-constrained efforts of the Manion Forum or the *National Review*, and became an enormously profitable business. The propaganda feedback loop was set in motion. Within four years Ronald Reagan was calling Limbaugh "the number one voice of conservatism" in America,[16] and a year after that, in 1993, the *National Review* described him as "The Leader of the Opposition."[17] Often credited with playing a central role in ensuring the Republican takeover of the House of Representatives in 1994, Limbaugh was tagged an honorary member of the freshman class of the 104th Congress. By 1996, Pew reported that Limbaugh was one of the major sources of news for voters, and the numbers of respondents who got their news from talk radio and Christian broadcasters reached levels similar to the proportion of voters who would later get their news from Fox News and talk radio in the 2016 election.[18] Everything was set for Roger Ailes to move from producing Limbaugh's television show, to joining forces with Rupert Murdoch and launching Fox News.

Technology and institutions alone cannot explain the market demand for the kind of bile that Limbaugh, Hannity, or Beck sell. For this we must turn to political culture, and the realignment of white, Evangelical Christian voters into a solidly, avidly Republican bloc. The racist white identity element of this new Republican bloc was a direct response to the civil rights revolution. Nixon's Southern Strategy was designed to leverage the identity anxieties of white southerners, as well as white voters more generally, triggered by the ideas of racial equality and integration in particular. The Christian element reflects the rapid politicization of Evangelicals over the course of the 1970s, in response to the women's movement, the sexual revolution, and the New Left's relocation of the center of the moral universe within the individual and the ideal of self-actualization. The founding of the

Moral Majority in 1979, the explosive success of televangelism in the 1980s, and Ronald Reagan's embrace of Evangelicals, all combined to create what would become the most dedicated and mobilized part of the Republican base in the coming decades.

The two elements that defined these audiences, predisposed them to reject the authority of modernity and its core epistemological foundations – science, expertise, professional training, and norms. For Evangelicals, the rejection of reason in favor of faith was central to their very existence. For white southerners, and those who aligned with them in anxiety over integration, the emerging elite narrative after the civil rights revolution treated their anxieties as anathema, and judged their views as shameful, rather than a legitimate subject of debate. Archie Bunker was a laughing stock. This substantial population was shut out and alienated from the most basic axioms of elite-controlled public discourse, be it in mainstream media, academia, or law and policy. And while most successful Republican politicians merely blew their dog whistle, as with Reagan's "welfare queen" or Bush's use of Willie Horton; early entrepreneurs like Pat Buchanan were already exploring frankly nativist and racist politics, which, combined with a full-throated rejection of elites, would become the trademark of Donald Trump a quarter century later.

It was a multi-channel market, where three broadcast networks were to compete with three 24-hour news cable channels (MSNBC was launched as a centrist clone of CNN in 1996, only shifting to a strategy of mirroring Fox News for the left in 2006). Having everyone programming for the middle and aiming to get a portion of the audience turned out to be an inferior model to programming uniquely designed to capture one large, alienated audience. Within half a decade of its launch, Fox News had become the most watched network, offering its audience the same mixture of identity confirmation, biased news, and attacks against those who do not conform to the party line, that Limbaugh had pioneered. And, building on the significant relaxation of group ownership rules on broadcasters in 1996 (a product of the political and ideological victory of neoliberalism), Clear Channel Communications purchased over 1,000 radio stations, as well as Premier Radio, producers of Limbaugh, Hannity, and Glenn Beck's talk radio shows. By 1999, Clear Channel was tapping into a proven right-wing audience, programming coast-to-coast, round-the-clock, outrage-stoking talk radio. Sinclair Broadcasting followed suit with local television stations. By the time Breitbart was launched in 2007, white-identity Christian voters had been forged into a shared political identity for over thirty years, and for twenty of those years had been

served media products that reinforced their beliefs, policed ideological deviation in their party, and viciously attacked opponents with little regard for the truth. They were ready for a Vice President Palin. They were ready to believe that a black man called Barack Hussein Obama was a Muslim, an Arab, and in all events constitutionally incapable of being President of the United States. Ready for Donald Trump to phone in to *Fox and Friends* demanding to see the president's birth certificate to prove otherwise. And they were only interested in new media outlets that conformed to or extended the kind of news performances they had come to love and depend on over the prior two decades.

THE INTERNET AND SOCIAL MEDIA

The Drudge Report started about the same time as Yahoo, a year before Fox News. Not long after, the Free Republic forum became the first right-wing online forum. Despite the early emergence of these sites, the first few years of the twenty-first century saw more or less similar growth on the left and right of the new blogosphere, rather than an online reflection of the growing difference on television and radio between the right and the rest. If anything, the near lockstep support in mainstream print media for the Iraq and Afghanistan wars prompted more online activism and criticism on the left than on the right, and the right, in turn, saw a good bit of growth in libertarian blogs. Ron Paul's supporters in particular flourished on the right; while sites on the left, like the Daily Kos, emphasized mobilization for action, fundraising, and collaborative authorship in multi-participant sites.[19]

Empirical research about the architecture of the blogosphere at the time showed a symmetrically polarized blogosphere.[20] It is possible that these findings reflect the scale of the data or the methods of defining edges. Studies at the time used substantially less data than we now have, observing hundreds of sites over several weeks, rather than tens of thousands of sites over years. It is possible that looking at the blogosphere alone, without including the major media sites such as Fox, reflected the more elite, libertarian-right focus of the blogosphere at the time, which our data suggest were still less enmeshed in the Fox-Limbaugh right in 2016. It is possible that the largely supine coverage by mainstream media of the Iraq war and the "war on terror," led the left of the blogosphere to separate out and mirror what was already happening on the right, but that the online left became more closely tied into the mainstream as those media outlets soured on President Bush after Katrina, torture, and warrantless

wiretapping became widely acknowledged, an alignment that continued with the benign coverage of the Obama White House. And it is possible that the asymmetry between the two poles sharpened dramatically with the rise of the Tea Party, and the shock that white identity voters received from waking up to a black president. We do not have the data to determine whether the original findings of symmetry were incorrect, or whether asymmetry developed online later than it did in radio and television. In any event, our own earliest data: a single month's worth from October 2012, shows clearly that the asymmetric pattern we observe in 2015 was already present. This asymmetric pattern is also visible in Facebook data from late 2014. The asymmetric pattern in radio and cable news, however, long precedes the significant rise in commercial internet news sites, and it shaped the competitive environment online, making it basically impossible for a new entrant into the competition for right-wing audiences to escape the propaganda feedback loop.

It's important to clarify here that I am not arguing that the Internet and social media have no distinctive effect on political mobilization by marginalized groups. My focus has been on disinformation and the formation and change of beliefs at the population level, not for individuals and small groups. There is no question that by shifting the power to produce information, knowledge, and culture, the Internet and social media have allowed marginal groups and loosely connected individuals to get together, to share ideas that are very far from the mainstream, and try to shape debates in the general media ecosystem or organize for action in ways that were extremely difficult, if not impossible, even in the multichannel environment of cable and talk radio. The Movement for Black Lives could not have reshaped public debate over police shootings of black men but for the fully distributed, highly decentralized facilities of mobile phone videos and the sharing capacities of YouTube or Facebook. Twitter and YouTube, 4chan and Gab have provided enormously important pathways for white supremacists to get together, stoke each other's anger, and trigger murderous attacks across the world. YouTube, in particular, appears to be a cesspool of apolitical misinformation, allowing anti-vaxxers and flat earthers to spread their "teachings." Any efforts to study social mobilization – whether mobilization one embraces as democratic, or action one reviles as terrorism – or to study misinformation diffusion in narrow, niche populations must focus on these affordances of the Internet and how they shape belief formation. But that is a distinct inquiry from trying to understand belief formation and change at the level of millions, the level that shapes national elections or referenda like Brexit.

ORIGINS: AGENCY, STRUCTURE, AND SOCIAL RELATIONS; IDEOLOGY, INSTITUTIONS, AND TECHNOLOGY

The political economy explanation I offer here seems in tension with accounts in other chapters of this volume. A first dimension of apparent disagreement is an old workhorse: the agency/structure division. How much can be laid at the feet of specific intentional agents as opposed to structural drivers? Several chapters in this collection take a strong agency-oriented stance toward the origins of crisis. Nancy MacLean focuses on the Koch network and its decades-long efforts to create a web of pseudo-academic, political, and media interventions to confuse the voting public in order to enact an agenda that they knew would lose an honestly informed democratic contest. W. Lance Bennett and Steven Livingston take a similar approach, but broaden the lens organizationally toward a broader set of rich, corporate actors funding the emergence of neo-liberalism as a coherent intellectual and programmatic alternative. Naomi Oreskes and Eric Conway's chapter operates within the same frame, but rolls the clock back, focusing on the National Association of Manufacturers and their central role in propagandizing "free market" ideology as part of their efforts to resist the New Deal. The cleanest "structure" version in this volume is Paul Starr's focus on the Internet and its destructive impact on the funding model that typified the pre-internet communications ecosystem (for all its imperfections). His emphasis is on systematic change in the economics of news production caused by an exogenous global technological shift and not met by an adequate institutional countermovement.

A second dimension of divergence among the accounts focuses on vectors of change – in particular, the extent to which change happens through shifts in the prevailing ideological frame through which societies understand the world they occupy; through formal state-centric politics; through other institutions, most directly law; or through technology. Oreskes and Conway, and Bennet and Livingston both emphasize the cultural or ideological vector (popular in the former, elitist in the latter). MacLean emphasizes ideology and politics. Starr emphasizes the interaction of technology and institutions.

None of us, one assumes, holds a simplistic view that only agency or only structure matters. Our narratives focus on one or another of these, but each of us is holding on to bits of the story. My own approach has long been that both agency and structure matter, and are related by time in punctuated equilibrium – alternating periods of stability when structure

dominates, and institutions, technology, and ideology reinforce each other and are resistant to efforts to change social relations, with periods of exogenous shock or internal structural breakdown, during which agency matters a great deal, as parties battle over the institutional ecosystem within which the new settlement will congeal.[21] Similar analyses that combine agency and structure over time include earlier work by Starr and Paul Pierson. Starr focused on strategic entrenchment – intentional action aimed at achieving hard-to-change institutions that, in turn, stabilize (just or unjust) social relations.[22] Paul Pierson focused on politics in time, incorporating periods of stability intersected by periods of shock or internally accumulated tipping points.[23] My interpretation of the diverse narratives in this volume is that we are looking at different time horizons and different actors. It would be irresponsible to assume that sustained strategic efforts, over decades, funded to the tune of hundreds of millions of dollars, by any one or several super-rich individuals and corporations, simply didn't matter to the rise of neoliberalism and the declining public belief in the possibility of effective government or truth as a basis for public policy. But conservative billionaires and corporate interests have invested in supporting right-wing ideology and politics throughout the twentieth century. As long as their investments were made in the teeth of an entrenched structure where ideology, institutions, and technology reinforced each other within the settlement of high modernism and managerial capitalism, these investments could not batter down the social relations that made up the "Golden Age of Capitalism" or the "Glorious Thirty."

That "Golden Age," and high modernism with it, collapsed under the weight of its own limitations. Our experience of epistemic crisis today cannot be separated from the much broader and deeper trends of loss of trust in institutions generally associated with that collapse. When we look at the survey that offers the longest series of comparable responses regarding trust in any institution – trust in the federal government – we see that most of the decline in trust occurred between 1964 and 1980. Pew's long series shows that this change was not an intergenerational shift. There is no meaningful difference between the sharp drop in trust among the "greatest," "silent," and "boomer" generations. And the drop from 77% who trust government in 1964, to 28% in 1980, dwarfs the remaining irregular and gradual drop from 28% in 1980, to 19% in the period from 2014 to 2017.[24] Gallup's long-term data series, starting from 1973, shows an across-the-board decline in which trust in media does not stand out. Only the military and small business fared well over the period from

1973 to the present. Big business and banks; labor unions; public schools and the healthcare system; the presidency and Congress; the criminal justice system; organized religion; all lost trust significantly, and most no less or more than newspapers.[25] Moreover, loss of trust in government is widespread in contemporary democracies.[26]

What happened in the 1960s and 1970s that could have caused this nearly across-the-board decline in trust in institutions? One aspect of the answer is rooted in material origins. The period from World War II to 1973 was a unique large-scale global event typified by high growth rates across the industrialized world due to postwar recovery investment, at a time when war-derived solidarism underwrote political efforts to achieve broad-based economic security and declining inequality, even in the United States. These conditions were supported by an ideological frame, high modernism, which was oriented toward authority and expertise. Leadership by expert elites pervaded political, economic, and cultural dimensions of the period, from Keynesianism, dirigisme, and the rise of the administrative state, through managerial capitalism and the social market economy; to centralized, national or highly concentrated media.

There are diverse arguments about why the Golden Age ended. By one account, strong labor and wage growth combined with the catch-up of both postwar European countries and newly developing countries, and created a profit squeeze for management and shareholders, which drove inflation and led to the collapse of Bretton Woods.[27] Other accounts focus on the exogenous shock caused by the oil crisis of 1973 and 1979, and yet others on myopic mistakes by the Federal Reserve in response to these pressures.[28] These dramatic, global, economy-wide phenomena followed by the Great Inflation of the 1970s, undermined public confidence in government stewardship of the economy and drove companies into a more oppositional role in the politics of economic regulation. As Kathleen Thelen has shown, the distinctive politics of each of the "three worlds of welfare capitalism" – the Nordic social democracies, mainland European Christian Democratic countries, and Anglo-American liberal democracies – resulted in their adapting to the end of the Golden Age in distinct ways.[29] Each of these systems adopted reforms with a family resemblance – deregulation, privatization, and a focus on market-based solutions. But each reflected a different political settlement, with different implications for economic insecurity for those below the top 90th percentile. In the United States in particular, the historical weakness of labor (relative to other advanced democracies); stark racial divisions; and a flourishing consumer movement that set itself up against labor in the

battles over deregulation, resulted in the now well-known series of losses for labor, compounded by the Reagan Revolution and normalized by the Clinton New Democrats in the 1990s. These political and institutional changes reshaped bargaining power in the economy, allowing investors, managers, and finance to extract all growth in productivity since the 1970s. Real median income flatlined, and the transformation to a services economy, financialization, and the escape of the 1 percent followed. The result was broad-based economic insecurity coupled with fabulous wealth for the very few. Research in the past few years, across diverse countries following the Great Recession, suggests a strong association between economic insecurity and rising vote share for anti-establishment populists, particularly of the far-right variety. Under conditions of economic threat and uncertainty, people tend to lose trust in elites of all stripes, since they seem to be leading them astray.

The second part of the answer is more directly political. In the 1960s and 1970s, it wasn't only the right that had had enough of high modernism and its belief in benign elite expertise to govern economy and society. High modernism with its unbounded confidence in scientific management by a white, male elite committed to publicly oriented professionalism, was on the defensive across the developed world. The women's movement criticized its patriarchy. The civil rights and decolonization movements criticized its racism. The antiwar movement criticized its warmongering and support of a military-industrial complex. The Nader Raiders and the emerging consumers movement did every bit as much to document agency capture and undermine trust in regulatory agencies as did the theoretical work of conservative economists, like future Nobel laureates in economics James Buchanan or George Stigler, who systematized distrust in government as the object of study that defined the emerging field of positive political theory. It was Nader who testified before Ted Kennedy's Senate committee hearings that led the charge to deregulate the airline and trucking industries, over strong opposition from both unions and incumbents.[30] And it was Nader again, shoulder to shoulder with the AARP (The American Association of Retired Persons), who led the charge to deregulate banks in defense of the consumer saver; and again, it was Jimmy Carter's Democratic Administration that pushed through the transformational deregulation of banking.[31] The Carter FCC deregulated cable more than the Nixon and Ford FCCs that preceded it.[32] Meanwhile, science and technology studies, from Thomas Kuhn and Bruno Latour on, played a central role in questioning the autonomy and objectivity of science. When business-funded attacks on science came, the elite-educated left had already

embraced a profoundly unstable view of the autonomy of science. Similarly, communications studies exposed and criticized the compliance of mainstream media with all these wrongs. Such a comprehensive zeitgeist shift cannot be laid solely at the feet of a handful of identifiable conservative billionaire activists.

On the right, I've already noted the backlash of southern white identity voters against the civil rights movement, harnessed and fanned by Nixon's Southern Strategy, and of Christian fundamentalists against the women's movement, reinforced by Ronald Reagan's embrace. These created large basins of loss of trust in political institutions on the other end of the spectrum. The response of business to its losses on consumer, worker, and environmental campaigns in the 1960s, drove a dramatic strategic shift by mainstream business leadership in building lobbying capabilities in Washington DC and the states in the 1970s,[33] complementing the more ideologically motivated investments documented by several of the other chapters here.

Throughout this period, mainstream media portrayals of the world in terms congruent with elite views, widely diverged from the perspectives of critics on both sides of the political map. The declining trust in institutions in each of these distinct segments of the population was, in many cases, a reasonable response to institutions whose actual functioning fell far short of their needs or expectations, or had been corrupted or disrupted as a result of the political process. So, too, was their declining trust in media that no longer seemed to make sense of their own conditions.

Taking the material and political dimensions of the answer together begins to point us toward an answer to the question – why are we experiencing an epistemic crisis now, across many democratic or recently democratized countries? The answer is not that all these countries have been hit by a technological shock that undermined our ability to tell truth from fiction. At least in the United States, where we have the best data and clearest measurements, this is not what happened at all. Instead, we need to look for the answer in the deep economic insecurity since the Great Recession and the opening it gave to nationalist politicians to harness anxieties over economic insecurity by transposing them onto anxieties about ethnic, racial, and masculine identity. All elite institutions – not only mainstream media outlets, but academia, science, the professions, and civil servants and expert agencies were to be regarded with fear and anger, which undermined them as trustworthy sources of governance and truth. It is possible that more studies, of more countries, will reveal different dynamics than those we now know have marked American

public discourse. It is possible that technological change played a more crucial role in some countries. But barring such evidence, it seems more likely that the shared, global crisis of the neoliberal settlement since the Great Recession is driving what we experience as epistemic crisis, and not the other way around.

Why does it matter whether we focus on structure or on distinct agents? Critically, it affects where we need to focus our political energy. Recognizing that neoliberalism was itself the result of the right and organized business seizing on the crisis of the 1970s to fundamentally redefine the institutional terms of economic production and exchange, demands that the response to the current crisis be focused on building new, inclusive economic institutions that provide coherent, effective answers to the actual state of deep economic insecurity that has left millions susceptible to right-wing, racist-nationalist propaganda. We are now at a moment of instability, where programs we adopt will likely congeal into the institutional elements of the settlement that will surely follow. But the managerialism that preceded neoliberalism during the Golden Age was itself far from perfect, and efforts to build a new, more egalitarian economic system cannot emerge from nostalgia or the simple reconstitution of the progressive institutions that marked modernism and the Golden Age, including hopes for a revival of a traditional, mainstream press.

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3

The Flooded Zone

How We Became More Vulnerable to Disinformation in the Digital Era

Paul Starr

As the twenty-first century began, the digital revolution seemingly validated two general ideas about the contemporary world. The first was the era's dominant ideological preference for a reduced role for the state. The Internet of the 1990s and early 2000s appeared to be neoliberalism's greatest triumph; government regulation was minimal, and digital innovation and entrepreneurship were creating new online markets, new wealth, and new bases of empowerment, connection, and community.

The digital revolution also seemed to validate a second idea: an optimistic narrative about technological progress and its political implications. According to that narrative, the new means of communication expanded access to the news, delivered it faster and more reliably, and afforded broader opportunities for free expression and public discussion. Now, with both personal computers and access to the Internet, individuals would have unlimited information at their fingertips, as well as unprecedented computational and communicative power.[1] All this would be good for democracy. Celebrants of the digital era saw the new technology as inherently tending to break down centralized power; the further the Internet spread around the world, the more it would advance freedom and threaten dictatorships.[2]

These early judgments have now come to seem not just premature but downright naïve. But what exactly went wrong? Here, I want to argue that the early understanding of the implications of digital innovation for the news media and democracy fell prey to three errors. First, the prevailing optimism at the century's turn highlighted what digital innovation would add to the public sphere, hardly imagining that it would subtract anything

of true value. The optimistic narrative undervalued the ways in which the predigital public sphere served democratic interests. It assumed, in particular, that the emerging digital economy left to itself would be no less supportive of a free press than the predigital economy.

Second, the optimistic vision failed to appreciate that the new technology's affordances are a double-edged sword. As should be all too clear now, online communication is capable of spreading disinformation and hatred just as fast and cheaply as reliable information and civil discourse; indeed, virality favors false and emotional messages.[3] The opportunities for greater individual choice in sources of news have been double-edged because, when given the chance, people are inclined to seek sources that confirm their preexisting biases and to self-segregate into groups with similar views, a pattern that much research has shown heightens group polarization.[4] The new structure of communication has also created new means of microtargeting disinformation in ways that journalists and others cannot readily monitor, much less try to correct in real time.

Third, like generals still fighting the last war, the digital visionaries who saw the new technology as breaking down established forms of centralized power were blind to the new possibilities for monopoly, surveillance, and control. They mistakenly believed that the particular form the Internet had taken during the 1990s was inherent in the technology and therefore permanent, when it was, in fact, contingent on constitutive choices about the Internet's development and open to forces that could fundamentally change its character. In a different era, the Internet would have developed differently. But in the United States, which dominated critical decisions about the technology, government regulation and antitrust enforcement as well as public ownership were all in retreat, and these features of neoliberal policy allowed the emergence of platform monopolies whose business models and algorithms helped propagate disinformation.

The digital revolution has made possible valuable new techniques of reporting and analysis, such as video journalism and data journalism, as well as greater engagement of the public in both originating and responding to news. But there is no denying the seriousness of the problems that have emerged. Just as studies of democratization have had to focus on the reverse processes of democratic backsliding and breakdown, so we need to attend to the related processes of backsliding and breakdown in the development of the media.[5] I use the term "degradation" to refer to those backsliding processes. In telecommunications engineering, degradation refers to the loss of quality of an electronic signal (as it travels over

a distance, for example); by analogy, media degradation is a loss of quality in news and public debate.

To be sure, the meaning of quality is more ambiguous and contestable for news and debate than for an electronic signal. But it ought to be uncontroversial to say that the quality of the news media, from a democratic standpoint, depends on two criteria: the provision of trustworthy information and robust debate about matters of public concern. The first, trustworthy information, depends in turn on the capacities of the media to produce and disseminate news and on the commitment to truth-seeking norms and procedures – that is, both the resources and the will to search out the truth and to separate facts from falsehoods in order to enable the public to hold both government and powerful private institutions to account. The second criterion, robust debate, requires not only individual rights of free speech but also institutions and systems of communications that afford the public access to a variety of perspectives.

Media degradation can take the form of a decline in any of these dimensions. In contemporary America, that decline has taken the form of a degradation in the capacities of professional journalism and a degradation of standards in online media, particularly the insular media ecosystem that has emerged on the far right. Social media, rather than encouraging productive debate, have amplified sensationalism, conspiracy theories, and polarization. In a degraded media environment, many people don't know what to believe, a condition ripe for political exploitation. In early 2018, Steve Bannon, publisher of Breitbart News and Donald Trump's former strategist, gave a concise explanation of how to exploit confusion and distrust: the way to deal with the media, he said, is "to flood the zone with shit."[6] That not only sums up the logic of Trump's use of lies and distraction; it also describes the logic of disinformation efforts aimed at sowing doubts about science and democracy, as in industry-driven controversies over global warming and in Russian uses of social media to influence elections in western Europe as well as the United States. "Flooding" the media with government propaganda to distract from unfavorable information is also one of the primary techniques the Chinese regime currently uses to manage discontent.[7]

In the past, the mass media were not immune from analogous problems; the "merchants of doubt" in the tobacco and oil and gas industries also deliberately flooded the zone.[8] But the new structure of the media has greatly reduced the capacity of professional journalists to act as a countervailing influence and to interdict and correct falsehood. How journalism lost its power and authority, how the new media

environment helped undermine standards of truth seeking, and how the great social media platforms came to aid and abet the propagation of hatred and lies – these are all critical parts of the story of the new age of disinformation.

THE ATTRITION OF JOURNALISTIC CAPACITIES

The optimistic narrative of the digital revolution is a story of disruptive yet ultimately beneficial innovation. As improved ways of producing goods and services replace old ones, new enterprises are born while obsolete methods and legacy organizations die out. This kind of "creative destruction" has certainly happened in many industries, including in some segments of the media such as music and video. But no historical law ensures that every such transformation will be more creative than destructive from the standpoint of liberal democratic values, especially where the market alone cannot be expected to produce a public good at anything like an optimal level.

News about public issues is a public good in two senses. It is a public good in the political sense because it is necessary for democracy to work, and it is a public good in the strict economic meaning of the term because it has two features that distinguish it from private goods: it is non-rival (my "consumption" of news, unlike ice cream, does not prevent you from "consuming" it too), and it is non-excludable (even if provided initially only to those who pay, news usually cannot be kept from spreading). These characteristics enable many people to get news without paying for it and prevent the producers of news from capturing a return from all who receive it. As a result, market forces alone will tend to underproduce it, even in strictly economic terms.

Historically, there have been three general solutions to the problem of news being underproduced in the market. The first solution consists of selective subsidies – that is, subsidies to specific media outlets. Such subsidies have come from governments, political parties, groups in civil society, and powerful patrons typically interested in promoting their own views, and consequently have afforded news organizations little independence. The second type of solution consists of general non-selective media subsidies that are more compatible with editorial autonomy: below-cost postal rates for all newspapers and other publications regardless of viewpoint; tax exemptions applicable to all media outlets; and governmental and philanthropic funds for independent, public-service broadcasting.

In its early history, the United States used both selective subsidies (mainly through government printing contracts for party newspapers) and non-selective subsidies (through the Post Office) to support the development of the press. But since the late nineteenth century, America has had an almost entirely commercial model for the news media in which the financing for high-quality journalism has come via the third method for supporting news that would otherwise be underproduced – cross-subsidies. The various sections of a newspaper, from the classified ads to the sports and business pages and political news, were akin to different lines of business; the profitable lines cross-subsidized the reporting on public issues that might not have been justified from a narrower view of return on investment. During the second half of the twentieth century, the newspaper business was also highly profitable; the consolidation of the industry in metropolitan areas left advertisers with few alternatives to reach potential consumers and gave the surviving papers considerable pricing power in advertising rates. With 80 percent of their revenue typically coming from advertising and only 20 percent from subscriptions and newsstand sales, newspapers could pay for most of the original reporting in a community (radio and television news were distinctly secondary), while generating healthy profit margins.[9]

By undercutting the position of newspapers and other news media as intermediaries between advertisers and consumers, the Internet has destroyed the cross-subsidy system, along with the whole business model on which American journalism developed. Advertisers no longer need to support news enterprises in order to reach consumers. With the development of Craigslist, eBay, and other sites, the classified ads that had been a cash cow for newspapers disappeared. The Internet also disaggregated the various types of news (sports, business, and so on) that newspaper had assembled, allowing readers to go to specialized news sites instead of buying their local paper. Today most online advertising revenue goes to companies that produce no content at all; in 2017 Facebook and Google alone took 63 percent of digital advertising revenue.[10]

The capture of digital advertising revenue by the big platform monopolies helps explain why the digital revolution has not led to a growth in online news that could have offset the decline in legacy media. Journalism now depends far more on generating revenue from readers than it did in the past, but many of those readers see no reason to pay, since alternative sources of online news continue to be available for free. At the top of the market, a few national news organizations such as the *New York Times* and *Washington Post* have instituted paywalls and appear on their way to

a successful digital transition as their aging print readership dwindles; subscriptions can also sustain specialized news sites, particularly for business and finance. But regional and community newspapers have sharply contracted and show no signs of revival. Although digital news sites have developed – some of them on a nonprofit basis – they have not come close to replacing what has been lost in reporting capacities, much less in readership. Despite the scale of decline in local journalism, most Americans seem to be unaware of a problem. According to a survey by the Pew Research Center in 2018, 71 percent think their local news media are doing well financially; only 14 percent, however, have paid for local news in any form.[11]

The decline in employment in news organizations gives a sense of the scale of lost reporting capacities. According to data from the US Bureau of Labor Statistics, total employment in both daily and weekly newspapers declined by 62 percent from 1990 to 2017, from 455,000 to 173,900.[12] Those numbers include not only reporters and editors but also salespeople, secretaries, and others. A more narrowly defined measure – reporters and editors at daily newspapers – shows a decline over the same period of 42 percent, from 56,900 to 32,900, according to an annual survey of newsrooms by the American Society of Newspaper Editors.[13] Broader measures that include digital news organizations are available only for the more recent period. From 2008 to 2017, according to a Pew Research Center analysis of data from the Bureau of Labor Statistics, the number of editors, reporters, photographers, and videographers employed by news organizations of all kinds, fell from about 114,000 to 88,000, a decline of 23 percent. Newspapers, which cut newsrooms by 45 percent over that period, accounted for nearly all the decline.[14]

The geography of journalism has also changed. While internet-related publishing jobs have grown on the coasts, journalism in the heartland has shrunk. By 2016, 72 percent of journalists worked in counties won by Hillary Clinton, while newspapers underwent the greatest decline in areas won by Trump.[15] As a result of the overall contraction and geographical shift, the United States has now been left with an increasing number of "news deserts", communities without any local newspaper. About 20 percent of newspapers have closed since 2004, while many of the survivors have become ad shoppers with hardly any original news: "newspapers in name only" (NINOs) as one analyst calls them.[16] The people who live in the news deserts and communities with NINOs may be especially dependent on the news they receive via social media.

The decline of newspapers has not only brought a falloff in reporting and investigating throughout much of the United States; financially weakened news organizations are also less capable of maintaining their editorial independence and integrity. This is a real cost to freedom of the press, if one thinks of a free press as being capable of standing up against powerful institutions of all kinds. When news organizations teeter on the edge of insolvency, they are more susceptible to threats of litigation that could put them out of business, and more anxious to curry the favor of such advertisers as they still have. The major professional news organizations used to maintain a strict separation between their editorial and business divisions, but new digital start-ups haven't adopted that rule and older news organizations no longer defend it as a matter of principle. The adoption of "native advertising" – advertising produced by an in-house unit and made to look nearly indistinguishable from editorial content – is one sign of that change.[17]

For all its faults, the predigital structure of the public sphere enabled news organizations to thrive while producing critical public goods. That structure had a value for democracy that digital enthusiasts failed to grasp. It allowed for considerable institutional autonomy and professionalism and enabled journalists to limit the spread of rumors and lies. But with new technological and institutional developments, those checks on the degradation of standards have collapsed.

THE DEGRADATION OF STANDARDS

To the celebrants of digital democracy, the downfall of the public sphere's gatekeepers counted as one of the chief benefits of the Internet. Speech would no longer need the permission of the great media corporations, their owners or publishers, editors or reporters, programming executives or producers. The online world has indeed afforded greater opportunities for the unfiltered expression of individual opinion and the unedited posting of images, videos, and documents. By the same token, however, the gates have swung wide open to rumors, lies, and increasingly sophisticated forms of propaganda, fraud, and deception.

News spreads in two ways, from one to one and from one to many. The new media environment has transformed both sets of processes compared to the predigital era. Online networks allow for more rapid and extensive viral spread from one person to another than the old word-of-mouth did. The new technology has also lowered the barriers to entry for one-to-many communication – "broadcasting" in the general sense of that term.

Broadcasts now include dissemination not only by mass media with high capital costs but also by lower-budget websites, aggregators, and sources on social media with large numbers of followers. Among those sources are individual social media stars ("influencers"), who can broadcast news and opinion, unrestrained by traditional gatekeepers or journalistic norms. For example, the alt-right gamer PewDiePie (Felix Kjellberg) has nearly 96 million subscribers on YouTube. Trump accumulated millions of followers largely on the basis of his virtual-reality TV show before he became a political candidate. The online world is also populated by bots, trolls, and fake-news sites, and it is subject to strategies for gaming searches and other means of both microtargeting messages and shaping what diffuses fastest and furthest.

The one-to-one and one-to-many streams have never been entirely separate; varying combinations of the two always determine the full pattern of communication. In this respect, every media system is a hybrid. In the classic model of the mass media from the 1940s, the sociologist Paul Lazarsfeld posited a "two-step flow" from the mass media to local opinion leaders, and from those opinion leaders to others in their community.[18] Lazarsfeld didn't consider a prior step: how the news reached the mass media. In the new media environment, the flow of communication may have a long series of traceable steps, leading up to and away from broadcasters of all types, with total diffusion depending on the branching structure of cascades. A study of one billion news stories, videos, and other content on Twitter finds a great deal of structural diversity in diffusion, but "popularity is largely driven by the size of the largest broadcast" rather than by viral spread.[19] In short, while the spread of disinformation depends on both virality and broadcasting, the preponderant factor is still likely to be the behavior of broadcasters – not just legacy news organizations but also new digital media, individual social media influencers (including political leaders), and other sources with wide reach.

Disinformation flourishes in both the viral and broadcast streams of the new media ecology. Another study of online diffusion using data from Twitter finds that "false stories spread significantly farther, faster and more broadly than did true ones. Falsehoods were 70 percent more likely to be retweeted, even when controlling for the age of the original tweeter's account, its activity level, the number of its followers and followees, and whether Twitter had verified the account as genuine." According to this analysis, virality favors falsehood because the false items tend to be more novel and emotional than the true items.[20]

The new forms of broadcasting have also helped amplify the spread of disinformation. Here it helps to backtrack to the changes in the late twentieth century that led to the emergence – or rather reemergence – of aggressively partisan media outlets.

By the mid-twentieth century, the mass media in the United States no longer had strong connections to political parties, as newspapers had in the nineteenth century before the turn toward advertising as a source of income, and toward professionalism and objectivity as journalistic ideals. American radio and television also developed on a commercial rather than party foundation and, in their news operations, emulated the ideals of print journalism. During television's early decades, when most areas had only two or three stations, the networks often created a captive audience for the news by scheduling their evening news broadcasts at the same time. In a market with few competitors, the three national television networks – CBS, NBC, and ABC – rationally sought to maximize their advertising income by seeking the widest possible audience, staying close to the political center, and avoiding any partisan identification.

As the number of TV channels increased, however, two things changed. First, people with little interest in politics were free to switch to entertainment shows, while the more politically oriented could watch more news than ever on cable. The news dropouts, according to an estimate by Markus Prior, amounted to about 30 percent of the old TV news audience, while the news addicts represented about 10 percent.[21] Other evidence on news consumption in the late twentieth century also suggests rising disparities in exposure to news as older habits of reading the newspaper over breakfast or watching the evening news died out. No longer socialized into those habits by their families, young adults reported lower rates of getting news in any form.[22]

While viewers with lower political interest dropped out, the audience that remained for news was both more partisan and more polarized. With the increased number of channels, catering to partisans also became a more rational business model for broadcast news, just as it became more profitable on radio and cable TV to specialize in other kinds of niche programming ("narrowcasting"). In 1987 the Federal Communications Commission abandoned the fairness doctrine, which had required broadcasters to offer public affairs programming and a balance of viewpoints. Many radio stations stopped broadcasting even a few minutes of news on the hour, while conservative talk radio led by Rush Limbaugh took off. Ideologically differentiated news channels then developed on cable TV, first with Fox and later with MSNBC. The

Internet further strengthened these tendencies toward partisan media since it had no limit on the number of channels, much less any federal regulation requiring balance. These developments created the basis for a new, ideologically structured media environment in which the more politically engaged and more partisan could find news and opinion aligned with their own perspectives, and the less politically engaged could escape exposure to the news entirely.

This new environment, however, has not given rise to the same journalistic practices and patterns of communication on the right and left. The media in the United States now exhibit an asymmetrical structure, as Yochai Benkler, Robert Faris, and Hal Roberts have shown in a study of how news was linked online and shared on social media from 2015 to 2018. On the right, the authors find an insular media ecosystem skewed toward the extreme, where even the leading news organizations (Fox and Breitbart) do not observe norms of truth seeking. But journalistic norms continue to constrain the interconnected network of news organizations that runs from the center-right (e.g., the *Wall Street Journal*) through the center to the left.[23]

During the period Benkler and his coauthors studied, falsehoods emerged on both the right and left, but they traveled further on the right because they were amplified by the major broadcasters in the right-wing network. Even after stories were shown to be false, Fox, Breitbart, and other influential right-wing news organizations failed to correct them or to discipline the journalists responsible for spreading them. The much-denounced mainstream media, in contrast, checked one another's stories, corrected mistakes, and disciplined several journalists responsible for errors. As a result of these differences, the right-wing media ecosystem was fertile ground during the 2016 election for commercial clickbait and both home-grown and Russian disinformation.

What explains the direction taken by the right-wing media ecosystem? In their book *Network Propaganda*, Benkler and his colleagues do not assume any differences in psychological make-up or receptivity to false news on the right and left. According to their model, people generally consume news both to find out what is going on in the world and to confirm their worldview and identity; consequently, while seeking to become informed, they also don't want to suffer "cognitive discomfort" from sources that challenge their assumptions. As long as the system is subject to what the authors call a "reality-check dynamic," the major media outlets follow truth-seeking norms while maintaining a neutral stance to minimize consumers' discomfort when the reported news

contradicts their prior beliefs. The system undergoes a structural change, however, when new media appear that attract a partisan audience by providing identity-confirming news and claiming that other (mainstream) outlets are lying. Politicians thrive in this ecosystem by aligning their rhetoric and positions with the partisan media and their publics. Benkler and his coauthors call this dynamic the "propaganda feedback loop" and argue that it began operating on the right in the early 1990s, with the advent of Limbaugh and Fox News, while the left-of-center public was able to satisfy its thirst for motivated reasoning from the broader, truth-seeking media ecosystem that often contradicted the right's insular media. According to this interpretation, therefore, it was the sequence of developments (the right's media innovations coming first in the 1990s) that determined the present pattern.

Conservative beliefs and experience, however, may have been the more decisive factor in the development of hyperpartisan media on the right. Conservatives were already alienated from professional journalism before the 1990s. By the 1970s – amid growing disillusionment with the Vietnam War, the publication of the Pentagon Papers, and the Watergate scandal – many professional journalists became more critical of official pronouncements and adopted a more adversarial posture toward both government and business.[24] After playing an important role in the civil rights movement, journalists also often reported sympathetically on other liberalizing cultural shifts. Outraged by these changes in society, conservatives were also outraged by the messengers whose reports on them were often approving. The backlash against racial and cultural change consequently became a backlash against the mainstream media. When the technological and institutional conditions opened up for new right-wing media, sympathetic business interests were ready to underwrite the media outlets, the politicians, and allied groups, setting in motion the forces Benkler and his colleagues describe as the "propaganda feedback loop." Liberals and progressives, in contrast, were not nearly as disaffected from the mainstream; the far left also did not represent as lucrative a market as the far right to sustain an alternative media ecosystem, nor did it enjoy the same patronage. The lines of division in the media consequently became drawn between the far right and the rest.

Moreover, the divorce of right-wing media from the mainstream of journalism and professional practices of truth seeking is consistent with the general pattern of asymmetric polarization in American politics. According to analyses of changes in Congress, public opinion, and party

platforms, Republicans have moved further to the right than Democrats have moved to the left.[25] The right is at war with science, the universities, and other knowledge-related institutions, a conflict that Trump's presidency has brought to the apex of federal power. His repeated statements that the press is "the enemy of the people" are just one aspect of this general epistemic conflict.[26] Much of his base is alienated not only from liberalism in the everyday political sense, but more fundamentally from liberal modernity.

The claim that the Internet has given rise to partisan echo chambers and filter bubbles needs to be treated carefully with that larger conflict in mind. The insularity of the right-wing media ecosystem described by Benkler and his coauthors fits the pattern of conservative resistance to the wider culture. The developments in radio and cable TV already reflected the alienation of the right from mainstream media. It is not clear that the advent of the Internet has generally resulted in people being less exposed to contrary views. Indeed, some research suggests that people may encounter more political disagreement in social media than in person, and they find such disagreement extremely stressful and unpleasant. The anger and vitriol in many online exchanges may have increased "negative partisanship," the level of mutual antagonism between Republicans and Democrats, conservatives and liberals.[27]

Compared to the patterns in the mid-twentieth century, the news media and their audiences have been reconfigured along political lines. Americans used to receive news and opinion from national media – broadcast networks, wire services, and newsmagazines – that stayed close to the center and generally marginalized radical views on both the right and the left. Now the old gatekeepers have lost that power to regulate and exclude, and news audiences have split. By opening up the public sphere to a broader variety of perspectives, including once-shunned radical positions, the new environment should have advanced democratic interests. But the forms of communication have aggravated polarization and mutual hostility and the spread of disinformation.

While the mass-media gatekeepers no longer have as much power as they once had to interdict falsehood, the digital revolution has given rise to new forms of organization that could perform that function. The most important of these are the corporations that control the platforms on which news and debate travel. That has put the platforms and the people who own and run them at the center of the political conflict over disinformation.

PLATFORM POWER AND DISINFORMATION

Social media platforms – as the potential checkpoint for disinformation and potential chokepoint for free speech – now occupy the position formerly held by the gatekeepers of the mass media. From their beginnings, however, the companies in control of the platforms have represented themselves only as facilitating speech and access to information. When Larry Page and Sergei Brin founded Google in 1998, they said its mission was "to organize the world's information and make it universally accessible and useful."[28] Facebook declared that it existed "to give people the power to share and make the world more open and connected." Twitter's mission statement was nearly the same: "to give everyone the power to create and share ideas and information instantly, without barriers."[29] In short, unlike the institutions that seek to provide trustworthy knowledge – journalism, science, educational institutions – the social media platforms did not see their role as involving judgment or selection in guarding against error and counteracting those who intentionally spread it.

But contrary to how the companies framed their role and to the early hopes for a radically decentralized digital public sphere, the platforms have accumulated extraordinary power to regulate online communication. The algorithms they use – for example, in Google's search and YouTube recommendation engine, Facebook's news feed, and Twitter's trending topics – determine the content, sources, and viewpoints that gain visibility among different users. The companies also now set rules determining the kinds of speech and images that are allowable on their platforms; which groups, channels, subreddits, or other forms of organization will be permitted or shut down; how individuals will be identified and whether their identities will be verified; and how aggressively, if at all, fakes, bots, and trolls will be pursued and eliminated.[30] The tools the companies provide for liking, sharing, and commenting influence virality. Their policies determine the standards advertisers must meet on their platforms, whether users can readily distinguish between advertising and content, and whether ads are visible to others besides those targeted to receive them – all questions that have taken on especially wide importance because of the use of social-media advertising in political campaigns.

The major platform companies not only rule their own world; they also now dominate their poor relations in the news business. Besides losing advertising revenue to Facebook and Google, the news media are now at the mercy of changes in the platforms' algorithms that determine what

kinds of content, and therefore what kinds of publishing strategies, succeed or fail.

Despite these considerable powers, the social media giants continue to present themselves as mere facilitators of their users' speech. Congress did not make them responsible for what users put online. Indeed, federal legislation passed in 1996 freed internet intermediaries from virtually all liability for user-generated content, enabling them to make policy and design choices solely with their own business interests in mind. For the social media platforms, those business interests have revolved around two objectives – achieving massive scale and maximizing advertising income. The two are closely related, and not just because more users mean more eyeballs. The greater the scale of a platform, the greater the network externalities that make it indispensable to users. The greater, too, are the capacities to extract data from users that enable the platforms to develop more advanced systems of artificial intelligence and target advertising more efficiently.

Freed from public accountability for user-generated content and bent on maximizing scale and advertising revenue, the social media platforms until recently had no incentive to invest resources to identify disinformation, much less to block it. They could ignore the accuracy, source, and purpose of ads, as Facebook did during the 2016 election, when it accepted ads placed by Russians (and paid for in rubles), intended to aggravate divisions among Americans and to help Trump win. The platforms' algorithms, as a recent review of the political science literature explains, also made them vulnerable to disinformation: "Optimized for engagement (number of comments, shares, likes, etc.), they often help in spreading disinformation packaged in emotional news stories with sensational headlines."[31]

Google's YouTube was a prime example of this pattern. An investigation by the *Wall Street Journal* in 2018 found that after detecting users' political biases, YouTube typically recommended videos echoing "those biases, often with more extreme viewpoints," feeding "far-right or far-left videos to users who watched relatively mainstream news sources, such as Fox News and MSNBC."[32] The impact was likely considerable. According to YouTube, its recommendation algorithm drives more than 70 percent of viewing time, which in late 2016 passed one billion viewing hours a day – close to the total viewing time for all television and growing more quickly. YouTube didn't intend to prioritize sensationalist conspiracy theories from fringe sources; that result followed from the logic of an algorithm set up to make the site as "sticky" and as profitable as possible.[33]

How did social media, whose leaders claimed they want to connect the world, come to connect the agents of disinformation so efficiently to their targets? One thing we know: digital technology itself did not dictate this outcome. Like radio broadcasting in the early twentieth century, the Internet could have developed in different ways; the form of a new medium depends critically on the configuration of political forces at key moments of institutional choice. In the Internet's case, those choices reflected a general turn in the late twentieth century toward neoliberalism, that is, the use of state power to shrink the state and create free markets, on the assumption that unleashing market forces would bring better outcomes than any kind of government regulation.

From World War II through the Cold War, the federal government, chiefly through the Defense Department, had played the central role in financing and guiding the development of electronics, computers, and computer networks, including the forerunners of the Internet.[34] But with the retreat of the state from the economy in the late twentieth century came a diminished role in regulating communications, and a greater reliance on the market. The breakup of the Bell telephone system in the early 1980s and the opening of the Internet to commercial development in the early 1990s were milestones in that process. The Internet's explosive early growth, as I suggested earlier, appeared to validate the neoliberal premise that lifting government restrictions over a domain would unlock enormous economic and social value. National policy in the 1990s even subsidized the Internet by exempting internet service providers from network access charges. Internet intermediaries received broad immunity from liability for user-generated content under Section 230 of the Communications Decency Act, adopted as part of general telecommunications legislation in 1996.

Two other areas of national policy, antitrust and privacy law, helped lay the basis for the rise of online platform monopolies. Since the 1980s, the federal government has greatly relaxed enforcement of the antitrust laws against big corporations, thanks to the influence of theories holding that corporate dominance of a market is no problem if it improves "consumer welfare," interpreted largely to mean lower consumer prices. That interpretation has made it difficult to prosecute antitrust cases in the tech sector, especially against companies like Google and Facebook that offer consumers services for free. After failing to break up Microsoft in an antitrust suit that ended with a consent decree in 2002, the government raised no obstacles as online platform companies expanded, bought out

potential rivals, and gained monopoly power; for example, Facebook was able to acquire WhatsApp and Instagram without facing antitrust action.

The government also raised no obstacles to the platforms' accumulation and sharing of personal data; unlike the European Union, the United States has adopted no legislation protecting consumer privacy online. The government left it to the online companies to set their own privacy policies, which evolved into increasingly broad authorizations for the companies to share data. In its initial privacy policy in 1999, for example, Google said that when sharing information about users with third parties, "we only talk about our users in aggregate, not as individuals," but Google excised that limitation in three months.[35] The government can take action against the companies if they violate their own privacy policies and deceive consumers, but this does not guarantee institutional change, though it has led to fines.[36] According to one market-oriented theory, privacy is itself a purchasable good; if consumers value privacy, they can choose firms that provide it, a theory which presumes consumers have had a choice in services where often there is no competition and obtaining data about users is a core part of the business.

In the absence of privacy protections, Google, Facebook, and other companies have been able to sweep up data from their users' computer-mediated communications and actions to create a new kind of enterprise specializing in behavioral prediction and modification. Inverting the public sphere, the firms have developed the most comprehensive systems ever devised for tracking individual behavior. This is what Shoshana Zuboff calls "surveillance capitalism," which in her conception is not just a new business model, but a "new economic order that claims human experience as free raw material for hidden commercial practices of extraction, prediction, and sales."[37]

The connection between surveillance capitalism and disinformation lies in the increased capacity of platforms to microtarget messages and alter behavior without people being aware of their influence. Although most users of social media probably understand that their data is used to decide what ads to show them, they may not be aware how much personal data the companies have and what the data enables them to do. In two published experiments, Facebook itself demonstrated the platform's capacity to modify behavior on a mass scale. In the run-up to the 2010 congressional elections, the company's researchers conducted a randomized, controlled experiment on 61 million users. Two groups were shown information about voting at the top of their news feed; the people in one of those groups also received a social message with up to six

pictures of their Facebook friends who had received that information and clicked "I voted." Other Facebook users received no special voting information. Sure enough, Facebook's intervention, especially the social message about users' friends, had a significant effect; altogether the researchers estimated that the experiment led to 340,000 additional votes being cast.[38] In a second experiment demonstrating "massive-scale emotional contagion through social networks," Facebook researchers provided some users more negative information in their news feed and other users more positive information, affecting the emotional mood not just of the immediate recipients but also of their friends.[39]

Microtargeting is not necessarily a bad thing per se; a political campaign can legitimately use microtargeted messages to get more of its supporters to vote. But using the same means, a campaign may be able to deliver covert lies and suppress voting among its opponents. Microtargeting has been especially likely to be a vector of disinformation because social media are able to deliver such messages outside the public sphere, thereby preventing journalists from policing deception, and opponents from rebutting attacks.

Facebook's policies during Brexit and the US elections of 2016 facilitated covert disinformation. Not only did Facebook aid the Brexit and Trump campaigns by allowing the firm Cambridge Analytica to harvest the personal data of tens of millions of Facebook users in violation of Facebook's own privacy policies; it also allowed microtargeting through "unpublished page post ads," generally known as "dark posts," which were invisible to the public at large. As an advertising firm explained in 2013 shortly after Facebook began allowing dark posts in news feeds, they were effective partly because they blurred "the line between advertising and content on Facebook" and could be delivered "as a status update, photo, video, question, or shared link – what people have come to expect from brands already in their News Feeds." Moreover, they also benefited from "viral lift": "As people engage with the ad unit as they would any other piece of content in their News Feeds (be it by Liking, commenting or sharing), their friends also can see this activity. Advertisers benefit from this additional, free wave of visibility."[40] But the dark posts then disappeared and were never publicly archived.

The social media companies did not create tools for disinformation deliberately, but they were reckless and naïve. "Move fast and break things" was Facebook's motto. The companies were so certain of their own goodness that they failed to see the problems with the accumulation of so much power in their own hands. They had radically altered the

means of political communication, but they had none of professional journalism's traditions of editorial responsibility, traditions that in liberal democracies have at least mitigated the dangers of the mass media. How to govern this new regime has now become one of the central challenges of our time.

GOVERNING THE NEW REGIME

Since 2016, a backlash against the tech industry has radically changed the political context for social media. Journalists and researchers have exposed the platforms' vulnerability to manipulation and propaganda, their failures to protect users' privacy, and the role of their algorithms in amplifying disinformation and extremism. Both Republicans and Democrats have expressed outrage about the industry's practices and called for changes in antitrust, privacy, and other policies. The companies themselves are in the process of making changes internally, and a variety of independent efforts are developing means of combatting disinformation as well. These private efforts and proposals for changes in public policy are so varied – and evolving so quickly – that I will only outline here what seem to me to be the most important points about them.

Facebook, YouTube, and Twitter are now more openly and aggressively engaged in the regulation of user content, proactively identifying and eliminating fake accounts and taking down content that violates their standards and rules. Facebook as well as Twitter has eliminated dark posts, requiring that all ads be publicly visible and archived.[41] In an important shift, both Facebook and YouTube have announced changes in their algorithms that they claim will limit the prominence of what they call "borderline content." In Mark Zuckerberg's description, this is "sensationalist and provocative content" that "can undermine the quality of public discourse and lead to polarization."[42] Facebook is not blocking these posts, only limiting how often they show up in news feeds. In an explanation of how Facebook was preparing for the 2018 elections, Zuckerberg said, "Posts that are rated as false [on the basis of independent fact-checkers] are demoted and lose on average 80% of their future views."[43] YouTube announced in January 2019 that it would change its recommendation algorithm to reduce the spread of "borderline content and content that could misinform users in harmful ways." But the company continued to display such videos in searches and to distribute them in the channels of conspiracy theorists with millions of followers. Critics

argue that the actual scope and impact of YouTube's new policies are limited.[44]

Such efforts to combat disinformation and polarization are politically fraught. In May 2018, Twitter announced that it was taking steps to limit "troll-like behaviors that distort and detract from the public conversation" on its platform. To identify these tweets, its algorithm took into account not only an individual user's account but also how that account was connected to others that "violate our rules." Not long after, several Republicans complained that Twitter was "shadow banning" them. In a shadow ban, a social media company allows a user to continue to post items, but no one else sees the posts; Twitter was not doing this to the Republicans. But some of their accounts were briefly downgraded in search, possibly because Twitter's algorithm linked them to purveyors of right-wing conspiracy theories.[45]

This episode was one of a series in which conservatives accused Twitter, Facebook, and Google of discriminating against them. Such charges are unlikely to go away even if, for example, the social media platforms rely only on independent fact-checking organizations to determine whether sources are reliable. According to a Pew survey, 70 percent of Republicans believe fact-checkers are biased, while only 29 percent of Democrats think so.[46] Independent fact-checkers may indeed rate news sites in the right-wing media ecosystem as less reliable than the sites that run from center-right to the left for the reasons that Benkler and his colleagues have identified: the right-wing sources do not observe the same truth-seeking journalistic norms. But those who judge reliability for social media may not act on the basis of such findings, for fear of political retribution from Republicans.

Hate speech is another area where social media platforms run into political problems on the right. In September 2019, Twitter said it was considering changes to target speech that "dehumanizes" people on the basis of a wide variety of characteristics, including race, sexual orientation, and political beliefs; but it ended up only taking limited steps against speech dehumanizing people on the basis of their religion.[47] Broader measures against dehumanizing speech might well have a disparate effect on right-wing groups.

Ironically, after years of denouncing Democrats for supposedly wanting to bring back the fairness doctrine in broadcasting, conservatives now want a new fairness doctrine for social media. Senator Josh Hawley, a Missouri Republican, has proposed legislation that would require internet intermediaries to demonstrate that they are politically unbiased in

order to obtain the broad freedom from liability for user content conferred by Section 230 of the CDA.[48] The measure seems calculated to deter social media platforms from taking any steps on news source reliability, hate speech, or other issues that would differentially affect right-wing media.

Imposing new duties on social media companies in the governance of their platforms has support beyond the Republican Party. One proposal would condition their freedom from liability under Section 230 on a duty of reasonable care to prevent conduct that would be illegal if conducted offline.[49] Another proposal would treat digital platforms as "information fiduciaries."[50] It seems unlikely, however, that either of these would much affect the platforms' content moderation practices; indeed, they may have the opposite effect of ratifying the status quo.[51] A proposal for a more comprehensive Digital Platforms Act would draw on the history of communications regulation to create a new regulatory regime to deal with a wide range of problems.[52] But a host of obstacles, political and judicial, confront such measures. The political opposition will come both from Republicans who object to regulation in general, and from Democrats with ties to the high-tech industry. Even if such a measure could pass, the Supreme Court might overturn it on First Amendment grounds.

In the long run, the digital platforms will come under government regulation around the world. They are now trying to administer rules for information, communication, and economic exchange in countries with diverse cultures, legal traditions, and political regimes, all the while accumulating vast stores of personal data and the means of covertly modifying behavior, public opinion, and election outcomes. It is an unsustainable concentration of power. The power of the platforms has developed so fast, and with so little public or political understanding, that governments have lagged in responding – but law will be coming.

In the United States, however, a new regulatory regime may not be coming right away. Although both Republicans and Democrats are angry about the platforms, they do not agree about what ought to be done, nor even about what is wrong. The continued ideological dominance of neoliberal ideas, particularly in the courts, and the political influence of the tech industry create additional barriers to substantial reform. The parties' views of the media are so antithetical that bipartisan measures in support of professional journalism are inconceivable. The degradation of the media would be a difficult problem to address at any moment; it is peculiarly difficult at a time when the leaders of one of America's two major parties have made degrading the media into a central part of their

political strategy. As long as that party has power at the national level, there will be no chance of undoing the damage from the perverse effects of the digital era. The best we can do is to try to survive the flooded zone and hope to build a better framework at a more rational time.

NOTES

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PART III

HISTORICAL ROOTS OF DISINFORMATION

4

How American Businessmen Made Us Believe that Free Enterprise was Indivisible from American Democracy: The National Association of Manufacturers' Propaganda Campaign 1935–1940

Naomi Oreskes, Erik M. Conway, and Charlie Tyson

In *Merchants of Doubt*, two of the present writers (Naomi Oreskes and Erik Conway) told the story of a small group of prominent physicists who made common cause with the tobacco industry and libertarian think tanks to cast doubt on the scientific basis for concern about a set of environmental and public health issues. They did this by challenging scientific evidence, cherry-picking data, and offering "alternative facts," such as the claim that climate change was caused by natural variability or that most lung cancers were attributable to radon or asbestos.[1]

In writing that book, a key question for us was this: why would distinguished scientists, including a former president of the US National Academy of Sciences, reject science and proffer disinformation instead, in effect betraying the very enterprise of which they had so long been a part? The answer, we found, was their commitment to the principles of laissez-faire economics, coupled to a belief that government intervention in the marketplace puts us on the slippery slope to socialism. Drawing on George Soros, we characterized their views as "free market fundamentalism"; the conviction that a free market system is not merely the best way to deliver goods and services at competitive prices, but that it is the only economic system that does not threaten political liberty.[2] On this view, any system in which the government intervenes to control, manage, influence or even nudge the marketplace must, invariably, lead in time to government control of people's lives. Thus, Fred Singer (one of the four main protagonists in our story) declared in defense of the tobacco industry that "if we do not carefully delineate the government's role in regulating … dangers there is

essentially no limit to how much government can ultimately control our lives."[3]

Singer made that comment while challenging the evidence of the harm of second-hand smoke. If second-hand smoke caused many of the same diseases as direct inhalation (and a few more to boot, such as Sudden Infant Death Syndrome), then most reasonable people would agree that it was appropriate, fair, and even necessary for governments to regulate it. Therefore, rather than attack regulation head on, Singer and his colleagues attacked the scientific evidence suggesting the need for it. This was the consistent pattern that we identified: downplay, dismiss, and even deny the scientific evidence of problems that require government intervention to fix. This was the common theme that united otherwise disparate issues, such as the harms of tobacco and the risks of anthropogenic climate change.

For Singer and his colleagues – all physicists who had worked during the Cold War on American weapon and rocketry programs – the rejection of environmental science was linked, in their minds, to the protection of liberty: the liberty of individuals to decide for themselves what products to buy and use and what harms to accept or reject. They saw their political work (defending free market capitalism) as an extension of their Cold War scientific work (building weapons systems intended to contain communism and protect America from the Soviet threat). Indeed, while some of them had worked in the 1970s with the tobacco industry, their attacks on environmental science, particularly climate science, accelerated in the late 1980s and early 1990s when the Cold War ended. Finding a new enemy, they focused on environmentalists, who they viewed as "watermelons": green on the outside but red on the inside. Anti-environmentalism became a new form of anti-communism, a new front in the war to defend the American way of life.

In promoting contrarian and skeptical views of climate change, acid rain, the ozone hole, and the harms of tobacco use, the doubt-mongers made common cause with a set of libertarian think tanks, such as the CATO Institute, Competitive Enterprise Institute, Acton Institute, and Heartland Institute (among others), who promote the neoliberal framework of deregulation, low rates of taxation, and limited government. Often the arguments of these think tanks were framed in ways that were the same or very similar to those of our "Merchants of Doubt": that government interference in the marketplace threatens political freedom, and only a market-based system can preserve political freedom.[4] Hence, defenders of freedom must defend free-market capitalism.

These views can be traced in the mid-twentieth century to the work of neoliberal economist Frederick von Hayek and the followers of the Mont Pelerin Society. However, when they were first widely promoted in the 1940s, neoliberal ideas were not widely accepted. Among several reasons for this, the Great Depression was too recent for most people to be persuaded by the idea that markets should be left to their own devices. John Maynard Keynes had convinced most political leaders in Europe and North American that business cycles should be tempered by government policies to stimulate demand during sluggish periods and curb it during robust ones. Keynesian economic thinking was applied during the Great Depression in both the United States and Europe, and continued to dominate economic policy for decades after, so much so that in the early 1970s, President Richard Nixon declared that "I am now a Keynesian in economics," referencing Milton Friedman's 1965 statement: "We are all Keynesians now."[5] This leads to the question: how and why did the neoliberal belief in the power and beneficence of markets – and the impotence and maleficence of governments – come to have such purchase, not only among a handful of Cold War physicists, but among influential American think tanks, political leaders, and the American people at large?

THE PROBLEM OF NEOLIBERALISM

Von Hayek published his seminal work, *The Road to Serfdom*, in 1944. He argued that political and economic freedom were two sides of the same coin, because any government that sought to control the national economy would necessarily need to control important aspects of its citizens' lives, such as where to work and where to live, and this would, in time, slide into more egregious assaults on liberty.

Von Hayek was an economist but his most influential argument was not primarily economic, but political. He argued that capitalism and freedom are linked, so if we wish to preserve political freedom we must preserve economic freedom as well.[6] The crux of the argument is that a free market is a form of distributed power: various individuals making free choices, every day, hold power in their hands and prevent its concentration in centralized government. Conversely, centrally planned economies entail not just the concentration of economic power, but of political power as well. Thus, the free market is a bulwark against totalitarianism, and against tyranny. Conversely, centralized economies threaten freedom by concentrating power.

As Bruce Caldwell put it in the introduction to the 2007 edition of *The Road to Serfdom:* "[Hayek believed that] full scale planning requires that the planning authorities take over all production decisions; to be able to make any decisions at all, they would need to exercise more and more political control. If one tries to create a truly planned economy, one will not be able to separate control of the economy from political control."[7] In Hayek's own words: " . . . the unforeseen but inevitable consequences of socialist planning create a state of affairs in which, if the policy is to be pursued, totalitarian forces will get the upper hand." Thus, von Hayek opposed even modest forms of social democracy, such as the British National Health Service, believing that such modest interventions in the marketplace would pave the way for more immodest ones.[8]

These views became framing propositions for the influential Mont Pelerin Society, created in 1947 to promote neoliberal thinking, whose founding statement declares: "without the diffused power and initiative associated [with private property and the competitive market] it is difficult to imagine a society in which freedom is effectively preserved."[9] We see here the foundations for historian David Harvey's observation that "the assumption that individual freedoms are guaranteed by freedom of the market . . . is a cardinal feature of neoliberal thinking."[10]

In the context of the end of World War II and the beginnings of the Cold War, we can fathom the credibility of some of these concerns. Right-wing totalitarianism had been defeated in Germany, but left-wing totalitarianism was ascendant in the Soviet Union and its Warsaw Pact allies, where many citizens had been stripped of political and religious liberty. Behind the Iron Curtain – as the boundary between eastern and western Europe soon came to be called – there was a strong association between centralized economic planning and the suppression of individual liberty.

On the other hand, the basic premise of neoliberal philosophy – that political and economic liberty are inseparable – was more an axiom than an empirically demonstrated truth, and even at the time there were reasons to doubt its veracity, or at least its generality. The most obvious was the history of the United States. In the nineteenth century, the country pursued a largely capitalist, market-based economic system, but this offered no guarantee of freedom: for the first half of its existence, the "land of the free" permitted chattel slavery to exist side-by-side with market capitalism. And in the second half of its history, the United States allowed the de facto refusal of liberty to former slaves and their descendants. Nor did women share the political freedoms that male citizens enjoyed, either in

the United States or in Europe. Liberty in these market economies was substantially curtailed in ways to which neoliberals turned a blind eye.

Further evidence that capitalism and freedom did not necessarily go hand-in-hand emerged in the mid-twentieth century in Chile, where General Augusto Pinochet (with the help of the American CIA) overthrew a democratically elected socialist government to install a violent and brutal capitalist dictatorship that ruled for seventeen years. Meanwhile in China, when the government embarked on a program of economic liberalization following the death of Mao Zedong in 1976, many observers assumed that political liberalization would follow in its wake. That expectation was not fulfilled, and economists had to coin a new term to describe the emerging Chinese system: "market authoritarianism."[11]

Moreover, contra Hayek, social democracy in Europe did not lead to serfdom. On the contrary, various studies and opinion polls suggest that the world's healthiest democracies are the European social democracies, which are also home to many of the happiest and healthiest citizens. In contrast, the United States, which has far less in the way of social welfare than most Western European countries, was rated twenty-fifth in the world by *The Economist's* Intelligence Unit's Democracy Index, behind, for example, all the Scandinavian countries.[12]

Or consider Iraq, where, after the fall of Saddam Hussein, the US attempted to impose a strict market logic (including the immediate sale of state-owned enterprises and abolition of unions) on the theory that it would support the emergence of democracy; the result was anything but democratic. The Iraqi trade minister, Ali Abdul-Amir Allawi, criticized the thinking that motivated US actions as characterized by a "flawed logic that ignores history."[13] A similar pattern emerged in Russia, where US economists advised a rapid transition to a market economy, believing it would support the emergence of democratic institutions.[14] What emerged instead was a corrupt oligarchy, which subsequently attempted to undermine electoral democracy in the United States.[15]

Yet, ironically, while western Europe had already disproved that social democracy must necessarily lead to full-blown socialist planning, and even as the examples of Chile, China, Iraq, and Russia were disproving the assumption that economic and political freedom went hand in hand, neoliberal ideas were ascendant in Europe and the United States. Ronald Reagan is remembered for his efforts to cut taxes, decrease the size of the federal government, roll back environmental regulations, and promote the idea that economic growth was best achieved by trusting to the "magic of the marketplace," but in the United States deregulatory enthusiasm

began before Reagan, in the administration of President Carter (who fostered the deregulation of the aviation industry, of trucking, and of a number of other things). It continued under Presidents Bill Clinton, George W. Bush, and in some ways, even Barack Obama. Clinton, working closely with the British Prime Minister Tony Blair, promoted the idea of a "Washington Consensus," framed by the neoliberal principles of low taxation, trade liberalization, deregulation, the protection of property rights, and the promotion of competitive markets. The use of the term "consensus" was clearly intended to signify that all reasonable people recognized the validity of these positions, even as the "consensus" paid little (if any) attention to the need for appropriate regulation to protect workers, consumers, and the natural environment, or to prevent or redress uncompetitive practices and remedy market failure.[16]

Today, in light of the increasing problem of income inequality and the existential threat of climate change, many scholars and citizens have begun to challenge the dominant neoliberal logic.[17] Nevertheless, economists and politicians still routinely invoke the "magic of the marketplace" to suggest that most problems are best left to the private sector to solve, and public opinion polls show that a large percentage of the American people trust business more than government.[18]

How did this state of affairs come to be? How did a set of views that were considered quite marginal when first proposed, and which were then shown to be empirically inadequate (as well as arguably amoral), come to be so influential? As is usually the case, historical evidence suggests a complex story, and we do not suggest that we could satisfactorily answer this question in a single chapter. However, one part of the answer, we suggest, is the role of organized efforts over the course of many decades to convince the American people of the virtues of neoliberal principles, in particular the political and social merits of the free enterprise system and its inextricable link to freedom and democracy. And one part of this effort – the focus of this chapter – was an organized propaganda campaign, which began in the 1930s as a reaction to the New Deal, and relied heavily on the use of radio, the dominant electronic media of the time.

Even before the publication of *The Road to Serfdom* or the founding of the Mont Pelerin society, the idea that government intervention in the marketplace was not just economically misguided, but also threatened American freedom, was promoted by a network of American businessmen centered around the National Association of Manufacturers (NAM). For nearly a century, and supported by and allied with other trade associations, conservative thinkers, political and religious leaders, and

libertarian think-tanks, NAM constructed, nurtured, and promoted a narrative in which the protagonist was "free enterprise," and the antagonist was, variously, socialists, unions, and "the government." This narrative has been used to justify tax cuts, roll back regulation, and deny the reality of market failure. A key tenet of the narrative is that political and economic freedom are indivisible – what NAM leaders called the "indivisibility thesis," a thesis they were already promoting in the United States several years before the publication of *The Road to Serfdom*.[19] This paper focuses on one part of that story: the NAM propaganda campaign of 1935–1940 and the use of radio in that campaign.

NAM AND THE ORIGINS OF THE INDIVISIBILITY THESIS

By the late nineteenth century, it had become widely accepted that capitalism could not be left entirely to its own devices: the marketplace required government oversight to protect workers, to protect consumers, and even to protect capitalism from itself. While some of this oversight could be done on the state level, increasingly the demand was for the federal government to become involved. The 1890 Sherman Anti-Trust Act, for example, was designed to protect competition in the face of monopolistic practices. The 1906 Pure Food and Drug Act was intended to protect consumers from misbranded, adulterated, contaminated, or otherwise dangerous food and drugs. (In 1938 it was amended to include cosmetics.) And the 1916 Keating-Owen Act attempted to protect children from dangerous labor.

However, as the twentieth century unfolded, leaders of American business and industry, organized under the umbrellas of the National Association of Manufacturers and the American Liberty League, fought back against these government initiatives. In response to unionization and the pressure to ameliorate working conditions – particularly the effort to implement workmen's compensation and limit child labor – they promulgated the idea that unregulated capitalism was "the American way." They also insisted that taxation – including the federal income tax – would damage business and industry by draining funds that would otherwise be used for investment. Thus, they offered both a positive vision – support individual enterprise – and a negative prescription — limit government involvement and taxation.

Their narrative drew heavily on the metaphor of a "tripod of freedom." This was the claim that American democracy rested on three legs – representative government, civic and religious liberty, and free

enterprise. Like a tripod, it would only stand if all three legs were intact and strong. This became the basis for arguing against any weakening of economic freedom – by which they meant the freedom of businessmen to run their operations as they saw fit – such as, for example, the enforcement by either unions or law of an eight-hour work day or a minimum age for child labor. Closely linked to this metaphor was the idea that political and economic freedom were indivisible, inseparable, and inextricable. Therefore, even modest regulations, if mandated by law, threatened American liberty.

We call this the "indivisibility thesis," drawing on the use of that term by NAM board member J. Howard Pew.[20] In December 1948, Pew wrote to Rose Wilder Lane, the libertarian daughter of writer Laura Ingalls Wilder, who had influenced her mother to tell the story of her childhood as a libertarian morality tale.[21] Lane had explained to Pew her view that there "existed in fact no need for regulation or control of industry."[22] Pew agreed, but his arguments had a sharper focus. They hinged on the rights of businessmen, buttressed by the philosophical position that freedom was indivisible.

> I . . . am an ardent supporter of freedom, and all that it comprehends – religious freedom, political freedom, industrial freedom, freedom of speech, of the press and of assembly, and I might add freedom of choice, which is probably the most important of them all. I believe, too, that freedom is indivisible; when a part is taken away, that which remains is no longer freedom. To illustrate, suppose we should lose our industrial freedom; then it would require a compulsory form of government in order to enforce the decrees having to do with the conduct of industry, and a compulsory state can brook no freedoms.[23]

Pew's example of industrial freedom was neither random nor incidental. From the early-twentieth-century defense of child labor, to the mid-century attacks on the New Deal, American business leaders had argued that any compromise to business freedom threatened the fabric of American social and political freedom and with it the American way of life.

The argument had taken a number of forms. In its 1939 Declaration of Principles, the National Association of Manufacturers (NAM) had asserted their faith in the principle of "inseparability": arguing that constitutional representative democracy, free enterprise, and civil and religious liberty were "inseparable fundamentals of freedom to be cherished and preserved."[24] A few years later, NAM developed and promoted the tripod of freedom metaphor: 1) free speech, free press, free religion; 2) representative government; and 3) Free Enterprise (the latter often made

into a proper noun). NAM insisted that if any leg were compromised, the entire tripod would fall.

> At the core of [our] strategy has been the idea of establishing free enterprise where it rightfully belongs – as one of the three great elements (along with the civil liberties of free speech, free press, and religious freedom, and the representative form of democratic governments) which go up to make the American way of life.[25]

Note the use of the word "strategy": these arguments were not simply the beliefs of a group of leading American businessmen, they were the core of a political *strategy*, which included a propaganda campaign to persuade the American people of the veracity of these beliefs. NAM promoted the indivisibility thesis and the tripod of freedom narrative via a variety of "educational" and propagandistic activities, including advertising campaigns, leaflets and brochures distributed to schools, libraries, religious leaders and women's clubs, and even a nationally syndicated radio program. The materials often included versions of American history that insisted (counterfactually) that American was built by "individuals," with government playing little if any role.[26]

As historian Kim Phillips-Fein has shown, in the 1930s the "free enterprise" campaign was linked to business opposition to the New Deal and, more broadly, to Republican opposition to FDR.[27] Through its Advisory Committee on Public Relations and its National Industrial Information Council (NIIC), NAM promoted the tripod of freedom theme through newsletters, billboards, short films, feature films, lecture series, a textbook campaign, and more. A particularly important element of their propaganda campaign was a radio program entitled *The American Family Robinson*.

THE AMERICAN FAMILY ROBINSON

Most NAM propaganda materials were intended to reach employees in their workplaces, children in their schools, or citizens in their clubs and churches, but one component of the campaign reached directly into American homes and drew on the electronic media of the era: a radio show entitled *The American Family Robinson*. Launched in 1935, the long-running series was the single most expensive item in the NAM public relations budget, and likely the one that reached the most people. It was also the element of the campaign that reached outside a business community already in agreement with its message, and into the homes of ordinary Americans. In doing so, it would have reached many Americans who

might not have otherwise harbored strong views about American business or free enterprise, who might even have belonged to unions, or been sympathetic to socialism or other non-individualistic philosophies.[28]

The American Family Robinson was the brainchild of Harry A. Bullis, vice president of General Mills and the chairman of the NAM's public relations committee. Each episode was fifteen minutes long and distributed free of charge to interested radio stations. NAM described it as emphasizing "the countless benefits which derive from living in a free country, with civil and religious liberty, representative democracy, [and] free private enterprise," – in other words, promoting the tripod of freedom message.[29] The association's goal for *The American Family Robinson* was to "sell the 'American way of life' to the American people" – to claim faith in the free market as a defining dimension of the American identity.[30] By NAM's own reckoning, it was a central component of their declared mission to help industry "tell its story."[31] From 1934 to 1940, it was syndicated by the World Broadcasting System, and by the late 1930s nearly 300 independent stations were broadcasting it.[32]

The show followed the adventures of the Robinson family in the aptly named manufacturing town of Centerville. We meet Luke Robinson, the family patriarch and editor of the *Centerville Herald*; his wife Myra, a radio host; their children Betty and Bob; Betty's husband Dick Collins; assorted relatives and friends; and other Centerville citizens. Like the rest of America, Centerville is feeling the effects of the Depression.

In one plotline, even the *Herald* – a "sound business" if there ever was one, Myra declares proudly – verges on collapse. This creates the opportunity for the program to show how, despite the challenges of the Depression, market capitalism is still the best option for the American people.

In a move perhaps unintentionally parodic of George Eliot's *Middlemarch* the town claims to represent the "center": its name emphasizes its purported ordinariness, and by implication that of the Robinsons, a quintessential "middle" American family. The show's politics, however, are firmly to the right of center. Each fifteen-minute episode of the folksy drama has sustained stretches of dialogue arguing against "foreign," "visionary," "experimental," or "utopian" theories, particularly ones that involve tax increases or deficit spending. The program was so blatantly anti-Roosevelt that no network would touch it; when James P. Selvage, the NAM's vice president for public relations, attempted to pitch the series to NBC, an NBC script editor wrote of the show: "the definite intention and implication of each episode is to conduct certain

propaganda against the New Deal and all its work."[33] The program nevertheless gained a large following.[34]

NAM was of course not unique in using radio to spread its message: radio was the dominant form of electronic mass communication in the 1930s, reaching 83 percent of American families by the end of the decade.[35] Certainly, the Roosevelt administration was not shy about using radio for its messaging. One series produced by the Department of the Interior with assistance from the Works Progress Administration (WPA) was "Americans All, Immigrants All," broadcast from November 1938 to May 1939 on CBS, which highlighted the contributions of the many ethnic and cultural groups who helped build America with episodes dedicated to such topics as "The Negro," "The Irish," "The Germans," and "The Jews."[36] More influential still were Roosevelt's famous fireside chats. In this context, NAM saw its radio efforts as self-defense, as well as a method for warding off the political anger of people who resented business and the large incomes of business leaders.

The American Family Robinson lifted its title from the Swiss pastor Johan David Wyss's 1812 novel *The Swiss Family Robinson*, which in turn borrowed its central idea from Defoe's *Robinson Crusoe* (1719). Wyss's novel tells the story of a Swiss family, en route to Australia, which finds itself shipwrecked on a tropical island in the Pacific. Their new home (unlike Crusoe's) turns out to be Edenic, filled with succulent fruits and magnificent creatures. The family grows prosperous. During ten years in isolation, they build something resembling a Swiss farm, complete with farm houses, fields, gardens, a fishery, and domesticated animals. The industrious family colonizes the island: they turn its previously untouched wildness into a microcosm of successful and efficient European civilization.

The Swiss Family Robinson began as a series of bedtime stories told by Wyss to his four young sons to arouse their curiosity about the natural world and instill Protestant values.[37] From its inception, then, the radio program was like the novel: episodic and didactic. In particular, both sets of Robinsons cherish the work ethic. But whereas the characters in *The Swiss Family Robinson* perform their labor by hand – spinning flax, making candles, salting fish – which is its own source of pleasure and sensory delight, in the world of *The American Family Robinson* work takes place mostly in factories and is an index of character and patriotism.[38] In short, where *The Swiss Family Robinson* preaches Protestant piety, the American reboot takes as its religion free-market fundamentalism.

The show imparts its lessons about the value of private enterprise and the benevolence of business through long stretches of dialogue or monologue, or in the form of debates between the commonsensical editor, Luke Robinson, and his trouble-making socialist brother-in-law, "Windy" Bill. Bill is emblematic of the lazy and hypocritical socialist: a sponger living off the generosity of the hard-working Robinson family. Instead of working at an honest living, Bill pursues get-rich-quick schemes and utopian dreams; in one episode he runs for mayor representing the "Sociological-Economical Reform and Golden Age Reincarnationist Party." His vocal support for "visionary wealth-sharing programs" annoys Luke and others in the town: one Centerville judge pronounces him a "pompous windbag" (hence the nickname Windy) before throwing him in jail.[39]

Bill always loses his arguments with Luke, Myra, Dick, and the other voices of "sound business principles" who, in Luke's words, "seek to maintain our economic structure rather than sacrificing it to radical theories." Bill offers superficial versions of liberal criticisms of free markets, which are readily refuted. In one early episode, for example, we hear this exchange between a fluty-voiced Bill and the sonorous boom of the show's pro-business hero:

Bill: That's business for you: the big fellas ganging up against the little fellas . . .

Luke: That's just a childish defense for lack of initiative. Who are the big fellas, anyway? Why, they're the little fellas willing to work hard enough under the same rules as apply to you and me, and become big fellas . . .

Bill: Business has got to be taken out of the hands of businessmen.

Luke: And put into the hands of theorists, who never met a payroll for workers on Saturdays, I suppose?

These arguments are repeated through dozens of episodes. Luke's characterization of the anti-business position as juvenile or "childish" predates the British concept of the "nanny state," but anticipates its likening of governmental intervention to parental or maternal protection. And whereas big government is bad, big business is good.

Luke assures the listener that rich business leaders enable, rather than impede, social mobility in America, because men like Henry Ford started out as mere workers, just like you and me. "Every big company was a small company once," one character points out (with

no acknowledgement of the government contracts that made some of those companies, such as railroads, big). Reforms that involve government spending or tax increases are "theories," "experiments," and "loose talk." By contrast, the claim that the path to recovery is the stimulation of business through lower taxes is taken as fact.

The program inserts editorial commentary through Myra's radio show and Luke's newspaper. Myra's program, for example, hosts a letter-writing contest inviting listeners to respond to the question: "What will speed recovery?" Most of the letters read aloud on the show are endorsements of private industry. Then Bill, writing under a false name (and of course hoping to win the cash prize) offers a preposterous suggestion: "With all the money that is stored in our beautiful Treasury building, we could all make a new start. The government could divide it up. A home, a car, a swimming pool for everyone ... big grown-up children singing happily." This obviously ridiculous proposition encapsulates the (allegedly) infantilizing effects of government intervention and, in particular, the utopian recklessness of New Deal policies. And the program makes clear that windy Bill claims to want socialism for the people, but what he really wants is money for himself.

Direct appeals to the listener break in on the program's storylines, sometimes with little relation to the events of the episodes in which they are embedded. On occasion the show's writer seems slyly aware of this. In one episode, Betty rushes weeping to her mother (Myra): Dick, Betty's husband, has rushed off to Chicago without explanation and Betty is worried the marriage is in trouble. (The radio listener knows that Dick has gone to pursue one of "Windy" Bill's schemes.) In response, Myra launches into a long speech about how the manufacturing industry can "take care of its own." Betty asks, hiccupping with sobs: "What does this have to do with Dick?"

Ironically, the program's peripheral characters tend to be more colorful than the blandly pro-business Luke and Myra. "Windy" Bill, the show's token socialist, is the most entertaining major character and the one who most consistently advances the plot through his harebrained business schemes, his meddling, his political ambitions, and his romantic pursuit of a histrionic – but rich – Centerville woman. Bill was originally conceived as an incidental character; letters from fans convinced NAM to make him a regular.[40] Some of the show's strongest moments are comic stretches featuring Bill with a lampshade stuck on his head, or Bill's wealthy love interest

shuttling farcically between Bill knocking at her back door and a rival knocking at the front – scenes that no doubt delighted the show's listeners but did little to instruct them in the virtues of private enterprise. They did, however, contribute to the message that socialists were preposterous (and women untrustworthy).

Alongside its idealization of capitalism, the show also idealized the nuclear family and the domestic home. The Robinsons celebrate, in Luke's words, the "ideals of American home life," guarded by wives and daughters.[41] Just as the show depicts the *Centerville Herald* as a microcosm of American business and Centerville as a microcosm of American life, the Robinson is a microcosm of the ideal American family. The family's struggles are America's struggles. And the Robinsons weather their challenges, the show's narrator tells us, "like the true Americans they are."[42]

In its didactic appeals to listeners, *The American Family Robinson* cycled through a variety of anti-New Deal and anti-socialist tropes. One idea, however, is consistently presented with peculiar and repetitive force: that reform efforts are "foreign theories" that threaten the American way of life. In various episodes, "foreign theories" are likened to a hostile invasion. "If this country's gonna switch from Americanism to socialism or totalitarianism or some other kind of foreign government," one character insists, we all might find ourselves working for a dictator, "instead of doing business the American way." This fearmongering moves quickly from socialism to totalitarianism to foreign tyranny, eliding any distinctions among them. At times the language veers into a militaristic register: Myra declares in one episode that the country is waging "a battle between the fundamental system we built up and a whole host of foreign invaders, all bringing every kind of artillery." Whatever the New Deal economic reforms are – socialist, totalitarian, or simply dangerously unrealistic – they are, above all, un-American.

What listeners would not have known was that, at the same time they were listening to Luke and Myra rail against foreign theories, the program's sponsors were literally importing foreign theorists and their theories – the Austrian economists F. A. Hayek and Ludwig von Mises – as a key part of their efforts to convince Americans that economic and political freedoms were inextricably bound. Listeners might also not have realized that while Luke insisted that not a single European country has "a system that works better than ours," and that Europeans suffered low wages with "none of our

American conveniences," one could well have argued at the time that in several ways, the European economy served ordinary people better. European farmers, for example, had the convenience of electricity before American farmers did.[43]

One additional point was important to NAM, particularly after 1939: the role of American industry in the war effort. In one episode, Luke complains to another man in a diner, telling him the United States lost billions during World War I because of too much government control over the production of weapons, planes, and other military materials. The moral: manufacturers, not politicians, know how to produce military equipment. Our industrialists, Luke sighs, "are the best in the world"; they can't afford to make mistakes, because if they did, "they'd have been out of business long ago." Myra, too, swoons over the captains of industry. Moving from a reflection on the security of her home to the security of her country (the first a stand-in for the second), Myra pronounces: "I know the businessmen are doing everything possible for national defense: we'll be secure, all right." The path toward national security is simple: the government needs to let the industrial system get to work with as little regulation as possible.

This message underscored the basic intent of the whole program: to convince the American people of the benevolence of both manufacturers and of the free enterprise system, and to link both to democratic governance. In a 1939 comment to the National Association of Broadcasters, NAM emphasized the pro-business and not "anti-anything" nature of this series. "It is the avowed purpose of the American Family Robinson program to present openly, and as effectively and attractively as radio will permit, the fundamental principle that freedom of speech and of the press, freedom of religion and freedom of enterprise are inseparable and must continue to be if the system of democratic government under which this country has flourished is to be preserved."[44]

From 1939 into the 1940s, this became the key idea of nearly all NAM arguments. Sometimes it was expressed as the "inseparability" of political freedom, religious freedom, and economic freedom, other times as their "indivisibility," as in a 1937 NAM PR memo that declared that "free enterprise is as much an indivisible part of democracy and the source of as many blessings and benefits as are our other freedoms of speech, press and religion," the same language that J. Howard Pew later used in writing to Rose Wilder Lane.[45] Either way, the concept was reinforced – and indeed,

made the official, public position of NAM – in a press statement released on December 9, 1939, and adopted by the Congress of American Industry. It began:

> In a world torn by war and dictatorship, Americans live at peace and in freedom. The best assurance that we shall remain free and at peace is our own internal unity and strength . . .. Here, people have faith in constitutional representative democracy, in free enterprise, and in civil and religious liberty as inseparable fundamentals of freedom to be cherished and preserved.[46]

These fundamentals were responsible for giving the American people the "greatest degree of personal freedom, the widest opportunity, and the highest standard of living in the world."[47] In short, the goal of *The American Family Robinson* radio program, as a central part of the NAM propaganda campaign, was to establish free enterprise "as one of the three great elements (along with civil liberties . . . and the representative form of democratic governments) which go up to make the American way of life."[48] Its goal was to persuade the American people that free enterprise was indivisible from the American way of life.

CONCLUSION: THE CHARACTER AND IMPORT OF DISINFORMATION

Disinformation can take many forms. In our previous work we have focused on two forms that have been recently prominent in American culture and politics: the misrepresentation of scientific facts and the promotion of misleading narratives.[49] In the late twentieth and early twenty-first centuries, the denial of the harms of tobacco use, the risks of acid rain, the dangers of stratospheric ozone depletion, and the threat of anthropogenic climate change all involved the widespread and at times egregious misrepresentation of scientific facts. But behind these empirical misrepresentations was a misleading narrative: that if we were to admit and address these challenges, we would put our personal liberty in peril and threaten the American way of life. As President George H. W. Bush famously declared in the context of the United Nations Framework Convention on Climate Change: "The American way of life is not up for negotiations. Period."[50]

This narrative, it turns out, is much older than the struggle to address climate change or the battle to regulate tobacco.[51] Decades before the tobacco industry insisted that government restrictions on tobacco were the leading edge of tyranny, the National Association of Manufacturers

promoted a sweeping narrative that placed free enterprise at the center of American democracy and American life, and insisted on its foundational equivalence to representative government and civic and religious liberty. The free-market system, NAM insisted through *The American Family Robinson* radio show and other propaganda materials, was no less central to the concept and creation of the American republic than were representative government and freedom of speech.

This narrative was at best incomplete. Among other things, by insisting that free enterprise was a founding ideal of the American republic, NAM elided not only the long and dark history of American slavery, but also a substantial history of government intervention in the marketplace through tariffs, infrastructure development, state-chartered enterprises, and many other intercessions.[52] By insisting that broad-based American prosperity and leisure was the outcome of the free enterprise system, NAM elided the role of unions in insuring that prosperity was in fact broadly distributed – and not merely concentrated in the hands of a small number of industrialists – and that American workers had leisure time to enjoy the fruits of their labor.

In his 2018 book on neoliberalism, historian Quinn Slobodian stresses that many thinkers lumped under the label "neoliberal" did not, in fact, believe in unfettered markets. To the contrary, they were concerned with what sorts of institutions, methods of governance, and forms of global order would permit the proper functioning of markets.[53] He argues, therefore, that what these thinkers were most concerned with was the "insulation" of markets from politics as an institution-building project. And he insists that a significant portion of neoliberal thinking, particularly in Europe, did not conflate free-market capitalism with democracy.

This may be so, but if European neoliberals did not conflate democracy and free enterprise, many American captains of industry did, consciously and deliberately so. However, they did work to insulate business practices from the workings of democracy by attempting to persuade the American people that the best way to protect American freedom was by letting businessmen run their businesses as they saw fit, unrestrained by government regulations or unionization. In the NAM portrait of America, businessmen knew best. Or, to paraphrase what would later be said with regard to General Motors, what's good for American business is good for America.

NAM largely lost the fight for the hearts and minds of Americans during the Depression and the New Deal, but they did not give up. After the war, J. Howard Pew would play a major role in funding a conservative

Protestant network to shift the thinking of mainline and evangelical Protestants to be more favorable to free market arguments. These ideas were further promoted through outreach to conservative Christian groups, who later became part of the coalition that brought Ronald Reagan to power.[54]

Whereas earlier proponents of market fundamentalism were primarily motivated by resistance to Progressive Era and New Deal reforms, Reagan offered a new, more positive prescription. Responding to the economic difficulties of the 1970s – low growth with high inflation, also known as "stagflation" – Reagan argued that Western economies were over-regulated and their citizens and businesses over-taxed. In 1983, he introduced the language of the "magic of the marketplace," declaring, for example, that the "growing economic interdependence of our world is creating a ripple effect of good news for those countries committed to . . . policies which allow the magic of the marketplace to create opportunities for growth and progress, free from the dead weight of government interference . . .. "[55] He also revived the indivisibility thesis, insisting in many speeches on economic freedom as inseparable from, and foundational to, political liberty.

The "Reagan Revolution" was thus less a revolution than a reversion to an older economic and political narrative. What was revolutionary was the way in which this narrative became mainstream: by the 1990s, both Republican and Democratic administrations were promoting deregulation and accepting the idea that market-based solutions were preferable to alternatives. Some market-based solutions to environmental problems worked: in 1990, for example, President George H. W. Bush signed the Clean Air Act Amendments that instituted an emissions trading system to reduce the pollution that was causing acid rain, and, as a result, acid emissions were greatly reduced.

But they didn't all work. Or, rather, in most cases they weren't even tried, as the conservative commitment to market fundamentalism led the Republican Party increasingly into overt denial of market failures, most conspicuously climate change. In the face of Republican opposition and even ridicule, President Clinton was unable to introduce a carbon pricing system into Congress. By the administration of George W. Bush, market fundamentalism was on full display, now firmly linked to the denial of climate change. Barack Obama pushed back against climate change denial, but was largely unable to act in the face of an uncooperative Congress. In 2016, President Donald Trump revived denial with a vengeance, declaring climate change to be

a "hoax," and rolling back environmental regulations of all kinds under the rubric of "making America great again." Today, the greatness of America is again being equated with unregulated capitalism.

The history of the NAM propaganda campaign reminds us that both false factual claims and misleading narratives are pernicious. False factual claims confuse us about the character of a problem: whether climate change is real, whether smoking causes cancer, whether immigration is the cause of industrial unemployment, etc. The resulting confusion is pernicious, because it undermines our will to act, either by persuading us that an alleged problem is not in fact a problem or by diverting us from its true causes.[56]

But misleading narratives may be even more damaging, because they are so much more difficult to correct. This is particularly the case, as in the example of *The American Family Robinson*, when they are presented as fictional accounts and therefore cannot be subject to the complaint that they are factually false.[57] Yet such fictional stories – such misleading narratives – can do profound damage, because they mislead us about who we are and how we came to our present situation.

NOTES

1. Naomi Oreskes and Erik M. Conway, *Merchants of Doubt: How a Handful of Scientists Obscured the Truth on Issues from Tobacco Smoke to Global Warming*, reprint edition (New York, NY: Bloomsbury Press, 2011). For a specific discussion of the framework of "alternative facts," a phrase which we coined before Kellyanne Conway, see Jen Viegas, "'Alternative Facts' Have Plagued Science for Decades," *Seeker*, February 19, 2017, www.seeker.com/alternative-facts-have-plagued-science-for-decades-2272707511.html; Erik Baker and Naomi Oreskes, "It's No Game: Post-Truth and the Obligations of Science Studies," *Social Epistemology Review and Reply Collective*, 6, no. 8 (2017): 1–10, https://social-epistemology.com/2017/07/10/its-no-game-post-truth-and-the-obligations-of-science-studies-erik-baker-and-naomi-oreskes/.
2. George Soros, "The Capitalist Threat," *The Atlantic*, February 1997, www.theatlantic.com/magazine/archive/1997/02/the-capitalist-threat/376773/; George Soros, "I'm a Passionate Critic of Market Fundamentalism," *The Guardian*, July 13, 2018, www.theguardian.com/business/2018/jul/13/george-soros-im-a-passionate-critic-of-market-fundamentalism; see also Mark Breslow, "George Soros: Beware Market Fundamentalism," *Dollars and Sense*, February 1999, www.dollarsandsense.org/archives/1999/0199breslow.html.
3. S. Fred Singer and Kent Jeffreys, *EPA and the Science of Environmental Tobacco Smoke*, Alexis de Tocqueville Institute, May 1994, BN: TI31749030, Legacy Tobacco Documents Library, 2.

4. A particularly explicit exposition of environmentalism as a threat to freedom can be found at Dixie Lee Ray, "Dixie Lee Ray on the 'Environmental' Movement," Science and the Environment, Fall 1992, www.vlrc.org/articles/59.html.
5. "The Economy: We Are All Keynesians Now," *Time*, December 31, 1965, http://content.time.com/time/magazine/article/0,9171,842353,00.html; "Nixon Reportedly Says He Is Now a Keynesian," *New York Times*, January 7, 1971, www.nytimes.com/1971/01/07/archives/nixon-reportedly-says-he-is-now-a-keynesian.html.
6. The central economic argument of neoliberalism, as David Harvey explains, is that "the state cannot possibly possess enough information to second guess market signals," and so any form of economic planning is bound to fail. David Harvey, *A Brief History of Neoliberalism* (Oxford: Oxford University Press, 2007), 2. However, most neoliberals go far beyond this insight – which is quite possibly true – to argue against regulation, including environmental protection and worker safety, and against taxation, which leaves governments handicapped in their efforts to protect workers and the environment, to support education, or indeed do much of anything, while also undermining efforts to redress income inequality. On income inequality, see Thomas Piketty, *Capital in the Twenty-First Century*, trans. Arthur Goldhammer, reprint edition (Cambridge, MA: Belknap Press, 2017). In our forthcoming work, *The Magic of the Marketplace: A True History of a False Idea,* Erik Conway and I build on an important argument of Alfred Kahn: that neoliberals have conflated two different senses of regulation. One is market regulation, as in regulating a natural monopoly like telephone service or railroads. The other is regulation designed to address market failures like workplace safety and environmental protection. In the 1970s, there was a strong, empirically supported argument for the deregulation of markets that were not natural monopolies, such as aviation and trucking. However, that was used by some to argue against environmental protection, workplace safety, and the like. The second sense of regulation might be better described as management. The demonization of the concept of regulation can be challenged further, given that in all organisms, it is essential for survival.
7. F. A. Hayek, *The Road to Serfdom: Text and Documents – The Definitive Edition* (Chicago, IL: University of Chicago Press, 2009), 30.
8. The logical (or illogical) leap that many then made, to some extent including Hayek himself, was from regulation to planning. Clearly these are not the same, but they become conflated in much subsequent neoliberal rhetoric.
9. Harvey, *A Brief History of Neoliberalism*, 20.
10. Harvey, 7.
11. Stefan Halper, "The World of Market Authoritarianism," *American Spectator*, October 2, 2009, https://spectator.org/40803_world-market-authoritarianism/.

    Some use the term "authoritarian capitalism" or "illiberal capitalism" e.g. "Authoritarian Capitalism," in *Wikipedia*, August 31, 2019, https://en.wikipedia.org/w/index.php?title=Authoritarian_capitalism&oldid=913270898.
12. Andrea Germanos, "United States Doesn't Even Make Top 20 on Global Democracy Index," *Common Dreams*, January 11, 2019, www

.commondreams.org/news/2019/01/11/united-states-doesnt-even-make-top-20-global-democracy-index.

13. Thomas Crampton, "Iraqi Official Urges Caution On Imposing Free Market," *New York Times*, October 14, 2003, www.nytimes.com/2003/10/14/business/iraqi-official-urges-caution-on-imposing-free-market.html. Quoted in Harvey, *A Brief History of Neoliberalism*, 7.
14. Janine R. Wedel, *Shadow Elite: How the World's New Power Brokers Undermine Democracy, Government, and the Free Market*, reprint edition (New York: Basic Books, 2011).
15. Robert S. Mueller III, *The Mueller Report: Report on the Investigation into Russian Interference in the 2016 Presidential Election* (New York: Melville House, 2019).
16. The emergence of the Washington Consensus in the 1990s is particularly ironic given the simultaneous emergence of the scientific consensus on anthropogenic climate change, which Lord Nicholas Stern has called "the greatest and widest ranging market failure" ever. See Lewis Smith, "Stern's Report: 'If We Act Now, We Can Avoid the Very Worst,'" *The Times*, October 31, 2006, www.thetimes.co.uk/article/sterns-report-if-we-act-now-we-can-avoid-the-very-worst-lbp2c3dttm7. Harvey notes that, whereas Richard Nixon once famously said "we are all Keynesians now," Clinton and Blair could have said instead that "we are all neoliberals now." Harvey, *A Brief History of Neoliberalism*, 13.
17. See for example Naomi Klein, *This Changes Everything: Capitalism vs. The Climate* (New York: Simon & Schuster, 2015); Joseph E. Stiglitz, *People, Power, and Profits: Progressive Capitalism for an Age of Discontent*, 1st edition (New York:W. W. Norton & Company, 2019).
18. Niall McCarthy, "Americans Trust Business More Than Government [Infographic]," *Forbes*, February 5, 2015, www.forbes.com/sites/niallmccarthy/2015/02/05/americans-trust-business-more-than-government-infographic/. Neoliberal ideas do not necessarily require hostility to government, but in practice this is often the case. Thus, the widespread American belief in the "magic of the marketplace" – the belief that social problems are best solved by "the invisible hand of the marketplace" unperturbed by government intervention – ends up being linked to the corollary claim that markets are efficient and governments are inefficient. For this reason, ceteris paribus, government intervention is generally a bad idea, and government, in general, is viewed as suspect. Of course, there is also another, older American tradition that reinforces these views, exemplified by the famous adage that "the government that governs best, governs least." Many people are surprised to find that its source is Henry David Thoreau. One commentator suggests that it was not original to Thoreau, but that he is certainly the most likely source for its widespread persistence. See Eugene Volokh, "Who First Said, 'The Best Government Is That Which Governs Least'? Not Thoreau," *Washington Post*, September 6, 2017, www.washingtonpost.com/news/volokh-conspiracy/wp/2017/09/06/who-first-said-the-best-government-is-that-which-governs-least-not-thoreau/.

    More than any other people, Americans share a faith that markets are efficient and government is not, a widely held view expressed in both the

Wall Street Journal and the *New York Times*, from New York to California, by both business leaders and academics. NYU Professor Jonathan Haight conveys some of this devotion when he said: "You're not crazy to worship markets. Markets really are amazing things." Quoted in James Hoggan and Grania Litwin, *I'm Right and You're an Idiot: The Toxic State of Public Discourse and How to Clean It Up* (Gabriola Island, BC: New Society Publishers, 2016), 39.

19. During this time, Ludwig von Mises was consulting to NAM, so it may well be that he was the source of the concept. On the other hand, NAM leaders were articulating the indivisibility thesis well before Mises began to work with them.
20. On Pew see "J. Howard Pew Papers, 1902-1971," Philadelphia Area Archives Research Portal, http://dla.library.upenn.edu/cocoon/dla/pacscl/ead.html?fq=subject_topic_facet%3A%22Anti-communist%20movements%22&id=PACSCL_HML_1634.
21. Christine Woodside, *Libertarians on the Prairie: Laura Ingalls Wilder, Rose Wilder Lane, and the Making of the Little House Books* (Arcade Publishing, 2016).
22. J. Howard Pew to Rose Wilder Lane, December 30, 1948, Hagley Library, J. Howard Pew Papers (Accession 1634), Box 17.
23. J. Howard Pew to Rose Wilder Lane, December 30, 1948. It's interesting that this is a form of what psychologists call "catastrophic thinking," which is recognized as a common component of anxiety disorders. Alexander Bystritsky et al., "Current Diagnosis and Treatment of Anxiety Disorders," *Pharmacy and Therapeutics*, 38, no. 1 (January 2013): 30–57, www.ncbi.nlm.nih.gov/pmc/articles/PMC3628173/.
24. "Declaration of Principles Relating to the Conduct of American Industry," December 8, 1939, Hagley Library, J. Howard Pew papers (Accession 1634), Box 2 (NAM 1939–1940), 1.
25. NIIC slide show, May 11, 1944, Hagley Library, NAM Folder: NIIC objectives 1943–45 (2/2), Series III, Box 845. For how this argument evolved over time, see NAM Series VII Industrial Relations Department, Box 134, Folder "Jobs-Freedom-Opportunity, Educational Programs 1953–54."
26. NAM's arguments recapitulated the work of the National Electric Light Association (NELA), who in the 1920s had sponsored a major propaganda campaign designed to discredit public power by insisting that privately generated electricity was cheaper and more reliable than municipal – or state-run electricity, and that public power was socialistic and un-American. This campaign involved advertising, editorials in newspapers (many ghostwritten), the rewriting of textbooks, and the development of school and university curricula designed to extol the virtues of laissez-faire capitalism and demonize government intervention in the marketplace. The campaign worked in part by finding, cultivating, and paying experts to endorse the industry claims and cast doubt on factual information supplied by independent third parties. When its activities came to light, NELA was disbanded, but other groups continued the effort.
27. Kim Phillips-Fein, *Invisible Hands: The Making of the Conservative Movement from the New Deal to Reagan* (New York: W. W. Norton,

2009). See also Wendy L. Wall, *Inventing the "American Way": The Politics of Consensus from the New Deal to the Civil Rights Movement*, 1st edition (Oxford: Oxford University Press, 2008).

28. Elizabeth Fones-Wolf, "Creating a Favorable Business Climate: Corporations and Radio Broadcasting, 1934 to 1954," *Business History Review*, 73, no. 2 (1999): 221–255, https://doi.org/10.2307/3116241.
29. American Family Robinson promotional pamphlet, 1938, Hagley Library, Series I, Box 111, Folder "American Family Robinson (6/40)."
30. Roland Marchand, *Creating the Corporate Soul: The Rise of Public Relations and Corporate Imagery in American Big Business*, new edition (Berkeley, CA: University of California Press, 2001). This raises the question of why the President's propaganda might be considered acceptable but NAM is not. We would argue that citizens listening to FDR's fireside chat knew that they were listening to political speech, but listeners of *The American Family Robinson* might have felt they were simply listening to an entertaining program. The NAM put out the program under the name "National Industrial Council," and each episode ended with the tag: "This program is produced by the National Industrial Council." In the various episodes to which we listened, NAM is mentioned by name only once – in dialogue (one of the characters says that industry, and especially the NAM, is "for peace"), but not in credits. So, a listener would not have understood who, exactly, was responsible for the views being promoted.
31. Phillips-Fein, *Invisible Hands*, 13–15.
32. William L. Bird, Jr., *Better Living: Advertising, Media, and the New Vocabulary of Business Leadership, 1935–1955*, 1st edition (Evanston, IL: Northwestern University Press, 1999), 54; Fones-Wolf, "Creating a Favorable Business Climate," 231.
33. Bird, Jr., *Better Living*, 58–59.
34. Fones-Wolf, "Creating a Favorable Business Climate," 230; "National Assn. of Manufacturers Given 7,960 Free Radio Hours; Business Versus Government Issue," *Variety*, December 18, 1940, 29.
35. Fones-Wolf, "Favorable Business Climate," 223.
36. "Americans All, Immigrants All," in John Dunning, *On the Air: The Encyclopedia of Old-Time Radio* (New York: Oxford University Press, 1998), 30–31.
37. J. Hillis Miller, introduction to *The Swiss Family Robinson* (New York: Signet Classics, 2004).
38. See John Seelye, introduction to *The Swiss Family Robinson* (New York: Penguin, 2007), xv-xvi.
39. For the discussion of *The American Family Robinson* that follows, we have used MP3 recordings of radio broadcasts preserved on *The Old Time Radio Catalog*, available online at www.otrcat.com/p/american-family-robinson. This source has admirably preserved a large sample of episodes, but it has not preserved reliable episode titles or airtime dates; therefore we list our references by episode number. We quote from the following episodes in order of reference: episode 68; episode 3; episode 2; episode 40; episode 52; episode 8; episode 71; episode 6; episode 46; episode 53; episode 56; episode 51; episode 43; episode 2; episode 39; episode 52; episode 55.

40. Bird, *Better Living*, 57.
41. Later, General Electric Theater would promote the same ideal.
42. The idea of "true Americans" supports an additional element of the show, which, while not the main concept, is clearly evident: that of the heteronormative nuclear family. The "pink" socialist "Windy" Bill – lilting-voiced, perpetually unemployed, and frequently emasculated (in one episode a group of workers give him a scare by hoisting him up on a steam shovel) – has no place within the heterosexual nuclear family that the show cherishes. He intrudes, unwanted, on Luke and Myra; he later tries to move in with newlyweds Betty and Dick. "Windy" Bill Winkle – like his literary ancestor Rip Van, another idler – dreamily removes himself from the obligations imposed by work and family. When Bill arrives at Luke and Myra's house, he boasts of his culinary tastes and offers to "revolutionize" the Robinsons' dinner table. Luke and Myra rebuff him. "We're pretty simple folks," Myra says. "We like simplicity." The lesson is obvious. The family – like the country – must protect itself from misguided reform, and that includes misguided foreign theories and foreign food, and perhaps even foreign (European?) forms of sexuality.
43. Naomi Oreskes, "The Fact of Uncertainty, the Uncertainty of Facts and the Cultural Resonance of Doubt," *Philosophical Transactions. Series A, Mathematical, Physical, and Engineering Sciences*, 373, no. 2055 (November 28, 2015): 1–21, https://doi.org/10.1098/rsta.2014.0455; Naomi Oreskes and Erik Conway, *Inventing the Magic of the Marketplace: The True History of a False Idea* (forthcoming), ch. 2.
44. "The American Family Robinson," Reports, The National Association of Broadcasters, vol. 7, no. 32, August 11, 1939. Hagley Library, Series 1, Box 111, Folder "Public Relations Radio NAB reports, August 11 1939."
45. (NAM, 1937a, p. 2, NAM (1937a) "The Role of the NAM Public Information Program," unpublished memorandum, Hagley Library, (Accession 1411), Series I, Box 112. Burton St. John III, "A View That's Fit to Print," *Journalism Studies*, 11, no. 3 (June 1, 2010): 379, https://doi.org/10.1080/14616700903290585 also refers to this framework as the inseparability of "democracy and capitalism." We agree that that is the underlying message, but that linguistic formulation emerges later, most conspicuously as the title and central argument of Milton Friedman, *Capitalism and Freedom* (Chicago, IL: University of Chicago Press, 1962).
46. "Declaration of Principles Relating to the Conduct of American Industry," December 8, 1939, Hagley Library, J. Howard Pew papers (Accession 1634), Box 2 (NAM 1939-1940).
47. Ibid.
48. NIIC slide show, May 11, 1944, Hagley Library, NAM Folder: "NIIC objectives 1943–45 (2/2)," Series III, Box 845. For how this argument evolved over time, see NAM Series VII Industrial Relations Department, Box 134, Folder "Jobs-Freedom-Opportunity, Educational Programs 1953–54."
49. Oreskes and Conway, *Merchants of Doubt*; Charlie Tyson and Naomi Oreskes, "The American University, the Politics of Professors and the Narrative of 'Liberal Bias,'" submitted to Social Epistemology Review & Reply Collective.

50. Thalif Deen, "U.S. Lifestyle Is Not Up for Negotiation," *Inter Press Service News Agency*, May 1, 2012, www.ipsnews.net/2012/05/us-lifestyle-is-not-up-for-negotiation/.
51. Two scholars who have recognized this are Wendy Wall, *Inventing the "American Way"* and Kim Phillips-Fein, *Invisible Hands*. In our forthcoming book, *The Magic of the Marketplace: The True History of a False Idea,* we will show that the idea goes back even further; to early twentieth century arguments against restrictions on child labor, and against the development of municipal electricity.
52. Gary Gerstle, *Liberty and Coercion: The Paradox of American Government from the Founding to the Present*, revised edition (Princeton: Princeton University Press, 2015), esp. 62–64.
53. Quinn Slobodian, *Globalists: The End of Empire and the Birth of Neoliberalism* (Cambridge, MA: Harvard University Press, 2018), 5 and 2, respectively.
54. Oreskes and Conway, *Inventing the Magic of the Marketplace: The True History of a False Idea*.
55. Ronald Reagan, "Presidential Radio Address," September 29, 1984, Ronald Reagan Presidential Library, www.reaganlibrary.gov/sspeeches/major-speeches-1964-1989.
56. Scientists almost invariably focus on factual claims, because they know, or believe they know, what is true and what is false, or at any rate believe that it is possible to distinguish between what is true and what is false, and they have the evidence to bring to bear on the matter. They believe that false claims can be corrected by correct information. Recent history has demonstrated that this belief is often wrong: in the face of true and false claims, many people are simply left confused, and some even harden their false beliefs despite corrective evidence. See Dan M. Kahan, Hank Jenkins-Smith, and Donald Braman, "Cultural Cognition of Scientific Consensus," *Journal of Risk Research*, 14, no.2 (February 1, 2011): 147–174, https://doi.org/10.1080/13669877.2010.511246; Dan M. Kahan et al., "The Polarizing Impact of Science Literacy and Numeracy on Perceived Climate Change Risks," *Nature Climate Change*, 2, no. 10 (October 2012): 732–735, https://doi.org/10.1038/nclimate1547.
57. Many recent disinformation campaigns about climate change fall into this latter category: they do not involve explicit lies, but they are misleading, at times deeply so. See Geoffrey Supran and Naomi Oreskes, "Assessing ExxonMobil's Climate Change Communications (1977-2014)," *Environmental Research Letters*, 12, no. 8 (August 1, 2017): 084019, https://doi.org/10.1088/1748-9326/aa815f.

5

"Since We Are Greatly Outnumbered"

Why and How the Koch Network Uses Disinformation to Thwart Democracy

Nancy MacLean

A passage I came across in the research for *Democracy in Chains* haunts me in thinking about today's radical-right-wing disinformation ecosystem: "It may be possible for 'irrationally held' views to in fact support good policies," particularly if those backing the policies were to leverage insights from "cognitive science and perhaps evolutionary biology." This was written at a time when researchers in both disciplines were becoming aware of the biases set off by perceived threats to the survival of one's affiliative group. As that media ecosystem was taking shape, the radical right embraced the behavioral manipulation of listener identity.[1]

The author was Professor Tyler Cowen, the Holbert L. Harris Chair of Economics at George Mason University and the partner with Charles Koch for over two decades now in the academic base camp of Koch's political project, housed at GMU's Mercatus Center. Cowen ventured the suggestion in a paper called "Why Does Freedom Wax and Wane?" that was commissioned by Koch's Institute for Humane Studies to guide its "Social Change Project." The "good policies" in question, "unpopular" though they were, would help eradicate the "restrictions on liberty" characteristic of twentieth-century democracies. The paper itself was a transnational survey that laid the conceptual groundwork for the "big bang" we have seen in US political life since, with accelerating force after the 2010 midterm elections.

Cowen found that "the freest countries [defining freedom as economic liberty] have not generally been democratic" – with Chile under General Pinochet as "the most successful" case in point. Through structural "reforms" locked in by constitutional revision, Chile starkly reduced "rent-seeking through government favors" (i.e., the ability of citizens to

get from government what they could not get as individuals from the market). Indeed, Cowen pointed out, of the very few success stories to date, "in no case were reforms brought on by popular demand for market-oriented ideas." More challenging still, the libertarian cause had run up against a persistent problem: it wanted a radical transformation that "find[s] little or no support" in the electorate. How might the change agents get around this problem? Experience showed that "public toleration is more important than deep public involvement," so a situation in which many felt "some form of radical change was necessary" might just prove sufficient, particularly if "traditional democratic constraints were to some extent attenuated."

It is eerie how well the Trump era conforms to this scenario. Ill-informed backers of the president believe so deeply that norm-shattering radical change is needed that they are willing to accept policies that large majorities have consistently opposed, but that the Koch network is securing under the Trump administration. Without access to the private records of Tyler Cowen or Charles Koch and their associates, I cannot state with certainty that Cowen was suggesting that the libertarian cause apply the findings of cognitive researchers on how tribal instincts, stress responses, and the like are hardwired in human beings, such that manipulating these vulnerabilities could gain "toleration" for policies that voters who were thinking rationally and without undue stress might be expected to oppose. But I do find this an evocative hypothesis that future scholars and journalists might explore.

Because one thing *is* abundantly clear from the available evidence: operations funded by Koch and his wealthy allies through organizations such as Freedom Partners Chamber of Commerce and Donors Trust have relied on disinformation and manipulation to advance their agenda of radical transformation, leveraging the specter of a supposedly threatening "liberal elite" and strategic racism (what Ian Haney López calls "dog whistle politics") to compensate for lack of persuasive evidence by inciting clannish responses.[2] Indeed, after witnessing several years of the Tea Party doing precisely that, a Cato Institute publication boasted of libertarians' role in encouraging the cause and exulted that Tea Party activism was pushing the GOP to become "functionally libertarian."[3]

In this chapter, I examine one key source of the disinformation now rife in American public life: the network of extreme right donors, allied organizations, and academic grantees convened over decades by Charles Koch. I argue that the architects of this network's project of radical

transformation of our governing institutions and legal system have adopted deceit precisely because they understand that the hard-core libertarian agenda is extremely unpopular, and therefore requires stealth tactics to succeed. As Koch himself said to an audience of grantees in launching the audacious project: "Since we are greatly outnumbered, the failure to use our superior technology ensures failure."[4]

Even in an era of surging inequality and wealth concentration in the top 0.01 percent, the Koch fortune stands out: if the wealth of the multibillionaire brothers Charles and the now-deceased David Koch were held by a single individual, that individual would be the wealthiest on the planet.[5] More arresting, though, are the political ambitions of Charles Koch to transform American governance though the step-by-step imposition of a radical libertarian agenda that is taking aim at a century's worth of public policy in domains from education to regulation, social insurance, and taxation. We know the sheer scale and audacity of the Koch network's operations and how they have used "dark money" to distort public debate and democratic governance alike, from the groundbreaking and revelatory investigative journalism of Jane Mayer, in particular.

The donor network funds an infrastructure of literally hundreds of organizations. It includes dozens of ostensibly separate national bodies such as the Cato Institute, the Heritage Foundation, the American Legislative Exchange Council, and the Federalist Society, as well as over 150 state-level organizations whose work is aligned through the State Policy Network. The organizing enterprises include Americans for Prosperity, Concerned Veterans for America, the LIBRE Initiative, and Generation Opportunity; and includes centers at colleges and universities – with George Mason University as the flagship enterprise, but with faculty at over 300 campuses now receiving funding. We know also, from the superb scholarly research of Theda Skocpol and Alexander Hertel-Fernandez, that, in its engagement of the political process, this network is well-resourced and determined enough to rival and sometimes surpass the Republican Party and, indeed, has influenced that party in order to further its agenda nationally and in the majority of state governments.[6]

So, too, the exhaustive research of UnKoch My Campus, picked up by numerous leading newspapers and online media outlets, has shown how universities have become a central nexus of this project. Koch-funded campus centers supply vital resources: a long-sought talent pipeline; intellectual legitimacy for the organizational affiliates of the Koch infrastructure; and defensive capacity when the network is criticized. In addition, UnKoch My Campus has shown how Koch investment leads to violations

of academic integrity, including donor-influenced faculty appointments and student research topic selection; secrecy in place of transparency; and, in the case of George Mason University, administrators who have misinformed faculty and students to protect the donor.[7]

When speaking of the Koch network, then, I am referring to this exceedingly well-endowed and interconnected set of hundreds of operations and a growing stable of academic grantees. What my research adds to our understanding is its exposure of the core ideas guiding these efforts and how those ideas, in turn, explain the reliance on radical rules change (including change to the Constitution) being secured without alerting the public to the real endgame.

To be clear, efforts at honest persuasion are legitimate in a democratic society that relies on broad input and open debate to arrive at the best understanding and solutions. And Koch network grantees often engage in reasoned efforts to change minds. But Koch network operations *also*, at the end of the day, rely on disinformation where persuasion has failed. And that corrosive practice is my focus here. They are not, of course, the only source of calculated misinformation today. We know that Donald Trump, for one, has lied habitually while president. Less often noticed, because his are so audacious, is that disinformation has become a core tool of much of the contemporary American right. Trump is the strange fruit of this enterprise, but not the sower of the seed.[8] For that, we can look back at least to southern segregationist editors and spokespeople, who developed the trope of the not-to-be-trusted "liberal media" to combat honest reportage on the civil rights struggle.[9]

Still, such precedents and analogous practices notwithstanding, there has been nothing in our history as ambitious, elaborate and calculated as the Koch network. And as it is the piece of the puzzle I know best, my focus here will be on its role in bringing us to the current crisis. In the remainder of this chapter, I discuss a few key episodes in the evolution of the tactic of enlisting disinformation to secure adoption of otherwise unsalable policies and changes in the legal system. The advantage of such a historical narrative is that it allows us to pinpoint key moments when Koch allies (and Charles Koch himself) came to understand that honest persuasion and organizing would not get them where they wanted to go.

I should note at the outset that while the archives to which I had access did not include significant materials on Koch investments in media, celebrity sources of disinformation have been significant draws at Koch seminars, including Rush Limbaugh, John Stossel, and Glenn Beck.[10] I hope

others will explore those connections. As the ever-strategic Grover Norquist has made clear, that which contributors to this volume bemoan is cause for celebration to Koch network participants like himself. Exulting over the declining viewership of the once "Big Three" stations, Norquist conflates "breaking through the establishment media" with "conservatives rising," and celebrates "cutting out the middlemen" – the gatekeepers of old. He notes that the huge profits and listenership of those such as Limbaugh and Beck ensures that "the new media will have a stake in electing congressmen, senators, and presidents" that side with the coalition that legalized their output. Aligning incentives to achieve the desired, if unpopular, outcomes is key to Koch strategy.[11]

REPACKAGING SOCIAL SECURITY PRIVATIZATION AS "REFORM"

Because the Koch project now sails under the false flag of "conservatism" so it can reach large numbers of voters, it is worth remembering that years ago Charles Koch and his grantees were more honest. They proclaimed themselves root-and-branch radicals, albeit radicals of the right, who spurned conservatives, and particularly disdained the kind of cold war and religious right conservatives on whom the project now relies for votes. Back then, Koch's favored thinker was Murray Rothbard, the grantee who suggested that his patron read Lenin to appreciate the necessity of cultivating a revolutionary "cadre." Koch did, and the Cato Institute became their joint project to launch the effort in the 1970s. After all, they sought revolutionary change: a world in which liberty was preserved by the total absence of government coercion in any form. No one could have mistaken Cato libertarianism with conservatism at time of the Institute's founding. Indeed, Rothbard instructed readers of the first publication of the newly established think tank that the latter label should be "despised," because "conservatism is a dying remnant of the ancien régime of the preindustrial era," and thus at odds with the wholly free capitalism that libertarians sought. "In its contemporary American form," Rothbard explained, conservatism "embodied the death throes of an ineluctably moribund, fundamentalist, rural, small-town white Anglo-Saxon America."[12]

In a demonstration of the extremism of their position, Cato's first leader, Edward Crane, never forgave Barry Goldwater, the Republican presidential nominee whose views proved too far right for the electorate, for "[running] away from the issue of privatizing Social Security." Charles

Koch funded his brother David to run against Ronald Reagan in 1980, as the candidate of a Libertarian Party that called for an end to government coercion in any form, including minimum wages, child labor laws, taxation, and prosecution for drug use or voluntary prostitution. In the view of the hardy cadre of libertarians Koch built up in the 1970s and 1980s, the whole "establishment" had to be overthrown, its conservative wing as much as its liberal one. The future, said Crane, belonged to the only "truly radical vision": "repudiating state power altogether." The libertarians proudly proclaimed themselves "the party of revolution."[13]

What led the Koch cause to discard this initial, uncompromising candor? As near as I can tell, it was something that often sets off social movements: "the threatened loss of new possibility."[14] The program of neoliberal transformation pushed through after the 1973 coup in Chile by the Pinochet government thrilled advocates of economic liberty; their vision was no long utopian, but now instantiated in a modern nation. Thus invigorated, they then watched in despair as the new US President Ronald Reagan, who talked their talk, backed away in his very first year in office from carrying out the draconian program urged by his libertarian Office of Management and Budget Director David Stockman. Why? Because the president realized how unpopular it would make him. The much-ballyhooed Reagan Revolution, Stockman concluded, could not succeed in "the world of democratic fact." The coincidence of these contrasting experiences – success in a controlled environment and failure in the wider democracy – led the Koch cause to turn, more and more frequently in the ensuing decades, to stealth strategies reliant on misinformation.[15]

The year after the Pinochet regime crafted a new "Constitution of Liberty" to embed neoliberalism in the lasting rules of national governance, Charles Koch moved the Cato Institute from San Francisco to Washington, DC, in a display of his new interest in policy relevance. Having seen the Chilean junta's success in imposing retirement pension privatization (and ending employer contributions), the Cato Institute made social security privatization its top policy goal. It invited James McGill Buchanan, a founder of "public choice" political economy and a deeply committed libertarian who had just relocated his operation to George Mason University, to advise on how it could be done. To make a long story short: not with honest persuasion.

As Cato's advisor on the Chilean constitution and an adjunct scholar, Buchanan launched the project with a lengthy 1983 article in the *Cato Journal*. He labeled the existing system a "Ponzi scheme," a framing that

as one critic pointed out, implied that the program was "fundamentally fraudulent," indeed, "totally and fundamentally wrong." But Buchanan's main concern was the politics of social security: first, to explain why "support for the system [was] so universal" that it was treated as "sacrosanct," and any questioning of it "political suicide" – as the Reagan administration had just learned the hard way. The answer was straightforward: the majority of voters wanted the system to continue as it was. "There is no widespread support for basic structural reform, among *any* membership group" in the American polity, he noted, the italics his own: "among the old or the young, the black, the brown, or the white, the female or the male, the rich or the poor, the Frost Belt or the Sunbelt."[16] The near-universal popularity of social security meant that any attempt to fight it on honest philosophical grounds was doomed.

Buchanan therefore suggested a more circuitous and sequential approach that obscured the truth. "Those who seek to undermine the existing structure," he advised, must alter beneficiaries' understanding of social security's viability, because that would "make abandonment of the system look more attractive." His counsel grew more cunning as it continued. "When short-run 'reforms' are needed," he recommended, "those who seek to undermine the support of the system (over the longer term) would to do well to propose increases in the retirement age and increases in payroll taxes." In other words, to make social security less well-liked, recipients had to pay more and work longer to retire. Another shrewd move would be to tax high earners at higher rates than others in order to sully the image of the program as an insurance contract. Making the wealthy pay more in the near term could also lead more of them to oppose the program. Taken together, such a "patchwork pattern of 'reforms'" (the quotation marks around "reform" his own, to communicate the message that reform was not the true endgame) could pare off, one after another, groups that currently supported social security. Better still, the member groups of a once unified coalition that protected it might be induced by such changes to fight one another. When that happened, the broad phalanx that had upheld the system for a half century might finally fracture.[17] The follow-up plan by two staff members at the Heritage Foundation was aptly titled "Achieving a 'Leninist' Strategy."[18]

The Machiavellian advice Buchanan gave to his allies in Cato's orbit pointed to a larger truth: that the goal was never to ensure social security's long-term viability, as elected officials advised by the libertarian cadre would portray it to the wider public, but rather to defeat its inner essence. What the libertarian right depicted as "reform" was but a camouflaged

step toward the destruction of the social insurance system, which depended on large pools of contributor-beneficiaries to balance actuarial risks. The libertarian thinkers and operatives acknowledged among themselves that privatization – wherever it was applied – was a strategy to weaken the collective organizational capacity of the people and discourage individual citizens' tendency to look to government for solutions to their common problems. Along the way, privatization would also enrich the corporations that took over the former functions of government, and that, too, would alter power relations in ways that advanced the libertarian revolution.[19]

As the political scientist Jeffrey Henig noted, in the second half of the 1980s, privatization "moved from an intellectual fringe to become a centerpiece in contemporary public policy debates." Buchanan's so-called Virginia school of political economy (a subset of the broader field of public choice economics), helped effect "the intellectual de-legitimation of the welfare state" that prepared the way for such privatization and, with it, in the words of one enthusiast, advanced "the goal of fundamentally and irreversibly changing" the very nature of modern politics. Where the external advocacy focused on questions of cost, competition, and efficiency, the internal think tank discussions always involved long-term calculation about how best to alter the structure and incentives of political life in order to radically shrink what members of the public might decide to do collectively.[20] Privatization was thus a key element of the crab walk to the final, albeit gradual, revolution – the ends-justify-the-means way of thinking that allowed for the use of disingenuous claims.

CITIZENS FOR A SOUND ECONOMY AND TOBACCO DISINFORMATION

While the turn to "discourse sabotage" (to borrow a phrase from Kathleen Hall Jamieson via Jane Mayer) as strategy seems to have begun with social security, it soon appeared in other arenas as well.[21] It became apparent in the growing ties between Buchanan's students and colleagues (often the same people, as he liked to hire his own advisees) and the tobacco industry, a leading corporate sector in Virginia, where they worked. He recommended "a fine publicist for applied economics" for one of the growing number of donor-created and ideologically defined faculty positions on US campuses, a tobacco-funded "Philip Morris Chair of Free Enterprise."[22]

Other Buchanan allies at George Mason University began publishing on contract to the Tobacco Institute, in a form of profitable academic

entrepreneurship that made them, in the apt phrase of Naomi Oreskes and Erik Conway, "merchants of doubt." Sample titles include *Smoking and Society: Toward a More Balanced Assessment* and *Clearing the Air: Perspectives on Environmental Tobacco Smoke*. Their stock-in-trade was the use of a patina of public choice economics to discredit promoters of public health as self-seeking actors, hiding their real interests beneath claims about a fictitious common good. The character assassination by insinuation was enlivened by a fillip of right-wing populism that branded regulators as elitist "paternalists" who used "coercion" in their social engineering.[23] Along with the academic books, came a larger and lucrative project run from George Mason's Economics Department called "Cash for Comments" (C4C), which paid economics faculty to front for the ever more embattled tobacco corporations.[24]

This work was a leading example of the new collaborations coming from an organization funded by Charles and David Koch in 1984, to lobby for market-fundamentalist policies such as deregulation and privatization – and to aid corporations that found themselves in trouble with government. Citizens for a Sound Economy (CSE) was a discourse-polluting enterprise from the outset. It was also, notes the former head of a strategic communications firm that took on the organization as its first client, "in effect, a wholly owned subsidiary of Koch Industries."[25] At the helm was Buchanan's GMU colleague, Richard (Richie) Fink, a believer in Austrian economics and a peerless academic entrepreneur, who became Charles Koch's chief political advisor in this period. Fink stocked the organization with GMU economics PhD alumni including Michael Becker, Wayne T. Brough, Jerry Ellig, Wayne Gable, and Wayne A. Leighton.[26]

The ultimate mission of CSE was to solve a problem that had long plagued organized libertarianism: the cause was all officers and no troops. The idea was to build a lobbying apparatus beyond the capital, out in the districts, for the proposals its corporate members produced – and to use this apparatus to pressure legislators to carry out the donor agenda. As early as 1978, Charles Koch had preached that "we need a movement" for just this reason.[27] After all, an enterprise that numbered in the thousands, as libertarianism then did, could never realize its vast ambitions. That is why Fink and Koch created a mobilizing outfit that could expand the audience for their ideas and push policymakers to act on them. Citizens for a Sound Economy (CSE) thus billed itself as "a grass-roots organization with 200,000 members across the country" which aimed "to build support for market-oriented policy initiatives and reduce government interference in private decision making."[28]

Those at the helm showed few scruples about how they arrived at such numbers. Even the *Wall Street Journal* in time complained that CSE operated in a "secretive" manner and claimed as members organizations that had no idea they were listed as such, including the Boy Scouts and Girl Scouts.[29]

With Fink as the group's "Founder, President, Chief Executive Officer," CSE reached out to corporations to recruit them to the cause and seek their monetary help. The organization's astroturf membership was part of the lure: people who could be tapped to lean on their state legislators and congressional representatives. In fact, Patricia Schroeder, a liberal member of Congress, launched a formal ethics complaint that Fink was using his position on Reagan's Commission on Privatization to solicit money for CSE, and that he had claimed to his marks that President Reagan backed CSE's push for privatization. "It's not often a President personally takes time to seek the support of a citizens' group like us," wrote Fink in fundraising for his "pro-taxpayer" and "deficit-reduction" group. Fink had indeed secured a letter from the president, which addressed him on a first-name basis and expressed appreciation for CSE's work for a balanced budget, to include with his pitch. Duly chastised by a White House staff member, "Mr. Fink said he was sorry and would not do it again." One overruled critic suggested, presciently, "Sanction would have been stronger." But the apology was deemed adequate because CSE "does support many of the Administration's programs."[30]

As Fink learned the need for more finesse, the group managed to block some popular measures while also laying groundwork for the future. All the strategies being used today by Americans for Prosperity, the much larger and more sophisticated organizing outfit that succeeded CSE, had their first trials here, above all the leveraging of corporate funding to sustain a nation-wide apparatus of engaged voters. Their mobilization could change the incentives for elected officials on matters from taxes to health care, energy policy, and corporate regulation.[31]

A case in point: with the vast monies Charles and David Koch and their allies provided, CSE tested its prowess in fights against government health care provision. When Senator Orrin Hatch, a conservative Republican from Utah, cosponsored a bill with Senator Edward M. Kennedy, a liberal Democrat from Massachusetts, to provide health care coverage to about ten million children, CSE "launched a $35,000 a week radio blitz" in Hatch's home state that upbraided him in what he rightly called a "false and misleading" fashion.[32]

But that was nothing compared to the role CSE played in the fight against the Clinton administration's health care plan. Described by one staff member as CSE's "biggest single effort," it included "organized demonstrations that shadowed the Clinton Administration's pro-health care bus tour" – with, noted two journalists, "protesters far better organized than proponents of universal health care."[33]

Reaching out to corporations that faced challenges from government, CSE offered them support in order to demonstrate the value of political investment and win their leaders' commitment for the long fight ahead. The tobacco company Philip Morris was one such convert. The Clinton health care plan floated the idea of new taxes on tobacco for part of its funding, which might also reduce cancer rates. This outraged the company's management. One element of its multipronged shadow strategy to defeat "Hillarycare" was a $400,000 contribution to CSE for "a grassroots program aimed at 'swing' Democrats" on the House Energy and Commerce Committee, "a key battleground" for the plan in Congress. The Kochs were little known at the time, but the *Washington Post* reported that, while the protesters came from varied organizations, CSE was "the principle organizer" in many cities across the country. A flummoxed and furious President Clinton denounced the "demagoguery" of those "who disseminate false information," pummelling the lectern at a press conference "so hard that he knocked the presidential seal to the ground." In vain. "The [orchestrated] controversy emanating at the grassroots level" helped put the plan to death.[34]

In light of the subsequent success of the Koch-funded attacks on the Obama administration and the Affordable Care Act, the candidacy of Hillary Clinton, and so much else, it is enlightening to revisit the best single account of the campaign to defeat universal health care. In their book-length narrative, the veteran Washington reporters Haynes Johnson and David S. Broder tracked what was then "the most heavily financed and sophisticated lobbying in America ever." And, lo, Citizens for a Sound Economy drove it from the start. Its Washington office sent out the first deceitful attacks – calling the Clinton proposal "government-run health care" that would force providers to "ration care." The CSE office, three blocks from the White House, then "became the nerve center for strategy sessions" with ultimately some thirty organizations – from corporate interests to the Christian Coalition and the NRA – all determined "to kill what they derisively called 'Hillarycare.'" In classic Koch style, they referred to themselves as "the No Name Coalition" and held their meetings "off the record" and "hidden from public scrutiny." But CSE

orchestrated the entire fight, which was "nothing less than a war without quarter, waged until one side thoroughly defeated the other," by upending the normal rules of fair play and systematically misinforming the media and the public. "It's as if you can't debate substance" anymore, one despairing long-time staffer for Bob Dole said of the sudden change: "You've got to talk about personalities" and engage in "personal attack." Thanks to the unrelenting, "pounding" efforts of the lobbying, compromise was no longer an option for Republicans.[35]

"Nothing was left to chance" by Citizens for a Sound Economy. The pro-reform bus caravan found itself faced with opponents "lying in wait like a guerrilla army," as the CSE team coordinated "closely—and secretly—with Newt Gingrich's Capitol Hill office and with Republican senators." The agitation was so intense that Hillary Clinton acceded to repeated Secret Service appeals and wore a bulletproof vest at one rally, where they arrested several menacing attendees and confiscated two guns and a knife. Rush Limbaugh spoke daily with operatives of Citizens for a Sound Economy about the latest talking points, also pushed out by the editorial page of the *Wall Street Journal*. CSE made huge media advertising buys, some to air hourly, out in the states, while conservative Christian churches lathered up their parishioners against the prospect of abortion coverage. It was all so well executed that the combined effort not only defeated the once-popular Clinton push for universal health care, but also enabled the swashbuckling 1994 Republican takeover of Congress, ending decades of Democratic control.[36]

Indeed, CSE was becoming more formidable than its bumbling origins might lead one to imagine. According to the eyewitness and researcher Jeff Nesbit, CSE was also the crucial late-stage operations manager in a gambit which the federal judge who held the tobacco companies liable "for RICO violations for fraudulently hiding the health risks associated with smoking" called "a massive 50-year scheme to defraud the public." Deliberate disinformation was the very core of the scheme, along with the secretive practices for which Koch has become known.[37]

Similarly, in 1996, CSE involved partners such as the American Petroleum Institute and the Chemical Manufacturers Association to start what the *National Journal* called "a $5 million, multi-year campaign to weaken environmental laws in favor of big business." The project coupled multimedia efforts with the hiring of "field directors to coordinate grass-roots work in the districts." Again, others called foul. Dubbing CSE "the polluters' front group," the Sierra Club lambasted it for using "a

phony pediatrician" who brandished "wildly improbable figures" on the cost of adhering to new air pollution standards.[38]

THE KOCH NETWORK AND CLIMATE SCIENCE DENIAL

It was not a great leap from such stealth efforts in defending industry in other areas to assisting the fossil fuel industry in its fight against honest science when global warming began to receive public attention. After all, fossil fuel was the core of Koch Industries and its most reliable cash cow. Majority opinion was becoming a big problem for the industry and libertarian zealots in this era, as Americans came to embrace environmentalism to one degree or another, recognizing the need for government action to promote it. While corporations such as Exxon Mobil had withheld information to protect their investments and future profits, they could not hold the fort alone, with public opinion and many elected officials awakening to their products' impact upon the planet. Koch network operations would not be alone in aiding the fossil fuel industry, but their support was significant, and had outsized – and continuing – impact.[39]

In 1997, as the global climate negotiations got underway which would lead to the Kyoto Protocol of 1998, Citizens for a Sound Economy warned its corporate allies that 76 percent of Americans thought of themselves as environmentalists. "Worse, 65 percent" told industry pollsters that they "do not trust business" to take action against pollution; "79 percent of voters think current regulations are about right or 'not strict enough.'"[40] That was an existential challenge for a cause committed to radical deregulation. The lesson the cadre took from such findings was that it could not win majorities for its true goals.

So, what was to be done? Caught between citizen support for environmental action, on the one hand, and, on the other, its members' resolve to protect corporations from any interference and abiding belief that government could do no good, the libertarian cause came to deny the findings of science rather than concede the need for federal action. The problem is an inescapable one for their ideology: the pollution that produces planetary warming confirms the downside of free enterprise – what economists call market failure. This is a conclusion the ideologues cannot tolerate, because it shows the value of government intervention. The chair of the Economics Department at George Mason thus proclaimed that "sound skepticism of government action to prevent global warming is itself based on science" – the science, that is, of public choice. "It might be hard to admit," said

Donald J. Boudreaux, but because a government cure would be worse than the disease, global warming "is best left alone."[41]

But that was not a persuasive proposition with the public, so Koch-funded organizations also promoted climate change denial, using donor funds to expand efforts to make the citizenry believe the science was inconclusive and controversial. These efforts have also been directed at Republican voters, most of whom, even conservative ones, want action on global warming. The cause aims to ensure that they do not get it – indeed, that they are systematically deceived.[42] The Cato Institute, which Buchanan helped Charles Koch launch, and the Independent Institute, on whose board of advisers the economist sat until his death in 2013, are among the circle of libertarian think tanks driving what Naomi Oreskes and Erik Conway describe as systematic "misinformation campaigns." Nearly all the ostensibly separate but connected wings of the Koch apparatus have participated, from Citizens for a Sound Economy, to the Capital Research Center, the Competitive Enterprise Institute, the many affiliates of the State Policy Network, and, of course, Americans for Prosperity.[43]

As on other issues, vastly wealthy people are paying operatives to prevent the political process from acting on the will of the majority. Just as it enlists the threat of primary challenges to force Republican elected officials to pledge not to support taxes that the majority approves, so does the cause use the same bludgeon to secure pledges of inaction in this area. The coercion works. Senator John McCain was but the best-known Republican to flip his position after a Tea Party primary challenge. By 2014, only eight of 278 Republicans in Congress were willing to acknowledge that man-made climate change was a reality. That pattern of Leninist-like discipline in denial of the scientifically indisputable has no counterpart elsewhere in the world – which makes sense, because no other nation yet has an apparatus like the Koch network in America. "We're looking at a party," Paul Krugman points out, "that has turned its back on science at a time when doing so puts the very future of civilization at risk."[44]

To say all this another way: if the Koch-funded scholars, institutions, and elected officials were not in the conversation, the public would know that the evidence of science is overwhelming and government action to prevent further global warming is urgent.[45] Stop the flow of libertarian corporate cash and the nation might just turn to an honest reckoning with the economic model and energy sources that have wrought such havoc.

So determined is the Koch network to stop action on climate change, however, that a cause which came into being with odes to the Age of

Reason and which presents its grantees on university campuses as "classical liberals," has turned to schemes that defame and intimidate professional scientists. Efforts to discredit their findings having failed, operatives seek to smear individuals and bully them into silence. Invoking public choice thinking, a Koch-subsidized organization thus argues that climate scientists are seeking personal monetary rewards, and not doing honest research in the public interest. "All Aboard the Climate Gravy Train," reads a typical headline.[46] Merely for doing their jobs as researchers, climate scientists are being hounded by members of the cadre. Among other practices, these operatives abuse the Freedom of Information Act to demand access to the scientists' correspondence in hopes of proving that the scholars are crying wolf in the pursuit of personal gain.[47] Those funded by the Koch network to advance the liberty cause have shown that they will say anything, quite literally, to achieve their goal of preventing government action.[48]

The amounts being spent are astronomical, it bears mentioning. According to Greenpeace researchers, Koch Foundations over the period from 1997 to 2017 contributed over $127 million to ninety-two organizations that engage in climate science denial.[49]

USING THE MYTH OF VOTER FRAUD TO RESTRICT THE ELECTORATE

As the scale of the perceived threat grew, with more ambitious environmental action joining other ominous auguries for economic liberty, such as the National Voter Registration Act of 1993 (popularly known as "motor voter"), which brought millions of low-income voters into the political process, the Koch-allied right came to view restricting the electorate as vital to achieving its goals. Here again, Koch grantees in the academy made the intellectual case. Interestingly, the first pilot program for voter ID requirements came from the very Virginia counties (Arlington and Fairfax) that were home to the flagship Koch outpost at George Mason University. It was promoted by a Republican governor, James S. Gilmore III, whose support was crucial to that Koch outpost.[50]

While I do not yet have information to confirm Mercatus team input on the proposal, Koch allies and grantees on the GMU faculty, including Tyler Cowen and Bryan Caplan, have published works which argue that the expansion of the electorate in the twentieth century harmed economic liberty. Cowen observed that "the expansion of the voter franchise" beyond "wealthy male landowners" had led to enlarged public sectors,

anathema to libertarians. It seemed that when other citizens, women among them, could influence government policy, taxes went up and government became more intrusive. For example, Cowen noted, "the elimination of poll taxes and literacy tests leads to higher turnout and higher welfare spending."[51] Calling voters who do not share the cause's economics "a public nuisance," Caplan suggested that it might be wise "to reduce or eliminate efforts to increase voter turnout."[52] The economist was not specific about how to do it, but implied the desirability of voter suppression.

The task of applying that counsel with practical measures fell to operatives in the integrated Koch network infrastructure. Here again, widespread and well-funded disinformation has proved essential to securing the desired outcomes. Any politician who openly argued for keeping from the polls those citizens likely to disagree with one's policy goals would face outrage and fierce opposition. And the Constitution now rules out poll taxes, limiting the options.

But crab-walking could get the desired result: use deliberate misinformation to change the terms of debate. Hence, Koch-funded organizations, among them the American Legislative Exchange Council, spread the falsehood of mass voter fraud – and continue to, even after repeated studies have exposed it to be a non-existent problem. In turn, elected Republican officials allied to the Koch network enlisted this helpful myth and used the products of the smog-generating organizations to pass measures that have since helped throw elections their way. The years 2011 and 2012 alone saw more than 180 bills proposed in forty-one states to make voting significantly harder by requiring photo identification (while disallowing public assistance and university ID cards), limiting early voting, ending programs that provided for automatic registration of high school students, and moving polling places to harder-to-reach locations. All this in a nation that was 138th of 172 democracies in its level of participation.[53]

The belief that low-income voters lacked legitimacy was a staple of Buchanan's Virginia school of political economy. It modernized southern white conservative intellectual traditions reaching back to the suppression of voting rights in the South after Reconstruction and the more sweeping disenfranchisement of Black and low-income whites after the success of the Peoples Party in biracial electoral fusion campaigns in the 1890s.[54] The will to limit the electorate by class also spread in the Mont Pelerin Society, which launched in 1947 (and today is chock-full of climate change deniers). Pointing to Virginia school ideas about the need to curtail democracy, the

economist George Stigler had urged fellow members of the society at a meeting in the late 1970s to consider how the franchise might be restricted "to property owners, educated persons, employed persons, or some such group."[55] Otherwise, Grover Norquist later warned, a nation risked "creating an underclass that votes rather than works for a living."[56]

Such elitist thinking is widespread on the libertarian right, which depicts modern majoritarian democracy as a calculated project of coalition building by the "nonproductive" to exploit wealthy taxpayers – or, in the words of Cato Institute spokesman David Boaz, borrowing from Buchanan, "the predators and the prey." "Registering the poor to vote," complained a libertarian pundit more crudely, "is like handing out burglary tools to criminals."[57] Such thinking, however commonplace on the right, could not be expected to provide sufficient cover to legislators or persuade reporters, let alone survive court review.

So, here again, the tactic of deception has proved essential. Fraud was the alleged hazard that justified all the efforts to make voting harder. Serious researchers have been unable to uncover *any* intentional voter fraud (just normal human error in overwhelmed systems and occasional, innocent lack of knowledge about eligibility). But so avidly has the right spread the big lie that mass fraud augured "stolen" US elections, that not only nearly half of registered voters but also even federal judges and Supreme Court justices came to believe it – and decide cases on those fallacious assumptions.[58]

THE MISLEADING CAMPAIGN FOR A STATE-CONVENED CONSTITUTIONAL CONVENTION

As effective as these campaigns to corrupt honest debate have been, the Koch-backed misinformation that may prove most consequential for the future of American governance is that which is currently getting the least attention from the media and the Democratic Party: the case for convening a constitutional convention as allowed by Article V – and the promotion of the fiction that its agenda could be contained. While the nation has been transfixed by the daily tweets of President Trump, the Koch network has quietly lined up authorizations from state legislatures to convene the first national constitutional convention since the Constitution was drafted. Common Cause has called the effort "the most serious threat to our democracy flying completely under the radar." To date, twenty-eight of the thirty-four states needed have signed on. Until the 2018 midterms there were six GOP-controlled statehouses that had not yet committed but

could be expected to: Idaho, Kentucky, Minnesota, Montana, South Carolina, and Virginia. (Now, after Democrats won one house of the Minnosota legislature, there are five.) As even Warren Burger, the conservative former chief justice of the Supreme Court noted, "there is no way to effectively limit or muzzle the actions of a Constitutional Convention."[59]

Yet, central to all the arguments of convention promoters is the spurious claim that such a convention would not be a runaway convention, free to vote up any radical changes proposed by its delegates. Thus, the Convention of States, one of the leading proponents of the effort, assures visitors to its website: "Is it safe? Absolutely." How it could be safe yet also a "revolution" as promised by Mark Meckler, the Tea Party Patriots leader who heads the effort, is not explained.[60] Again, misinformation and stealth enable what otherwise would be unthinkable. "You really don't need people to do this," one Article V convention advocate told a Wisconsin state representative who attended an ALEC summit. "You just need control over the legislature and you need money, and we have both."[61]

USING DISINFORMATION TO CRIMINALIZE PROTEST

How convenient, then, that Koch network partners, representatives of the fossil fuel industry, and allied elected officials are also seeking new measures to punish protest, which, like the push for a constitutional convention, are attracting little attention, what with the mayhem in Trump's Washington. Some thirty-one states have considered bills to criminalize and discourage protest, and eight states have passed these laws. Most target specific types of dissent: critical infrastructure bills establish harsh criminal penalties for pipeline protestors and organizations that support them; campus free speech bills specify sanctions for student protestors following protests against incendiary speakers; and highway bills aim at protests by Black Lives Matter. Several of these bills are based on model legislation from ALEC.[62]

Here, again, disinformation greases the skids to secure passage of laws that otherwise might be considered a violation of the First Amendment and the traditions of direct-action protest that have animated politics in America since the Revolution. Actors on the right, including the current president and right-wing media, have spread the narrative meme of "angry mobs," funded by George Soros, that must be deterred with aggressive new measures, leveraging anti-Semitism and white anxiety to stifle reason and convey urgency.[63]

CONCLUSION

This is not the first time in our history that we have seen disinformation campaigns, nor are members of the Koch network the only practitioners on today's right. But what we are seeing now is worse, by a long shot. This is partly true owing to changes in media and technology, which other chapters in this volume address. But what is driving it, in the Koch case, is a new ruthlessness from a particularly ideological and threatened fraction of the capitalist class: an extremist minority, anchored in fossil fuels, that is breathtakingly well-funded and determined to win at any cost – and to make the transformation it seeks permanent. Through radical rule changes up to and including alteration of the Constitution, they aim to lock in the unpopular program of a tiny, messianic minority. And to stop action on the imminent climate catastrophe.

This chapter has outlined how the Koch network of extreme right donors, allied organizations, and many academic grantees have used disinformation as one strategy to achieve their agenda. Seeking changes radical and encompassing enough to constitute a quiet, slow-motion revolution, Charles Koch and his team have sought to mislead the public on matters as varied as social security, the harms of tobacco, climate science, alleged voter fraud, constitutional change, and direct action protest. Through it all can be seen the unifying thread of "wealth defense" so characteristic of oligarchs through the ages, but now modernized to leverage sophisticated technology and targeted media that would have been unimaginable to the oligarchs of old.[64]

Nor is this wealth defense on the part of would-be oligarchs solely a US project; though anchored in the USA, it has gone global. While my own research has concentrated on the American core of the effort to enchain democracy through disinformation, the Koch-backed corporate-anchored libertarian cause is transnational. It operates through the Atlas Network, an international umbrella organization of over 450 affiliates in ninety-six countries, with extensive funding from US donors.[65]

Scattered reports suggest that many of its affiliates engage in the kinds of practices explained here. For example, British journalists have discovered that the Institute for Economic Affairs, the leading UK-based Atlas affiliate, played a secretive role in promoting Brexit – one that has since landed it in legal trouble.[66] So, too, have Koch Industry representatives hosted visitors from Australia who sought their investment to "change the voting system" down under. Steve Dickson of the climate-denialist One Nation party was recorded telling Koch personnel: "We can change the voting system in our

country, the way people operate, if we've got the money to do it. . . . The ingredients are there, we just don't have the petrol to put in the engine." One can only assume that with any such petrol would come strategic disinformation and stealth efforts of the kind described here. Indeed, the ABC report continued, Dickson "and the Koch Industries representatives also discussed the laws and public disclosure requirements in Australia for political donations."[67]

Perhaps the most stunning revelations to date, however, concern the Koch-allied Heartland Institute. An Atlas affiliate in the vanguard of US climate science denial, it has advised and worked with the German neo-Nazi party, Alternative für Deutschland (AfD), which is recruiting hard in troubled coal communities and trying to stop action on climate change.[68]

What is needed to combat this transnational apparatus of discourse pollution and democracy subversion? My dream is that a group like the International Consortium of Investigative Journalists (ICIJ), the network of investigative reporters from seventy countries that produced the Panama Papers, would start to seek out on information on Koch network allies across the globe, information that network participants so assiduously seek to hide. If such a team were able to do on Atlas what they did for tax offshoring and money laundering with the Panama Papers, we might just have a chance to save an imperilled planet from the toxic practices of these embattled fossil fuel magnates and the right-wing populist con men with which they and their allies defend the indefensible.[69]

NOTES

1. Tyler Cowen, "Why Does Freedom Wax and Wane: Some Research Questions in Social Change and Big Government," Mercatus Center, George Mason University, 2000. The piece was reprinted online in 2015. Because the original has no page numbers, subsequent notes to the document here will not cite it. For research grants to fund Cowen's project from the Institute for Humane Studies, see Tyler Cowen and David Nott memorandum, May 13, 1997, Buchanan House Archives, George Mason University, Fairfax, VA (hereafter, BHA). For more context, see Nancy MacLean, *Democracy in Chains: The Deep History of the Radical Right's Stealth Plan for America* (New York: Viking, 2017). Among recent works popularizing the political implications of findings in the disciplines mentioned are Drew Western, *The Political Brain: The Role of Emotion in Deciding the Fate of the Nation* (New York: Public Affairs, 2007); Rich Shenkman, *Political Animals: How Our Stone-Age Brain Gets in the Way of Smart Politics* (New York: Basic Books, 2016) and Jonathan Haidt, *The Righteous Mind: Why Good People Are Divided by Politics and Religion* (New York:

Pantheon, 2012). For how the insular right-wing media ecosystem weaponizes identity and political in-group affiliation, inviting consumers to feel anger and hatred, see Yochai Benkler, Robert Faris, and Hal Roberts, *Network Propaganda: Manipulation, Disinformation, and Radicalization in American Politics* (New York: Oxford University Press, 2018).

2. Ian Haney López, *Dog-Whistle Politics: How Coded Racial Appeals Have Reinvented Racism and Wrecked the Middle Class* (New York: Oxford University Press, 2014). Haney López focuses on the broader Republican right; my research finds that Koch network allied organizations have used such appeals to powerful effect.
3. David Kirby and Emily Ekins, "Libertarian Roots of the Tea Party," *Policy Analysis*, no. 705 (August 6, 2012): 1. For the racial anxieties and hostilities of what the Cato authors were depicting as "functionally libertarian," see Christopher S. Parker and Matthew A. Barreto, *Change They Can't Believe In: The Tea Party and Reactionary Politics in America* (Princeton: Princeton University Press, 2013).
4. Charles G. Koch, *Creating a Science of Liberty* (Fairfax, VA: Institute for Humane Studies, 1997); for more on the context, see *Democracy in Chains,* xxii, and ch. 12, "The Kind of Force that Propelled Columbus," another quote from Koch, this one conveying the desired impact of the technology of liberty. On the need to mislead, see also Jane Mayer's discussion of Koch's first political and philanthropic advisor's recognition of the need "to use ambiguous and misleading names, obscure the true agenda, and conceal the means of control." Jane Mayer, *Dark Money: The Hidden History of the Billionaires Behind the Rise of the Radical Right* (New York: Doubleday, 2016), 56.
5. Calculated by George Monbiot, "How US Billionaires Are Fueling the Hard-Right Cause in Britain," *The Guardian*, December 7, 2018, www.theguardian.com/commentisfree/2018/dec/07/us-billionaires-hard-right-britain-spiked-magazine-charles-david-koch-foundation.
6. See, for example, Mayer, *Dark Money*; Alexander Hertel-Fernandez, Theda Skocpol, and Jason Sclar, "When Political Mega-Donors Join Forms: How the Koch Network and the Democracy Alliance Influence Organized U.S. Politics on the Right and Left," *Studies in American Political Development*, 2018. Also see Theda Skocpol and Vanessa Williamson, *The Tea Party and the Remaking of Republican Conservatism* (New York: Oxford University Press, 2012), particularly the discussion of the impact of the aligned "roving billionaires."
7. See the many primary sources, reports, and links to media coverage on the website of UnKoch My Campus: //www.unkochmycampus.org/.
8. See, for example, the brilliant work of Naomi Oreskes and Erik M. Conway, *Merchants of Doubt: How a Handful of Scientists Obscured the Truth on Issues from Tobacco Smoke to Global Warming* (New York: Bloomsbury Press, 2010); the literature on right-wing think tanks, particularly Thomas Medvez, *Think Tanks in America* (Chapel Hill: University of North Carolina Press, 2012); and the journalistic accounts by Alexandra Kitty and Robert Greenwald, *Outfoxed: Rupert Murdoch's War*

on Journalism (New York: Disinformation Books, 2005); and David Brock, Ari Rabin-Havt, and Media Matters for America, *The Fox Effect: How Roger Ailes Turned a Network into a Propaganda Machine* (New York: Anchor Books, 2012).

9. Gene Roberts and Hank Klibanoff, *The Race Beat: The Press, the Civil Rights Struggle, and the Awakening of a Nation* (New York: Alfred A. Knopf, 2006); David Greenberg, "The Idea of 'the Liberal Media' and Its Roots in the Civil Rights Movement," *The Sixties* (Winter 2008–2009).
10. Program for the January 2011 Koch seminar held at Rancho Las Palmas Resort in Rancho Mirage, CA, "Understanding and Addressing Threats to American Free Enterprise and Prosperity," 12. On Russ Limbaugh's singular role in the emergence of "outrage" media as a profitable industry, see Benkler, et al., Network Propaganda.
11. Grover Norquist, *Leave Us Alone: Getting the Government's Hands Off Our Money, Our Guns, and Our Lives* (New York: William Morrow, 2008), all quotes from ch. 13 on "The New Media." The veteran Koch ally James C. Miller III described the following approach learned from James M. Buchanan: "When I see decisions not going in the right direction, I think of arrangements to provide the right incentives." Ron Scherer, "Nobel Prize Winner Focuses on Government Self-Interest," *Christian Science Monitor,* October 20, 1986, 5.
12. See ch. 9, "Never Compromise," in MacLean, *Democracy in Chains*, for further discussion and documentation.
13. MacLean, *Democracy in Chains*, 139–140.
14. Sara Evans, *Personal Politics: The Roots of Women's Liberation in Civil Rights and the New Left* (New York: Knopf, 1979), 221.
15. David A. Stockman, *The Triumph of Politics: Why the Reagan Revolution Failed* (New York: Harper & Row, 1986), 14. I tell those stories in chapters 10 and 11 of *Democracy in Chains*; in the interest of time, I give short shrift to them here, but both fronts, the foreign and domestic, provide necessary context.
16. Edward H. Crane to Buchanan, May 6, 1983, BHA; James M. Buchanan, "Social Security Survival: A Public-Choice Perspective," *Cato Journal*, 3, no. 2 (Fall 1983): 339–341, 352–353; Mancur Olson, "'Social Security Survival': A Comment," ibid., 355–356. Earlier that year, Buchanan had joined the board of advisers for the pro-privatization Family Security Foundation, serving alongside Joseph Coors, the right-wing philanthropist, and William Simon, the former treasury secretary; James M. Wootton to Buchanan, February 28, 1983, BHA.
17. Buchanan, "Social Security Survival," 339–341, 352–353.
18. Stuart Butler and Peter Germanis, "Achieving a 'Leninist' Strategy," *Cato Journal*, 3, no. 2 (Fall 1983): 547.
19. James Buchanan, "Some Remarks on Privatization," *Virginia Law Weekly,* October 23, 1987, 1.
20. Jeffrey R. Henig, "Privatization in the United States: Theory and Practice," *Political Science Quarterly*, 104 (Winter 1989–90): 649–650; Stuart M. Butler, "Privatizing Federal Spending," Heritage Foundation (1985),

33, typescript in box 1078, Daniel Patrick Moynihan Papers, Library of Congress. See also Jeffrey R. Henig, Chris Hammett, and Harvey B. Feigenbaum, "The Politics of Privatization: A Comparative Perspective," *Governance: An International Journal of Policy and Administration*, 1 (October 1988): 442–468; Monica Prasad, *The Politics of Free Markets: The Rise of Neoliberal Economic Policies in Britain, France, Germany, and the United States* (Chicago, IL: University of Chicago Press, 2006), 3, 14, 22, 24, 27.

21. Quoted in Jane Mayer, "How Russia Helped Swing the Election to Trump," *New Yorker*, October 1, 2018, www.newyorker.com/magazine/2018/10/01/how-russia-helped-to-swing-the-election-for-trump
22. Buchanan to Charles Gallagher, July 1, 1992, BHA.
23. Oreskes and Conway, *Merchants of*; Robert D. Tollison and Richard E. Wagner, *The Economics of Smoking* (Boston: Kluwer Academic Publishing, 1992), ix-xi, 140–142, 225. For another of Buchanan's GMU colleagues who attempted to discredit the wider field of public health in the same way, see James T. Bennett, *Public Health Profiteering* (New Brunswick, NJ: Transaction Publishers, 2001).
24. See "Cash for Comments Economists Network," The Center for Media and Democracy, www.sourcewatch.org/index.php/Cash_for_Comments_Economists_Network.
25. Jeff Nesbit, *Poison Tea: How Big Oil and Big Tobacco Invented the Tea Party and Captured the GOP* (New York: St. Martin's Press, 2016), "About the Author." Nesbit was so repelled by what he saw that his new vocation is fighting climate change. His book lays bare how CSE worked, making use of the 14 million internal documents, including much correspondence, released in the tobacco legal settlement (now housed at the Truth Tobacco Industry Documents online collection at the University of California, San Francisco). Nesbit argues that "their alliance with the tobacco industry is what truly made the emerging Koch political empire a force to be reckoned with," one that transformed the Republican Party, among other achievements (16). See also Mayer, *Dark Money*, 159–160.
26. "James Buchanan Center, Ph.D. Program Alumni," August 18, 1998, BHA. For Buchanan's recommendation of Fink in the year of CSE's creation for "a role as an entrepreneur, organizer, and coordinator in the sometimes-fuzzy intersections between the academic establishment, the business community, the established think tanks and the foundations," see Buchanan to Charles Koch, May 24, 1984, BHA. Fink had one of the slimmest publication records I have ever seen for a tenured faculty member; the few he had were for the libertarian cause, for example, Richard H. Fink and Jack C. High, eds., *A Nation in Debt: Economists Debate the Federal Budget Deficit* (Frederick, MD: University Publications of America, 1997), a collection that showcased prescriptions from staff at Koch-funded institutions.
27. Koch, "The Business Community: Resisting Regulation," *Libertarian Review*, August, 1978.

28. Mari Maseng to Frederick J. Ryan Jr., January 5, 1987, White House Schedule Proposal, WHORM PR007: 471415.
29. David Wessel and Jeanne Saddler, "Foes of Clinton's Tax-Boost Proposals Mislead Public and Firms on the Small-Business Aspects," *Wall Street Journal*, July 20, 1993; Asra Q. Nomani, "Critics Say Antitariff Activists in Washington Have Grass-Roots Base That's Made of Astro-Turf," *Wall Street Journal*, March 17, 1995.
30. White House press release, September 3, 1987, in Thomas G. Moore Papers, SMOF, box 10, OA 18900, RRPL. "Memorandum for the Record: Allegations against Richard Fink," and accompanying documentation, May 27, 1988, White House Confidential File 568942, FG 451, WHCF.
31. One corporation in need that CSE helped in a notable case was Microsoft when they were faced with antitrust prosecution, solidarity that attracted new corporate backing. Paul Becker and Erick R. Gustafson, eds., *Trial and Error: United States v. Microsoft*, 2nd edition (Washington, DC: Citizens for a Sound Economy, 2002).
32. Peter H. Stone, "From the K Street Corridor," *National Journal,* June 2002.
33. Louis Jacobson, "Tanks on the Roll," *National Journal,* July 8, 1995; Dan Balz and Abigail Trafford, "Clinton Warns Against Reform 'Fearmongers,'" *Washington Post*, August 2, 1994, www.washingtonpost.com/archive/politics/1994/08/02/clinton-warns-against-reform-fearmongers/b39c293b-63e3-415d-a9a7-96938c7a3ba9/
34. Tim Dickinson, "Echoes of Philip Morris and Hillarycare," *Rolling Stone,* October 1, 2009, www.rollingstone.com/politics/politics-news/echoes-of-philip-morris-and-hillarycare-111548/; Balz and Trafford, "Clinton Warns Against Reform 'Fearmongers.'" See also Mayer, *Dark Money*, and Nesbit, *Poison Tea*, 67–70, 86–89. Nesbit also has fascinating information on the role Roger Ailes's communications firm played both in assisting the tobacco companies in these years and launching Russ Limbaugh's media career, a story that begs for further research in the context of this book's subject (69–71).
35. Haynes Johnson and David S. Broder, *The System: The American Way of Politics at the Breaking Point* (New York: Little, Brown and Company, 1996), x, 52–53, 196–197, 386.
36. Johnson and Broder, *The System*, 386, 466–467, 529; Hillary Rodham Clinton, *Living History* (New York: Simon and Schuster, 2003), 245–247. One cannot read the account of CSE's superbly coordinated efforts against the fragmented, competing, and poorly organized supporters of universal care without gut-wrenching fear that similar determination and coordination on the Republican right and failure to learn from the debacle on the part of Democrats will enable more such routing.
37. Nesbit, *Poison Tea*, 127–128, 132. Noting that "CSE disbanded within months of the internal tobacco documents being available," Nesbit speculates that the Kochs shifted operations to Americans for Prosperity, which would not carry the same documentary baggage – literally thousands of records exposing how it worked its influence on behalf of corporate backers – to say nothing of potential legal liabilities (134). Although it is not my focus in

this section, the Koch-backed American Legislative Exchange Council (ALEC) also benefitted from Tobacco Institute largesse in return for help in bending legislators to the industry's will, at a respectable remove. See Sarah Milov, *The Cigarette: A Political History* (Cambridge, MA: Harvard University Press, 2019), 272–273.

38. Peter H. Stone, "From the K Street Corridor"; Tracy Baxter, "Great Lakes: What's Up, Doc?," *Sierra Club Bulletin*, May/June 1997. More broadly, see Judith A. Layzer, *Open for Business: Conservatives' Opposition to Environmental Regulation* (Cambridge, MA: MIT Press, 2012). CSE went on to experiment in electoral politics, with at least one dark ops effort. After years of denunciations by libertarians of the consumer advocate Ralph Nader, CSE worked to ensure that he was on the ballot in 2004. Why? So that he could siphon votes away from the Democratic presidential candidate, John Kerry, as he had from Al Gore in 2000. "We could divide this base of support," CSE advised its members in Oregon in urging them to get Nader on the ballot. After exposure of the group's "dirty tricks" in Oregon, the then president, Matt Kibbe (trained by GMU), defiantly boasted that CSE would continue its efforts "in all the swing states." (In the Tea Party era, Kibbe went on to head FreedomWorks.) William Schneider, "Naderites of Convenience," *National Journal*, July 10, 2004.
39. For an overall orientation to the climate crisis, which stresses the role of market-fundamentalist industry insiders and their grantees (in organizations such as the Koch-funded Cato Institute and Heartland Institute) in misleading the public to undermine the urgent concerted policy action needed, see Naomi Klein, *This Changes Everything: Capitalism vs. the Climate* (New York: Simon & Schuster, 2014). A recent study by business reporter Christopher Leonard reveals that Koch funding of climate denial began very early, at the start of the 1990s when the problem of global warming was identified as actionable: *Kochland: The Secret History of Koch Industries and Corporate Power in America* (New York: Simon & Schuster, 2019).
40. Giovanni Russonello, "Poll Finds That Two-Thirds of Americans Would Back a Binding Global Treaty," *New York Times,* December 1, 2015, www.nytimes.com/2015/12/01/world/americas/us-climate-change-republicans-democrats.html; Al Kamen, "Name That Tone," *Washington Post,* March 21, 1997, A25.
41. Donald J. Boudreaux, "The Missing Elements in the 'Science' of Global Warming," *Reason,* September 7, 2006; Naomi Oreskes and Erik M. Conway, *Merchants of Doubt*, 237, 249. More generally, see Klein, *This Changes Everything*.
42. Coral Davenport and Marjorie Connelly, "Most in G.O.P. Say They Back Climate Action," *New York Times,* April 9, 2015, www.nytimes.com/2015/01/31/us/politics/most-americans-support-government-action-on-climate-change-poll-finds.html; Coral Davenport, "Many Conservative Republicans [54 percent] Believe Climate Change Is a Real Threat," *New York Times,* September 28, 2015, www.nytimes.com/2015/09/29/us/politics/survey-of-republican-voters-shows-a-majority-believe-in-climate-change.html.
43. Jane Mayer, "Covert Operations: The Billionaire Brothers Who Are Waging a War on Obama," *New Yorker,* August 30, 2010, www.newyorker.com/m

agazine/2010/08/30/covert-operations; Oreskes and Conway, *Merchants of Doubt,* 234, quote on 243. See also "Global Warming," Cato Institute, www.cato.org/special/climatechange; on Americans for Prosperity, see Rick Piltz, "Americans for Prosperity: Distorting Climate Change Science and Economics in Well-Funded Campaign," *Climate Science & Policy Watch*, March 18, 2010, www.climatesciencewatch.org/2010/03/18/americans-for-prosperity-distorting-climate-change-science-and-economics-in-well-funded-campaign.

44. Eric Holmberg and Alexia Fernandez Campbell, "Koch: Climate Pledge Strategy Continues to Grow," *Investigative Reporting Workshop,* July 1, 2013; Paul Krugman, "Climate Denial Denial," *New York Times,* December 4, 2015, www.nytimes.com/2015/12/04/opinion/republicans-climate-change-denial-denial.html; Eduardo Porter, "Bringing Republicans to the Talks on Climate," *New York Times,* October 13, 2015, www.nytimes.com/2015/10/14/business/economy/bringing-republicans-to-the-climate-change-table.html.
45. Every single "environmentally skeptical" book published in the 1990s, one scholarly study found, was connected to one or more right-wing foundations. Oreskes and Conway, *Merchants of Doubt,* 234, 236.
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    I am grateful to Greenpeace researchers Connor Gibson and Charlie Cray for this information, which comes with the disclaimer that the annual 990

forms that Koch foundations, like all tax-exempt foundations, must file with the IRS to document their grant giving, only provide totals given to a group each year, without disclosing how those funds were spent (i.e., *not all of this money was spent on climate change denial per se*). "If IRS laws required better transparency around specific grants," Gibson observes, "then we could get an exact total. Until that day comes, if ever, all we can do is a rough estimate based on the data provided." For the devastating impact, see Layzer, *Open for Business,* 333–360.

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PART IV

THE POLICY PROBLEM

6

How Digital Disinformation Turned Dangerous

Dave Karpf

They say history doesn't repeat itself, but it rhymes.

Writing for WIRED magazine in January 1997, Tom Dowe reflected on the spread of online rumors, conspiracy theories, and outright lies that Bill Clinton had faced in the 1996 election. His article, titled "News You Can Abuse," will spark a sense of déjà vu for any reader familiar with the digital misinformation practices that surfaced throughout the 2016 election:

> The Net is opening up new terrain in our collective consciousness, between old-fashioned "news" and what used to be called the grapevine – rumor, gossip, word of mouth. Call it paranews – information that looks and sounds like news, that might even be news. Or a carelessly crafted half-truth. Or the product of a fevered, Hofstadterian mind working overtime. It's up to you to figure out which. Like a finely tuned seismograph, an ever more sophisticated chain of Web links, email chains, and newsgroups is now in place to register the slightest tremor in the zeitgeist, no matter how small, distant, or far-fetched. And then deliver it straight to the desktop of anyone, anywhere who agrees with the opening button on the National Enquirer Web site "I Want to Know!"[1]

The parallels to today's digital news controversies are so obvious that they ruin the punchline. It would appear as though online misinformation, disinformation, and "fake news" has been spreading about Democratic candidates named Clinton since the very first internet-mediated election. And even back in 1997, Dowe was raising some of the same concerns that we face today: "When the barriers come down, when people cease to trust the authorities," he writes, "they – some of them, anyway – become at once more skeptical and more credulous. And on the Net right now – hell, in America – there's plenty of evidence of that."

Is Dowe's "paranews" really all that different from the weaponized disinformation campaigns that we witnessed in 2016? A cynic might conclude that the key difference between the two cycles is that 1996's Clinton won and 2016's Clinton lost. (How different, after all, would the contents of this volume be if the election had narrowly swung the other way?) But such cynicism is both unwarranted and unproductive. The online rumor mills of the early Web are substantially different from the industrialized digital disinformation and misinformation operations that trouble us today. The real value of reflecting on the paranews of 1996 is that it provides a helpful point of comparison to see just how much the digital context has changed.

The Internet is not new media any longer. The World Wide Web has over a twenty-five-year history. Digital media is no longer our looming technological future. It has a track record from which we can make observations and draw lessons. We need no longer make static comparisons between mainstream/mass media and digital/social media. We can instead make apples-to-apples comparisons within the digital era, identifying commonalities and differences between today's digital landscape and the digital media of past decades.

The purpose of this chapter is to explore how the digital media landscape has changed over time, and how these changes impact the status of fake news, misinformation, and disinformation. The chapter focuses on three major developments that make today's digital disinformation and propaganda more dangerous than it was in decades past. First, rumors and misinformation spread at a different rate, and by different mechanisms. Second, there is both more profit and more power in online disinformation today than there was two decades ago. Third, online misinformation has now been with us long enough to alter elite permission structures. The chapter concludes by discussing what digital platforms, policymakers, and journalists can do to confront these changing circumstances in the years ahead.

MECHANISMS OF DIFFUSION

Both the Internet and the broader media system were substantially different in 1996 and 2016. The Internet that Tom Dowe was describing was populated by different technologies with different affordances, encouraging different behaviors. It was an Internet of desktop computers and America Online CD-ROMs, an Internet of dial-up modems and search engines that were laughably bad at providing accurate

search results. The "new media" of 1996 was characterized by the expansion of cable television and the growth of conservative talk radio. Fox News Channel debuted in October 1996, attempting to copy CNN's successful business model. Today's disinformation can spread more quickly because of a set of structural changes to the overall media system.

Consider how online rumors and disinformation spread in the mid-1990s Internet: one could (a) spread salacious gossip through email forwarding chains, or (b) post made-up stories on a website, or (c) make false claims in an online chatroom. Each of these options is self-limiting for the spread of online rumors.

Chain emails are traceable and relatively costly. You know who forwarded them to you, and you probably have some experience with the veracity of the stories they share. Email forwarding is a relatively high-bar activity in the digital landscape. In today's terms, it takes more work to forward an email to 100 friends than it does to "like" or retweet a post, sharing it with everyone in your network who is then algorithmically exposed to your social media activity. These are structural characteristics of email forwarding chains. Conspiracy theories via email, in other words, are spread by the known conspiratorial thinkers in one's network; they can be discounted by recipients accordingly.

Conspiratorial websites in the mid-1990s also had a sharply limited audience. This was the pre-Google Internet, where search was time consuming and difficult. Online writers sought to build traffic by forming "web rings" with fellow travelers, and by filling their websites with keywords that might be typed into the Yahoo/Alta Vista search box. Incidental exposure to conspiratorial websites was thus limited. If you wanted to find information about all manner of Clinton conspiracies in 1997, there were websites to indulge your interests. But you would have had to look pretty hard. Again, these are structural characteristics of the World Wide Web of the 1990s that matter for how gossip, propaganda, and disinformation spread through the system.

Chat rooms face a parallel set of constraints. Chats are segregated by topic and occupied by small groups, making them a poor vector for incidental exposure to misinformation and disinformation. The Internet of 1997 provided a virtual space where adherents to all sorts of Clinton conspiracy theories could gather and swap tall tales. But if they entered a random AOL chatroom to post their screeds, they would not find much of an audience. Disinformation efforts via chatroom are liable to fail because they will appear as off-topic ramblings, inserted into an online

conversation among a small group of participants who can just move elsewhere.

The result is that conspiracy theories on the web of the 1990s had quite a lot in common with conspiracy theories in previous media. Dowe's reference to the *National Enquirer* is instructive. Salacious gossip and misinformation did not begin with the Internet. They were spread through tabloids, and through radio programs, and through newsletters. The early Web made misinformation easier to find. It made it easier to interact with like-minded conspiratorial thinkers. But it was a difference in degree, rather than a difference in kind.

By comparison, let's consider how these limiting conditions of the early Web compare to the industrial production of misinformation in the 2016 election. As Samanth Subramanian documents in his WIRED article, "Inside the Macedonian Fake News Complex," the 2016 election featured entire websites set up with the semblance of reputable new outlets.[2] These websites invented salacious stories, engineered to maximize social sharing and public exposure. They advertised cheaply on Facebook, boosting their visibility in news feeds. NewYorkTimesPolitics.com was one such fake news website, designed to resemble the real *New York Times* website, and featuring plagiarized articles on American politics. Unlike the chain emails of 1997, these stories were shared through social media, spreading faster and farther while presenting fewer signals of their (lack of) source credibility.

Meanwhile, employees of Russia's Internet Research Agency (IRA) piloted swarms of automated and semi-automated social media accounts with fake, US-based profiles. These accounts sought to influence the public dialogue and amplify disagreement and discontent in online discourse. They liked, shared, and retweeted social media posts. They attacked authors and spread misinformation in comment threads, manufacturing the appearance of broader social distrust of Hillary Clinton's candidacy. Where the chatrooms of 1996 were a terrible vector for spreading disinformation, their capacity for amplification was limited; in 2016, however, the deliberate amplification of conspiracy theories and mistrust helped propel topics deemed harmful to Hillary Clinton into the broader public sphere.

Alongside the different affordances of the modern Internet, we also have to reckon with the Internet's changing status within the broader media ecosystem. As Yochai Benkler makes clear in Chapter 2 of this book, American political journalism has changed drastically over the past few decades. Newspapers have been hollowed out. Conservative outlets

from Fox News (founded, incidentally, in October 1996) to Breitbart now play a central role in fueling the spread of conservative propaganda and strategic misinformation. More broadly, as Andrew Chadwick suggests in his 2013 book, *The Hybrid Media System*, digital media has changed the rhythms of news production, converting traditional news cycles into what Chadwick terms "political information cycles."[3] Episodes of political contention now move back and forth between social media, television, radio, and newsprint. Online conspiracy theories do not remain isolated online – trending hashtags and artificially boosted clickbait stories can become the topic of the nightly newscast, dramatically expanding the reach of rumors and misinformation.

Conspiracy theories on the early Web were treated by the broader media system much like rumors in the pages of the *National Enquirer* or other tabloids. They did not set the mainstream news agenda. They were not incorporated into newsgathering routines. They were at best an oddity, or a whisper that might lead to a story pitch. But digital news was not yet a competitor, either for eyeballs or for advertising revenue. This was a pre-blogosphere Internet. Conspiracy theorists could not influence news routines by swamping comment threads on news websites. News organizations were not yet monitoring clicks or hyperlinks to judge the news value of a given story. The digital challenges to traditional journalism were not yet viewed as a looming threat by newsrooms. As Paul Starr notes in Chapter 3 of this volume, the Internet of the 1990s was characterized by a sense of naïve technological optimism, particularly amongst its vocal advocates and early adopters who believed the technology would soon usher in a new era of rational and critical civic discussion. The Web was decentralized and barely populated. The dotcom boom was still in its first year. Conspiracy theories online were an odd sideshow, rather than an outright social ill.

By 2016, in contrast, major news organizations have adapted to the hybrid media system, modifying their news routines to incorporate trending topics and viral stories into their agenda-setting process. The fact of a viral story is itself news, regardless of the underlying veracity of the story itself. The conservative ecosystem of media organizations (both digital, television, and radio) stokes these stories, decrying the lack of coverage in mainstream outlets and demanding coverage of "both sides" of the manufactured controversy. The hybrid media system is much more vulnerable to strategic misinformation and disinformation than the industrial broadcast media system that still dominated American politics in 1996.

What has changed, then, is both the exposure rate, the traceability, and the lateral impact of misinformation. Digital misinformation has become progressively less traceable, less costly, and more spreadable, while developing a more substantial role in traditional news organizations. When you were handed a John Birch Society newsletter, you could see quite clearly where the newsletter came from and who gave it to you. Those newsletters were filled with disinformation, but they did not travel far and they did not set the agenda for the nightly news. The early Web had many of the same qualities. Today's social media has become unmoored from those limitations.

And the reason why it has become so unmoored leads to my second observation.

PROFIT AND POWER

To state it plainly, fake news in the 1990s was a hobby. Today it is an industry.

As Subramanian notes in his article on the Macedonian fake news industry, "Between August and November, [young Veles resident] Boris earned nearly $16,000 off his two pro-Trump websites. The average monthly salary in Macedonia is $371." The mechanics of this money-making operation are entirely determined by how online advertising revenue is generated through Google and Facebook. The purveyors of these manufactured stories would pay Facebook to promote their content in the news feed. Scandalous headlines generated clicks, comments, and shares, and each visitor to the website generated profit through Google AdSense. Though there is now some controversy as to the nature of the relationship between Veles residents and Russian information operations, the Macedonians claimed contemporaneously that they were not particularly interested in supporting Trump or opposing Clinton – they just found that anti-Clinton fake stories generated more traffic (and thus, more advertising revenue).[4]

The incident is a testament to a broader phenomenon in today's hybrid media system. The dynamics of mass attention and of advertising profitability are overwhelmingly shaped by the algorithmic decisions of two corporations: Google and Facebook. As journalist Joshua Micah Marshall describes in his 2017 essay, "A Serf on Google's Farm," about Google's involvement with his digital news site, Talking Points Memo (TPM); "Google has directly or indirectly driven millions of dollars of revenue to TPM over more than a decade. . . . few publishers really want to

talk about the depths or mechanics of Google's role in news publishing." He details the degree to which Google is implicated in the news, owning as it does: "1) The system for running ads [DoubleClick], 2) the top purchaser of ads [AdExchange], 3) the most pervasive audience data service [Google Analytics], 4) all search [Google.com], 5) our [TPM's] email."[5] Marshall goes on to describe how Google's sheer market power can dictate the success or failure of digital news organizations. TPM was blacklisted by Google for violating the company's ban on hate speech. This was a false positive – TPM was reporting on incidents of white supremacist violence, and the reporting was coded as hate speech – but it was a potential economic catastrophe for the news site, because Google is the center of the digital advertising economy.

Facebook, likewise, has arguably become *the* central vector for the social sharing of news and information. Changes to Facebook's algorithmic weighting can create or destroy the market for particularly forms of journalism. As I discuss in *Analytic Activism*, this was the major public lesson of Upworthy.com, a social news site that specialized in developing Facebook-friendly headlines to drive attention to stories and videos with social impact.[6] In 2013, Upworthy was the fastest growing website in history. Then Facebook debuted a new Facebook video feature, and penalized websites that linked to videos outside of the Facebook ecosystem. Upworthy immediately lost roughly two-thirds of its monthly visitors.

Herein lies the problem with the "marketplace of ideas" arguments that frequently appear in current debates over the negative consequences of online speech. The Web of the 1990s could arguably be thought of as a neutral marketplace of ideas, one in which anyone with a dial-up connection and a bit of training in HTML could write online and potentially find a modest audience. The "Safe Harbor" provision of the Communications Decency Act (Section 230) was designed to help protect free speech by making websites non-liable for the content that visitors posted to them. That was a reasonable and appropriate provision at the time. But in the intervening years, the Internet has recentralized around a handful of quasi-monopolistic platforms. And in the meantime, online advertising has experienced massive growth, while the advertising markets that supported the industrial broadcast news system have been cannibalized.[7]

Consider how these changes have impacted the status of online rumors and disinformation. Dowe's 1997 article quotes digital pioneer Esther Dyson, who tells the author, "the Net is terrible at propaganda, but it's

wonderful at conspiracy." This is a remarkable statement, viewed in retrospect. The Internet of 2016 is clearly quite good at propaganda – at least as good as the mass media of decades past! Part of this change is because the broader public has come online. It was a terrible propaganda channel in 1997 because there was not yet a mass audience to be propagandized. Fake news in the 1990s was a hobby because the Internet in the 1990s was confined to hobbyists. Digital media today is everywhere, always on, and always with us.

Alongside this secular expansion in Internet use, the technologies of digital ad targeting have also advanced greatly in the intervening twenty years.[8] As the masses came online, the Web became more valuable as a substitute for and complement to mass media. The Web has also become more valuable as data, providing insights into what we read, what we purchase, and where we are physically located at all times. Cookie-based and geolocal tracking provide a wealth of data, which in turn has funneled additional investments into online media. While today's digital advertising is still far less precise than its marketers routinely claim[9] (Google and Facebook do not actually know you better than you know yourself), the digital advertising economy now determines which speech is profitable, and thus which types of journalism, propaganda, public information and disinformation will receive broad dissemination. The platform monopolists are too big to be neutral; their algorithmic choices are market-makers, with an indelible impact upon the marketplace of ideas.

The result is a situation in which there can be strong economic incentives for misinformation and disinformation campaigns. The online marketplace does not reward the best ideas, or the most thorough reporting. It rewards the stories that perform best on Facebook, Twitter, Google, and YouTube. It rewards user engagement, and social sharing, and time-on-site. Meanwhile there are also compelling strategic incentives for misinformation and disinformation campaigns. The Russian Internet Research Agency is not designed to make money.[10] It is designed to spread mistrust and discontent online. And the logic of troll farms like the IRA is, that now so much of the public is online, disrupting online media can be a high-value propaganda goal. The marketplace for speech will permanently malfunction if lies are made more profitable than truths.

This is not an inherent problem to the Internet or social media. It has gotten worse because of specific policy decisions that have protected and rewarded bad social behaviors. It can be fixed through different policy decisions – the fake news industry in Macedonia disappeared after the 2016 election, as Google implemented new policies that excluded the fake

news websites from the AdWords program. In 2011, Google likewise dramatically curtailed "content farms" through the quasi-regulatory act of adjusting the company's search algorithms.[11] Regulation ought to come from the government, but in the absence of government oversight, the platform monopolies play an uncomfortable, quasi-regulatory role. To be clear, Facebook and Google are not going to create voluntary rules that do much to curtail their own power or profit. But they can, and do, slowly respond to the worst abuses of their platform in order to safeguard their reputation.

The more urgent issue is that government regulators in the United States have essentially abandoned their posts. At the time of writing, the Federal Election Commission (FEC) does not have enough commissioners to even make quorum.[12] Thus, the main regulatory agency tasked with determining what forms of electoral communication are supported by law is no longer capable of regulating. The Federal Trade Commission (FTC) has levied fines against Facebook and Google, but is so drastically understaffed that it mostly enforces violations of decades-old laws rather than crafting new regulatory regimes for today's Internet. While there have been congressional hearings into the role of "Big Tech" in spreading disinformation and propaganda, those hearings have mostly been turned into partisan spectacles. The hearings have even become a vector for their own set of conspiracy theories, with a few Republican politicians advancing the baseless claim that Facebook, Google, and Twitter are suppressing conservative content to support a progressive ideological agenda. In the near term, if the marketplace for disinformation is going to be seriously regulated, those regulations will likely be created and enforced by the platforms themselves, rather than by elected officials.

And this in turn leads to my third observation: the greatest threat posed by online misinformation is the lateral effect it has on the behavior of political elites.

ONLINE DISINFORMATION AND THE DISSOLUTION OF LOAD-BEARING NORMS

Online disinformation and propaganda were clearly a bigger problem in the 2016 election than in the 1996 election. But it still bears exploring just what the nature of the disinformation problem is. Why, really, does it matter that online gossip, propaganda, and strategic untruths are spreading faster and farther than ever before? Where is the impact of digital disinformation most keenly felt? I would argue, perhaps counter-intuitively, that the direct

impact of digital disinformation is quite limited, particularly within the context of a presidential election. There is, however, a second-order effect which is quite threatening to the foundations of democratic governance. Political elites are learning just how much they can get away with in the absence of a well-informed public.

The literature on persuasive effects in US general election campaigns is overwhelmingly clear: even for the most sophisticated, large-scale campaigns, it is *tremendously* difficult to change voters' minds. In a recent meta-analysis of field experiments in American elections, published in the *American Political Science Review*, Joshua Kalla and David Broockman conclude "the best estimate of the effects of campaign contact and advertising on Americans' candidate choices in general elections is zero."[13] In particular, they find that "when a partisan cue and competing frames are present, campaign contact and advertising are unlikely to influence voters' choices." In effect, they are arguing that the sheer volume of campaign communications in US elections, combined with the established partisan preferences of the mass electorate, reduce the marginal effect of campaign persuasive tactics to practically nil. "Voters in general elections appear to bring their vote choice into line with their predispositions close to election day and are difficult to budge from there."[14]

Kalla and Broockman's research is not specifically focused on disinformation or on the 2016 presidential election, but the implication is clear: if well-funded, sophisticated voter persuasion efforts launched by seasoned campaign professionals in collaboration with social scientists have little-to-no effect in general elections, we ought to remain skeptical that less well-funded disinformation efforts launched by Russian trolls, Macedonian teens, or the Trump campaign itself would have substantial impacts on voter behavior. Persuasion in a general election is unlike commercial branding or marketing efforts, where consumer awareness is low and consumer preferences are weak. There is no reason to believe the direct impact of microtargeted digital propaganda and misinformation is larger than the direct impact of microtargeted campaign outreach and persuasion campaigns.

At a more foundational level, discussions of media and disinformation are often premised upon the assertion that a well-informed public is a necessary component of a functioning democracy. Misinformation, disinformation, and propaganda are viewed as toxic to a healthy democracy, because they weaken the informational health of the body politic. But there is a contradiction in this premise that we too often ignore. As Michael Schudson documents in *The Good Citizen: A History of*

American Civic Life, American democracy cannot require a well-informed public, because no such public has existed in American history.[15] Though we routinely hearken back to memories of a past golden era in which citizens were better-informed, civically minded, and more engaged in public life, our lived reality has always been messier. The engaged, attentive public is one of the grand myths of American civic life.

The fundamental tension here is that the myth of the attentive public is itself a necessary precondition for a functional democracy. As Vincent Mosco writes in *The Digital Sublime*, myths

> . . . are neither true nor false, but living or dead. A myth is alive if it continues to give meaning to human life, if it continues to represent some important part of the collective mentality of a given age, and if it continues to render socially and intellectually tolerable what would otherwise be experienced as incoherence.[16]

American democracy does not require a well-informed public. What it requires are political elites (including media elites) who behave as though an attentive public is watching, rewarding or penalizing them for their actions. In the absence of this myth, there is little preventing political elites from outright graft and corruption.

The great irony of our current moment is that digital misinformation's most dangerous impact comes not through directly deceiving voters and altering their vote choice, but through indirectly exposing to political elites that voters are inattentive and therefore will not keep misbehaving politicians in check. A politician can run on a platform of deficit reduction and then propose legislation that explodes the deficit. A politician can vote for health care legislation that removes the protections for preexisting conditions and then run advertisements claiming the exact opposite. A politician can spend years strategically refusing to ever work with the opposition party on any legislation, specifically so he can blame his opponents for the lack of bipartisan collaboration. If the public is not paying attention, and if traditional media gatekeepers no longer serve as arbiters of political reality, then there is no incentive for engaging in the difficult, messy, and risky work of actual governance. The well-informed public is a myth, but it is a load-bearing myth. Faith in this mythology is a necessary component of a well-functioning democracy.

We are governed both by laws and by norms. The force of law is felt though the legal system – break the law and you risk imprisonment or financial penalties. The force of norms are felt through social

pressure – violate norms and you will be ostracized. The myth of the well-informed public anchors a set of norms about elite behavior: politicians should not lie to the press; they should keep their campaign promises; they should consistently pursue a set of goals that are justifiable in terms of promoting the public good, not merely in terms of increasing their own odds of winning the next election. And while laws change formally through the legislative process, norms change informally and in haphazard fashion. When someone breaks a long-held norm and faces no consequence, when they test out part of the mythology and find that it can be violated without consequence, the myth is imperiled and the norm ceases to operate.

The conspiracy theorists of 1996 were confined to small corners of the Web, just as the conspiracy theorists of 1976 were ostracized from polite society. Things were very different in 2016. During the 2016 presidential race, Donald Trump appeared on conspiracy theorist Alex Jones's radio program and told him "your reputation is amazing." Trump also made Steve Bannon, executive chairman of Breitbart News (a far-right website trafficking in conspiracy theories, misinformation, and disinformation), White House chief strategist.

This is a trend that predates the modern social Web. It can be traced back to at least the 1990s, gaining traction in the aftermath of Newt Gingrich's 1994 "Republican revolution." It coincides with the rise of the World Wide Web, but I would caution against drawing the conclusion that the Internet is what is driving it. Rather, it is a noteworthy accident of history that the rise of the Web immediately follows the fall of the Soviet Union. Governing elites in the United States no longer had to fear how their behavior would be read by a hostile foreign adversary. They almost immediately began testing old norms of good governance and bipartisan cooperation, and found that the violation of these norms did not carry a social penalty. Our politicians have learned that they can tell blatant lies on the Senate floor and in campaign commercials, and neither the media nor the mass public will exact a cost for their actions. In the meantime, online misinformation has provided ongoing additional evidence that the mass public was not paying close attention and that the myth of the well-informed public could be blithely cast away with little immediate consequence.

Social trust in government and the media is eroding. Technology plays a part in all of this. But changing media technology is more of an ensemble cast member than a headlining star in the narrative. The threat we face today is not that the political knowledge of the citizenry has declined due

to online misinformation. The direct effects of misinformation on social media are small, just as the direct effects of all other forms of propaganda have been small. The great danger is that the current digital media environment is exposing the myth of the attentive public, increasing the pace at which political elites learn they can violate the norms of governance with impunity.

CONCLUSION

Writing in 1997, Tom Dowe remarked, "When the barriers come down, when people cease to trust the authorities, they – some of them, anyway – become at once more skeptical and more credulous." Over the intervening twenty years, the barriers have been in a perpetual state of decline. Trust in all sorts of authority has slipped as well. The credulous skeptics have only gotten more vocal and prominent. The early Web, as Esther Dyson states in Dowe's article, was "terrible at propaganda, but wonderful at conspiracy." Today's Internet excels at both. And though digital propaganda may not directly change many voters' minds, its second-order effects hasten the erosion of the very foundations of American democracy. What, if anything, can be done to reverse this trend?

The path to repairing our load-bearing democratic myths and constructing a healthier information ecosystem is neither simple nor straightforward. No single political leader, tech company, or journalistic organization can fix these issues on their own. But there is a role to be played by each. Here is what I imagine those roles might look like.

First, there are the platform monopolies – Google, Facebook, and Twitter.[17] In the immediate future, it seems the platforms are going to shoulder an uncomfortable burden. The US government is facing a crisis of competence; the regulatory state is in disarray: the FEC no longer operates. Other government agencies are mired in scandals, run by political appointees whose main qualifications tend to be their personal ties to the Trump organization. Google, Facebook, and Twitter *should not* be determining how we regulate disinformation and propaganda. Such regulatory decisions are beyond what is appropriate to their role and beyond their expertise – the boundaries of acceptable political speech should not be determined by a handful of profit-maximizing firms. But in the near future, there is little hope of genuine regulatory oversight. The platforms will be blamed for the ways in which they are misused in the next election, so they will need to take an active role in

determining and enforcing the boundaries of appropriate behavior. In the long-term, it is an untenable situation, but in the short-term, the platforms stand in as self-regulators-of-last-resort.

Next, there are the political elites. We are going to need our politicians to start believing in the myth of the attentive public again – not because the public is in fact closely watching, but because American democracy only works when our elected officials behave as though they are under close and meaningful scrutiny. Disinformation and propaganda can reduce the public sphere to endless static and noise. It can drown out the very notion of an overriding public interest. But it can only do so if our political elites choose to behave as though it does. If American democracy is to survive, we are going to need public officials who take the public compact seriously. If the regulatory state is going to reclaim its important role, we are going to need to start repairing our regulatory capacity.

Finally, there are the journalistic organizations. As other authors in this volume have noted, the past twenty years have been a time of rapid change within the journalism industry. Much of that change has been more negative than was once predicted. Today's journalism not only has to defend itself against being labeled "fake news" and "the enemy of the people," it also has to compete with partisan propagandists in the struggle for relevance, attention, and revenue. Today's media organizations should hold tight to journalistic principles and editorial judgment. That is what makes them different from the propagandists. The temptation to chase every controversy in service of more eyeballs and more clicks is neither healthy nor productive. Disinformation and propaganda campaigns thrive by creating controversies which then become news stories by virtue of their virality. Media organizations are at their strongest when they prioritize issues of public importance, and when they fulfill their role as watchdogs of political elites. They should focus on this mission not just because it is morally right, but also because it is what distinguishes them from the cheap content farms and partisan propagandists.

Today's misinformation is not identical to the misinformation of the early Web, nor has it proceeded in a linear fashion. Rather, as the Internet has changed and the decades have passed, the quality and character of online misinformation has changed as well. Today's misinformation travels further and faster. It is less traceable and harder for well-meaning individuals to evaluate on their own. Today's misinformation is a strategic asset, at least for campaigns and particular digital media companies. Public mistrust is good for (some) politicians, at least those

who traffic in authoritarian populist appeals. Jettisoning the myth of the well-informed public has worked out very well for some political elites. But it is also worth reminding ourselves that today's Internet is not a finished product. The current version of the social Web does indeed seem to further accelerate public mistrust. This was not always true of the Internet. It is still changing. It is still governable.

The great conundrum we face is that our current political moment routinely and repeatedly reveals that the myth of the well-informed, attentive public can be easily rejected without immediate consequence. Myths are not true or false, but living or dead. Twenty years of online misinformation at an ever-accelerating pace threatens to kill this myth, and there will be consequences. The norms and assumptions governing elite behavior are everywhere tested, and everywhere proven to be easily violated without consequence. We can see, through digital trace data, that misinformation and lies are more clickable than policy details and truths. We can see, through high-profile examples, that political elites can adopt win-at-all-cost strategies and face no social penalty.

Online misinformation is not new. But today's online misinformation is different, and dangerous. We can construct policy frameworks that change the Web and incentivize pro-social behavior and penalize misinformation. But it will be a long and winding path, requiring leadership and commitment from platforms, political elites, and journalistic organizations. Disinformation is a threat to American democracy, not because of how well it works, but because of what it reveals and enables.

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17. Amazon is a platform monopoly as well, though it has been less central to the particular episodes of propaganda and disinformation discussed in this book.

7

Policy Lessons from Five Historical Patterns in Information Manipulation

Heidi Tworek

Comparisons between today and 1930s Nazi Germany are legion. Hardly a day passes without someone comparing Trump's praise of Twitter as a way to reach the people directly, to Nazi Propaganda Minister Joseph Goebbels' purportedly similar praise of radio. In 2017, Daniel Ziblatt drew on his political science work about conservatives in the Weimar Republic (and their use of media) to coauthor a popular book with Steven Levitsky about *How Democracies Die*.[1] That same year, Timothy Snyder wrote a pamphlet book with twenty rules for how to survive fascism, drawing from his work on the 1930s and World War II.[2]

This does not mean that today is destined to be a rerun of the interwar period. But the resonances suggest historical patterns. These patterns can make us more critical about assertions of radical novelty in the present. If we fall into the trap of believing the novelty hype, we miss multiple important points. First, we might forget the path dependency of the current Internet.[3] Second, we might misdiagnose contemporary issues with social media platforms by thinking about them too narrowly as content problems, rather than within a broader context of international relations, economics, and society. Third, we might focus on day-to-day minutiae rather than underlying structures. Fourth, we might think short-term rather than long-term about the unintended consequences of regulation. Finally, we might inadvertently project nostalgia onto the past as a "Golden Age" that it never was.

Some aspects of the Internet are unprecedented: the scale of its reach, the microtargeting, the granular level of surveillance, and the global preeminence of US-based platforms. But many patterns look surprisingly

familiar – for instance: oligopolistic companies, political influence, and short-term thinking that focuses on media above and beyond broader societal problems. This chapter will explore five patterns from history that can help us to understand the present.

I developed the framework in this chapter for my testimony before the International Grand Committee on Big Data, Privacy, and Democracy in Ottawa, Canada in May 2019. This committee was formed in fall 2018, when the British Digital Culture Media and Sport (DCMS) committee gathered together twenty-four representatives from nine countries for a hearing. The DCMS committee had been investigating the role of Facebook and social media in the Brexit referendum. In a highly unusual move, the British committee had travelled to Washington, D.C. to question representatives from social media companies. The committee had subpoenaed Mark Zuckerberg to appear before them in the United Kingdom. Zuckerberg declined. In response, Britain teamed with Canada's Standing Committee on Access to Information, Privacy and Ethics (ETHI) and representatives from nine countries in total for hearings in London in November 2018.[4] The second committee meeting in Ottawa included representatives from Canada and ten other countries, ranging from St. Lucia to Mexico, to Estonia. Again, Mark Zuckerberg and Sheryl Sandberg were subpoenaed and they did not appear.[5] When invited to testify before the committee, I worked on a framework that would provide a usable history for policymakers, but not one that simplified for the sake of political point-scoring. It is all too tempting to create a highlights reel from the past; it is far more productive to examine the history and bring that as evidence to the table.

Historian Sam Haselby has suggested a key distinction between history and the past:

> Think of history as the depth and breadth of human experience, as what actually happened. History makes the world, or a place and people, what it is, or what they are. In contrast, think of the past as those bits and pieces of history that a society selects in order to sanction itself, to affirm its forms of government, its institutions and dominant morals.[6]

This chapter uses history rather than the past to discuss five patterns in the relationship between media and democracy. The history does not provide simple lessons that can be applied universally regardless of context. Instead, the history of media and democracy is messy and often counterintuitive. It often does not offer politically convenient answers. What history *can* give us, is a long-term perspective, a way to ask broader questions, and another analytical approach to the current moment.

FIVE HISTORICAL PATTERNS

1. Disinformation is an international relations problem.
Information warfare may seem new. In fact, it is a long-standing feature of the international system. Countries feeling encircled or internationally weak may use communications to project international prowess. This was as true for Germany in the past as it is for Russia today. We are returning to a world of geopolitical jockeying over news. If the causes of information warfare are geopolitical, so are many of the solutions. These must address the underlying foreign policy reasons for why states engage in information warfare. To address this, we need to understand *when* and *why* states use information warfare to achieve geopolitical goals.

Germans, for example, did not always care about international news. In the 1860s and 1870s, Germany was just unifying into a nation-state. Chancellor Otto von Bismarck cared about international relations. But he also cared about achieving German unification and then maintaining Germany's status within Europe. Bismarck tried to influence journalists, particularly in London, Paris, and Berlin. He also intervened to ensure that Germany had its own semi-official news agency. But Bismarck did not mind that the global news supply system developed in such a way that British and French firms collected and disseminated most of the news from outside Europe, even for the German news agency.

Only from the 1890s, did German politicians and business owners start to care about and disagree with this system. They believed that it enclosed Germany at a time when the country wanted to become an imperial and global power. The news supply system had not become less effective from a media perspective. It had become so from a political perspective. Germans turned to information to push this agenda: many Germans were convinced that they had lost the world war of words and now needed to send news around the globe to counter Allied propaganda.[7]

For a historian, it is strange to see Americans so surprised that information falls under foreign policy. There is a long, often forgotten history of "active measures" or disinformation.[8] "Psychological warfare" was a key concept for the CIA during the Cold War and the Department of Defense during the Vietnam War.[9] After the Vietnam War, the Carter and Reagan administrations both incorporated information into their national security strategies. By 2000, these strategies for active engagement abroad were known in the Department of Defense's *Joint Staff Officers' Guide* under the acronym of DIME: diplomatic, informational, military, and economic power.[10]

This historical perspective makes recent Russian efforts seem less of an anomaly. If information has long formed part of international relations, we should not be surprised to see Iran, Saudi Arabia, and other states using social media to fight perspectives they dislike.

2. We must pay attention to physical infrastructure.
It seems so easy to access information on smartphones and wireless devices, that we forget the very physical infrastructure underpinning our current system. That current system also perpetuates inequalities in communication stretching back at least to submarine cables and steamships carrying the post in the mid-nineteenth century.

The first submarine cable was laid between the United Kingdom and France in 1851. After two unsuccessful attempts, a transatlantic cable was completed in 1866. In the interwar period, Austrian writer Stefan Zweig would pick that event as one of his *Sternstunden der Menschheit* (*Decisive Moments in History*).[11] Cables spread rapidly around the world. But they followed specific patterns. Instead of connecting previously unconnected places, they created denser networks where networks already existed. Cables quickly connected British imperial territories to London. The Atlantic soon housed the most cables. The major company laying cables was a conglomerate, the Eastern and Associated Telegraph Companies, headquartered in London, but with Anglo-American financial backing.[12]

The company focused on places that seemed profitable. Unsurprisingly, these were places with trade connections. Cable entrepreneurs laid cables where business already existed. In one instance, the managing director of the biggest multinational cable company, James Anderson, argued against a proposed cable from the Cape of Good Hope to Australia, via Mauritius. He said the Eastern and Associated Telegraph Companies simply did not lay cables where there was "not even a sandbank on which to catch fish."[13] Market orientation shut out connections where massive profits could not be made.

Cable entrepreneurs differed from current social media platforms in one key way: men like Anderson thought that telegraphy was a communications medium for elites and that most people simply would not pay for international telegrams. Telegrams were highly priced and only about ninety businesses made regular use of transatlantic cables in the first few decades of their existence (alongside governments and the press). Cable entrepreneurs subscribed to the paradigm of high-cost, low-volume, which differs from today's social media unicorns who seek rapid

growth and billions of users above all else. But those cable entrepreneurs created infrastructure systems that have influenced communications networks until today.

These apparently global communications infrastructures had imperial roots. Africa in particular seemed less important for telegraph companies, because there would be fewer high-paying clients than in white dominions. Britain's "All-Red Route" around the world was completed in 1902 and enabled the British to send cables around the world while only touching on imperial soil. Of the entire African continent, the cables only landed in South Africa. Other cables spread up the coasts of Africa but with far less density than across the Atlantic. Racist beliefs about African colonial subjects' inability to communicate dovetailed with imperial communications governance.

Submarine cables set precedents for later communications networks in the twentieth century, like telephone cables and fiber-optic internet cables.[14] Cables were generally laid on ocean beds that had already been explored, as this saved money. This also followed the pattern of laying cables where proven markets for communication already existed. Fiber-optic internet cable networks resembled submarine cable networks until very recently. Africa had far fewer cables and much less Internet coverage.

These precedents are crucial in understanding our current Internet. The Internet may seem wireless; but actually fiber-optic cables carry 95 to 99 percent of international data. Thinking about the history of infrastructure pushes us to look at the full spectrum of platform companies' businesses. It turns out, for instance, that Google and Facebook are also infrastructure providers. Google partly owns 8.5 percent of all submarine cables.[15] Just as the Eastern and Associated Telegraph Companies eventually expanded to Africa, so too are Facebook and Google: both companies intend to lay cables to Africa.[16] Around a quarter to a third of Africans have internet access at present; by supplying the cables, Google and Facebook hope to increase the capacity of cables to Africa, lower the cost, and massively increase the market for their products.

Google is fully funding a cable from Portugal to South Africa via Nigeria. The company will name the cable Equiano, in honor of Olaudah Equiano, a Nigerian former slave who campaigned for the abolition of slavery in the eighteenth century. Equiano wrote about his experiences and travelled to London to push for the end of slavery.[17] There is much irony in the name. The cable will land in South Africa, formerly a white dominion, and the site where Britain's All-Red Route landed in 1902. An American-based company has appropriated the name

of a former slave, while the cable itself represents an attempt by a Western company to appropriate provision of African communications.

More broadly, the cable ramps up competition between larger powers (the United States and China) over communications space. Chinese firm Huawei built around 70 percent of Africa's 4G connections.[18] Laying cables is part of a broader infrastructural competition over the supply of internet access to Africa. Beyond Africa, the Chinese government and Chinese companies are investing in 5G infrastructure while building international information networks through the news agency Xinhua, and a Belt and Road News Network (to accompany the Belt and Road Initiative's other infrastructural projects). China aims to set the standards for 5G networks as a way to assert greater control over the next phase of global communications.

In the 1970s, Third World nations from Africa and Latin America called for a New International Information Order (later the New World Information and Communication Order).[19] This was supposed to push back against Western dominance of news supply. It paid more attention to news firms such as news agencies than infrastructure. Now, however, African nations seem less concerned about China providing internet connectivity. Emeka Umejei from the American University of Nigeria noted in March 2019 that "most policymakers and politicians in Africa ... don't really care" about allegations that Huawei had installed listening devices in the African Union's headquarters, a complex built by Chinese companies. Umejei called Africa "a pawn on the global chessboard in the ongoing geopolitical context."[20]

China follows in a long tradition of states that see infrastructure and information as inextricably intertwined. These states invest in infrastructure for informational, geopolitical, and economic gains. The increasing contemporary attention to infrastructure parallels developments in the 1890s. Prior to that decade, most states were content with the submarine cable system and saw it as a neutral conduit of information. As international competition began to heat up between countries like Britain and Germany in the 1890s, both states started to see cables as the locus for growing geopolitical jockeying. Many states worried that cables were not neutral conduits of content. They feared, moreover, that states might subject cables to surveillance, that they might censor content, and that they might even cut cables in the event of a war.

A few decades later, these concerns led to infrastructure warfare. One of Britain's first acts during World War I was to cut submarine cables connecting Germany to the world. In retaliation, German submarines

devoted massive resources to cutting British cables throughout the war. From May 1915 to April 1917 (when the United States entered the war), the German Navy cut every cable starting from Britain, except those across the Atlantic. These were sophisticated efforts. On occasion, the Germans even used a rheostat to emit false electrical signals about where the break in a submarine cable had occurred, which made it harder to repair the cables swiftly.[21] Cables were as much a part of the war as other weapons.

Internet infrastructure receives surprising little attention in the press and scholarly communities. Perhaps cables seem too far removed from our everyday experiences with wireless smartphones. But these cables make international communication possible and we ignore them at our peril. Information warfare is enabled by infrastructure, whether submarine cables a century ago or fiber-optic cables today.

Just as the history encourages us to look at infrastructures, it also encourages us to look at the structures enabling content dissemination. The history of the media industry should push us to pay attention to business structures as a crucial determinant of content.

3. Business structures are often more crucial than individual pieces of content.

The third historical pattern is that business structures are often more crucial than individual pieces of content. It is tempting to focus on the harm created by particular viral posts, but that virality is enabled by a few major companies who control the bottlenecks of information. Only 29 percent of Americans or Brits understand that their Facebook news feed is algorithmically organized; the most aware are the Finns at 39 percent.[22] This control affords social media platforms huge power.

That power stems from the market dominance of platform and social media companies. Amazon, Apple, Alphabet (the parent company of Google and YouTube), Facebook (which also owns Instagram and WhatsApp), and Microsoft (owner of LinkedIn) together comprise one-seventh of the total value of the American stock market.[23] That concentration of companies in a particular sector of the stock market is unprecedented.

However, business history can help us to understand how such circumstances affect content. For over a decade, business historians have been calling for scholars of management and entrepreneurship to take history seriously.[24] This is no less true for the media business. It is notable that the runaway hit of 2019 on platforms was written by an emerita professor

from Harvard Business School, Shoshana Zuboff. Zuboff argues that the companies accumulate data and are already using it to nudge our behavior. She calls this phenomenon "surveillance capitalism" because the companies surveil online behavior in order to monetize it. The ability to track people's behavior across the Internet became key to the companies' success.[25] Some critics, like Evgeny Morozov, argue that Zuboff's book mischaracterizes the capitalist aspect of the companies' business model, which may be less effective in its targeting and advertising than it might seem.[26]

Business history offers several new ways to understand current problems. First, it pushes us to understand that bottlenecks have always existed in modern news delivery. Now it is Facebook, Google and co. But those companies' role as a bottleneck for news resembles that of news agencies in the nineteenth and twentieth centuries. From the mid-nineteenth century, news agencies were similarly powerful. These were companies like Reuters, that used the new technology of submarine cables to gather news from around the world and telegraph it back home for newspapers to print. Because foreign correspondents and telegrams were so expensive, only a few news agencies existed. They became gatekeepers controlling the flow of information. News agencies possessed astonishing power. In 1926, 90 percent of all German newspapers had no correspondents abroad or in Berlin. They received all their national and international news through news agencies or syndicate services. It may now be algorithmic, but the problem of a few companies dominating news and determining how it is delivered is an old issue.

Ironically, news agencies have become more powerful in print media again over the last few decades. More and more newspapers have cut foreign correspondents, so more newspapers print wire stories than ever, even large newspapers like the *Globe & Mail*. On July 22, 2019, for example, the *Globe & Mail* front section included nine international stories; eight of them came from non-Canadian news agencies or the *New York Times*.[27] This concern is long-standing. In 2008, journalist Nick Davies published a book criticizing British newspapers' excessive reliance on news agencies for information.[28]

Second, a business history approach shows how ownership can affect overall directions in content. New business structures like vertical integration and cross-subsidies were able to create concentration and corresponding power in the news market. One key example of this in Weimar Germany was Alfred Hugenberg. Hugenberg began as a local bureaucrat, then moved into heavy industry in the Ruhr region

of West Germany before starting to accumulate a media empire just before 1914. Unlike other newspaper magnates like William Randolph Hearst or Lord Northcliffe, Hugenberg succeeded by importing techniques of vertical integration from heavy industry firms like Krupp.

Hugenberg used vertical integration to incorporate all aspects of the newspaper business from paper to advertising. In 1916, he purchased the ailing publishing house, August Scherl, which published many leading newspapers, like *Berliner Lokal-Anzeiger* and *Der Tag,* and popular magazines, like *Die Gartenlaube* and *Berliner Illustrierte Nachtausgabe.* Hugenberg founded the advertising agency, Allgemeine Anzeigen GmbH (ALA), in 1917 and owned numerous paper companies. In 1927, Hugenberg purchased Universum-Film AG (UFA), which produced and distributed films and cinema news reels called *Wochenschauen.* UFA was a 1920s YouTube (without the user-generated content). At that time, cinema newsreels were a new and critical form of news consumption. Largely forgotten today, they ran before every film. Most newspaper readers and cinema goers probably had little idea that Hugenberg owned their entire media diet.

The hidden networks of Hugenberg's media products extended to a news agency, Telegraph Union. This was a loss-making company that received cross-subsidies from other, more successful firms in Hugenberg's portfolio. From the early 1920s, newspapers faced increasing financial issues (due to rising paper prices, hyperinflation, and increased fixed costs), and Hugenberg's companies offered subsidies to small newspapers as long as they subscribed to Telegraph Union. Even ostensibly nonpartisan papers often unwittingly presented a nationalist take by printing news from Telegraph Union, particularly in the provinces. The agency's increasing success polarized the supply of information.

Hugenberg shaped his media empire as a right-wing enterprise with no party affiliation, believing that readers would stop reading newspapers that too obviously pushed one political party or industrial sector. Instead, Hugenberg's media enterprises supported antisocialist and nationalist politics in general. From 1920 onward, every editor working for Hugenberg's Telegraph Union was contractually obliged to "campaign for the route of political and economic reconstruction of Germany without party-political or other ties on a national basis."[29]

Telegraph Union exerted tremendous power by framing events and setting news agendas. That power would not generate political success: Hugenberg's political party lost half its vote from 1928 to 1933 (from 14

to 7 percent). But these dynamics undermined the shared space for news within the increasingly febrile Weimar Republic and unintentionally laid the groundwork for the even more nationalist Nazis.

We tend to remember the Weimar Republic's vibrant urban media culture, which was mostly liberal or left wing, but the business structures of Hugenberg's media world were equally important. Similar problems plague our current analysis, where journalists and policy analysts still focus on celebrating the "Trump bump" in *New York Times* subscriptions and have only just started to understand the problems in local news beyond major urban centers. These analysts have not yet devoted sufficient energy to understanding the long-term trends, like those fostered by right-wing talk radio or other innovative conservative media initiatives and business structures. By contrast, historians like Nicole Hemmer and Brian Rosenwald are tracing the long-term dynamics of how conservative media activists and formats like talk radio might have been more important for explaining the rise of Trump than Fox News.[30] And Jen Schradie's work demonstrates that conservative activists have taken advantage of our new media environment more ably than groups on the left.[31] These dynamics perhaps parallel Hugenberg's successes (and maybe also his electoral failures because he was outmaneuvered by the further-right forces of the Nazi Party).

A focus on funding and business illuminates contemporary dynamics too. Many of the suggested reforms to social media companies are really about the companies' business model. The companies optimize for engagement: they are content-agonistic. This means they prioritize content that generates engagement and more time spent on the site. Which in turn generates more advertising dollars. It does not matter if that content is extremist or cat videos. The companies are also incentivized not to investigate whether their content has problematic effects on users or, indeed, to reveal exactly how many people engage and with what intensity to which content. One obvious example is the President Donald Trump's assertions of "conservative bias" from social media companies. The companies could publish investigations, which would almost certainly reveal that the claim is flawed. President Trump is highly unlikely to accept that finding. In August 2019, former Senator Jon Kyl, a Republican who represented Arizona, published a report commissioned by Facebook on the issue. Kyl's short report drew from interviews with over 100 unnamed groups and individuals to enumerate conservative concerns;[32] it focused on conservatives' subjective experience of the platform without statistics published by Facebook itself. Facebook has not commissioned similar

investigations for marginalized groups or even Democrats. The companies currently continue with models that optimize for engagement, no matter the externalities. Nicholas John has termed this "agnotology": the counter-intuitive idea that the companies' business model requires them to assert high engagement or effective algorithms but not to investigate the full effects or to reveal transparent numbers.[33]

The importance of ownership also extends to more conventional media products. Rupert Murdoch's Fox News and newspaper outlets are an obvious example. Oligarchs and publishers loyal to Viktor Orbán have silenced dissenting voices by purchasing Hungarian media outlets. In November 2018, nearly 500 media companies were transferred to a nonprofit foundation led by a publisher close to Orbán.[34] We ignore newspapers, TV, and radio at our peril. Although their power is diminished, it remains vital.

If media history reminds us to look at business structures, the present shows how transnational those structures can be. Far-right news outlets like Rebel Media in Canada seem to be funded by the American anti-Muslim, far-right think tank, Middle East.[35] And Rebel Media was at one point paying Tommy Robinson, a leading far-right figure in the United Kingdom who founded the English Defence League in 2009.[36] There are also currently questions over a Saudi Arabian partial purchase of the *Evening Standard*, a London newspaper edited from 2017 to 2020 by the former Chancellor of the Exchequer, George Osborne.[37] Meanwhile, Chinese media influence has a far reach, as one project (Chinfluence) is investigating in Eastern Europe. While most coverage appears to continue unaffected, Chinese ownership of Czech media led to much more positive coverage of China.[38] The history of Hugenberg reminds us that we may not find the smoking gun of an owner telling journalists what to print; broader direction and ownership structures are enough. For tech companies too, business models explain much of the content we see. Alternative business models may solve more problems online than tinkering around the edges.

4. We need to design robust regulatory institutions and democracy-proof our solutions.

It is understandable that politicians worry in particular about elections and interference during campaigns, and many of the initiatives to counter disinformation focus on political consequences, such as the EU Code of Conduct for Disinformation, US proposals for an Honest Ads Act, or the Canadian Election Modernization Act. The German Network

Enforcement Law (Netzwerkdurchsetzungsgesetz or NetzDG) enforces twenty-two statutes of German speech law online; it was passed swiftly before a German election in fall 2017 to show government action against social media companies.

However, the focus on the next election and the short-term can obscure the long-term consequences of regulatory action. Often the most important developments take years to understand. Talk radio in the United States is a good example; another is the unintended consequences of spoken radio regulation in Weimar Germany. Bureaucrats aimed to save democracy by increasing state supervision over content. This was meant to prevent seditious material that would bolster anti-democratic sentiment and actions. Ironically, however, these regulations ensured that the Nazis could far more swiftly co-opt radio content once they came to power in January 1933.[39] Well-intentioned regulation had tragic, unintended consequences.

Weimar bureaucrats actively attempted to shape the media to save German democracy. They tried everything, ranging from subsidies to laws banning particular newspapers. A Law for the Protection of the Republic was passed in 1922; and while the Weimar Republic had press freedom, this legislation foresaw the restriction of freedom in exceptional circumstances. Nearly a decade later, in 1931, with rising violence on the streets, emergency decrees banned entire editions of newspapers for seditious content. There were 284 bans in total, including ninety-nine for Nazi papers and seventy-seven for *Rote Fahne* (the Communist newspaper) between 1930 and 1932.[40]

Officials also tried to withhold official government news from Alfred Hugenberg's anti-republican newspapers, particularly *Berliner Lokal-Anzeiger*, *Berliner Illustrierte Nachtausgabe*, and *Der Tag*. In December 1929, the Prussian Ministry of the Interior decreed that it would stop supplying these three newspapers with official publications due to their "invidious and extremely provocative way" of attacking the government and form of the state.[41] The Social Democratic Minister of the Interior, Carl Severing, hoped that removing official material from the "anti-state press . . . would lead without further ado to a corresponding reorientation of the reading public."[42] Other ministries (like the Finance Ministry) disagreed and found it "improbable" that readers would subscribe to different papers, just to get official news.[43] In Weimar Germany at least, bans seemed to exert no measurable effect on readership. Hugenberg's newspapers started to receive government news again in 1932, after bringing a court case on the matter.[44]

We see a similar debate now about banning various figures like Alex Jones from social media. Will it amplify their message or remove them from view? Will it stoke claims of "conservative bias"? Will bans change users' habits or not? Multiple European countries like France and Germany have either enacted or are currently considering regulatory suggestions about enforcing bans on hate speech online. In the case of Germany's law, NetzDG, a prominent AfD politician, Beatrix von Storch, had a social media post removed the day that the law came into force. This promoted considerable discussion amongst journalists and ironically amplified von Storch's message, as well as giving prominence to the AfD's assertions that they were being censored by both mainstream news outlets and social media.[45] In fact, removing whole networks can be counterproductive by pushing them to migrate to another platform and amplifying their sense of victimization. Wholesale banning may be less effective on social media platforms than other strategies, such as banning small groups of users from online hate clusters (groups of users propagating hate speech).[46]

Other regulatory debates similarly focus on removal over other possible solutions. The European Union plans to introduce terrorist content regulation that will require social media companies to remove terrorist content within one hour. The regulation does not define terrorism and leaves it to member-states to do so.[47] It is troubling if legislation allows leaders like Viktor Orbán to define terrorism as they please. A historical view reminds us that any media legislation has to stand in the long term. Some might like a hate speech law requiring removals under President Emmanuel Macron; but would they like it under a President Marine Le Pen?

Any productive approach to regulation should consider how to democracy-proof our systems. Institutional design is key here. Robust institutions would, for instance, consistently include civil society. They would bolster data security and privacy. They would also be designed not to lock in the current big players and shut down possibilities for further innovation.

In the United States, for example, campaign finance reform would likely prove more effective than other suggestions. This does not directly appear to address tech companies, but it would address their increasingly important role in campaigns. Both Democrats and Republicans now outsource communication to companies like Facebook. (Facebook embedded employees in the Trump campaign, for instance.)[48] At the same time, campaign finance reform would address longer-standing issues

of influence from billionaires and hidden campaigners, as discussed in other chapters in this volume. These reforms would affect all candidates and charge the Federal Elections Commission (FEC) with examining financial flows rather than content.

Other suggestions specifically for social media include regulating for transparency before intervening in content. A French proposal in May 2019, suggested the creation of a regulator who would enforce transparency and accountability from the largest social media companies. The idea is to create an ex ante regulator who will enable greater transparency from the companies and more involvement from civil society. The proposal followed a unique experiment where French civil servants were embedded at Facebook for several months.[49] This regulator would also enable third-party access for researchers. Such proposals are less interventionist than many other suggestions and less appealing to many clamoring for the regulation of content. Such calls are particularly understandable from people who have suffered extensively from doxing or abuse online. But it is worth considering whether less interventionist solutions will better uphold democracy in the long run. It is also worth considering whether much of the abuse is enabled by the particular business models of social media and the lack of incentives to enforce their terms of service, which often already ban the behavior of abusive users.

One thing historians know is that humans are consistently terrible at predicting the future. We cannot foresee all the unintended consequences of our well-intentioned interventions. That does not mean we should do nothing, but it does warn us to democracy-proof our policy solutions. Or we might find ourselves undermining the very freedoms that we seek to protect.

5. Solutions must address the societal divisions exploited on social media.

The seeds of authoritarianism need fertile soil to grow; if we don't address underlying economic and social issues, communications cannot obscure discontent forever. It would be an extreme oversimplification, for example, to attribute the rise of the Nazis to media strategies. The Great Depression, political unrest, discontent stoked after the loss of World War I and the Versailles Treaty, and elite machinations all played essential roles.[50]

Media amplified certain aspects of discontent and contributed to systemic instability. The continual coverage of scandals by papers across the

political spectrum conveyed a sense of a democratic system that was not working. Historian Corey Ross has argued that German interwar obsessions with propaganda undermined the Weimar Republic "not only by nourishing right-wing notions of an authoritarian Volksgemeinschaft, but also by eroding democratic conceptualizations of public opinion across the political spectrum."[51] These attitudes mattered, but political behavior also dovetailed with people's lived experiences of hyperinflation, unemployment, and street violence.

Media effects research over the past century warns us to beware of simple assumptions that equate exposure to media with political outcomes. So does historical research on the Weimar Republic. Bernhard Fulda examined a small town in Germany with one – right-wing – newspaper, which recommended its readers vote one way in a referendum in the mid-1920s.[52] The majority of the town voted the other way. Another study has found that Hitler's speeches appeared to have negligible effect on how people voted (other than possibly in the presidential election of 1932). This suggests that media coverage of Hitler's charismatic speeches was less influential than scholars had previously assumed.[53] Many other economic and social factors clearly shaped voter behavior. This does not mean that media do not matter. It means that we must be careful to overascribe efficacy to individual pieces of content. The same is true for social media.[54]

Just as media in the Weimar Republic exploited or deepened extant social divisions, social media today often does the same. What has changed is the algorithmic and microtargeted delivery of news. Algorithms amplify particular pieces of content to increase engagement; Russian trolls, for example, have used this to their advantage by focusing on stoking controversy around issues such as Black Lives Matter or vaccination. People are most likely to share material online that angers them. The negative emotion of anger decreases our analytical functions, so we are more likely to believe the material; we are also more likely to repost it. As social media companies optimize for content that increases engagement, their algorithms may supply more material that angers us, inspiring sharing and engagement.[55] The algorithmic bias toward anger is new; our anger-inspired analytical biases are not. Social media may amplify anger, but that anger also stems from real-world experiences of current conditions. As we continue to debate how best to address legacy and social media, we should not focus on those problems to the exclusion of others. Sometimes, media scholars are the people best placed to argue that other policy areas matter more. If we do not address pressing issues like growing

inequality and climate change, improved social media communication will not stem discontent.

CONCLUSION

Over the past decade, I worked on a book about how Germany tried – and almost succeeded – in its attempts to control world communications from 1900 to 1945.[56] Amongst other things, I explain how Germany's democracy, with its vibrant media landscape, could descend into an authoritarian, Nazi regime spreading anti-Semitic, homophobic, and racist content around the world.

While I was writing this book, the present caught up with history. Far-right groups in Germany and around the world revived Nazi terminology like *Lügenpresse* (lying press) or *Systempresse* (system press) to decry the media. News was falsified for political and economic purposes. Minority groups were targeted and blamed for societal ills that they did not cause. As with radio, internet technologies designed with utopian aims have become tools for demagogues and dictators.

As these events unfolded, scholars tried to combat erroneous assertions of novelty. As Michael Schudson and Barbie Zelizer wrote in 2018, "To act as if today's fake news environment is fundamentally different from that of earlier times misreads how entrenched fake news and broader attitudes toward fakery have been."[57] Attitudes toward fakery have changed over time and depending upon the medium. Andie Tucher has shown that in the late nineteenth and early twentieth centuries, faking in photography was prized as a way to make something appear more real.[58] John Maxwell Hamilton and I have explored different forms of falsification in the history of news: faking for political purposes, both domestic and international; and faking for economic purposes, either to increase a newspaper's circulation or to boost a product.[59]

What I have discussed in this chapter is not the content itself, but rather the structural conditions enabling falsification or disinformation. First, disinformation is also an international relations problem. Second, physical infrastructure matters. Third, business structures are more important than individual pieces of content. Fourth, robust regulatory institutions must take a long-term view that balances between protecting freedom of expression and protecting democracy. Fifth, media exploit extant societal divisions.

Five years ago, the question was *if* we would regulate social media. Now the questions are *when* and *how*. That development is a good one.

But for regulation to protect democracy, we should also consider the questions raised by broader historical patterns.

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8

Why It Is So Difficult to Regulate Disinformation Online

Ben Epstein

Efforts to strategically spread false information online are dangerous and spreading fast. In 2018, a global inventory of social media manipulation found evidence of formally organized disinformation campaigns in forty-eight nations, up from twenty-one a year earlier.[1] While disinformation is not new, the ways in which it is now created and spread online, especially through social media platforms, increase the speed and potency of false information. As a report from the Eurasia Center, a think tank housed within the Atlantic Council argues, "There is no one fix, or set of fixes, that can eliminate weaponization of information and the intentional spread of disinformation. Still, policy tools, changes in practices, and a commitment by governments, social-media companies, and civil society to exposing disinformation, and building long-term social resilience to disinformation, can mitigate the problem."[2] In other words, false information purposefully spread online is actually a series of major problems that require an all hands on deck approach.

The 2016 election and the revelations in the years since about the breadth of disinformation have opened many eyes to the potential impact of strategic dissemination of false information online.[3] As this complex problem has gained greater attention, proposed interventions have spread at 5G speed. Heidi Tworek correctly notes in her chapter that five years ago there was a question about whether social media was going to be regulated. Today, that question has morphed into how and when. Tworek uses historical examples from Germany to provide greater context for the current disinformation age and outlines five historical patterns that create the structural conditions that enable disinformation. First, disinformation

is a part of information warfare, which has been a long-standing feature of the international system. She argues that if the causes of disinformation are rooted in international causes, some of their solutions must also be international in design. Second, physical infrastructure matters. The architecture of political communication spans a hybrid media system that includes traditional media along with digital forms, all of which have been used extensively for coordinated disinformation.[4] Online disinformation is a strategy disseminated by the very infrastructure of the Internet and effective regulation of disinformation requires an understanding of the organization and control of that infrastructure. Third, business structures are more important than individual pieces of content. In other words, as the main sources of information, those companies with market dominance must be understood as fundamental to the form of the disinformation Fourth, regulatory institutions must be "democracy-proof," with clarity of purpose, a long-term view allowing room for innovation, and structural guards against any takeover by those who would use such tools to increase disinformation for their own ends. Fifth, media exploit societal divisions, and it is these divisions that fuel so much of the disinformation spread online.

Disinformation is neither a new problem, nor a simple one. This chapter aims to build on Tworek's historical patterns and apply them to the modern disinformation age in order to clarify the challenges to effective disinformation regulation and to offer lessons that could help future regulatory efforts. This chapter identifies three challenges to effective regulation of online disinformation. First, the question of how to define the problem of disinformation in a way that allows regulators to distinguish it from other types of false information online. Second, which organizations should be responsible for regulating disinformation. As Tworek notes, the international nature of online disinformation, the physical structure of the Internet, and the business models of dominant online platforms necessitate difficult choices regarding who should be in control of these decisions. Specifically, what regulatory role should belong to central governments, international organizations, independent commissions, or the dominant social media companies themselves. Finally, we must ask what elements are necessary for effective disinformation regulation.

After analyzing the major challenges, four standards for effective disinformation regulation emerge. First, disinformation regulation should target the negative effects of disinformation while consciously minimizing any additional harm caused by the regulation itself. Second, regulation

should be proportional to the harm caused by the disinformation and powerful enough to cause change. Third, effective regulation must be nimble, and better able to adapt to changes in technology and disinformation strategies than previous communication regulations. And fourth, effective regulations should be as independent as possible from political leaders and leadership of the dominant social media and internet companies and guided by ongoing research in this field as much as possible.

CHALLENGE 1: DEFINING THE PROBLEM

Terminology and definitions matter, especially as problems are identified and responses are considered. Disinformation is one of a few related, and often confused, types of false and misleading information spread online. There are many types of misleading information that can be dangerous to democratic institutions and nations. A number of recent studies have attempted to identify the definitional challenges associated with false or misleading information online in order to produce useful definitions for the purpose of more clearly understanding the problem.[5] There are two axes upon which inaccurate information should be evaluated: its truthfulness, and the motivation behind its creation.[6] False information falls into two broad categories, disinformation and misinformation, depending on whether the information was spread intentionally or not. This paper uses the definitions from Claire Wardle's essential glossary of the information disorder, which was also adopted by the High Level Expert Group (HLEG) on disinformation convened by the European Commission:[7]

Disinformation: false information that is deliberately created or disseminated with the express purpose to cause harm or make profit.
Misinformation: Information that is false, but spread unintentionally and without intent to cause harm.

While helpful, these two baskets encompass a wide variety of information, only some of which have led to calls for greater scrutiny and regulation. The hodgepodge of terms and uses have been described as information disorder.[8] Wardle describes seven different types of mis- and disinformation and offers a matrix that details types of false information (satire, misleading, manipulated, fabricated, impostor, false, etc.), the motivations of those who create it (profit, politics, poor journalism, passion, partisanship, parody, etc.), and the different ways that the content is disseminated (human vs. bot).[9] Put simply, there is a need to recognize the difference between the false and misleading information

spread by Russian troll farms meant to influence the 2016 election, and satirical articles from *The Onion*.

The definitional challenges to creating effective regulation aimed at misleading and harmful information are further complicated because the term that has captured the popular imagination is nether misinformation, nor disinformation. It is *fake news*. Hossein Derakhshan and Claire Wardle document the dramatic increase in the use of the term fake news by politicians, the public, and scholars alike, especially since the 2016 election.[10] The increase in attention paid to fake news coincided with President Trump's weaponizing of the term.[11]

Fake news may be the catch all phrase that has recently rung alarm bells the loudest, however, it cannot effectively be applied as the definitive realization of false information online because of its variety of forms, definitions, and uses. Fake news is a term that is great for clickbait but terrible as a target for effective regulation. It is a confusing and overly broad term that should be minimized in academic work and should not be used in any thoughtful discussion of regulatory efforts.[12]

Disinformation is the appropriate term for issues arising from intentional and harmful false information and is better suited for regulatory laws and legal action, because those responsible can potentially be identified. Disinformation can take many forms and may be conducted for economic or political gain. An example of disinformation for economic gain was the pro-Trump disinformation campaign spread by students in Veles, a town of 55,000 people in the country recently renamed North Macedonia; a campaign which was not ideological but instead was purely based on which messages received the most clicks and attention.[13] Politically motivated disinformation can target electoral results or other sociopolitical outcomes like the efforts by the Myanmar military to support a horrific ethnic cleansing campaign against the Rohinga, a Muslim minority group. For over half a decade, members of the Myanmar military conducted a disinformation campaign on Facebook which targeted the Rohinga, and paved the way for brutal attacks, persecution, and rape, all on a colossal scale. The disinformation campaign was particularly effective because Facebook is so widely used in Myanmar, and many of its 18 million internet users regularly confuse the social media platform with the Internet itself.[14]

The High Level Expert Group (HLEG) assembled by the UN, helpfully described how disinformation

includes forms of speech that fall outside already illegal forms of speech, notably defamation, hate speech, incitement to violence, etc. but can nonetheless be harmful. It is a problem of state or nonstate political actors, for-profit actors, citizens individually or in groups, as well as infrastructures of circulation and amplification through news media, platforms, and underlying networks, protocols and algorithms.[15]

Disinformation can take many forms and is linked to a varied group of actors who create it, and a variety of platforms which are used to disseminate it. However, disinformation is always perpetuated on purpose by a particular group of responsible actors and has potential to cause harm. Recognizing these consistent traits serves as the starting point for any effective regulatory action.

CHALLENGE 2: WHO SHOULD BE IN CONTROL OF THE REGULATION?

Regardless of the specific goals of effective regulation, the practical nature of implementation must be addressed. That involves determining who should do the regulating, and if regulation is actually necessary at all. Any regulation must be for a particular purpose. Traditionally, regulations are put in place to protect or assist a population or a group within a population, and that need is clearly present here. Concerns about various types of false or misleading information online and the need to address them are widespread.[16] When it comes to combating disinformation, there are three main options that have been internationally adopted: no regulation, self-regulation by industry leaders, or government regulation.

A system of minimal or no regulation is the starting position for many nations in the Western world, and is supported by free-market arguments about the benefits of letting the consumers and corporations make the decisions on both efficiency and ethical grounds. It is also articulated by a wide variety of lawyers, technology experts, media companies, and free speech campaigners, who have argued that hastily created domestic measures outlawing disinformation efforts may prove ineffective, counterproductive, or could manifest themselves as thinly veiled government censorship.[17]

Often an opposition to government regulation or action is coupled with a push to empower individuals and the public at large to develop skills to improve their digital literacy, in order to be better prepared when they encounter false information online.[18] Research into media and digital

literacy is extensive and a number of important studies have specifically focused on understanding how we can identify and minimize the effects of false information online, especially when encountered on social media.[19] However this is all directed at helping people become better able to identify misinformation. As stated earlier, disinformation is much better suited for regulatory action because it is effected with intention and as such, there are groups or individuals who are responsible.

Government Regulation

The fight against online disinformation campaigns requires systematic interventions, and governments are often identified as the organizations with the size and resources to address the scale of the problem. Government regulation can take on many forms and, as of early 2019, forty-four different nations had taken some action regarding various forms of false information online. However, only eight of these nations had even considered actions specifically aimed at limiting harmful disinformation originating from either inside or outside the country.[20]

Governments are also notoriously slow to respond to complex problems, especially those involving newer technology, and the government response to disinformation is no different.[21] Nearly three years after the 2016 US election, which featured a massive and successful disinformation campaign run by the Russian government to influence the election in favor of Donald Trump, the US Defense Department announced a program that aims to identify disinformation posts sent on social networks in the USA moving forward. The Defense Advanced Research Projects Agency (DARPA) will test a program that aims to identify false posts and news stories which are systematically spread through social media at a massive scale. The agency eventually aims to be able to scour upwards of half a million posts, though the rollout will take years and will not be fully functional until well after the 2020 election, if ever.[22] Relative to the speed of innovations in technology and disinformation strategies, the proposal put forth by the US Department of Defense moves at a glacial pace.

Beyond efficiency concerns, another daunting challenge to effective government regulations is finding the right balance between the expertise needed to regulate today's complicated, hybrid media environment and the independence from industry leaders needed to create policies that are as objective as possible.[23] There is a long history of industry leaders influencing communication policy and regulations. In the American context, the Federal Communication Commission (FCC)

and the Federal Radio Commission (FRC) were both heavily influenced by industry leaders, as were many efforts at internet regulation over the past decade, such as net neutrality decisions. Perhaps this should not be surprising when we realize how many of the members who have served on the FCC over the past eighty-five years came from careers working for the companies they were then asked to regulate.[24] Nevertheless, government policies and actions often have unparalleled legal, economic, and political force, and have the potential to create the most sweeping and lasting changes.

Action taken at a national or even regional level, like the EU, may be insufficient to tackle many challenges caused by disinformation for a number of reasons, not the least of which is the fact that political parties in many nations are aligned with movements spreading disinformation and hate speech, and any new government standards run the risk of being branded as repressive and politically motivated by these politicians and their supporters. This governmental role is further complicated by the international nature of disinformation that Tworek describes.

In one tragic example, days after members of the Sudanese military massacred a number of pro-democracy protesters in Khartoum in June 2019, an online disinformation campaign emerged from an unlikely source, an obscure digital marketing company based in Cairo, Egypt. The company, run by a former military officer, conducted a covert disinformation campaign, offering people $180 per month to post pro-military messages on fake accounts on Facebook, Twitter, Instagram, and Telegram. As investigators from Facebook pulled at the string of this company, they discovered that it was part of a much larger campaign targeting people in at least nine nations in the Middle East and North Africa, emanating from multiple mirror organizations existing in multiple countries. Campaigns like this have become increasingly common, used both by powerful states like Russia and China, and smaller firms, aimed at thwarting democratic movements and supporting authoritarian regimes.[25]

This recent Sudanese case involves every one of Tworek's historical patterns, and begs the question: what form of regulation could best limit the harmful effects of these anti-democratic disinformation campaigns? In this case, the platforms used to post messages were central to the campaign, and therefore such platforms must be included in either externally enforced self-regulation, in the mode of the EU Code of Practice on Disinformation, or in traditional regulation that has the power to impose fines and penalties.

Internet infrastructure, communication, commerce, politics, and false information all extend beyond borders, yet decisions about policies and regulations are often national in origin and enforcement. For over two decades, scholars have explored the jurisdictional complexities of internet regulation.[26] While there are exceptions, such as the high level group organized by the EU, and longstanding efforts by the Internet Corporation for Assigned Names and Numbers (ICANN), most internet regulation is national, and many nations hold different cultural, political, and ethical positions regarding if, when, and how to regulate.[27]

There are a wide variety of positions about whether or not the government should actively regulate what is or is not true online. However, there is no question that the problem is pervasive. The 2018 Digital News Report found that a large portion of citizens across the world had been exposed to information in the week preceding the survey that was completely made up, either for political or for commercial reasons.[28] But there is a wide discrepancy in how people around the globe feel about the role of governments in fighting misinformation.[29] It is widely understood that privacy rights have been valued more highly than the roles of content providers in places like Europe, but less so in America. These values have helped to shape different government actions regarding the Internet more broadly, and online disinformation in particular.[30]

The First Amendment has been a consistent source of resistance to media regulation throughout American history, especially for content creators. While the protections of the First Amendment have extended much more broadly to print media than broadcast, the Internet has generally been regulated lightly. Beyond the First Amendment protections, any interventions that aim to regulate content creators or internet service providers (ISPs) will confront the long-standing legal protections provided by Section 230 of the Communications Decency Act of 1996 (CDA 230). CDA 230 is a key legal provision which broadly shields platforms from legal liability for the actions of third-party users of their services, and it has been seen as a cornerstone supporting free expression on the Web. CDA 230 has also been used to inhibit platform responsiveness to the harms posed by harassment, defamation, child pornography, and a host of other activities online. Therefore, the escalating debates on how to address disinformation online will join a long history of efforts to reform or eliminate the shield provided by CDA 230.[31]

Though there are legal and constitutional challenges that inhibit government action in the United States, the decisions there will have a disproportional impact on the rest of the world. This is due to the fact

that the majority of major global content providers and social media platforms were founded and primarily operate out of the USA. Thus Facebook, Twitter, Google, Apple, and Amazon, all dominant global players, could be affected by actions taken in the United States. While each of these companies and platforms have been affected by regional or national policies in various parts of the world, the United States would have more authority than any other to force any structural change or to mandate action regarding disinformation online.

The Power of the Platforms and Self-Regulation

The physical infrastructure and business models that Tworek notes are often overlooked when it comes to the causes of disinformation and potentially effective regulations. This is exemplified by the small number of dominant platforms that act as the lungs of disinformation campaigns. These platforms have been designed to keep users interested, engaged, and logged on as long as possible through the use of sticky content. This content is supported by black box algorithms that drive the experiences of users, and must play a role in potential regulatory decisions. Algorithms are one of the most important curators of internet users' media intake in the modern hybrid media system.[32]

It has been shown that algorithms often steer users to extreme content, especially on Facebook and YouTube, two of the most prominent platforms used for spreading disinformation around the world.[33] One employee of Google-owned YouTube created a grouping of YouTube videos associated with the alt-right, a loosely connected right wing group in the USA that peddles misogynistic, nativist, white supremacist, Islamophobic, and anti-Semitic rhetoric, including conspiracy theories and disinformation campaigns. The grouping found that alt-right videos on YouTube were extraordinary in size and reach, comparable to music, sports, and gaming channels, and aided by algorithms.[34]

Some nations are trying different ways to reduce the power of these platforms. In some instances, nations are attempting to force platforms to counter the effects of their very successful business models. In March 2018, after the Cambridge Analytica scandal in which Facebook allowed the company to harvest tens of millions of users' data for "psychologic profiling" and use it for political purposes, Germany sought to stop the disinformation spread on Facebook. While the goal is a good one, the means that Germany took was to try to gain access to the black box that is the Facebook's algorithm. There are many concerns about this

approach. First, the legality of forcing Facebook to disclose their proprietary algorithm is far from a given. Second, it's unlikely that making such information more transparent would actually help Facebook users identify and avoid disinformation spread on their pages as much as other efforts, like making the funding of political ads on Facebook more obvious. Third, this approach is not targeted directly at disinformation. And finally, this effort could potentially be counterproductive as greater transparency of Facebook's algorithm could give greater power to those who would seek to create disinformation campaigns in the future.[35]

Government action often extends to related areas including limiting the size and reach of individual companies or their use of data, or protecting the privacy of users.[36] For instance, there have been increasing calls for the breakup of massive media companies like Facebook, Amazon, and Google.[37] In September 2019, official antitrust investigations were launched by multiple states into Facebook and Alphabet, the parent company of Google.[38] Meanwhile the FBI, the Department of Homeland Security, and the Director of National Intelligence have met with leaders from platforms like Facebook, Google, Microsoft, and Twitter to focus on national security issues on the platforms in connection to the 2020 election.[39] There is no question about the power of the dominant platforms. The only question is whether they will be in charge of self-regulation or if governments or internationals commissions will take the reins.

Self-Regulation

Mark Zuckerberg once stated that, "in a lot of ways Facebook is more like a government than a traditional company. We have this large community of people, and more than other technology companies we're really setting policies."[40] He was right. And this reality aptly describes other behemoth social media and internet companies like Google, Amazon, Apple, Microsoft, Twitter, WeChat, and Alibaba that play central roles in the spreading of information, fake or otherwise. Facebook and other content companies make and enforce polices about online content every day and the option of allowing, or aiding a self-regulatory approach is a path that many support. As the 2018 Digital News Report found, far more online news consumers prefer media or tech companies working to identity real and false news than governments.[41]

Self-regulation of internet content is far from a new option and has evolved with the growth of numerous institutions and self-regulatory

systems over the past two decades.[42] One advantage of self-regulation is that media companies simply understand how they work best and are often motivated to provide effective self-regulation in lieu of potential government action that could be more disruptive of their services or business. There are also legal reasons in many nations as to why more heavy-handed government regulations are either more difficult or flatly illegal.

All of these considerations led the European Commission, the executive branch of the European Union, to adopt a standard policy-making path in addressing emerging issues that involve technological challenges, which was then used to create the EU Code of Practice (CoP) on Disinformation. The CoP on Disinformation was put into practice in early 2019, a few months before the EU parliament elections in May 2019.[43] Importantly, the EU CoP preferred self-regulation over traditional government-directed regulation to target and reduce disinformation at this stage because they saw it as faster and more flexible than traditional regulation, and they didn't see a tested top-down solution for the problem of disinformation.[44]

The options for control are not a binary choice between autonomous self-regulation by the powerful platforms themselves and legislation handed down by national or international governmental bodies. Independent commissions are likely going to play an important role in the regulation of disinformation moving forward because they can have greater impartiality from government or corporate control; can potentially act more nimbly than governments; and can have the authority to hold companies or individuals accountable. In March 2019, Mark Zuckerberg surprised some in admitting that their platform had too much control. He stated that he supported increasing regulatory action specifically aimed at protecting election integrity, privacy, data portability, and harmful content including disinformation. He also went further, promising to establish an independent group working within Facebook to help guide these efforts. In September 2019, Facebook unveiled its plans for a new independent board that could have the power to review appeals made by users and make decisions that could not be overruled, even by Zuckerberg. This Facebook "Supreme Court" is not focused initially on curbing disinformation on the platform, but could evolve into a larger board with multiple foci. Regardless, it serves as an example of a powerful independent group working within a company with broad authority to make and enforce reforms.

CHALLENGE 3: WHAT SHOULD EFFECTIVE REGULATION LOOK LIKE?

Regulation is often as tricky as it is controversial. Tworek offers extremely helpful, historically defined, guideposts for effective disinformation regulation. As she describes, effective regulation should be forward thinking, adaptable, clear in focus, and responsive to changes in technology and the international nature of both online communication and disinformation campaigns. Perhaps most challenging, effective regulation of disinformation should aim to protect the democratic ideals, structures, and nations that have been threatened, but should also remain "democracy proof" enough to avoid the takeover of regulatory efforts by powerful actors who would aim to use such tools through political means or otherwise, in order to further their disinformation goals. Therefore, it should remain vigilantly independent.[45] The stakes are as high as the difficulties faced.

Disinformation strategies and the digital tools and platforms that are used to spread it are changing quickly, yet regulatory action is notoriously slow. Margaret O'Mara, historian and expert on the history of the technology industry, sums it up well: "Technology will always move faster than lawmakers are able to regulate. The answer to the dilemma is to listen to the experts at the outset, and be vigilant in updating laws to match current technological realities."[46] Many of the most important regulatory frameworks governing the Internet today originated in the 1990s, when the Internet was a far cry from what it is today, and today's leading social media platforms and online disinformation campaigns were nonexistent.[47] It is important that regulations, though long overdue, are clearly targeted and proportional. Some nations, like Germany, have been quick to act. However, there are concerns that some of the early regulatory steps may be excessive and potentially ineffective.

Another concern is that the regulatory teeth are proportional to the harms found, and large enough to change the actions of the some of the most profitable and influential companies on earth. Recent instances in the USA, aimed at penalizing major platforms for past inaction, serve as a good example. After a spiraling investigation sparked by the Cambridge Analytica scandal, the Federal Trade Commission (FTC) levied a five-billion-dollar fine, its largest ever, on Facebook in July 2019. While large in absolute dollars, it is less than a third of the $16 billion-dollar profit Facebook earned in the second quarter of 2019 alone. It's also notable that, although the FTC considered a much larger fine along with the requirement for changes in Facebook's actions, both were scrapped

due to fears of a drawn-out court battle. Two months later, Google agreed to pay $170 million in fines to the FTC for violating the 1998 Children's Online Privacy Protection Act due to data collected from children by YouTube, a part of Google. Alphabet, the parent company of Google is set to make over $160 billion in profits in 2019, $20 billion of which will be generated by YouTube. A fine of $170 million is a drop in the bucket.[48] While neither of these regulatory actions are focused on disinformation, they are examples of how recent efforts to regulate internet companies and social media platforms over data or privacy issues are using outdated policy and ineffective penalties.

Thankfully, the work of providing thoughtful and comprehensive suggestions for effective policy aimed at disinformation has already begun. The most rigorous efforts so far have emanated from Europe. Wardle and Derakhshan produced one of the first of these efforts with their 2017 report for the Council of Europe which aimed to define the major issues involved in what they label "information disorder," and to analyze its implications for democracy and for various stakeholders.[49] They go on to offer suggestions for what technology companies, media companies, national governments, education ministries, and the public at large could do moving forward.

In November 2018, the Truth, Trust and Technology Commission from the London School of Economics and Political Science published a report called "Tackling the Information Crisis: A Policy Framework for Media System Resilience." In this report, the commission defined "five giant evils" of the information crisis that effect the public and should be targeted by thoughtful policy: confusion, cynicism, fragmentation, irresponsibility, and apathy. To fight against these evils, the report details short, medium, and long term recommendations for the United Kingdom which includes an independent platform agency, established by law, to do research, report findings publicly, coordinate with different government agencies, and to collect data and information from all major platforms and impose fines and penalties.[50] The foundation of solid research included in the commission report is an important place to start. While there is a lot of good scholarship on disinformation, there are research gaps that remain.[51]

A few months after the report, the UK government's Home Office and the Department for Digital, Media, Culture and Sport followed up these proposals in a white paper that called for a new system of regulation for tech companies aiming to prevent a wide variety of online harms including disinformation. The white paper outlines government proposals for

consultation in advance of passing new legislation. In short, it calls for an independent regulator that will draw up codes of conduct for tech companies, outlining a new statutory "duty of care" toward their users, with the threat of penalties for noncompliance including heavy fines, naming and shaming, the possibility of being blocked, and personal liability for managers. It notably describes its approach as risk-based and proportionate, though both are subjective.[52]

The white paper is a set of expectations for companies to follow that serve as guidelines for future regulatory action and codes of practice. However, any interventions aimed at fighting the harmful effects of disinformation must avoid creating more harm than they reduce. In particular, many groups have already voiced their concerns about the potential negative effects of regulation on innovation, and a slippery slope of censorship and free speech violations resulting from efforts to reduce the effects of disinformation.[53] The proof of harm caused by disinformation is not always clear-cut and the potential for major restrictions on free speech increases as subjective judgements are made. It is also not clear how to regulate problematic information spread with differing types of intentions, such as the anti-vaccination information spreading across the world like a disease, though without a clear economic or political motivation.[54]

THE LESSONS LEARNED FROM THE CHALLENGES OF REGULATING DISINFORMATION

The distance between thoughtful recommendations to combat disinformation and effective regulatory policies are vast due to political complications, divergent philosophies about the dangers and threats to democratic processes and ideals, and regional differences. In addition, online disinformation does not exist in isolation and is impacted by other concerns that have led many to call for reforms and regulation of issues including data security, privacy issues, and the oversized power and influence of platforms like Facebook and YouTube.[55] The EU General Data Protection Regulation (GDPR), in effect since May 2018, is a great example. The GDPR is arguably the most important change in data privacy regulation in decades and can impact disinformation efforts in a number of ways, notably by impacting platforms and companies that are used to spread disinformation.[56]

There are many reasons why regulating disinformation online is difficult, but the time for simply admiring the problem is over.[57] This chapter

has detailed the complex challenges that face those who seek to design and implement effective disinformation regulations. The first set of challenges centered around the definitional challenges of distinguishing between misinformation and disinformation and why disinformation is ripe for regulation, while misinformation is not. The second challenge is determining who should be in control of regulations and their implementation; governments, independent commissions, or self-regulations by the social media and internet companies themselves could all play a role. Finally, there is the issue of what effective disinformation should look like, and what it should avoid.

The challenges are real, and daunting, but thoughtful efforts toward disinformation regulation have already begun. When we distill these early efforts down to their consistent themes, and view them through Tworek's historical lens, four standards for effective disinformation regulation stand out. First, is a regulatory Hippocratic oath: disinformation regulation should target the negative effects of disinformation while minimizing any additional harm caused by the regulation itself. Second, regulation should be proportional to the size of the harm caused by the disinformation and the economic realities of the companies potentially subject to regulations. Third, effective regulation must be nimble, and able to adapt to changes in technology and disinformation strategies more than previous communication regulations. Fourth, effective regulations should be determined by independent agencies or organizations that are guided by ongoing research in this field.

It is extremely difficult to effectively regulate online disinformation. However, understanding the complex sources of the regulatory challenges, and the historical patterns that have contributed to them, will help current and future efforts toward curbing the harms caused by online disinformation. The Eurasia Center was correct, there is no single fix, or set of fixes that will completely mitigate the dangers of strategic disinformation campaigns. However, the four standards identified in this chapter can help serve as a guide, as online disinformation and the regulatory efforts to stop it, continue into the future.

NOTES

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6. Haiden and Althuis, "The Definitional Challenges of Fake News."
7. Claire Wardle, "Information Disorder: The Definitional Toolbox," *First Draft News*, July 6, 2018, https://firstdraftnews.org/infodisorder-definitional-toolbox/; Claire Wardle and Hossein Derakhshan, "Information Disorder: Toward an interdisciplinary framework for research and policy making," Council of Europe Report, 27 (2017).
8. One additional and distinct type of dangerous information has been labeled "malinformation," which is genuine or true information that includes private or revealing information, which is specifically disseminated to cause harm, andhas been the source of regulatory policy in many states in the United States

and nations around the world. Wardle, "Information Disorder: The Definitional Toolbox"; Derakhshan and Wardle, "Information Disorder: Definitions"; Daniel Funke and Daniela Flamini, "A Guide to Anti-misinformation Actions around the World," Poynter, updated April 9, 2019, www.poynter.org/ifcn/anti-misinformation-actions/.

9. Claire Wardle, "Fake news. It's complicated," *First Draft News*, 2017, https://medium.com/1st-draft/fake-news-its-complicated-d0f773766c79.
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PART V

THE ROLE OF PUBLIC BROADCASTING

9

US Public Broadcasting: A Bulwark against Disinformation?

Patricia Aufderheide[1]

Can US public broadcasting provide a unique bulwark against disinformation? There are ample reasons to look to the service at a time when commercial journalism's business model has eroded, and disinformation from US and other governments as well as from commercial sources abounds. The structure of public broadcasting both limits its ability to serve as a counter to disinformation, and, in some ways, also protects it against attacks.

DISINFORMATION AND MAINSTREAM MEDIA

As Yochai Benkler's chapter in this book demonstrates, the ecology of mainstream media remains remarkably robust under pressure. The emotion-soaked, belief-driven ecology of the right-wing media dominated by Breitbart and Fox appeals to a minority of people. But in mainstream media, where fact-based claims matter to users, fact-checking, critiquing of rival news sources, and corrections are routine. Two-thirds of media users use and circulate this information. That journalistic work is the raw material that fuels democratic process.

Nonetheless, fact-based journalism is under stress. The digital advertising captured by Google and Facebook has impaired the business model of commercial journalism. The always-on feature of the digital environment creates pressures to produce more without providing resources to fuel production.[2] "News deserts" have sprouted across the USA as a result. One in five newspapers has shut down since 2004, and half of US counties have only one local newspaper, often a small weekly.[3] The

failure of the marketplace to meet information needs has led some to call for state subsidy,[4] and others to call for an increase in donor-driven and foundation-funded journalism, with some government support.[5]

Those for whom fact-based journalism and democratic process are threats have seized upon the weaknesses in the news environment. Among the forces taking advantage are longstanding ideological actors, with various motivations. Lance Bennett and Steven Livingston's introductory chapter demonstrates the long-range investment in ideological control, and the capacity to play the long game, by social actors inspired by the pro-market arguments of Friedrich Hayek and committed to sabotaging regulation of capitalism. In her chapter, Nancy MacLean provides a terrifying view of the deep investment of "the Koch network" of disinformation, which works toward a radical libertarian agenda through 150 think tanks and other ideological organizations (as detailed in Jane Mayer's *Dark Money*); through political organizations, especially the Republican party (as Theda Skocpol and Alexander Hertel-Fernandez have demonstrated); and through academia, as UnKoch My Campus has shown. Orchestrated information campaigns have sabotaged tobacco regulation, healthcare plans, and environmental legislation. Naomi Oreskes, in her chapter, reminds us of longstanding corporate expertise in distorting public opinion for self-interest.

What is new in this pattern is the creation of the ideal vehicles for the spread of disinformation memes, in social media. The economic imperatives of surveillance capitalism[6] mesh perfectly with disinformation campaigns, as well as with deep endemic biases of the culture.[7] Disinformation experts, such as those in the Russian Internet Research Agency,[8] can design campaigns, and trust that Facebook's algorithms and advertising staff will help them find their targets. The Russian strategy of sowing distrust by polluting the informational environment,[9] or the Trumpian approach of disparaging the legitimacy of mainstream news outlets, or corporate efforts to fend off fossil fuel regulation can all benefit from Facebook's advertising affordances; Reddit's nearly unmanaged social spaces; and Twitter's lack of consistent moderation.[10]

In this environment, as Bennett and Livingston argue, the crisis is not fundamentally one of disinformation, but of the core functioning of democracy. Nonetheless, any structural change to political process will require both knowledge and informed action; any mobilization requires media. So, it pays to look to the capacities of traditional media within the fact-based news ecology. It is within this ecology that the discourse of democracy can be conducted, and shared facts established. Such media,

Benkler's analysis shows, can and do provide important resistance to the polluting influence of social media-charged disinformation. They are the cultural breeding ground for the resistance and reenvisioning of political systems for a functioning democracy.

THE VALUE OF PUBLIC BROADCASTING

In the fact-based media ecology, public broadcasting in the USA is a key resource. The majority of Americans say they get their news from television, and a quarter of them say they get their news from radio. Broadcasting, with its ancillaries on the Web, in social media, and in podcasting, continues to be a powerful force. Broadcasting interacts with social media dynamically, as people share links from mainstream or right-wing broadcast news.[11] Public broadcasting is a public investment of billions of dollars in noncommercial information and the cultural expression for a broad American public. It is grounded in an ideological frame of public service, in direct opposition to Hayekian arguments. Often overlooked for more commercial, advertiser-driven outlets, it remains remarkably healthy and a source of daily, reliable local and national news.

US audiences recognize that. Public broadcasting includes entities that get the highest trust ratings in US polls: NPR and PBS. PBS, as the website valuepbs.org is proud to announce to potential underwriters, has been the most trusted public institution for fourteen years. For some of the most skeptical news consumers, public radio is increasingly important. In 2018, 94 percent of Americans found public radio news trustworthy. In addition, millennials and gen-Xers tended to find public radio more trustworthy than the general population.[12] The trust ratings demonstrate, interestingly, that even many of those in the orbit of Fox, Breitbart and Reddit trust NPR and PBS.

International studies demonstrate a virtuous circle between public broadcasting news, audience trust, and public democratic participation. A cross-national study found that in terms of civic participation and levels of trust, public media perform better than commercial media, and furthermore, encourage the raising of media standards more generally.[13] A recent Knight Foundation study provides a succinct summary of the conclusions of recent academic research:

> Research shows that people exposed to news on public television are better-informed than those exposed to news on private TV. They are likelier to vote, and have more realistic perceptions of their societies, especially on issues related to

crime and immigration. They are less likely to express negative attitudes toward immigrants. Countries with strong public broadcasters have higher levels of social trust, and the people who live in them are less likely to hold extremist political views.[14]

Public broadcasting is pervasive and ubiquitous. Public broadcasters' signals reach more than 98 percent of the American public, more than commercial broadcasting does. Stations are in every Designated Market Area (DMA) in the country, with physical plants and public presence.[15] This blanket penetration, with an hour-long, award-winning daily national news program and daily documentaries on PBS and four hours of daily national news on NPR, contrasts sharply with the news deserts of today's local newspapers. Virtually every one of the people in "news desert" counties that don't have more than a local newspaper, can get both television and radio news from a public broadcasting station (although this is usually national, and not necessarily local news).

According to Arbitron figures, the two most listened-to radio news programs in the country are NPR's "All Things Considered" and "Morning Edition." Their reach puts them in the same ballpark as Sean Hannity and Rush Limbaugh. Audiences in the Trump era demonstrate appetite for news, as well. *PBS NewsHour's* weekly audience grew 17 percent in 2017, for instance; NPR's audience, already ten times the size, grew 9 percent in the same period.[16]

Public broadcasting is local. At the base of the public broadcasting system are locally chartered radio and TV stations, each autonomous from the other and from any national system. Local public radio usually produces some local content (more than public TV), and both public radio and TV stations are responsive to their board of directors and, often, a community board as well. The fact that the largest single source of funding for public broadcasting is user donations strengthens the motivation to maintain trust and relevance with its users.[17] Licenses are usually held by local institutions such as community organizations, schools or local universities.

Public broadcasting operates with a taxpayer subsidy, without being directly affected by government agendas. Thus, relative stability is built into the system. While triennial appropriations force broadcasters to justify their funding every three years and funding is not guaranteed, the funding has stayed stable or increased since 1967. The federal dollars that go to the Corporation for Public Broadcasting are insulated from governmental interference in part by the fact that CPB is a private, nongovernmental organization. While only about 15 percent of public

broadcasting's budget is accounted for with federal tax dollars, that funding is crucial in supporting station infrastructure. It enables core operations (electricity bills, station equipment) rather than dictating the activities of stations.[18]

Because public broadcasting is not solely dependent on advertising, and is noncommercial, it has fiscal resilience. At a time when many commercial journalism operations suffer from the loss of advertising and subscriptions, public broadcasting benefits from a more complex funding model combining subsidy, donations, foundation and corporate contributions, and endowments. While solvency is never guaranteed, multiple funding streams – including advertising revenue from for-profit ancillaries and broadcasting such as podcasting – provide some financial flexibility. They also create multiple stakeholders, each of which can subtly affect programming choices. But diversity creates some protection from such influence.

Public broadcasting also has structural resilience, ironically because of its highly decentralized nature. The welter of local stations is served by a plethora of services. While PBS and NPR, both nonprofit programming services for stations, are best known, they have a variety of competitors. Most public TV programming is produced by independent companies. Several large stations are also production centers. There is not only competition, but collaboration, to achieve basic goals. The Corporation for Public Broadcasting, the nonprofit entity that disburses the federal funding that makes up perhaps 15 percent of the total budget, has regularly invested in collaboration among stations, both regionally and thematically. During the 2008 financial crisis, CPB funded Facing the Mortgage Crisis project, which generated both local and national programs on radio and TV, as well as community activities.[19] Addressing news deserts in 2010, CPB funded regional initiatives to produce local news on TV and radio,[20] which have evolved and continue to produce local news. NPR has developed a reporting collaborative in conjunction with local stations, the NPR Political Reporting Partnership.[21] The Center for Investigative Reporting routinely collaborates with public broadcasting stations to showcase its findings, as do other nonprofit investigative operations. The California Reporting Project coordinates the analysis of newly released police records among dozens of public and commercial media partners, including newspapers, radio, and television outlets.[22] In 2017, CPB Vice President Kathy Merritt pointedly invoked the concept of public service and the function of reliable news, when she commented,

> Collaboration is a force multiplier; together stations can do more and innovate faster to provide the local journalism that is part of the bedrock of public media's valued service to our country . . . We've seen the importance of our investments in collaboration when, for example, stations in the Texas Station Collaborative were better prepared to serve their communities throughout the devastation of Hurricane Harvey.[23]

Public broadcasting is innovative. It was the first broadcasting entity to use satellite technology, and it has been in the forefront of the digital transformation. NPR has overcome the profoundly local orientation of stations to permit the development of NPR ONE, an app that consolidates and remixes NPR news programming, and showcases podcasts from within and beyond public broadcasting. As of 2018, NPR is the top podcaster in the world, and, according to *Hot Pod's* Nick Quah, sets trends in monetizing as well as distributing podcasts.[24]

PBS Digital Studios uses YouTube as a platform for online informational video series, pitched at younger and more diverse audiences. American Public Media (a smaller rival to NPR) created the Public Insight Network (www.publicinsightnetwork.org/about/) in 2003, in order to make use of the expertise of its listener base, and it has since become a collaborative project throughout public broadcasting. The Localore project (at localore.net), funded by CPB, features experiments in interactive media, each lodged at a station. They range from stories about the North Dakota oil boom to an interactive documentary about Chinese takeouts around the USA, to various projects that engage users in proposing questions for local public media journalists to investigate. One of those projects evolved into the nonprofit service Hearken, which provides deep engagement services for stations.

Public radio and public TV have different profiles. Public TV has much less news than public radio, partly because of right-wing and corporate attacks but also because production costs of TV are far higher than radio, especially for news and public affairs. Only a few PBS public affairs programs, such as the news shows *PBS NewsHour* and public affairs series *FRONTLINE*, are routinely carried by stations. Radio, on the other hand, built a presence and a brand in local communities around the country by anchoring listenership in morning and evening news feeds from NPR. Its morning news show, *Morning Edition*, usually marks the highest point of pledging during pledge drives. Relatively low-cost local talk shows generate listener engagement.

While public TV and public radio have dramatically different profiles, they share some common user demographics. Both services tend, using

traditional ratings services, to skew somewhat older, better educated, and whiter than the general population. They both celebrate this when promoting the service to underwriters, arguing that they reach decision-makers. Public TV skews female, while radio tends toward male. However, both services also appear to reach diverse populations, particularly among more educated parts of the population. Within the college-educated bracket, public radio's diversity almost matches national demographics.[25] And using local research rather than commercial ratings services, the research service TRAC found that public TV stations actually drew about half their audiences, more or less depending on the market, from traditionally "underserved" populations.[26]

THE PUBLIC IN PUBLIC BROADCASTING

Public broadcasting's public mission centrally distinguishes it from other media. But most of that mission comes from the values and norms of the system, not from the law. Those values and norms derive from a clear ideological founding argument that American society needs reliable public information and cultural institutions, not only because the market will not provide them but because they are fundamentally not market services. This is in direct opposition to the neoliberal and radical libertarian ideologies fueling the current attack on democracy, as described by Bennett and Livingston, McLean and Oreskes. While the institution has been attacked by these forces, the core logic of its founding rhetoric can still be seen in both word and action. This logic echoes well with the arguments in Victor Pickard's contribution to this volume.

Public broadcasting in its current state was created in 1967, after a slow buildup. At its origins, with the Federal Communication Commission's decision to reserve spectrum for use by noncommercial radio stations in 1938, the notion of the public was associated primarily with the growth of new businesses serving general audiences. The fact that such a narrow definition of the public interest prevailed can be directly associated with the pro-business public relations and lobbying efforts also described by Oreskes. The crumb eventually given to noncommercial interests in increments starting in 1938 was reservation of FM spectrum (at the time inaccessible on consumers' radios). The justification was market failure.[27]

Public television's creation was justified by educational use. This took a strong step beyond market failure, toward the notion of public service. Truman FCC appointee Frieda Hennock – a New York city lawyer and Russian Jewish immigrant with a narrative of bootstrapped success – arrived

with a politically liberal agenda to create reserved channels. "Educational television" became a trading point in a larger negotiation, highly conditioned by broadcasters' commercial concerns, at the FCC.[28]

The creation of today's public TV took place in a time of wide debate about the texture of civil society in a post-war world. There are parallels with today, in fact. The so-called "Hutchins Commission" in 1947 – formally The Commission on Freedom of the Press – had set the tone. It found that freedom in danger because of:

> the economic structure of the press, in part the consequence of the industrial organization of modern society, and in part the result of the failure of the directors of the press to recognize the press needs of a modern nation and to estimate and accept the responsibilities which those needs impose upon them.[29]

It found, in line with Progressive thinking,[30] that the public needed access to a truthful, contextualized accounting of the day's events, which accounted for representative groups in society, as well as articulation of core social values, and a forum for comment and criticism.[31] The Hutchins Commission's logic was thus grounded in the logic of the "informed citizen," the role of the Deweyan public, and the importance of the relationship between information and democracy.[32] The notion that mass media had become as much a threat as a promise for a free society also drove a movement toward more active content regulation at the FCC. In 1946, the FCC issued guidelines (known as the "Blue Book") on public service obligations of licensees, which included limiting advertising "excesses," paying attention to local issues and offering public affairs programming, in order to mitigate the perceived negative consequences of commercial business models. Pro-business forces and broadcasters fought back with the same kind of anti-Communist rhetoric that had infused their lobbying for the 1934 Communications Act. While the Blue Book provisions were never enacted into law, for decades after, FCC public interest requirements for license renewal included some of its expectations, such as localism, community ascertainment (measures which ascertain the informational needs and wishes of community organizations and voices), and public informational programming. In addition, the National Association of Broadcasters preemptively adopted some of its terms in its best practices documents.[33]

The notion that an informed citizenry leads to a strong democracy has been perceptively critiqued as a myth.[34] However, as Dave Karpf argues, it is a "load-bearing" myth. Because people believe it, it has its own capacity to establish expectations and norms. This appears to be true in the case of

public broadcasting, where the notion has driven a sense of mission over the years, in spite of the fact that the law does not require it to do so.

Public broadcasting in its current form was created within Lyndon B. Johnson's Great Society agenda, which openly embraced the notion that societies were more than markets and governments should actively intervene to improve social health. The civil rights movement and liberal funders, including the Carnegie Fund and the Ford Foundation, also fortified this perspective. Bill Moyers, a Baptist pastor who became a White House aide, argued for a bill that would provide some government funds to public broadcasters. The notion was developed over a series of public and private meetings by a blue-ribbon committee, colloquially known as the Carnegie Commission.[35] Its report was designed to be more politically palatable than the Ford Foundation's earlier support for a more openly liberal service.[36]

The Carnegie Commission envisioned a system funded through an endowment financed by taxes on television sets. It was to have an apolitical board of directors and to serve as a national source and resource, with creatively diverse and opinion-rich programming (and possibly even with free interconnection between stations through phone lines). Public broadcasting was imagined as an autonomous, citizen-responsive source of information, playing several roles in convening public life. As E. B. White famously wrote:

> TV should be providing the visual counterpart of the literary essay, should arouse our dreams, satisfy our hunger for beauty, take us on journeys, enable us to participate in events, present great drama and music, explore the sea and the sky and the woods and the hills. It should be our Lyceum, our Chautauqua, our Minsky's, and our Camelot. It should restate and clarify the social dilemma and the political pickle.[37]

The Carnegie Commission had imagined a service that would be "a platform for the unheard," a "forum for debate and controversy" and "the clearest expression of American diversity."[38] Thus, the founding logic of public broadcasting clearly linked diversity, representation, cultural expression, and reliable information in service of democratically engaged public life.

This ideological framing has persisted and has been used in battles over resources throughout the years. A 1977 Carnegie Commission report on public broadcasting, "A Public Trust," inveighed against rank commercialism, upheld the notion of media serving an open society, and boldly italicized one of its conclusions: "*We believe the public broadcasting has*

the responsibility to use these most powerful communications media as tools to enhance citizenship and public service."[39]

The report had the bad timing to be released at the end of the Carter Administration, which itself was populated with free-market, small-government officials profoundly committed to neoliberal ideology, just as the Reagan tide was sweeping in. So, no structural reforms were made. But the framing has persisted throughout public broadcasting. It was highly influential in one of the lasting changes to CPB structure over the years, brought about by documentary filmmakers.

Documentary filmmakers, looking for outlets for their point-of-view work, argued over a decade to Congress that public broadcasting had an obligation to serve the public diverse perspectives from throughout the USA, not just the coasts. They explicitly made the connection between media diversity and democracy, and they portrayed themselves as stand-ins for the general public in their regions. In 1988, Congress created a dedicated line of funding within the CPB authorization, for a coproduction fund for independent filmmakers, the Independent Television Service (ITVS). Independent filmmakers have continued to be an outsized voice in public television, repeatedly affecting both funding and programming choices, because of their ability both to organize and to invoke public values both to Congress and to public TV officials.[40]

Private foundations including the Knight, MacArthur, and Ford Foundations have also subscribed to the "informed citizen" notion of public broadcasting enriching democracy, as a justification for funding. The then-president of the Ford Foundation, Susan Beresford justified a five-year, $50 million Ford Foundation initiative[41] supporting public broadcasting in these terms: "An informed citizenry is vital to good governance and community life and these grants challenge media innovators to enrich our education and knowledge. The grantees will help us understand the news we receive from various sources, and contribute to the public dialogue that is essential in a healthy democracy."[42] In announcing Public Square, a news initiative funded by the Knight Foundation in 2005, then-PBS president Pat Mitchell also invoked the informed citizen trope: "Public Square will deliver on public television's mission to strengthen civic participation in communities and provide a trusted source of news, information and varied perspectives in order to better inform and engage citizens."[43]

This framing can also be found on the CPB website, where, in 2016, it announced that "Digital, Diversity, and Dialogue are the framework for

public media's service to America" and that it was founded "to champion the principles of diversity and excellence of programming, responsiveness to local communities, and service to all." In 2019, the Trump-era CPB, in a more toned-down language, still invoked the same values: "CPB strives to support diverse programs and services that inform, educate, enlighten and enrich the public . . . CPB's core values of collaboration, innovation, engagement, and diversity, help to inform our program investments system-wide."

ASSAULTS ON THE VISION

The vision of a public broadcasting service to support public life was attacked from the start, by both political opponents and corporate interests. Commercial broadcasters originally were deeply suspicious of tax-subsidized, potential rivals, although they eventually found public broadcasting useful as an excuse to lighten their own public service loads. Congressional conservatives were deeply suspicious of the proposed bill, even though it had, thanks to careful politicking by Johnson's staff, support from the military as well as from some business interests. Conservatives strove to curb the editorial independence that a national, financially independent media service would have. They were particularly concerned that the vision for public television had been supported by the Ford Foundation, to many the exemplar of liberal, "Eastern Establishment" thinking.[44]

The arguments of the conservatives are evident in the dissenting comments included in the Act's legislative language, written by the few holdouts unhappy even with the watered-down bill:

> It will be the highbrow answer to mundane commercialism. . . . It will be a force for social good (as Mr. [Fred] Friendly and his fellow enthusiasts see the social good). It will bite at the broad problems of national policy and make timid men (such as Presidents, Governors and legislators) cringe. It could, and in the opinion of some witnesses, should and will crusade. We know that we are not alone in feeling some misgivings about creating a mechanism for the kind of broadcasting which might result from ambitions such as these.[45]

To accommodate commercial and political interests, public broadcasting was structured to limit its financial and political autonomy and national reach. CPB's budget now came through triennial appropriations rather than an endowment. CPB's funding was only a small fraction of what stations would need, so they would have to engage the marketplace.

CPB's nearly sole function was to give out federal funds to noncommercial stations, not to plan or program. In fact, it was banned from interconnection i.e., from creating a network. (Stations went on to create and use independent programming and distribution organizations, such as PBS and NPR, and CPB ended up providing some funds to some of them.) CPB's board were political appointees. The only requirement for a noncommercial license was to be affiliated with a noncommercial entity. (Today, more than 40 percent of noncommercial licenses are held by religious stations, mostly Protestant; and they are not part of public broadcasting.)[46]

Even this seemed too much to Richard Nixon. Only two years into public TV's existence, he discovered that a Ford Foundation-backed TV documentary on financial redlining targeted one of the bankers that had backed his campaign. His young lawyer, Antonin Scalia, warned him that public broadcasting was a "long-term problem" because it could become a BBC-like entity. Reagan attempted to defund all of public broadcasting. While he lost, his attack alerted all executives to the peril of public affairs, particularly in television. Television caught the attention of politicians the way public radio did not, at that point. It created a general sense of caution among television programmers.[47]

With Reagan's presidency, a direct attack on the notion of publicness itself began. It was justified by a neoconservative substituting of competition and consumer interest for social concepts. This was seen in the bold pronouncements of FCC Commissioner James Fowler, who famously noted that the public interest is merely what the consumer is interested in.[48]

The political attacks from the right on public broadcasting have opportunistically and consistently seized upon this logic, and on claims of imbalance in coverage. In the 1970s, the right-wing focus was on TV, but with the Reagan election, right-wing organizations also turned to public radio. Right-wing groups in the 1980s derisively described NPR as "Radio Managua," thereby implying a communist agenda.[49] The Heritage Foundation published a report accusing NPR of liberal bias and catering to the Democrats in Congress, and calling for defunding. Right-wing media watchdog Accuracy in Media focused similar criticism on "All Things Considered," calling NPR a "taxpayer-funded monument to 1970s radicalism" and "an easy mark for Soviet disinformation operations."[50] *The New Republic* repeated the accusations, focusing on foreign affairs in Central America. In the 1990s, the media criticism journal *COMINT*, edited by Peter Collier and David Horowitz, focused exclusively on public broadcasting.[51]

The punditry's debates matched the policies of the Reagan Administration; Reagan tried to defund public broadcasting and then vetoed two bills until more commercializing measures were inserted. CPB stopped giving money directly to NPR and gave the same funds to individual stations, which could choose whether or not to purchase the news packages from NPR. State Department "public diplomacy" officials were charged with hounding reporters and outlets that provided news coverage unfavorable to the administration especially those officials, like Otto Reich, who focused on Latin America. They targeted NPR news. This documented targeting was part of a wider attempt by the Reagan Administration to have greater control over all aspects of Central American policy.[52]

The attacks, coming at a time when NPR had suffered financial setbacks, engendered caution. When an "All Things Considered" news segment by Charles Castaldi about a *contra* massacre in socialist Nicaragua (the *contras* were supported by the Reagan administration) violated expectations by running minute after minute of people sobbing at a funeral, it created a furor in Washington, DC about "balance." NPR editors bowed to pressure and hosted State official Otto Reich, who was in charge of Latin American public diplomacy, to rebut the piece. Commercial news networks ABC and CBS, however, used the same footage without doing so. "We call you guys Radio Moscow on the Potomac," Reich reportedly said off-air. Castaldi's reports stopped.[53] Castaldi's producer, Gary Covino, noted two years later that news editor Robert Seigel's "handling of the story sent a message, spoken and unspoken, that this was not the kind of stuff NPR should be doing in this part of the world ... And many people picked it up really quickly and began censoring themselves."[54]

Legislators have also joined in, over the years. Senator Robert Dole was particularly focused on radio, and created a clause in 1992 legislation requiring "strict adherence to objectivity and balance," in order to limit "left-wing ideology."[55] In hearings for public broadcasting's triennial budget approval, other congressional representatives have disproportionately targeted independent films, which are often made by or about underrepresented voices. More recently, in 2017, Representative Andy Harris, a member of the right-wing of the Republican Party from Maryland, (R-MD) accused public TV of bias, holding up three independent documentaries, all of which featured African American women.[56] His highly strategic attempt to defund the film's coproducer, Independent Television Service, through the insertion of arcane appropriations language, was narrowly avoided.

Most defunding threats, though, appear calculated to sow distrust by portraying the services as elitist and liberal, since inevitably there is strong Congressional support for continued funding, given strong local support in each district for the services. Such threats are perennial. For instance, in the 1990s, Senator Jesse Helms, a deeply conservative North Carolina Republican who came to politics working for a white-supremacist Senate candidate and a Reagan enthusiast, reveled in finding public TV programming that could rile conservative constituencies. He was able to generate very effective publicity and to discourage stations from airing *Tongues Untied*, a video poem about gay black identity by Marlon Riggs.[57] Republican Representative Doug Lamborn has called for the defunding of public broadcasting in bills every year since 2007, on cultural grounds. Most recently, he argued that PBS "offended many conservative and religious taxpayers who do not want the children inculcated with liberal viewpoints on sensitive topics."[58] Trump-era Republicans continued to threaten to end funding for the Corporation for Public Broadcasting.[59]

Public broadcasters have also been caught in the crosshairs of more specific disinformation campaigns. A public TV program on Reagan's Strategic Defense Initiative came to the attention of anti-Communists at the right-wing George Marshall Institute. They sent a letter to station managers threatening to invoke the Fairness Doctrine and demanding "balancing" perspectives. Most stations did not air the program, a fact the Marshall Institute widely promoted in fundraising.[60]

Right-wing organizations perennially mock public broadcasting as both an unnecessary government expenditure and too liberal. For decades, author Laurence Jarvik has been on right-wing talk TV and radio, decrying the "liberal agenda" of public TV.[61] The Family Research Council recently reiterated an old complaint – on the occasion of critiquing children's cartoon *Arthur* for showing same-sex marriage – arguing that "for years, NPR and PBS have taken advantage of the airwaves to spout their radical agenda. And in the end, taxpayers are the ones that have been puppets – for the Left."[62] Organizations such as The Heritage Foundation and the Cato Institute can also be counted on to bash public broadcasting. Cato's David Boaz, who went on to give Congressional testimony, told Fox News back in 2005 that public broadcasting needed defunding because of its liberal tilt and its "wealthy" audiences.[63] Heritage calls public broadcasting the tool of "the politically correct elite left."[64]

Sometimes the attacks have come from inside within. In 2003, Kenneth Tomlinson, who had served as chair of the Broadcasting Board of

Governors, the US government's suite of public diplomacy operations including Voice of America, and was an old friend of Karl Rove, was appointed as one of the Republican members on the CPB board. He quickly became board chair, with an overt agenda to promote more conservative views on public broadcasting. Among other things, he hired Michael Pack, fellow neoconservative and a former journalist for the public diplomacy agency, USIA, to be vice president for TV programming. Pack proceeded to commission several conservative series. Tomlinson's behavior alarmed some board members, however, and a report from the investigator general for CPB in 2005 found that, among other things, he violated both federal law and CPB rules in fundraising for a news program hosted by the *Wall Street Journal*. He was forced to resign, and Pack left shortly thereafter.[65] But NPR, for one, has remained profoundly cautious about any departure from an administration's perspective on global affairs.

The right-wing attacks from inside do not stop. In 2013, Howard Husack, vice president for policy at the free-market Manhattan Institute, with funding from the Olin, Bradley and Sarah Scaife foundations among other right-wing funders, was appointed to the CPB board as a Republican representative. As his term was winding down, he proceeded to conduct a public campaign against, first, CPB's priorities and then federal funding for CPB. In 2017, he published an opinion piece in several venues, openly calling for defunding. "Public media now rarely offers anything that Americans can't get from for-profit media or that can't be supported privately," he asserted in one, invoking the market-failure argument. He also noted, "One area where public media does, increasingly, provide something the market doesn't is local news and public affairs programming." This, he argued strategically, was evidence local stations could survive without federal dollars, since local programming could raise local dollars.[66] The specious argument that local news justifies cutting CPB out of the federal budget became a staple of his op-eds. (There is no evidence that individual stations alone can afford to produce consistent, quality local news without collaboration.)[67] In one of several pieces in the *Wall Street Journal*, he also inveighed against independent documentaries produced by people of color and by ITVS as promoting "identity politics," and sowing division.[68] Other board members censured him, and declared their distrust; his term is now up.

The decisions of TV stations to preempt potentially controversial films (or to refuse to air specific shows while continuing to run the series) either for political or business reasons, may reflect the caution engendered by

such attacks. Certainly, both *POV* and *Independent Lens*, TV programs that have some of the highest rates of attracting younger and diverse viewers, also have some of the highest rates of preemption. After the 1980s right-wing attacks, at least one station dropped "All Things Considered."[69]

Local sensibilities may also influence the marked changes in national news programming toward a more cautious, government accommodating perspective over the years. The sensibilities of local elites can easily be seen in the boards of directors of local stations, which depend on them to promote donations and win support, often from conservative legislators, during appropriations. For instance, all South Carolina public TV stations, as well as the Charlotte, NC, public station, refused to run *Uprising of '34* (1995). Its oral history of a textile strike there, which was brutally suppressed by textile owners, implicated still-prominent families,[70] and the scion of one headed the South Carolina public TV system. Southern stations generally refused to run *Spies of Mississippi*, about FBI involvement in civil rights protests in the South, and other stations refused to carry it in its scheduled prime-time slot.[71]

A starker example of the connections between disinformation funding and public TV programming can be seen in New York station WNET's campaign to move the two TV series featuring point-of-view documentaries, *Independent Lens* and *POV*, off their prime-time slot. Billionaire David Koch sat on the WNET board at the time when a film critical of the 1 percent aired on *Independent Lens*; Alex Gibney's *Park Avenue: Money, Power and the American Dream*. Koch's functionary complained to WNET's CEO Neal Shapiro, who offered him rebuttal time. But Koch rejected it, resigned from the board, and withdrew a donation.[72]

Shapiro and PBS programming executives subsequently agreed to move *Independent Lens* and *POV* to a day that stations typically don't use PBS's nightly prime-time programming and instead insert local or self-chosen programs – effectively moving *Independent Lens* and *POV* off the prime-time schedule. However, this move did not go unnoticed by documentary filmmakers, who coordinated a national protest campaign. It worked, although two years later WNET and PBS again tried to move the series. Again, documentary makers led protests that in turn led to the reinstation of the programs.[73]

STILL HERE

Despite relentless right-wing attacks and disinformation campaigns, public broadcasters remain the most trusted media brands in the USA, and

listenership and viewership is distributed throughout the country. How can this be? Certainly, the ethos of public mission, in service to civic health and an informed citizenry, endures and provides a rhetorical umbrella under which the work proceeds. In addition, stations, program strands, and CPB are also veterans at applying under-the-radar coping strategies to deal with the various pressures upon them, as we will see below.

Radio and television have different challenges. Radio has more news and bigger audiences, but television has greater visibility among politicians, especially for independent work shown in anthology programs. While public radio does have independent producer work, such work has flourished more on podcasts than on air. There is no national anthology showcase on radio such as *Independent Lens* and *POV*, and radio producers are less well organized than documentary filmmakers. There are left-wing stations in the Pacifica network, with a daily news show *Democracy Now*, but the show accepts no government funding and is most widely available on the Internet. The five stations in the Pacifica network do not receive CPB grants.

News organizations in public broadcasting are ever vigilant on issues of objectivity and balance. *PBS NewsHour* has a complaints section. NPR has an ombudsman, and complaints fielded there are never-ending; from underwriting issues, to claims by interested parties of bias one way or another on every conflict (but especially that of the Israeli-Palestinian conflict), to questions of inaccurate reporting.

In addition, CPB, public broadcasting programming services and the stations have been weathering frontal attacks from the right since 1969. Station management is ever aware of the permanent reputational threat they face, and hires are made with this in mind. Stations already face a legal standard of "objectivity and balance," of course, but they are well aware that even featuring a program, with, say, people of color, can be portrayed by the right as unbalanced. Station boards are tilted toward the locally prominent and well-off, as part of their challenge to raise the donor dollars to meet budgets. Station and programming service resistance to the programs that draw the greatest right-wing attention demonstrate, among other things, the general caution typifying programming decision-making.

The biggest influence of right-wing pressure on TV might be seen in the encouraging of caution, a caution which, in particular, discourages public TV from investing more in news and public affairs than it does. It is notable, however, that the news and public affairs available are so widely trusted that PBS surveys find that 70 percent of those who voted for Trump have trust in PBS. The biggest influence of right-wing pressure

on radio may be a combination of caution in airing potentially controversial material (the difference between Pacifica programming and NPR programming is useful here), as well as the demonstrated centrist and even at times pro-administration tilt to news coverage. Perhaps the great caution, the stress on journalistic standards, and the hewing to the familiar required to bulletproof the news on public broadcasting from the free-market ideologues has helped to generate across-the-spectrum confidence, at some cost both in range of perspectives and amount of news.

While public broadcasting has faced plenty of criticism from the left for blandness and catering to corporate and right-wing concerns,[74] and has often been at odds with independent creator communities, all its left-of-center critics face a common reality. They want the service to continue to exist. In the end, the left-of-center critics make the same arguments that the service itself does for its survival. They too argue for service to an informed citizenry and for civility. If they succeed too far in showing the distance between public broadcasting's programming and its claims, they give the right wing ammunition. Indeed, the moment that documentarians began to win in their fight for space on public TV came when they heretically went to Republican legislators with the argument that public TV did not deserve funding if it could not represent the voices of people from across the USA and especially from within the legislator's district; CPB was alarmed enough to start paying attention. But generally, for public broadcasting's leaders, a little left-of-center criticism just shows they are squarely in the center. At the height of Reagan-era attacks on public broadcasting news coverage, NPR editor Robert Seigel was able to say, "I've never been terribly concerned about left-wing magazines painting NPR as turning right. It's not something that ever hurt terribly."[75]

In addition, trust in public broadcasting is generated by far more than its news and public affairs coverage. Public TV benefits from its huge investment in children's programming and its ancillary services to schools and for caregivers, as well as its "safely splendid" (in Erik Barnouw's phrasing) programming of British drama and comedy. Public radio features a number of non-public-affairs programs noted for compelling storytelling (*This American Life*, *99% Invisible*) and engaging personalities (Terry Gross on *Fresh Air*, Peter Segal and other comedians on *Wait Wait... Don't Tell Me!*), as well as legacy figures like Garrison Keillor *(Prairie Home Companion)* and Tom and Ray Magliozzi (*Car Talk*). When people say they trust PBS and NPR, they are usually unaware of the complexity of public broadcasting's structure, and unmindful that some of the programming they most love may not come from either.

Finally, the fact that public broadcasting is deeply dependent on listener and viewer donations, and that stations plead regularly on-air to donate, creates a relationship between the users and the providers of the programming that is uniquely intimate. The donating "members," as they are called, can become helpful in times of political crisis, and, as shown, they inevitably invoke and reinforce the public-service mission.

NEW FRONTS IN DISINFORMATION?

Public broadcasting's decentralized structure has shown capacity for resilience, but it can also be exploited by those with knowledge of its arcane structures, awareness of market imperatives for local executives, and good-enough looking and sounding programming. This has been demonstrated by generations of mediocre syndicated programming, content that also appears on commercial outlets, occupying daytime and late-night on public schedules – particularly for television – in many smaller markets. Suze Orman, for instance, was a longtime public TV staple, and *This Old House* can also be found on commercial broadcast, dish, and cable channels. A Sinclair-like news program would raise eyebrows, but a more subtle product, particularly one that appeals to the "fair and balanced" concern of a programmer always in the shadow of a legislator's disapproval, may fare differently. After all, Tucker Carlson started out on public television (during the Tomlinson era). In addition, the religious noncommercial stations are potential conduits for disinformation agents crafting programs appealing to a religious constituency.

Certainly, ascendant right-wing and alt-right figures have shown interest in public media structures. Michael Pack, former head of the extreme-right Claremont Institute and earlier senior vice president of TV programming at CPB under Tomlinson, was appointed in 2020 to serve as the head of the US Agency for Global Media (USAGM). The appointment had been stalled for two years, while Democrats in Congress pointed out Pack's close friendship with Steve Bannon, the white-supremacist tint of the Claremont Institute, and financial improprieties he allegedly conducted while heading the Institute.

The USAGM, formerly the Broadcasting Board of Governors and now a single-executive position,[76] oversees US public-diplomacy media such as the Voice of America. The cluster of news operations the USAGM controls are oriented outside the USA, but are generally charged with providing fact-based, reliable news that exemplifies American freedom of speech, while also functioning as an instrument of public diplomacy. This has

always been a delicate act to perform, and the news agencies have had their scandals.[77] Recently, as a 2018 US House oversight report noted, one of the Agency's services, Radio Free Europe/Radio Liberty, was found violating the Smith-Mundt Act, by targeting US citizens with social media posts without their request.[78] But the Voice of America in particular has won respect for its journalism.

Immediately upon arrival, Pack controversially (and possibly illegally) fired all heads of the various services who did not resign and initiated an aggressively politicized era for the agency.[79] This bold flipping of the agency's official premise made American international news services the handmaidens of extreme right-wing ideology – at least for the duration of Pack's term (the position, since 2017, is a presidential appointment). Furthermore, as someone who understands the arcane complexities of American public broadcasting, and whose role, as of 2016, is armed with the permission to reach back into the USA (so far, under the law, only at a citizen's request), Pack was also put in a position to directly challenge the traditions of domestic public broadcasting.

US public broadcasting, grounded in the ideological frame of an informed citizenry and the role of public media in democracy, can play an important continuing role in combatting disinformation, within the limitations it has adapted to already. It builds on a well-established reputation for trust, across partisan lines. It has survived unrelenting right-wing attacks, which use neoliberal and neoconservative rhetoric, since its origins. Time and again, public support, particularly at the station level, providing direct pressure on Congressional representatives, has made a difference. This is an interesting counter-example to the effects of some disinformation campaigns described by others in this volume. It is also a demonstration of David Koch's insight quoted in Nancy MacLean's chapter: these right-wing strategies really are unpopular when tested against the actual delivery of even partially government-supported services.

But public broadcasting perennially, and now more than ever, needs both public support and vigilance, particularly at a moment when disinformation experts are acutely aware of structural weaknesses in the US media system. Members of the public can start with use of, membership in, and constructive suggestions for their local stations. They can support taxpayer funding that currently occurs at the local, state and federal level, and vote for the legislators who defend public broadcasting. Support for and defense of public broadcasting has, and probably will continue to be, grounded in an ideological framework opposed to the neoliberal understanding of both

media and the role of the state. Listeners and viewers, as well as documentarians and other stakeholders in the public broadcasting ecology, have consistently invoked the value of a trusted public service, supported by taxpayers, through which the public can not only be better informed but can engage with others regarding the challenges of democracy. Not only does such a framework push back against erosion of public broadcasting's capacity, but it also holds public broadcasting to the public-service mission that has become an expectation over more than half a century of evolution.

NOTES

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10

The Public Media Option

Confronting Policy Failure in an Age of Misinformation

Victor Pickard

Events leading up to and following the 2016 election exposed long-standing structural pathologies in the American media system.[1] Commercial excesses in television coverage, profit-seeking platform monopolies, and various kinds of "news deserts" helped usher in a dangerous politics. Despite racist, sexist, and xenophobic messaging, news outlets willingly amplified Trump's campaign. At every turn along the way, venal commercialism trumped democratic imperatives in the American news media system. The now-disgraced CEO of CBS, Les Moonves, acknowledged that Trump's campaign might be bad for America, but it was "damn good for CBS."[2]

Despite the media's unscrupulous behavior, one bright spot – if it could be called that – is that this political crisis has reminded Americans why democracy needs a functioning fourth estate. While many of us learn this truism in school, we usually take the press for granted, without reflecting on the necessary policies, laws, and infrastructures that sustain it. There is now, however, a fleeting window of opportunity to reimagine our news media system. In this sense, our current crisis may also be an opportunity – but it will require much intellectual and political work to make it so. Most of all, it will require Americans to move beyond the libertarian paradigm that has governed their media polices for decades. They must reclaim a social democratic tradition that can challenge market fundamentalism and protect public goods like news and information from systemic market failure.

Today, as we look to journalism to protect us against everything from misinformation to fascism, the press is in a deep structural crisis.

Journalism's institutional support is collapsing, leaving entire regions and issues without coverage at a time when we desperately need reliable information and robust reporting. How did this happen and what is to be done? In the following, I will argue that creating a new public media system is not the only answer, but it must be part of the solution.

WE HAVE BEEN HERE BEFORE

Many of the media-related challenges facing us today – misinformation, unaccountable monopolies, news deficits – are actually old problems. Donald Trump's election was symptomatic, not the cause, of a deeper institutional rot within America's core systems, including its media system. These preexisting structural conditions, I argue, are the direct result of media policy failures over time – a long history of policy actions and inactions that led to contemporary crises in our information systems. These include the failure to 1) maintain open and democratically operated communication infrastructures, 2) confront monopolistic control of key sectors of the American news and information system, and 3) sustain public service journalism.[3] Linking all of these policy failures is a systemic market failure arising from commercial imperatives that – with important exceptions – have long plagued the American media system.

The argument I propose in this essay is that many of the problems facing our communication systems today are structural problems and therefore require structural interventions. And more to the point, they are social problems that require policy interventions. While many analyses have focused on the growing lack of trust, partisanship, and other problems on the audience side of the equation – all significant issues worthy of our attention – I am suggesting here that at least as much emphasis should be placed on the supply-side. Any society that aspires to be a democracy must ensure the existence of a reliable news and information system. This is a baseline requirement. Without a functioning press system our many other social problems – from global warming to hyper-inequality – become insurmountable.

With such a focus in mind, this chapter begins to sketch out a public policy program that can confront the journalism crisis and democratize our media system. This requires a combination of regulating or breaking up media monopolies, creating public alternatives to commercial news outlets, and enabling workers, consumers, and communities to create

their own media. Historical lessons gleaned from previous policy battles and media crises – ranging from contesting yellow journalism (what some might call "clickbait" today) to the decades-long campaign to establish a public broadcasting system in the USA – have much to tell us about charting a way forward. In the following, I discuss some of this context before turning to a set of concrete policy proposals for confronting the twin problems of misinformation and the crisis in journalism.

THE ROOTS AND COSTS OF THE JOURNALISM CRISIS

It is generally indisputable that journalism today faces many challenges, especially economic threats such as the collapse of its advertising-dependent business model and the dominance of platform companies like Facebook and Google. The past decade has witnessed an accelerating decline in revenue and readership, leaving the nation's newsroom employees reduced by more than half. Reliable journalism is vanishing, misinformation is proliferating, and our public media system – which ideally could provide a safety net for those occasions when the market fails to support the press – remains weakly supported compared to its global counterparts.

The journalism crisis is also disproportionately harming specific groups and regions, especially communities of color, rural areas, and low income neighborhoods. A growing body of scholarship documents the negative social effects caused by information scarcity and the rise of news deserts. Studies show that those communities lacking access to reliable sources of news are less informed about politics, less civically engaged, less likely to vote, more polarized, and experience rising levels of corruption in their local governments. These problems are likely to only worsen in the coming years.

With these concerns in mind, my essay addresses the following questions: how can we bolster reliable news media, especially the vitally important types of journalism that the market inadequately supports, such as local, international, investigative, and policy reporting? How are other democratic nations addressing similar crises, and what has America done historically to support journalism? Are there alternative models less vulnerable to market failures, especially within digital media systems? If so, what reforms and public policies could support them?

History suggests that when faced with seemingly insurmountable social quandaries, democratic societies can meet them with sound public policy. But this requires careful study and discussion about the structural roots of social problems. Exciting experiments and policy proposals are

beginning to emerge, but they are still in their infancy. The many problems facing our media have outpaced research, but a growing empirical record shows that communities with access to strong public media systems are better protected against misinformation. However, the American public media system is under-funded and increasingly forced to rely on quasi-commercial support to maintain its current level of news production. Whereas public media systems in Europe and Japan may receive annual funding of approximately $50 to $150 per capita, the US system receives annually a paltry $1.40 of federal funding per capita. How can we build a new American public media system for our digital age, one that is fully funded, truly public, and can serve America's critical information needs?

PUBLIC MEDIA'S MOMENT

The current crisis is also an opportunity to reinvent journalism and strengthen our democracy. With increasing public attention focused on threats to the integrity of our news and information systems, now is an apt moment to consider reforms that reorient American journalism for the digital age. The analysis I am proposing here brings into focus the structural nature of the journalism crisis and potential systemic alternatives. Namely, I propose that we as a society design a new public media system. Toward this aim, we must consider what policies and politics are required to establish such a system. Drawing from the historical and international record of public media can help inform a policy program for establishing a new, multi-media network in the USA. As consensus crystalizes that journalism's advertising-dependent model is irreparably flawed, the search is on for systemic reforms and structural alternatives, especially nonprofit and noncommercial models.

In particular, America's journalism crisis and the misinformation problem require public options. A growing body of literature shows that public media are beneficial for strengthening political knowledge. Increasingly, public media systems are intervening directly into the journalism crisis. For example, the BBC has leveraged its resources to shore up the UK's struggling news industry by funding 150 "local democracy reporters" at media organizations across the country to focus on local politics and share coverage with other news outlets. Other collaborative projects include a massive "local news partnership," a "local democracy reporting service," and a "news hub" giving news partners access to a vast trove of BBC video and audio footage.[4]

A "public option" for journalism can help address endemic problems in commercial media that render our information systems vulnerable to crisis. Looking at international models that address gaps in local coverage – as well as the history of American public media infrastructures, such as the postal system and public broadcasting – can help us envision what a new public media system might look like in our digital age. Such a comparative and historical research agenda can help us think through key questions, from normative considerations about public media's role in a democracy to more technical and policy-oriented questions about design and governance, especially as public media institutions adapt to digital formats. Studying other public media systems can help us reimagine ours.

PRESS SUBSIDIES AROUND THE WORLD

Many kinds of state-supported journalism exist around the world, and a wide range of international media policies mandate proactive government engagement to ensure diverse media.[5] Most democratic societies have long invested in strong, publicly subsidized broadcast media systems. In addition, many countries, especially in western and northern Europe, also directly and indirectly subsidize print media. For example, Norway subsidizes newspapers to lessen commercial pressures and prevent newspaper monopolies.[6] This model has been taken up in many Nordic countries, which have maintained media diversity and pluralism, and rank high globally in terms of democratic indicators.

To take one example, a similar model for funding local journalism exists in Sweden. When faced with a newspaper crisis fifty years ago, the Swedish government implemented a press subsidy model similar to Norway's and began taxing newspaper ads. It created an independent agency that supported struggling papers and prevented bankruptcies. The government used these subsidies to support smaller newspapers and diversify news discourse via an administrative governmental body called the Media Subsidies Council that allocates funds based on circulation and revenue to newspapers other than the dominant paper in a particular market.[7] Although these subsidies account for a relatively small percent of the papers' total revenue, they have helped prevent one-newspaper towns from proliferating.[8] Financial aid in the form of reduced taxes and direct distribution subsidies also supports Swedish newspapers.[9]

Canada is also pursuing significant journalism subsidies, reflected in important reforms to the Canadian tax code to allow for tax-deductible contributions to non-profit media institutions. The Canadian government also earmarked money for a refundable tax credit for news organizations to offset labor costs. An independent commission will determine the qualifying organizations and the precise percentage of the fees credited. The budget also established a 15 percent tax credit for individuals' subscriptions to qualifying digital news media. The government allocated a total of $595 million (CAD) over five years in addition to a previous pledge by the Canadian government of $50 million to local journalism.[10] These proposals have been met with some criticism – especially from smaller publishers who feel that these subsidies favor large incumbents – but they have initiated important conversations about public policy interventions that can support journalistic institutions.

Probably the best example of subsidizing news media is the previously mentioned BBC experiment. In 2019, the BBC proposed a new charity, the Local Democracy Foundation, to oversee and expand its local "democracy reporting" program. In conjunction with tech companies and other potential contributors, the BBC foundation would fund regional public interest journalism to cover council meetings and other local events that otherwise would likely go unreported. With over 50,000 stories published through this collaborative model so far, proponents hope the programs will continue to expand.[11] However, this might be unrealistic, given the BBC's recent cuts to its local news division and difficulties in finding additional external funding. Meanwhile, other countries, such as New Zealand, are beginning to consider or implement their own versions of such programs.

Despite positive developments, the BBC project, similar to the Canadian model, has faced accusations that its model reinforces market concentration by favoring large publishers. For example, the BBC has placed the vast majority of its reporters with local newspapers owned by only three major regional publishers, leading to charges that the program allows debt-laden publishers to exploit taxpayer support to compensate for their earlier profit-seeking measures – irresponsible actions that helped create the very journalism crisis that the program seeks to remedy.[12] Nonetheless, the program offers a glimmer of hope at a time when the market is failing to support the journalism that a democracy requires. At the very least, it can provide the basis for future reforms to build upon, gradually removing news operations from the destructive effects of the market.

POTENTIAL FUNDING MODELS FOR A NEW PUBLIC MEDIA SYSTEM

Even the United States is beginning to see the rise of nonmarket experiments, including investments in public media and subsidies for local journalism. For example, in 2018, the New Jersey legislature passed a bill dedicating $5 million to the "Civic Information Consortium," an innovative nonprofit focused on revitalizing local media. The media reform organization Free Press first proposed the project and further developed it during two years of grassroots advocacy and community engagement. Its primary mandate is to help provide for New Jersey residents' information needs, especially in underserved, low-income areas, and communities of color. The consortium will subsidize both legacy and start-up news outlets, as well as support media literacy and civic engagement programs.[13] While $5 million is tiny – and further reduced by the NJ government to $2 million – in comparison to the news industry's catastrophic losses over the last decade, it serves as a significant proof-of-concept that government can financially support local journalism and other media projects.

One promising recent development with public media has seen local outlets shoring up local journalistic institutions under duress. For example, the New York City's public radio station WNYC helped salvage the defunct local news site *Gothamist*.[14] Other local public media stations around the United States are increasingly collaborating with other local news institutions and civil society groups to produce various kinds of digital print media – from investigative print journalism to stand-alone reports – in addition to traditional radio and television broadcast media. Increasingly, public media outlets are buying up outright digital journalism outlets – sometimes in partnership with philanthropic organizations – and this model could be replicated across the country.[15]

However, for these media experiments to be universally accessible, we must figure out a way to pay for their expansion at a systemic level. The most straightforward approach is that the USA could simply join the rest of the democratic world by funding a strong public media system. Indeed, the United States could finally guarantee long-term financial support by removing public media's budget from the congressional appropriation process and instead create a permanent trust that would shield it from political pressures and provide economic security. With a larger funding base, the US public media system could experiment with new formats and

expand its reach. Furthermore, in addition to the existing public broadcasting system, it could include community and low-power radio stations, public access cable television, independent community news outlets, and other local media. Such multimedia centers could combine resources and collaborate on the local and investigative reporting vacated by vanishing commercial newspapers.

Less direct government subsidies are also possible, and other countries are proposing plans such as tax vouchers that people can put toward their choice of media.[16] Other experiments might include establishing an AmeriCorps-style, government-subsidized journalism jobs program, perhaps drawing inspiration from New Deal-era WPA programs. Yet other subsidy models could be developed without increasing government expenditures by, for example, repurposing funds for international broadcasting (worth hundreds of millions of dollars); charging commercial operators for their use of the public spectrum or outright selling it (worth tens of billions of dollars); implementing an equivalent to the universal service charge added to monthly phone bills; or placing a small consumer tax on electronics.[17]

An even more ambitious plan that I have discussed elsewhere would convert existing public infrastructure, such as post offices, public broadcasting stations, and public libraries, into local media centers. In addition to providing public internet access – perhaps as part of a community broadband network – these spaces could be used to produce local reporting through various kinds of media.[18] The Indymedia experiment of the early 2000s could serve as a potential blueprint. However, these new community media centers should be publicly funded and/or receive financial support from local governments instead of relying on all-volunteer labor, which was always a major challenge for this model and a contributing factor to its decline.[19]

By competing with and thereby pressuring commercial outlets to be more responsible, diverse, and informative, strong public institutions can benefit the entire media system. Commercial media's limitations in providing society with reliable news and information are readily apparent, yet significant barriers remain to making such arguments for public investments. Many Americans – including journalists themselves – assume that government support translates to state control over media content. Much evidence contradicts this assumption, but nonetheless, the necessary politics for creating a new public system in America are currently lacking. Therefore, the first step toward actualizing this system is to reorient discourses around public media subsidies. In doing so, we could take a page from the playbook of the libertarians and right-wing intellectuals

who for decades toiled within think tanks and policy shops to craft economic arguments that we now take as almost commonsensical.

CREATING INFRASTRUCTURES FOR DEMOCRACY

The current journalism crisis presents a rare opportunity to reinvent American public broadcasting as a new media system dedicated to public service journalism across various media. Increasing public attention on the threats to the integrity of our news and information systems has created an opportunity to recalibrate American journalism for the digital age. While not the perfect panacea for all that ails our communications – and many variations are possible – a strong public media system can provide a solid foundation for a healthy information system. Evidence suggests that public media strengthens political knowledge and democratic engagement, encourages diverse and independent news coverage, and seeks to ensure universal access to information and communication infrastructures.

Beyond receiving high-quality news, we must also make sure that communities are deeply engaged in the news-making process itself. Community engagement is the best way to create a new kind of journalism, one that is accountable, representative of diverse views and voices, and trustworthy. Moreover, community members should be involved in the governing process, empowered to organize their own newsrooms, and able to collaborate in making their own media. Therefore, we must address the following questions. What might a new public media system look like? What policies and politics are required to establish such a system in the United States?

It is fair to conclude that our current misinformation problems are the direct result of policy failures. These include the failure to fund public service journalism, which created the ideal conditions for misinformation and low-quality news coverage to propagate; the failure to maintain open access to reliable information and democratic participation; and the failure to prevent monopolistic control of key sectors of American information systems. This latter failure created a wide range of harms, including news gatekeeping, lack of diversity, and sensationalistic content. These policy failures perpetuate a systemic market failure that has compromised the American commercial media experiment since its beginning.

Although there is a general unease toward policy interventions in the American media system, political economic scholarship has long established that tendencies inherent in media markets often lead to various

externalities.[20] It is the role of government policy to manage them – to minimize the negative and maximize the positive externalities for the benefit of democratic society. Moreover, the democratic imperative of maintaining reliable news and information systems requires approaching the journalism crisis as a major social problem that necessitates public policy interventions.

Democratizing the American media system necessitates a robust public policy program aimed at de-commercializing news media. This program has three components. First, it must regulate or break up information oligopolies; second, it must create public alternatives to commercial news media; and third, it must empower media workers, consumers, and communities. Of course, de-commercializing journalism will not solve all media-related problems. Problematic cultural orientations and power hierarchies within newsrooms and throughout society will continue even after removing journalism from the market. Nonetheless, de-commercialization is a first step toward democratizing the news media. Stripping commercial values (an emphasis on sensational and conflict-driven news) and instilling public values (an emphasis on high-quality information and confronting concentrated power), could help engender a journalism that is committed to universal service but sensitive to diverse social contexts.

Cultivating a nonprofit news model from the wreckage of market-driven journalism goes well beyond nostalgia for a mythological golden age. Any path toward reinventing journalism must see the market as part of the problem, not the solution. In many ways, commercialism drives the journalism crisis, and therefore removing it could be transformative. While the challenges facing journalism are legion, the ravages of the market pose an existential threat. We should therefore either remove journalism from the market entirely or minimize commercial pressures as much as possible.[21] This is the only way we can create true structural alternatives.

The late sociologist Erik Olin Wright provided a useful framework that can help us envision what a truly public media system might look like and how we can get there. He proposed four general models for creating alternatives to capitalism, each one based on a different logic of resistance: smashing, taming, escaping, or eroding.[22] Wright suggested that eroding and taming capitalist relationships offered the best prospects by reforming the existing system in ways that greatly improve people's everyday lives (taming), while also creating alternative models to gradually replace commercial structures (eroding).

We can adapt this strategic vision toward freeing our media system from commercial logics. As I discuss in the conclusion of my recent book, there are five general approaches conducive to such a project: 1) establishing "public options" (i.e., noncommercial/nonprofit, supported by public subsidies), such as well-funded public media institutions and municipal broadband networks; 2) breaking up/preventing media monopolies and oligopolies to encourage diversity and to curtail profit-maximizing behavior; 3) regulating news outlets via public interest protections and public service obligations such as the ascertainment of society's information needs; 4) enabling worker control by unionizing newsrooms, facilitating employee-owned institutions and cooperatives, and maintaining professional codes that shield journalism from business operations; and 5) fostering community ownership, oversight, and governance of newsrooms, and mandating accountability to diverse constituencies. While society should simultaneously implement all of these strategies, creating a truly public system – which remains the best defense against systemic market failure – should be paramount.

FOUNDATIONS FOR A NEW PUBLIC MEDIA SYSTEM

Proposing the idea of massive public subsidies for news media in the United States typically invites two immediate objections. One concern is cost, and the other is that a publicly subsidized system would inevitably become a mouthpiece for whomever controls government. While recent actions by the Trump administration should give us pause, media subsidies do not necessarily invite totalitarianism. Democratic nations around the planet maintain strong public media systems as well as democratic freedoms that compare favorably to America. Nonetheless, preventing government capture is certainly a legitimate concern. An uncompromised safeguard for any public media system is that it must be firewalled from government control and interference. Regardless of the funding source, all contributions to a public media fund should be severed of any institutional or personal attachments to ensure that journalism retains complete independence. Any donations to a public media trust should follow a double-blind process whereby no funder will know what kind of specific reporting their contribution is supporting, and no grantee will know the origins of their financial support. Public media's political autonomy must be founded on adequate funding and economic independence.

In terms of funding this system, other scholars and I have suggested that tens of billions of dollars should be drawn from the Treasury to create

a solid foundation for a new public media system. Although this may seem exorbitant, relative to the profundity of the problem – as much as a priority as national security and other non-negotiable expenses – it is actually a modest proposal. Furthermore, if we consider the enormous opportunity costs incurred by going without an operable press system, the status quo of doing nothing becomes untenable. Americans rarely scrutinize the costs of maintaining essential services and systems, such as roads and public education. A functioning news media system is as vitally important as these other core infrastructures, and should be treated accordingly. In other words, we must not leave journalism's survival to individual desires but rather treat it as a social necessity. We should sustain this vital service by providing the requisite tens of billions of dollars – a modest amount compared to massive tax cuts, military expenditures, and stimulus spending in recent years.

A second option would be a large public media trust fund supported by multiple funding sources. It could be supported in various ways, but instead of following the path of public broadcasting in being left to the mercy of the congressional appropriations process, this fund might rely on charitable contributions from foundations, philanthropists, and other sources mentioned earlier. This trust should be democratically operated and remain autonomous from government. While individual citizens could contribute to the trust, such a large fund requires well-resourced institutions and large funding streams. This might include collecting taxes from platform monopolies and having foundations pool their resources to serve as "incubators" for what can later develop into a fully-fledged public media system.

Platform monopolies such as Facebook and Google did not cause the systemic market failure undermining digital media, but they are certainly exacerbating the journalism crisis as they starve the very institutions that they expect to fact-check the misinformation that is proliferating through their platforms and networks. To offset some of their social harms, these firms should help fund local news, investigative journalism, and other kinds of coverage that a healthy democracy requires. In recent years, Google and Facebook each promised $300 million for news-related projects, and they are gradually increasing their support for similar programs. Google has pledged this money toward its News Initiative, and Facebook has sponsored several projects, including its $3 million journalism "accelerator" to help ten to fifteen news organizations build their digital subscriptions using Facebook's platform and its "Today In" feature, which aggregates local news in communities across the United States. The latter

program ran into problems when Facebook found many areas already denuded of local news. More recently, Google announced it would tailor its algorithms to better promote original reporting and Facebook has promised to offer major news outlets a license to its "News Tab" that will feature headlines and article previews. These efforts are woefully insufficient given the scope of the problem.[23]

Mandating that platforms redistribute a small percentage of their revenue as part of a new social contract could address the related harms associated with unaccountable monopoly power and the loss of public service journalism. Facebook and Google should help fund the very industry that they simultaneously profit from and defund. I have argued in the past that these firms could pay, for example, a nominal "public media tax" of 1 percent on their earnings, which would generate significant revenue for the beginnings of a journalism trust fund. Such a tax would yield hundreds of millions of dollars that could seed an endowment for independent journalism, especially if combined with other philanthropic contributions that accumulate over time. A more ambitious plan proposed by Free Press calls for a tax on digital advertising more broadly, potentially yielding $1 – 2 billion dollars per year for public media.[24]

These digital monopolies could certainly afford such outlays given that they currently pay a pittance in taxes.[25] The European Commission has suggested instituting a new tax on digital companies' revenues, and policymakers and advocates around the world are beginning to consider allocating such tax revenues specifically toward funding public media. In the United Kingdom, for example, the British Media Reform Coalition, the National Union of Journalists, and leading politicians all have proposed similar schemes. More recently, the Ofcom chief, Sharon White, called for a levy on digital firms to help fund public broadcasting. While such arguments have thus far been unsuccessful, they reflect rising awareness about the connections between digital monopolies' unaccountable power, the continuing degradation of journalism, and the destructive role of misinformation in society.[26]

In addition to taxing platform companies, foundations could return to their historic role of incubating new public media experiments. Leading foundations such as Ford, Carnegie, and MacArthur played a key role in shaping what would become American public broadcasting in the 1960s. They could play a similarly important role today, especially in laying the groundwork for a new public media system until government can step in to fund these infrastructures. Given permanent support through a combination of private philanthropic contributions and public

subsidies, a well-funded public service media system could help guarantee universal access to quality news and information. This "public option" for journalism can help compensate for commercial media's endemic flaws that render it vulnerable to market failure. What would this new system look like?

A TRULY PUBLIC MEDIA SYSTEM

The many challenges to creating a truly independent public media system do not end with procuring adequate resources. To ensure that this system remains truly public and democratic, we must also address questions of governance, production, and dissemination of media. Moreover, we must devise a democratic system of determining a community's information needs (what I refer to as questions of "ascertainment"). We must provide for the proper underlying infrastructure (everything from open broadband networks to cable television access). We must also have structures in place that guarantee these institutions – controlled by journalists and representative members of the public – are operated in a bottom-up, transparent fashion. These newsrooms must be constantly engaged with local communities.

Regional media bureaus that represent local communities should make key governance decisions while administrators can distribute resources democratically via a centralized hub. Federal and state-level commissions can deploy resources so as to target news deserts, meet special information and communication needs, and focus on addressing gaps in existing news coverage, especially at the local level.

Independent oversight could rely on a public media consortium comprised of activists, policy experts, scholars, technologists, journalists, and public advocates. Most importantly, this system should follow principles of "engaged journalism" and "solutions journalism," with an emphasis on addressing social problems while highlighting local voices and narratives, especially from traditionally underrepresented communities.[27]

Freeing media-makers from commercial constraints might allow them to actualize the journalistic ideals that led them to the profession in the first place. News workers, under the protection of strong unions, should have a stake in the ownership and governance of their media institutions. Indeed, a truly public media system should include worker-run cooperatives and other forms of collective ownership. Journalists, in close conversations with local communities, should dictate what issues they report on. In other words, public media should mean public ownership of media

institutions.[28] This requires a social democratic vision that sees journalism as an indispensable countervailing force against concentrated power – a public good that requires public investments.

Under a heavily commercialized ownership structure, journalism too often bolsters the status quo and perpetuates social inequalities. But with the right structural conditions, journalism can be liberated to serve social justice and progressive change. Removing commercial pressures from our news media would not solve all of journalism's problems, but it is a necessary starting point. Absent social-democratic policies that subsidize noncommercial media, it is impossible to support journalism that is expensive to produce but rarely profitable. Journalism left entirely subject to commercial logics creates a kind of "market censorship" whereby stories that do not attract advertisers and wealthy interests will be omitted in our news media.

Now more than ever, we need adversarial journalism that provides accurate information about social problems, challenges powerful interests, and opens up a forum for dissenting voices and alternative visions for our future. This is the media we need.

IMAGINING THE MEDIA WE NEED

If society treats news as only a commodity to be monetized and sold on the "free market," then it is rational to maximize profits by any means possible. But if we see journalism as primarily a public service, then we should try to minimize commercial pressures, return news production to local communities, and sustain public media for future generations, just as we preserve permanent spaces in society for parks and schools. Commercial constraints have long filtered out particular voices and views from the press. Journalism's public service mission and its profit motives have always been at odds. The purpose of developing ethical codes and professional standards for journalism was to prevent it from being overwhelmed by business priorities. Too often, these earlier lessons have been forgotten.

As we witness an apotheosis of long-standing structural contradictions in commercial journalism, our current crisis could fuel a period of bold experimentation with new journalistic models. Unfortunately, in the United States, we understand journalism and its crisis within the discursive confines of a market ontology, which encourages us to see the market's effects on journalism as an inevitable force of nature. With some resignation, perhaps, we see the crisis as beyond our control or an unfortunate public expression of democratic desires. This paradigm

simultaneously naturalizes the market's violence against journalism and forecloses on alternative models. Moreover, it invites political paralysis in the face of an enormous social problem.

Despite this fealty to the market, all democratic theories and notions of self-governance assume a functioning press system. The fourth estate's current collapse is a profound crisis in dire need of public policy interventions. The ongoing policy failure to address this crisis for democracy stems as much from discursive capture as it does from regulatory ineptitude. Such discourses typically overlook our communication systems' policy roots and normative foundations. Combined with an abiding faith in technological solutionism, this discursive orientation at least partly explains why American society ever allowed platform monopolies to obtain such unaccountable power in the first place.[29] The degraded media system resulting from these policy failures created an ideal landscape for various kinds of dis/misinformation to flourish.

Since the market alone cannot provide for all our communication and information needs, a policy program based on a social democratic understanding of public media would facilitate policies that 1) reduce monopoly power, 2) install public interest protections, 3) remove commercial pressures, and 4) build out public alternatives. More locally, we can work to support programs to build community broadband services and local journalism initiatives. American historical experiments – such as municipal newspapers and news cooperatives – can help us imagine what these nonprofit experiments might look like. Driven by grassroots social movements from below, now is the time for creating counter-narratives to the still-dominant corporate libertarian paradigm.

Commercial journalism's collapse is now incontrovertible, but as a society, we have yet to face up to this reality. No new business model or innovation that can save journalism is waiting to be discovered. No purely profit-driven model can address the growing news deserts that are sprouting up all over America. It is abundantly clear the market cannot support the level of journalism – especially local, international, and investigative reporting – that democracy requires. If we acknowledge that the market will not solve this crisis – if we stop grasping for a magical technological fix or an entrepreneurial solution – we can begin to look more aggressively for nonmarket-based alternatives. And we can dare to imagine a new public media system that penetrates silences and ruthlessly confronts the powerful.

History offers tantalizing glimpses of an alternative media system. Sometimes good journalism exposes us to stories and introduces voices

we otherwise would never hear. There are periodic cases of investigative reporting that reveals corruption, changes policy, and benefits all of society. But these moments have been the exception. The history of the American media system is a history of exclusion and ongoing market failure. But it does not have to be this way. Another media system is possible, one that is more democratically governed and publicly owned. The biggest obstacle to this vision is a constricted view of what is possible. It is precisely during dark political moments such as ours that we should imagine policies for a more democratic future.

Of course, a strong public media system will not serve as the sole panacea for all of our informational woes. There also is a dark side to public broadcasting in cases where it is misused by governments, especially under illiberal and undemocratic regimes.[30] Moreover, there is compelling evidence across the world that even in nations with stronger public media, problems related to dis/misinformation are severe. And many countries are discouraging their public media from directly engaging with the journalism crisis, at least partly due to pressure from newspaper industries who fear competition. Furthermore, in many countries the demographic for public media is aging, with younger citizens inclined to consume news from social media feeds. This all begs the question whether creating a stronger public media is a worthwhile venture that can address core communication problems.

While these are legitimate concerns, and we should not assume that if we build it, everyone will come, a strong public media system is a baseline necessity for tackling the media problems facing us today. First and foremost, journalism is a public good and the market will not provide for our information needs. Tweaking markets, shaming commercial media firms, and slapping regulations on platforms – even outright trust-busting – is not enough. What is needed instead is a system founded on a non-market-based means of support that is liberated from commercial logics. Much research shows public media doing significantly better in terms of informing people, engagement, and trust.[31] However, such institutions alone cannot solve all media-related problems. While we need to look to European models as a starting point to broaden the American regulatory imagination, they are by no means the Platonic ideal.

Indeed, we should not glorify the BBC, even if is noteworthy that British public media are directly confronting the journalism crisis. After all, the BBC has long been fraught with elitist tendencies and deep-seated structural problems.[32] In the United States, what we need is not simply an American BBC but something more ambitious. Of course, we cannot

simply throw money at it and expect that wide audiences will immediately manifest. But if we engage local communities in their own media production and create a new public media system that is truly publicly owned and controlled, we might have a fighting chance. Anything short of a major structural overhaul to our failing media system reduces us to placing Band-Aids on an irreparably flawed system.

If we are willing to recognize the root of the problem facing journalism's future – namely, systemic market failure – we can begin to address the crisis. If we find ways to minimize structural threats caused by unchecked commercialism, we may actually achieve this new kind of journalism. But we must first consider the strategic frameworks and policies needed to realize this vision. Above all, we must see journalism as an essential public service – a core infrastructure – that democracy needs to survive.

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CONCLUSION

DEFENDING DEMOCRACY IN THE DISINFORMATION AGE

11

The Coordinated Attack on Authoritative Institutions

Defending Democracy in the Disinformation Age

W. Lance Bennett and Steven Livingston

Following Donald Trump's astonishing electoral college victory in 2016, scholars, journalists, and citizens alike looked for explanations as to how an evident liar, both sexist and racist, running against a former secretary of state and US senator, won 46 percent of the popular vote.[1] More distressing still, Trump's victory fit a broader pattern of twenty-first century authoritarianism. The British far-right inspired Brexit referendum in June, followed a few months later by Trump's victory, signaled a darker turn in global politics.[2] With the emergence of illiberal democracies in Russia, Hungary, Poland, and Turkey, and with the growing strength of far-right parties in France, Spain, Italy, the Netherlands, Austria, and Germany, liberal democracies around Europe were faltering.[3] Remarkably, the United States found itself on the same "road to unfreedom" historian Timothy Snyder spoke of in describing the consolidation of Vladimir Putin's authoritarian grip on the Russian Federation.[4] Indeed, Trump's unctuous coddling of Putin and other strongmen only deepened many people's anxieties. What explains such a jolting shift in Western liberal democratic politics?[5]

There's been no shortage of explanations. While some observers focus narrowly on immediate circumstantial factors, others emphasize the role of globalization and the economic changes that have refigured existing divisions of race, gender, and class in explaining the rise of the authoritarian far-right, including Trump's victory.[6] Among the more popular explanations, focus centers on the role of social media platforms and their algorithmic tendency to descend deeper into extremist content. Here the path to understanding is found in parsing technological effects.

While not discarding these approaches, our thesis shifts attention away from inward-looking considerations of individual demographics and psychological attributes, as well as technological determinates. Instead, our explanation of resurgent authoritarianism in the twenty-first century is anchored in history and politics. In this view, Trump's election is itself a symptom of a broader institutional and epistemological crisis.

Several contributors to this volume have argued that Trump's victory and the broader crisis of liberal democracy are the results of a decades-long assault on democratic institutions by advocates of a utopian economic and political philosophy. Over the past fifty years, wealthy proponents of a far-right utopian vision of how society and the economy ought to be organized have established a panoply of university centers, think tanks, faux grassroots organizations, and propaganda platforms designed to gnaw away at the legitimacy and credibility of authoritative institutions, including peer-reviewed science, independent journalism, scholarship, courts, and other investigatory and regulatory bodies. Trump's election and the broader crisis of democracy is a consequence of a systematic devaluing of institutions devoted – albeit imperfectly – to truth-telling and accountability. After decades of attacks on the credibility and legitimacy of authoritative institutions, the election of a habitual liar as president seems less startling.

On a global scale, free market capitalism is often referred to as neoliberalism. John Michael Colón offers one of the better definitions:

> Neoliberalism is a set of policies and institutional arrangements defined by the elimination of postwar labor protections and regulations on capital, the privatization of public goods and services, the export of jobs to countries whose workers can be forced to work under sweatshop conditions, and the extension of for-profit market relations into most facets of human life. [7]

Neoliberalism, he says, is "also an ideology – *a story about who we are and what kind of world we live in*, which once ingrained becomes a kind of *unexamined common sense*" (emphasis added). Neoliberalism's supporting ideology is an evangelical embrace of limited government – except for when enforcing contracts, structuring advantageous markets, and underwriting research and development.

Understanding the creation and propagation of these "commonsense understandings" requires an engagement with the history of anti-state, anti-science (when it calls attention to a need for regulation), and, ultimately, anti-fact campaigns. This is a central source of our current disinformation disorder.[8] How has the logic of unfettered markets become the

commonsense understanding of our contemporary era? And what has happened to facts and institutions that have stood in its way?

The story of the libertarian assault on democratic institutions has been told by prominent historians and journalists, including Nancy MacLean in this volume and in *Democracy in Chains*; Jane Mayer in the pages of the *New Yorker* and in *Dark Money;* Wendy Brown in *In the Ruins of Neoliberalism*; and, more recently, by Christopher Leonard in *Kochland*.[9] Here, we need only offer a brief reprise of our argument. We begin by reviewing the main contours of our historical and philosophical explanation for the current disinformation disorder. We then turn to a longer critical consideration of potential solutions. Policy responses are hardwired into any premise concerning the nature and origins of a problem, and even in what is understood to be a problem in the first place. Finally, we propose reforms centering on disarming weaponized philanthropy, the system of "charitable giving" that has underwritten the emergence of authoritarian politics and the disinformation campaigns upon which they rest. Overall, our suggested solutions are intended to address the distorting effects of concentrated wealth and its unrestricted use in politics. It could well be that the crisis of liberal democracy in the twenty-first century saps the hope upon which all reformist endeavors rest. Democracy in the neoliberal capitalist West is at an inflection point in history.

DESTROYING THE PREVALENT GOVERNMENTAL PARADIGM

How have we gotten to this point? In Chapter 4, Naomi Oreskes, Erik Conway, and Charlie Tyson describe how in the 1930s, wealthy industrialists, including the DuPonts, championed free-market fundamentalism by attacking the New Deal.[10] Their animus toward government regulation went so far as to seek ways to undermine child labor laws. Later, the Austrian School economists and their followers in the United States cloaked free-market capitalism in the garments of a high-minded moral crusade for "liberty," meaning freedom to retain and dispose of property without government interference.[11] But as Charles and David Koch would learn in the 1980s, unvarnished libertarianism held little appeal to most voters.[12] Even a half-century later, when decloaked of its rhetoric about "liberty," libertarianism remained unpopular with the American public.[13] Even among conventional conservatives, Koch's ideas were on the fringe of conventional thinking. *National Review* founder and conservative icon

William F. Buckley Jr. once described Koch's political and economic philosophy as "Anarcho-Totalitarianism."[14]

With the realization that their goals would not come by way of the ballot box, at least not at first, they turned to methods that leveraged the great concentrations of wealth in the United States. Most narratives focus on Charles and David Koch (until his death in 2019). Given their outsized role in organizing libertarian millionaires and billionaires, this is indeed a reasonable approach. Yet as Mayer notes, "The Kochs, on their own, probably would not be able to have the kind of influence they have. What they've done is kind of a magic trick." They have "purposefully built what they call an unprecedented network of about 400 other extraordinarily wealthy conservatives with them to create a kind of a billionaire caucus."[15] Today, this network of wealthy libertarian individuals in America and abroad learn from each other, coordinate political strategies, fund thinktanks and parties, and develop methods to limit the representative capacities of democracy and the regulatory functions of government. The Koch network orients hundreds of wealthy individuals, families, family foundations, and corporations toward an aligned vision of free-market capitalism. By 2019, the Koch Seminar had brought together a record 634 donors, including 181 first-time attendees.

Another requirement is secrecy. Attendees are not allowed to disclose the identities of others in attendance or tell outsiders what was discussed. That is also a condition that must be agreed to by the few news organizations that are allowed to attend portions of the seminars. But the names of some of the more prominent attendees have been leaked over the years. One commonly mentioned donor is James Arthur (Art) Pope. He is the CEO of Variety Wholesalers, a chain of discount stores in sixteen states. He is also the director of the Pope Foundation, a 501(c)(3) charitable foundation that "has invested millions in a network of foundations and think tanks, and advocacy groups designed to further conservative and free market ideas."[16] "Pope's role in his home state of North Carolina was in many respects a state-sized version of the Kochs' role nationally."[17] For example, Pope founded the Civitas Institute, a 501(c)(3) tax-exempt nonprofit right-wing organization based in North Carolina. Established in 2005, its stated goal is to "facilitate the implementation of conservative policy solutions." Pope also founded the John Locke Foundation. Created in 1990, it describes itself as "an independent, nonprofit think tank that works for truth, for freedom, and for the future of North Carolina."[18] It is also a member of the Koch-funded State Policy Network, which we will discuss more below.

The Wisconsin-based Lynde and Harry Bradley foundation was founded in 1942. Along with David and Charles Koch, and their father Fred Koch, Harry Bradley was a charter member of the far-right John Birch Society.[19] The Bradley foundation underscores the importance of not becoming overly fixated on the Koch brothers. According to the *Milwaukee Journal Sentinel*, from 2001 to 2009, the Bradley Foundation "doled out nearly as much money as the seven Koch and Scaife foundations combined."[20] Between 2015 and 2017, the Bradley Foundation provided $1.5 million to Pope's Civitas Institute and the John Locke Foundation. Art Pope also became Bradley Foundation board chairman. While Pope joined the Kochs and the DeVos family of Michigan in supporting the Washington, DC-based James Madison Center for Free Speech. The center was founded in 1997 by Senate minority leader Mitch McConnell and by attorney James Bopp, Jr., the lead attorney in the Citizens United case before the Supreme Court.

Just as the Bradley foundation anchors activities in the upper Midwest, and the Pope foundation centers on North Carolina, the DeVos family concentrates on Michigan. Richard DeVos is the cofounder of Amway. He and his family, including his daughter-in-law Betsy DeVos, the education secretary in the Trump administration, have supported a variety of far-right causes. Beginning in 2007, for example, the DeVos' family foundation gave $800,000 to the Kochs' Freedom Works Foundation, a conservative and libertarian group that promotes "less government, lower taxes and more economic freedom."[21] In 2012, the DeVos family provided a $500,000 "unrestricted grant" to the libertarian Mercatus Center.

In some ways, what is commonly referred to as the "Koch network" might be better thought of as a fractal – a geometric figure of repeating parts, each replicating the pattern of the whole. Each branch of an ice crystal, for example, replicates the overall structure, just as Pope's efforts in North Carolina and Bradley's in Wisconsin replicates the Koch network's national efforts. However, rather than "network" or "fractal," Alexander Hertel-Fernandez, Theda Skocpol, and Jason Sclar refer to "donor consortia" when describing these groups.[22] They propose five features that set organized donor consortia apart. They foster longer-term commitments among "like-minded wealthy people who give at or above a predictable minimum level year after year"; they provide a time horizon beyond individual election cycles that allow them to advance principles and policies, and channel resources to "idea creation, civic action, leadership development, and policy formulation unrelated to

winning particular election contests"; they are guided by a political ideology on a broad range of policy debates; and they focus on supporting fields of organizations, not just candidates. Perhaps most importantly, by "weaving ties among wealthy donors and between donors and other political players," donor consortia build and leverage social solidarity among the wealthy elite. Wealthy donors get to know one another, "and in the process construct a purposeful community where they come to share political vocabularies, values, and morally grounded perspectives on political challenges to be addressed." Together, social solidarity among the hyper-wealthy directed toward support for "fields of organizations" helps us explain how authoritative institutions are in crisis.

Attacks on state institutions and civic society groups standing in the way of free-market capitalism have come from a wide array of think tanks, university programs, astroturf organizations, news outlets, and, more recently, digital platforms that embrace forms of anarcho-capitalism, a belief in the limitless capacity of unregulated markets to establish and allocate value.[23] Friedrich von Hayek, one of the godfathers of this utopian vision, was "committed to persuading the intellectuals, and hence the masses and their political leaders, to change course" from Keynesianism.[24] The Mont Pelerin Society served that purpose. Even earlier, created to fight the New Deal, the American Liberty League was funded by the chemical industry magnate Irénée Dupont and other wealthy businessman and corporations. Other free-market fundamentalists later drew inspiration from the John Birch Society and from the beliefs of Robert LeFevre, both sources of inspiration to Fred Koch and his sons Charles and David.[25] "Government," LeFevre said, "is a disease masquerading as its own cure," a phrase parroted by Ronald Reagan three decades later.[26] LeFevre thought the New Deal was a terrible mistake. As a former member of the John Birch Society and a student of LeFevre, Charles Koch would aver in 1978, "Our movement must destroy the prevalent statist paradigm."[27]

These are the seeds of our current epistemological crisis; it is the result of a decades-long attacks on government initiated because of the state's capacity to investigate, regulate, and tax, and on science and independent journalism for their capacity to investigate and document the dangerous failures of unfettered market economics.

We do not want to attribute the current crisis of democratic institutions entirely to the various strands of the neoliberal movement and related business interests. The Vietnam War, Watergate, Iran-Contra, the Clinton impeachment, the invasion of Iraq on false pretenses – plus the enabling of

that invasion by a sometimes too docile American news media – have all contributed to the delegitimation of state institutions.[28] Poor performance by government offers an appealing, straightforward explanation of institutional delegitimation.[29] The commercial media, with their emphasis on scandal and crisis and discord, also share a portion of the blame, though not all scholars would agree with this assessment.[30] All of these factors have played a role in the emergence of our "post-fact" era. Yet this leave us with nagging, unanswered questions.

Might government gridlock, inefficiency, and discord in itself be at least the partial product of a political philosophy designed to hollow out state institutional capacities and then draw attention and outrage to the ugly results?[31] The political apparatus described in these pages has undermined the state's governance capacity and then turned to an elaborate propaganda machine to draw attention to the foul results. Their goal has not been to improve performance or reimagine effective state services but to bind the state to a limited range of responsibilities, including serving as the arbiter of business legal disputes, enforcer of contracts, provider of public security, law enforcement, and the national defense. Above all, *the goal is not to strengthen and improve democratic governance, but to destroy it*.

WHY?

In the libertarian's view, with first the Roosevelt administration's New Deal and then the Johnson administration's Great Society programs, democracy and egalitarianism had gotten out of hand. With the rise of movements defending specific groups: labor, civil rights, consumer, environmental, and women's movements, too much power had slipped into the hands of people who made excessive demands of government and corporations.[32] The trouble with Western capitalist societies, in their analysis, was that modern capitalism and supportive state authority had been eroded by "unrealistically heightened expectations on the part of the population, and by the obstacles to profitability in the oligopolistic sector of the economy."[33] "For (Milton) Friedman, Hayek, and (James) Buchanan, the root cause of the aberration may be located, at least in part, in this strange but yet popular notion that government must function for social betterment, [and] for the alleviation of social distress and conflict."[34] Yet in the view of the free-market fundamentalist, state intrusion only worsens matters. Besides, for at least some of the more enthusiastic supporters of the libertarian orthodoxies, there was little need for

state intervention. Even the *possibility* of market failures and externalities were thought impossible.[35] Furthermore, not only is government regulation unneeded, it is dangerous. For free-market fundamentalists, a state capable of regulation and taxation leads inexorably to a state capable of imposing tyranny. Because excessive democracy gets in the way of unrestrained property rights, democratic institutions – taxation, regulation, support of civil society through subsidies and law – must be brought under control, or even eliminated.

Interestingly, many on the left would agree that democracy and free-market capitalism are incompatible, though they would reach this conclusion from opposing starting points.

> When markets are left under-regulated – and workers, unorganized – the corporate sector becomes a cancerous growth, expanding until it dominates politics and civil society. An ever-greater share of economic gains concentrates in ever-fewer hands, while the *barriers to converting private wealth into public power* grow fewer and farther between. Politicians become unresponsive to popular preferences and needs. Voters lose faith in elections – and then, a strongman steps forward to say that he, alone, can fix it.[36]

There certainly is a remarkable concentration of wealth in fewer hands. By 2019, the twenty-six richest people on the planet had the same net worth as the poorest bottom half of the global population, or about 3.8 billion persons.[37] It's easy to imagine twenty-six persons but getting a mental grip on nearly 4 billion people eludes most of us. If we were to think of each person as a single second in time, four billion persons would add up to about ninety years. Yet despite their great numbers, in recent years those in the bottom half, and even those further up the economic ladder, have been frozen out of meaningful political representation. Centrist political parties that might organize and articulate the grievances of those left behind have been hollowed out by the glut of money washing over a professionalized political class of technocrats.[38]

The crisis of democracy and our current disinformation disorder springs from these urgent historical currents. Identity politics and technological affordances put to ill-use are indeed central to the story, though in instrumental ways. When taken advantage of by political actors united in a self-interested fear of facts, identity politics and technological affordances are actuated to undermine progressive efforts to regulate markets and break up the concentration of political power. At the same time, we note that these efforts to manage or direct large popular movements and parties on the radical right are fraught with difficulty. When unleashed,

such forces often run amok and undermine far more liberal values than just the capacities of elected governments to represent the people. So, there is no grand conspiracy afoot here, but rather the results of efforts to create popular support for (and political distraction from) ideas that could not be sold on their own.

HOW HAS PRIVATE WEALTH BEEN CONVERTED INTO PUBLIC POWER?

Mayer chronicles the creation of the "Kochtopus," the organizational apparatus devised by Koch advisor Richard Fink to promote libertarian ideas.[39] What is most striking about this system, besides its scale and scope, is that it has, for all of these years, been subsidized by American taxpayers. The tax system and laws that undergird modern philanthropy have been weaponized, as Jane Mayer puts it, by billionaires in their efforts to eliminate liberal democratic institutions that get in their way.[40]

The creation of private foundations has allowed concentrated wealth to organize and amplify the voices of the wealthy in the public arena. In 1930, with total assets of less than $1 billion in current dollars, there were approximately 200 private foundations. Just over a half-century later, there were more than two thousand foundations. By 1985 there were over thirty thousand private foundations. And by 2014, there were nearly one hundred thousand with total capitalization close to $800 billion.[41] The Kochs and other parts of the fractal led the way in the weaponization of what most see as mere charitable giving.

Beginning in the 1970s, Fink devised a mostly tax-payer subsidized system of influence which drew on an industrial processing metaphor. Fink's system had three phases. First, new ideas must be treated like a raw material provided by sympathetic intellectuals housed at university research centers. The Mercatus Center at George Mason University offers an example. Founded by Fink himself at Rutgers University as the Center for the Study of Market Processes, what became the Mercatus Center moved to George Mason University in 1980 with a tax-exempt gift of $30 million from the Koch brothers. The second phase involves libertarian think tanks processing the raw ideational materials into policies and laws. The Cato Institute, the Institute for Humane Studies, the Alabama-based Ludwig von Mises Institute, and the Competitive Enterprise Institute, all tax-exempt organizations, offer examples of policy-processing think tanks. The third phase involved a salesforce of astroturf organizations

intended to sell the libertarian policies to lawmakers and the public.[42] This involved giving libertarian, top-down policy ideas a populist patina. Examples of populist astroturf organizations would include the Center to Protect Patient Rights – later rebranded American Encore, described in 2014 by the *Washington Post* as a "major cash turnstile for groups on the right during the past two election cycles."[43] In 2012, it funneled donations from Freedom Partners and TC4 Trust as part of the $400 million from the Koch donor network.[44] Even the Tea Party, which began as a dispersed network of angry citizens following the financial crisis, was pushed into far more coherent political organization by the Koch network.

Americans for Prosperity (AFP) offers another example of a faux grassroots organization. It opposes labor unions, the Affordable Care Act (or Obamacare), the 2008 stimulus package, and efforts to address climate change, or even to acknowledge its existence. AFP president Tim Phillips says his organization employs "hundreds" of staffers and has "thousands of volunteers," and its website boasts that "there are over 3,200,000 of us, and we're active in your neighborhood."[45]

AFP's budget in 2007 was $7 million; by 2010 its budget had grown to $40 million and $115 million two years later.[46] Its sister organization is the Americans for Prosperity Foundation, a 501(c)(3) organization.[47] The entire operation is underwritten with tax-exempt donations by the Koch brothers and other billionaires.

What could be thought of as a digital extension of Fink's third phase has emerged more recently in the form of right-wing talk radio, Fox News, and a variety of websites and social media platform accounts. It can also be conceived of as a fourth element unimagined by Fink in the 1970s. Yochai Benkler's contribution to this volume and his work with Rob Farris and Hal Roberts describes the emergence of the right-wing information ecosystem built around identity and agitation.[48] It traffics in outrage and identity-confirming content that is unburdened by concerns of factual accuracy.[49] Like the Kochtopus, right-wing outlets fuel populist outrage aimed at the reputations of mainstream institutions, including "the liberal fake news," and the "deep state." Rush Limbaugh's "four corners of deceit" meme captures the essence of the far-rights attacks on authoritative institutions: government, universities, science, and state-media, in his cosmology, are liberal connivers out to deceive the American public.[50]

Limbaugh is far from alone in the effort to undermine mainstream news organizations and other democratic institutions. In 2019, a network of

Breitbart alumni and Trump allies were reported to be pursuing "what they say will be an aggressive operation to discredit news organizations deemed hostile to President Trump by publicizing damaging information about journalists."[51]

As Benkler notes in this volume, the asymmetrical digital information ecosystem emerges out of right-wing talk radio, which rose rapidly following media deregulations in the 1980s. The fairness doctrine, introduced in 1949, required broadcasters to present controversial issues of public importance honestly and equitably. The Federal Communications Commission eliminated the policy in 1987. The elimination of the fairness doctrine was followed by passage of the Telecommunications Act of 1996; and Title 3 ("Cable Services") of the Act allowed media cross-ownership. This was justified by claiming it would spur competition by allowing "anyone to enter any communications business – to let any communications business compete in any market against any other."[52] Instead, it led to a growing concentration of corporate ownership of local media. As Benkler points out, disinformation on social media platforms often emerges out of the far-right sector of the American information ecosystem. That system is the result of media deregulation.

Clear Channel and Sinclair Broadcasting were among the results. In 2017, the tax-exempt Charles Koch Foundation and the Charles Koch Institute donated over $2 million to conservative media outlets, including $980,000 to the Daily Caller Foundation, the tax-exempt entity that underwrites Tucker Carlson's *The Daily Caller*.[53] The year before, the Kochs gave Carlson's foundation $958,000 – about 84 percent of its annual revenue. Meanwhile, the Mercer family bankrolled Breitbart, using tax-exempt (or at least tax sheltered) funds.[54] According to the Paradise Papers, the leaked electronic documents relating to offshore tax havens, Rebekah Mercer and her father Robert Mercer used a Bermuda tax haven to avoid taxes on millions of dollars in investment profits accrued by the family's foundation.[55] From these offshore accounts the Mercers built a $60 million fund to support Trump's election and the creation of Breitbart and Cambridge Analytica, the consultancy that claimed to have used its psychographic profiles on millions of Americans to help elect Trump to the White House.[56]

The libertarian project involves not simply the promotion of its own ideas but also the destruction of opposing ideas and institutions. The Media Resource Center, a "research and education organization operating under Section 501(c)(3) of the Internal Revenue Code," was established in 1987 with support from a bevy of libertarian foundations,

including the Bradley Foundation, Scaife Foundation, Olin Foundation, and the Carthage Foundation (one of the Scaife foundations), among other sources.[57] Between 2012 and 2014, Media Resource Center received $9 million from the Mercer Family Foundation.[58] As it describes itself, the Center's "sole mission is to expose and neutralize the propaganda arm of the Left: the national news media."[59] In other words, its mission since 1987 has been to undermine the legitimacy and credibility of the national mainstream news media. Much of the effort involves popularizing the "liberal media" trope. By labeling independent journalism as "liberal," and more recently "fake news," citizens are given justification for dismissing what they read in the newspaper or hear on network news. At the same time, the constant right-wing drumbeat of "liberal media" moved political dialog further to the right by pressuring the press to be "fair and balanced." That has meant a drift to the right. Among other examples that one could point to, the mainstream press, trying to illustrate its fairness on all issues, invited charlatans from climate change denier groups to "balance" the views of scientists. The vast scientific consensus on climate change was drowned out by a fabricated balance "between two sides."

Similarly, in 2016, the Koch-affiliated Donors Trust, a 501(c)(3) organization, gave $1.7 million to Project Veritas, also a tax-exempt "public charity."[60] According to 2012 tax filings, Robert Mercer also provided funds to Project Veritas. Although it claims to expose dishonesty and corruption, Project Veritas' work typically involves ham-fisted, videotaped "sting operations" aimed at either a progressive civil society group or a mainstream news organization. The point is to embarrass and discredit the targeted group or organization. In 2017, for example, Project Veritas attempted to trick the *Washington Post* into running a fabricated story about Alabama Senate candidate Roy Moore.[61] A woman stepped forward to tell a *Post* reporter that she had an abortion after having sex with Moore in 1992. Detecting inconsistencies in her story, *Post* reporters challenged her account; later, *Post* reporters saw her entering the offices of Project Veritas. In this case, Project Veritas was made to look foolish, just as it had in 2012 when it attempted a videotape sting operation against the voter registration group ACORN. In that instance, a judge even ordered James O'Keefe, Project Veritas's provocateur-in-chief, to pay $100,000 in damages to two ACORN employees. But rather than damaging O'Keefe and his organization, the ACORN scandal enamored him with the libertarian far-right.

In this volume, the chapters by Nancy MacLean and by Naomi Oreskes, Erik Conway and Charlie Tyson both find similar efforts to undermine science and other sources of fact-based expertise.[62] The Heartland Institute, a 501(c)(3) charity, was founded in 1984 by investor David Padden, one of many libertarian organizations he helped create. While the Heartland Institute's goals have evolved over the years, all have been oriented to shielding corporations from regulation, reducing taxes for the wealthy, and undermining the weight of facts in policy deliberations. In the 1990s, with backing from the Phillip Morris tobacco corporation, it focused on "smoker's rights" campaigns, which meant blocking prohibitions on the use of tobacco while trying to cast doubt on the science linking tobacco products with disease. More recently, with support from Exxon Mobile, the Heartland Institute has been a leading promoter of climate change denialism.[63]

The Competitive Enterprise Institute (CEI) offers another example of a libertarian-backed effort to undermine science and the weight of fact-based discourse. ExxonMobil has been one of CEI's principal donors, as has Donor's Trust, in what has been described as the "dark money ATM of the conservative movement."[64] The positions it has taken are aligned with other libertarian think tanks, from denying the ill-health effects of tobacco to casting doubt on the reality of global warming. CEI has even championed the return of DDT. On a website created by CEI and other industry backers called SafeChemicalpolicy.org, CEI claimed, "Millions of people around the world suffer the painful and often deadly effects of malaria because one person sounded a false alarm. That person is Rachel Carson."[65] Several of the groups listed as coalition members on the Safe Chemical Policy website have ties to the Koch Network or are members of the State Policy Network (SPN), another Koch organization. The SPN operates as the policy, communications, and litigation arm of the American Legislative Exchange Council (ALEC), yet another Koch-funded tax-exempt organization. ALEC produces centralized policy prescriptions; while the State Policy Network state offices give them the patina of a local initiative. SPN and ALEC draw on the same funder base, including Koch Network, Donors Trust, Philip Morris, and several pharmaceutical and technology corporations.[66] The Kochs' Americans for Prosperity provides the appearance of "grassroots" support for SPN and ALEC.[67]

It is important not to lose track of the point being made: all of this effort has been devoted to undermining the credibility of facts viewed as inconvenient to the pursuit of unregulated capitalism.[68] Long before Russian

bots trolled the American psyche, a vast array of tax-exempt interest groups, think tanks, and dissembling corporate shills attacked science, journalism, judiciary, and civil society.[69] The Russians have been important but are mostly ancillary to the main source of institutional delegitimation efforts. The Russians are merely jumping on-board the bus and adding a few new tricks and further fanning the social divisions which feed the movements and parties rising on the radical right in both the USA and Europe.

Most of these operations are legal and tax exempt. Through the manipulation of tax laws, philanthropy has become weaponized in pursuit of an ideological agenda. Much of the money contributed by the Koch brothers and by the other super-wealthy members of the Koch network, went to tax exempt 501(c)(4) "social welfare" groups.[70] In a new wrinkle, by 2012, the Kochtopus was fueled by anonymous donations through a nonprofit corporation that the tax code defined as a 501(c)(6), or a "business league."[71] Innocuously dubbed the Association for American Innovation (AAI) – later rebranded as Freedom Partners – this allowed tax-deductible contributions to be masked as "membership dues." This put them out of reach for review by states attorneys general. The tax code facilitated the creation of organizations used to pursue the agenda of free-market fundamentalists. This, in our view, is the foundation upon which our current disinformation disorder rests. Tax-exempt organizations formed by some of the wealthiest persons and corporations on the planet have work *for decades* to undermine democratic institutions designed to marshal evidence. What can be done to correct this and save democracy?

DEFINING PROBLEMS AND IMAGINING SOLUTIONS

Solutions are hardwired into the premises of problems and their causes. As political scientist Murray Edelman tells us, "To evoke a problem's origin is to assign blame and praise." How we understand the cause of our current disinformation disorder invests authority in some and not others.[72] Put more directly, how one understands the causes of a problem affects what seems logical and correct in efforts to fix it.

Our purpose in this section of the chapter is to engage with some (but not all) of the more common explanations for the turn toward authoritarianism and consider the solutions that emerge from their premises. Getting the explanation for the current crisis of democracy wrong or even incomplete, leads to misdirected and incomplete solutions. For example, if we

think the crisis of liberal democracy and epistemology is *solely* the consequence of bots running amok, the weight of policy responses will be directed to the regulation of platforms or to investments in bot detection software.[73] Democracy in this view will be saved by platform engineers pursuing technical fixes. Ironically, such a solution might actually cause more harm than good. To crush democratic resistance, authoritarians are quite eager to demand the prohibition of "disinformation" and "fake news," which is to say, information they would prefer not be heard.[74] Regulating platforms to save democracy might have the unintended effect of bolstering authoritarianism.

Our explanation is anchored by considerations of political power, the influences of wealth, and ideology. In that respect, our argument shares features with some of the classic literature on the effects of political power on ideas and issue agendas.[75] Our point here is not to reject common, alternative accounts but rather to fit them into our own explanation. Indeed, such accounts are themselves made more cogent by our historical and political thesis. For example, the role of racial animosity offers important insights into the appeal of otherwise unpopular libertarian policies, as MacLean describes both in *Democracy in Chains* and her contribution here. Racial divisions exist and play a critical role in our current crisis, just as other crises of identity politics play a role in liberal democracy's deteriorated condition in Europe.[76] It is important, therefore, to understand how racial divisions were mobilized in the service of anti-state, anti-liberal civil society campaigns.[77]

Media literacy programs and fact-checking offer other well-intentioned but limited solutions. Scholars interested in public opinion and information biases point to "low-information voters" – voters whose lack of awareness of basic facts about government and issues is matched by a low "need for cognition."[78] They don't know and they don't want to know. As one analyst notes, "They are the ideal constituency for a candidate like Trump."[79] Rather than facts, emotion and selective exposure guide their impulses.[80]

Let's take a moment to consider the proposition that media literacy initiatives offer hope for mitigating the effects of disinformation. The point of this part of our closing argument is to underscore the connection between problem definitions and presumed solutions. Let's explore the link in media literacy initiatives as a solution to disinformation.

There is little doubt that poorly informed citizens lacking critical analytical skills constitute a serious challenge to democracy.[81] But let's imagine that such an intellectually challenged voter shows admirable

gumption and takes it upon him or herself to become more enlightened. Rather than consume endless streams of manufactured outrage from Hannity, Limbaugh, or his or her favorite Twitter personality, he or she decides to seek a more balanced and erudite news source. How would that go?

As Victor Picard and Patricia Aufderheide point out in their respective contributions to this volume, in the absence of robustly funded public broadcasting stations, vast swathes of the country are left devoid of news outlets offering the sort of news our good citizen seeks. These are news deserts, places where local newspapers and locally owned radio and television stations have either closed or have been bought by conglomerates.[82] What might the most motivated citizen find in such places?

As measured by both the total number of stations (193 as of this writing) and coverage area (40 percent of American households), Sinclair Broadcasting is the largest commercial television station conglomerate in the United States. It is also a deeply conservative and unabashedly pro-Trump corporation. It also owns the largest number of Fox News affiliates. Its Washington, DC affiliate pushed the Seth Rich conspiracy theory that he was murdered by associates of Hillary Clinton.[83] Even the mainstream conservative *National Review* calls Sinclair's practice of demanding that all of its stations around the country present exactly the same slanted editorials, as if they were their own, as "an assault on our democracy."[84] It seems likely that our aspiring informed citizen would be met with frustration and ideological uniformity.[85]

What about radio as an alternative source of news and information for our intellectually curious news consumer? iHeartMedia, formerly Clear Channel Media and Entertainment, owns 855 radio stations in the United States, more than any other conglomerate. At the heart of iHeartMedia are the flagship right-wing programs, including *The Glenn Beck Program*, *The Rush Limbaugh Show*, and *The Sean Hannity Show*. Its stations reach about a third of the US population and take in $3.5 billion in revenue. Thus, in the absence of the sort of robust public broadcasting service envisioned by Picard, television and radio content in many news deserts would only deepen some citizens' habits of leading with outrage rather than contemplating the facts.

At the leading edge of news desertification is the collapse of the newspaper industry, largely as a result of the syphoning off of ad revenue by internet platforms. As Google, Amazon, and Facebook capture more of the total market share, advertising revenue for the newspaper industry in

2018 shrunk 13 percent from 2017.[86] Meanwhile, hedge fund vultures circle the remains of dying big-city newspapers. Alden Global Capital, for example, has majority control of a management company called Digital First Media. It scoops up a dying newspaper, demands drastic staff cuts, and then closes it altogether to convert its physical assets into a real estate deal. Alden owns nearly 100 daily and weekly papers, including the *Mercury News*, the *Denver Post*, the *St. Paul Pioneer Press*, and every major newspaper in the Los Angeles and San Francisco Bay metropolitan areas except the *Los Angeles Times* and the *San Francisco Chronicle*.[87]

According to Yochai Benkler in Chapter 2, two-thirds of the information ecosystem is immersed in a media logic of the balanced presentation of soundly sourced facts, while the other third is involved in a propaganda feedback loop of identity-confirming information, often of dubious facticity. Fact-checking initiatives such as the Poynter Institute's PolitiFact help police the frontiers of these contrasting systems. In a sense, by marking the boundary spaces between these two media logics, fact-checking initiatives help isolate and, if done well, undermine efforts to further delegitimize authoritative institutions.

Still, it would seem that even the most motivated news consumer would be required to navigate a landscape of manufactured outrage and corporate news uniformity. There are of course robust, even thriving national news outlets such as the flagship news programs found on NPR and PBS, or online subscriptions of prestige national dailies such as the *New York Times*. The *Times* has been adding about a quarter-million new digital subscribers per quarter over the last few years. Yet the success of national news organizations carries with it the cost of undermining local awareness of issues and attachments to local communities. Local groups bring a sense of political efficaciousness and solidarity that is more difficult to realize with a subscription to a large daily national newspaper.

The problem with media literacy initiatives, no matter how well-intentioned, is that they assume the disinformation crisis is the result of individual deficiencies rather than a broken corporate media system and a right-wing propaganda network. That said, literacy campaigns have a role to play in helping busy and distracted citizens from falling prey to deliberate efforts to deceive. When Trump claims he would have won the popular vote in the 2016 if it not for voter fraud, and implicating Google in that process, he is sowing the seeds for serious social discord.[88] His erroneous claims affect some citizen's confidence in the elections system and encourage the possibility that, should Trump lose in 2020, his supporters (and perhaps more likely, Trump himself) will not accept the

results.[89] Fact-checking initiatives and media-literacy initiatives help combat that possible outcome.

Other observers emphasize the role of sexism and toxic masculinity in understanding the rise of traditional authoritarian patriarchy.[90] According to this argument, angry males were mobilized by hostile sexism to vote for Trump precisely *because* of what he has to say about women and how he behaves around them.[91] It is also evident that part of Trump's appeal and the appeal of retro-authoritarianism is nostalgia for white patriarchy.[92] What's going on here?

Many of these men come from white working-class backgrounds. According to some scholars, working-class anger is rooted in economic dislocations and a sense that the system is rigged, just as Trump described it during the campaign. Despite reports of an economic recovery after the 2008 recession, many working-class Americans were left behind, with one study revealing that as many as a third would be unable to meet an unexpected $400 expense.[93] In this view, economic insecurity and anger left over from the 2008 Great Recession led to Trump's surprising victory and the embrace of authoritarian politics. Others disagree with this economic analysis, arguing instead that racial fear and resentment motivated Trump supporters.[94] There is strong evidence suggesting that this argument is also correct. Exit poll data showed that white voters preferred Trump over Clinton by 21 percentage points in 2016.[95] White Evangelicals in particular saw an opportunity (some believed a divinely inspired one) to realize their goal of loading the Supreme Court with justices more inclined to overturn Roe v. Wade.[96] And it is certainly evident that blatantly racist rhetoric would be Trump's core campaign strategy in 2020.[97]

In this era of domestic terrorism committed almost universally by white men, there is little question that race and class are key to understanding the sort of hate fueled by Tucker Carlson on Fox News, by websites like *The Daily Stormer*, and by the rhetoric offered by President Donald Trump. Race and class have been intermingled for much of American history, as MacLean notes.

> Indeed, since the abolitionists had first enlisted the Commerce Clause of the Constitution to try to stop the profitable interstate traffic in human beings, and later when the New Deal had leveraged it to regulate the economy, class and race had been interwoven with property rights and public power in ways that cannot be understood well with a single-factor analysis.[98]

Racism offered the fuel needed by libertarians to champion otherwise unpopular policies. We agree that race, gender, and class play a central

role in the rise of the authoritarian right. Our argument is that it is the emotive power of identity positions that created the fuel needed to sell libertarian policy positions to a public otherwise left unenthusiastic by libertarian economic arguments. As historian Michael Kimmage has noted, the migration of white southerners from the Democratic Party to the GOP following the Voting Rights Act and the Civil Rights Act and the accompanying "state's rights" movement was fueled by racial hatred.[99] By 1980, Reagan was mixing his libertarian bashing of the federal government with not-so-subtle racial dog whistles. In August of that year, during his campaign for the presidency, Reagan made an appearance at the Neshoba County Fairgrounds in Mississippi. The fairgrounds are about seven miles from Philadelphia, Mississippi where, in 1964, civil rights workers Andrew Goodman, James Chaney, and Michael Schwerner were brutally murdered by a group of white supremacists that included the local police. At the rally, Reagan said,

> I believe in states' rights. I believe in people doing as much as they can for themselves at the community level and at the private level, and I believe we've distorted the balance of our government today by giving powers that were never intended in the Constitution to that federal establishment.[100]

Reagan's reference to "state's rights" was an obvious appeal to southern white voters and a continuation of Nixon's Southern Strategy, though some have claimed it merely reflected his libertarian beliefs.[101] For us, it was both. To the degree that patriarchal nostalgia can be tapped to fuel animus toward the "liberal deep state," libertarian policies are benefit. Yet pegging solutions on "smashing white patriarchy" alone, leaves untouched the economic structures at the heart of social and economic injustice and the rise of disinformation designed to weaken social cohesion. We do not reject race, class, or gender-based analyses but rather see them as core elements of the libertarian effort to divide and demobilize efforts to tax and regulate capital.

What about technology? Journalists, scholars, congressional investigators, intelligence agencies, and the special prosecutor probe of Russian interference point to Russia's use of American social media to undermine the integrity of the 2016 elections.[102] Yale historian Timothy Snyder provides one of the more cogent versions of this argument.[103] As alarming as the evidence of Russian interference was following the 2016 elections, it wasn't until later, especially after the Democrats regained control of the House in 2018, that the deeper extent of the interference was realized. In 2019, the Senate Intelligence Committee issued a report that said election systems in all fifty states were targeted by Russian hackers in 2016.[104]

States and federal officials were largely unaware of the attacks at the time. But direct attacks on balloting machines came in addition to the subtler attacks on the fabric of American society. Russian disinformation tends to attack social cohesion and induce panic, especially around immigrants and race.[105] But the Russians were late to the party. Racial tensions and xenophobia had fueled emotional attacks on the news media and liberal democratic institutions for decades.

Even without Russia in the equation, social media platforms exacerbate social tensions by algorithmically amplifying extremist content as a way to maximize advertising revenue.[106] Twitter, Facebook, YouTube, and 4chan widen political divisions – not as the result of a flaw to be fixed with a tweak, but as a fundamental design feature.[107] These are real and serious problems that are likely to grow worse as technologies evolve.[108] Race, economics, and technology all play a role in eroding the reign of facts in public discourse. Yet, what must be kept in mind is that in places where state institutes, the press, and science enjoy robust legitimacy, these same social media platforms apparently do not have the same effect as they do in the United States. In the Baltic countries, for example, Russian disinformation campaigns on social media platforms are met with a high degree of cohesive public defiance.[109] Disinformation and robust institutions are analogous to germs and an immune system. Robust immune systems ward off infections. Weakened ones do not. American liberal democratic institutions have been weakened by decades of attacks coming from the Kochtopus and aligned organizations. Space does not permit an in-depth look at how similar problems have arisen in other democracies, beyond noting as we did in the opening chapter, that there is a global network of hundreds of neoliberal think tanks operating in some ninety nations. These disinformation and propaganda organizations recruit politicians, draft legislation, network with the press, and share ideas with each other. This is a story about networks that are well financed, and that learn and share how to limit the representative and regulatory capacities of democracy.

ENDING TAX SUPPORTED ATTACKS ON DEMOCRACY

There are no immediate easy fixes to our current crisis of democracy. How then are we to begin the enormous task of digging our way out of this mess? How are we to reclaim democratic control over our politics and economy? Some possible solutions are only palliative but are still important. They include the sort of media-literacy programs discussed above, as

well as fact-checking efforts. Other suggested measures point to the need for more systemic measures intended to address the gross imbalances in power and assets available to advocacy groups.

To qualify for 501(c)(3) status as a nonprofit public charity eligible to receive tax-deductible donations, an organization must claim to serve a religious, charitable, scientific, public safety, literary, or educational purposes. Current law is extraordinarily accommodating in approving applications for status as a public charity. Despite the substantial tax breaks to subsidize the creation of a foundation, there are few or no formal accountability mechanisms or transparency obligations. Yet they control massive amounts of total assets and spend enormous amounts of money. Keeping in mind that not all charities offer public reporting, public charities in the United States in 2015 reported expenses amounting to almost $2 trillion US dollars.

Until the last century, such a concentration of wealth in private foundations would not have been well received. John Stuart Mill argued that a private foundation was a "mechanism to produce the kinds of public goods that they (plutocrats) cannot manage to convince a majority to authorize through elected representatives."[110] By definition, private foundations are the legally sanctioned presence of amplified plutocratic voices in democratic debate. In 1917, when John D. Rockefeller sought a charter from the US Congress to create a general purpose foundation (he eventually obtained one from the New York State Legislature), Reverend John Haynes Holmes testified that the very idea of a private foundation was "repugnant to the whole idea of a democratic society." Louis Brandeis said that the Rockefeller Foundation was "inconsistent with our democratic aspirations" and confessed to having "grave apprehensions" about the power that was lodged in the hands of a few wealthy men.[111] General-purpose foundations usurped the prerogatives of legislative bodies with responsibilities to set spending priorities under the scrutiny of the public eye. In 1925, so repugnant was the concept of a private foundation, that the regents of the University of Wisconsin banned the university from accepting philanthropic donations from them.[112]

And the entire enterprise is subsidized by the American taxpayer. The creation of foundations is "generously tax-subsidized in the United States and in many other countries."[113] Under current US law, assets transferred to a foundation by a donor are untaxed in two ways. First, the donation itself is, for the most part, tax-free as it reduces the tax burden the donor would otherwise shoulder. In this way, it reduces the donor's tax commitment while reducing state tax revenue needed for the provisioning of

public goods like roads, clean air, and clean water. Furthermore, returns on the investment of the foundation's endowment are also mostly tax-free.[114]

And owing to the practice of itemized deductions, the benefits of charitable donations is itself skewed in favor of the wealthy. Donors in the highest tax bracket (39.6 percent in 2017) receive the largest deduction, while those in the lowest tax bracket (10 percent in 2017) receive the lowest. Identical donations are treated differently by the state according to the donor's income. There is a plutocratic bias in the tax code regulations on donations to 501(c)(3)s. As Robert Reich puts it, "The 1 percent receive a tax policy megaphone and the poor no or little policy amplification."

Remedying this would involve allowing non-itemizers to deduct their charitable contributions from their income just as the generally wealthier do. Better still, changes in policies could allow all donors an identical, nonrefundable and capped tax credit, rather than a tax deduction.[115] Ultimately, disarming weaponized philanthropy will require a change in the tax code, one that limits the forced public subsidization of billionaire-endowed foundations dedicated to the protection of wealth.

As with "the-Russians-did-it-thesis," our approach cannot explain everything. The crisis of legitimacy of democratic institutions can also be attributed to a host of other blunders and excesses that have eroded institutional credibility and legitimacy. But the future is not bright. The billionaire tech sector has turned to financial mechanisms that could make the Kochtopus look tame. Private philanthropic foundations are giving way to limited liability companies (LLCs). In 2015, Mark Zuckerberg and his wife Priscilla Chan announced they were forming a for-profit LLC. In this way, the Chan Zuckerberg Initiative "avoids the already modest regulatory requirements concerning annual reporting of grant making and prohibitions on political giving that attach to private foundations."[116] Other examples of for-profit LLCs include Laurene Powell Jobs' Emerson Collective and Pierre and Pam Omidyar's Omidyar Network. As Reich notes, "For-profit philanthropy in the form of an LLC threatens to unleash the power of wealthy elites in an especially nontransparent and unaccountable manner. It permits, in Jane Mayer's memorable phrase, the weaponization of philanthropy through the dissemination of dark money."[117]

It might simply be too late. But if there is a glimmer of hope left, it might be found in the resurgence of a word that hasn't been heard much in recent

decades: antitrust. As of this writing, presidential candidate Senator Elizabeth Warren (D-Massachusetts) is running on an ambitious plan to break up big tech companies like Google, Facebook, and Amazon and block them from selling their own products on their platforms.[118] Even Wall Street bankers are becoming alarmed by the growing precarity of neoliberal capitalism.[119] In *The Curse of Bigness: Antitrust in the New Gilded Age*, Columbia University's Tim Wu explains how 1970s-era antitrust laws first promoted by libertarian jurists tend to limit their evaluation to the question of whether greater corporate concentration affects prices.[120] Because social media platforms are free, antitrust regulation, such as it is, has allowed for greater concentration. Wu argues that political leaders have the legal authority and responsibility to break up monopolies that stifle the pace of innovation and reduce competition. Most especially, he argues, they must do so for the harm that great concentrations of wealth can do to democracy. Whatever the precise solution, we must find ways to reinvigorate democratic institutions. Without strengthening public trust in authoritative information, fact-checking, media-literacy training, and disinformation detection initiatives cannot, on their own, repair the information disorder.

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