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What Is So Foreign About Foreign Influence Operations?

Hedvig Ördén and James Pamment

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Carnegie Endowment for International Peace
Publications Department
1779 Massachusetts Avenue NW
Washington, DC 20036
P: + 1 202 483 7600
F: + 1 202 483 1840
CarnegieEndowment.org

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Citizens, governments, and tech platforms around the world increasingly struggle to counter influence operations.

We believe that little progress will be made without a spirit of partnership between governments, the tech industry, media, academia, and civil society. Such collaborations are challenging but necessary in order to accomplish the three aims that PCIO believes are vital: to answer difficult policy problems related to influence operations; to find ways to understand the effect of adversarial influence operations; and to develop methods for measurement and evaluation of countermeasures.

PCIO is an international initiative, with partners and programming spanning multiple countries including in Latin America, Europe, and the Asia Pacific. PCIO and its advisory group will work actively to shape and promote an international, cross-sectoral consensus on key issues that is informed by evidence and best practice. PCIO leverages Carnegie's international networks, starting with its global centers, and is complemented by a select number of strategic partnerships. PCIO serves a convening function and as such does not speak on behalf of its members.

About the Lines in the Sand Paper Series

The Lines in the Sand paper series, produced by Carnegie's Partnership on Countering Influence Operations, uses multiple perspectives to analyze difficult policy questions and key challenges related to combating influence operations. The series seeks to draw lines in the sand to help industry leaders and government policymakers at the forefront of these efforts to develop effective countervailing policies.

Summary

Influence operations are increasingly seen as a threat to democratic societies because they can corrupt the integrity of political deliberation. As individuals engage in debate on social media, political deliberation becomes vulnerable to potentially destructive forms of interference. Many debates on what to do about influence operations emphasize that these operations constitute what is deemed to be a foreign threat. But does the notion of foreignness, viewed in isolation, constitute a helpful lens for distinguishing between legitimate and illegitimate influence operations?

Ultimately, the lens of foreignness is only helpful when applied to a narrow set of cases. One sensible way of reviewing when the concept of foreignness can be useful in distinguishing between legitimate and illegitimate influence operations is to consider three separate conceptions of how to determine what counts as foreign: foreign states, foreign citizens, and foreign interests. In the first case, influence operations are seen as threatening acts directed at a targeted state by foreign states, using behaviors seen as analogous to acts of war. In the second instance, influence operations are considered threatening acts conducted by foreign citizens that undermine domestic democratic systems in a targeted state. In cases of the third sort, influence operations are viewed as acts aimed at advancing foreign interests through the illegitimate employment of soft power.

Given these various models, the notion of foreignness constitutes a useful lens for discussions of influence operations in cases when there is overwhelming evidence of state-based, hybrid, and irregular warfare. An argument can also be made for employing the distinction in relation to the protection of democratic institutions, such as elections. However, when influence operations are regarded as a more generalized threat to political deliberation, foreignness is not a helpful category for determining the legitimacy or illegitimacy of such campaigns. In such cases, rather than focusing on the (domestic or foreign) identity of the malicious actors themselves, it is more fruitful to conceive of illegitimacy in terms of specific manipulative communication techniques. Suitable countermeasures could include, for instance, creating greater transparency surrounding, or even restricting, the use of artificial techniques to inflate the level of perceived engagement a piece of online content generates.

Political Legitimacy and the Concept of Foreignness

Questions of what is deemed foreign and what is not are traditionally related to the legal and territorial boundaries of states and the legal status of citizens. Furthermore, the distinction between foreign and domestic is intimately linked to people's understandings of illegitimate and legitimate power. In international law, this reality is reflected in the foundational principle of state sovereignty, which

relates legitimate authority to a bounded territory and the population residing there. The idea of equating foreignness with the nondomestic nationalities of particular groups of individuals that are not from a particular country, furthermore, goes back to the classical tenet of international law on diplomatic protection, which obliges states to protect their citizens abroad. In democratic societies, citizenship is related to the idea of a distinct polity whose designated inhabitants enjoy certain rights and obligations that do not pertain to foreigners, the most common of these rights being the right to vote. A legitimate democratic government is, quite simply, a government elected by the people living within, or in some other way belonging to, a defined territory.

Similarly, citizenship laws today rest on different principles than before. Naturalized individuals can be granted citizenship on the basis of long-term residency or other significant attempts to acquire it, such as joining an army or even pledging allegiance to a state.[1] When such allegiance is pledged, an individual's place of birth, or even place of residency, is superseded by his or her expressed loyalties. Such a dynamic renders foreignness a more fluid category than it used to be. Furthermore, these developments also compound the complexity of ascertaining notions of political illegitimacy and legitimacy as self-evidently connected with the traditional dichotomy of foreign and domestic categories.

Judging Foreignness in Terms of Foreign States

A common way of trying to distinguish between legitimate and illegitimate influence operations is to label those conducted by foreign countries as illegitimate.[2] Relevant academic literature and policy proscriptions that embrace this definition tend to view influence operations as one component of a varied, wide-ranging set of strategies that states employ. Such literature and policy documents use language that reflects the alleged link to the foreign state in question and to tools of war—including common parlance like Russian information operations, Chinese influence operations, or information warfare. To conceptualize foreign influence operations as part of state-affiliated military operations reflects an established way of thinking about international relations in terms of conflictual relationships between sovereign nations locked in a state of anarchy. From this perspective, general tenets of international law can arguably be applied to the "physical, logical, and social layers of cyberspace," such as network infrastructure, protocols, and individuals engaged in cyber activities.[3] Acceptance of the principle of sovereignty, a fundamental tenet of international law, as applied to cyberspace by scholars like Michael Schmitt may thus potentially allow for a set of commonly recognized rules and norms in international relations. (This use of the general term sovereignty differs from the term cyber sovereignty that authoritarian countries like China and Russia use to justify online censorship within their borders.)

Not all aspects of state sovereignty, however, transfer equally well into the cyber environment. Problems with this definition of influence operations become evident if one asks what constitutes a violation of sovereignty, and, in particular, what legal principles should be used to draw a line between the foreign and domestic spheres.

First, the principle of territorial integrity constitutes a gray zone of "normative uncertainty" in the context of influence operations.[4] The physical destruction of domestic targets by foreign adversaries is more clearly an attack than the dissemination of harmful ideas, which is not usually considered a violation of sovereign territory.[5] The projection of information (and perhaps money and soft power in all its forms) may be defined better as interference in another sovereign state's internal affairs. At the heart of this discussion is the key question of whether "respect for sovereignty" is a rule in international law "alongside the prohibition of intervention."[6] States still have different views on this matter. France, for instance, assumes an inherent respect for sovereignty exists, an approach that allows factors like the "distorting of election processes" to be considered a violation of sovereignty.[7] By contrast, the UK instead remains in favor of applying the principle of nonintervention, which would require the presence of clear elements of coercion.[8] On the whole, this lack of shared norms on how to interpret the rules surrounding sovereignty in international law, when influence operations are concerned, is a problem that needs to be overcome.

Second, influence operations could be regarded as violations of the principle of nonintervention in the internal affairs of one sovereign state by another.[9] For this principle to be relevant, however, interference must involve a clear element of coercion.[10] Overall, international law does not provide any cutoff points for determining when election-related activities connected to foreign states, while potentially coercive, constitute interference.[11] Furthermore, while foreign influence operations that distribute divisive or false content may certainly distort domestic public debate, experts currently disagree on whether these tactics are sufficiently manipulative to be considered coercive.[12] Some argue that "the threshold of coercion is reached if an information operation is covert," while others claim that coercion necessarily implies a kind of "*forcible* conduct" not present in interference that revolves around distributing ideas.[13] As for influence operations on social media, the covert nature of data collection used to microtarget individuals could arguably cross the line of coercive behavior without forcible conduct being used.

Third, any cyber attack comes with the problem of attribution.[14] Even if officials can determine that a violation of state sovereignty has occurred, the identity of the attacker, as well as the relationship between the attacker and the targeted state, remains to be proven.[15] To get around this challenge, many actors simply define influence operations instigated from a sovereign territory separate from the targeted state as "foreign" and condemn such operations by appealing to the principle of due diligence, the duty of a state "not to allow knowingly its territory to be used for acts contrary to the

rights of other States."[16] This principle, however, can only be applied if an act has "serious adverse consequences," which—in the case of influence operations working "at a cognitive level"—is a difficult determination to make.[17]

Finally, the use of proxies—domestic actors within the victimized country who work on behalf of a foreign state—poses a challenge when discussing influence operations. While it is possible to describe foreign actors operating on domestic soil as interfering on behalf of a foreign state, it is far more challenging to say the same of citizens who choose to deliberately or inadvertently spread ideas that happen to align with those spread by a foreign state–backed influence operation. Agreeing with or even admiring Russian President Vladimir Putin is not a crime, for instance. Such acts fall far short of espionage and are unlikely to involve coercion. Rather, influence operations often target wedge political issues that generate strong opinions—this logic results in harmful content being organically shared and integrated into a country's political discourse.[18] Labeling citizens as proxies just because they happen to engage in these debates and express fringe perspectives—but without evidence of coordinated wrongdoing—is wholly unsatisfying. And in any case, their speech is likely to be protected by legal provisions on the freedom of expression. In this sense, the information warfare analogy does not extend to casting domestic citizens as foot soldiers, except in cases of genuinely coercive interference.

All in all, it is clear that defining influence operations as illegitimate simply because they are conducted by foreign states is insufficient. There is a clear need for developing a set of shared norms on the ways that influence operations can constitute a violation of sovereignty. Furthermore, legal experts still disagree on whether influence operations should be regarded as coercive and thus as violations of the principle of nonintervention. An interesting path forward is perhaps to regard covert methods as a qualifier for determining when foreign interference constitutes a violation of sovereignty.[19] Foreign state interference with inherently governmental functions (for instance, domestic elections) by means of deceitful methods can thus be regarded as a violation of sovereignty, although such operations may not be coercive in the true sense of the term. With this qualifier, the labeling of such influence operations conducted by foreign states as illegitimate could hold some value. Such determinations involve weighing the combined factors of any deceitful techniques that are used as well as whether the instigators are domestic or foreign actors.

Judging Foreignness in Terms of Foreign Citizens

A second approach to defining foreign influence operations looks at whether content is being distributed by foreign citizens regardless of their physical location. This approach rests on a distinction between what is deemed foreign and what is deemed domestic in certain democratic frameworks

where citizenship comes with a collection of rights that noncitizens—as foreigners—lack.[20] Associating foreign influence operations with these noncitizens is in line with an understanding of interference as directly affecting domestic political discussions in what is deemed an illegitimate way. In other words, just as foreign citizens do not enjoy the right to vote in domestic elections if they are residing as foreigners in another country, so too should they be barred from interfering in that country's domestic political debate. [21]

Making such a determination between foreign and domestic citizens might seem clear cut at first glance, but a closer look at the relationship between citizenship and democratic rights shows that there are a wide range of possible interpretations of where to draw the line.

Citizenship, and the democratic rights it imbues an individual with, can vary greatly by country. And those rights do not always mean the same thing. Even the right to vote in general elections, commonly accepted worldwide as pertaining to citizens, varies greatly from country to country. At one end of the spectrum, certain states, such as Ireland, demand that even citizens must also be permanent residents to vote, while at the other end of the spectrum, a country like Sweden extends the right to vote (at least in local elections) to resident noncitizens.[22] The process of naturalization in some countries makes it possible for individuals to become citizens on a number of grounds. Some of these grounds challenge traditional understandings of individual citizenship as something that reflects an intimate (or at least tangible) connection to a specific country.[23] The country of Malta, for instance, offers what it calls "citizenship by investment," meaning any person with the financial means could become a Maltese (and an EU) citizen with the right to vote in general elections.[24]

The link between citizenship and foreign influence is even vaguer when the conversation moves to online discourse. Guaranteeing freedom of speech is key for democratic regimes as a general rule,[25] and most democratic states make no distinction between citizens and noncitizens living in their territory when it comes to the right to express their opinions (although questions have been raised in relation to immigrants residing in a country illegally and other foreign nationals when it comes to electoral spending and political ads).[26] In addition, freedom of opinion and expression as well as freedom of thought are central principles of international human rights law, and democratic countries that have ratified human rights treaties are thus obliged to extend these rights to noncitizens.[27]

While it is possible to characterize influence operations as directly undermining human rights principles through various forms of manipulative interference, such determinations must be made based on the nature of the communicative act rather than the citizenship of the perpetrator.[28] Similarly, freedom of speech is often limited in different ways through, for instance, legislation on hate speech, but such considerations are directly related to the content of the message.

According to some legal experts, it is possible to regard interference by foreign citizens in domestic political debate as illegal based on the collective right of self-determination that states have based on international law.[29] The freedom of speech of foreign nationals could then be justifiably curtailed—at least in the context of another state's democratic elections—with the purpose of ensuring that free speech is "the will of the people" (the citizens of the state holding the election) rather than that "of some other people" (noncitizens).[30]

However, this definition poses challenges. Critics argue that this legal concept only applies to claims to self-determination in situations when a group is "denied the right to govern itself."[31] This makes the right of self-determination difficult to appeal to in cases when "the people" are "all citizens of a State."[32] In addition, the idea of interpreting freedom of speech as a right that exclusively belongs to a country's citizens goes against contemporary legal practice in many democratic countries.

Seen through the lens of citizenship, the foreignness of influence operations would always be inherently connected to the identity of the individual, rather than the message disseminated. The legitimacy of an individual exercising such political freedoms could then be questioned if, for example, a given influence operation involved efforts to obscure the identity of the speaking individual (and hence also included covert dimensions).

Apart from giving rise to recurring problems of attribution—especially when domestic proxies are involved—linking freedom of speech to citizenship could potentially lead to counterintuitive conclusions if one accepts the premise that such a right should reflect an intimate connection to a specific country.[33] What about a citizen of Malta, naturalized through the country's citizenship-by-investment scheme (but otherwise with very few connections to the country), who would be allowed to express opinions about EU politics, while noncitizens living in the country are denied this right? Furthermore, is it reasonable to argue (as some legal experts do) that a long-term resident who happens to be a noncitizen expressing a "pure opinion" should be regarded as just as detrimental to democracy as a noncitizen spreading disinformation?[34]

In sum, the notion that foreign citizens are interfering if they participate in the political life of another country seems unlikely to lead to a strong basis for labeling influence operations as foreign. Apart from the overwhelming practical difficulties connected with policing individual messages on the basis of citizenship, and the mélange of different citizenship laws in different countries, the right to freedom of speech for noncitizens currently accepted by most contemporary democracies makes it difficult to regard messages disseminated by foreign citizens as inherently illegitimate. For instance, Article 10 of the European Convention on Human Rights—which has been ratified by the forty-seven countries in the Council of Europe—states: "Everyone has the right to freedom of expression."[35] The Human Rights Committee similarly, and quite explicitly, notes that noncitizens (or "aliens")

"have the right to freedom of thought, conscience and religion, and the right to hold opinions and to express them."[36] Given this, the right to partake in political discourse is difficult to equate with other citizenship rights.

Judging Foreignness in Terms of Foreign Interests

A third common way of conceptualizing foreign influence operations is to consider their links to "foreign interests."[37] In many cases, this definition rejects the notion that influence operations are acts of warfare infringing on (territorial) state sovereignty. Instead, they are seen as projections of "soft power."[38] The key element here is not necessarily the identity of the state or the individual disseminating the message, but whose interests the message serves. This approach appears to allow a way around the notorious problem of attribution and also accounts for proxies operating on domestic soil.

Nevertheless, there are challenges with this approach, the first of which is that not all influence operations serving foreign interests should be considered interference. The core problem with conceptualizing foreign influence operations in terms of foreign interests is that complex tensions arise between a focus on the content of the message, the perceived legitimacy of the communication techniques used, the ways in which the messages spread, and the identity and intention of the messenger.[39]

An obvious case of projecting foreign interests according to this understanding is public diplomacy. Public diplomacy is defined as the "various government-sponsored efforts aimed at communicating directly with foreign publics."[40] These efforts commonly entail the dissemination of strategic narratives in support of a state's "national culture, political ideals and policy" in cyberspace.[41] Public diplomacy is generally accepted as a legitimate means of exercising state diplomacy, in contrast to "illegitimate" forms of foreign influence.[42] The line between the two is often drawn on the basis of truthfulness, authenticity, and intention. In other words, public diplomacy becomes illegitimate when it is in some way deceptive. It may be deemed deceptive if, for example, identities are deliberately obfuscated, or if the messages turn into disinformation—that is to say, "the deliberate dissemination of carefully constructed and false messages into the communication system of a target group in order to deceive decision-making elites or public opinion."[43]

Yet not all untruthful messages are spread with an intention to deceive—individuals might unwittingly spread misinformation that supports their own worldview. Furthermore, there is debate over whether messages concerning national culture or political ideals should be judged entirely on the basis of perceived truth or facts.[44] Instead, the classification of the illegitimate spread of foreign

interests as foreign influence operations largely hinges on whether there is an intention to deceive. Indeed, even the truth might skillfully be used to deceive—particularly in a context where a one-sided picture can be amplified at the cost of a nuanced political debate.[45]

Defining foreign influence operations as inherently linked to deceptive intentions gives rise to a number of problems. While obvious untruths can be called out quite easily, intentions are vague concepts that have been used in largely unsatisfactory ways in debates about propaganda.[46] If a messenger's intention is determined on the basis of the message itself, the perceived foreign interest the message appears to serve is a subjective judgment. This potentially allows for an interpretation of all untruthful or inconvenient messages as serving the interests of enemy states. Yet foreign interests might coincide with those of domestic groups or individuals, thus blurring the crucial distinction between what is deemed foreign and domestic (a blurring that might itself be in the interest of an enemy state and a goal of a given influence operation).

To avoid this blurred distinction, a messenger's intention can be determined by instead considering the identity of the state or individual messenger and determining whether the aim in the operation is to change or reinforce "attitudes and behaviors in ways that align with the [influence operation's] authors' interests."[47] In such cases, however, the conceptualization of foreign influence operations as foreign interests no longer differs from that of foreign states, and the discussion returns to the aforementioned problem of attribution.

Discerning deceptive intentions through the range of behaviors and techniques a messenger employs, rather than focusing on the content or the identity of the messenger, seems a promising avenue for future research.[48] In this way, illegitimacy can be linked to the use of manipulative techniques used to spread an influence operation. In addition to moving away from a narrow discussion of deceptive intentions, this approach would potentially allow a range of communicative techniques to be considered questionable in terms of the degree to which they are protected by international human rights law on "freedom of thought" rather than simply "freedom of expression."[49] Departing from the principle of freedom of thought would allow policymakers to approach the problem more broadly and, for instance, work with social media companies to restrict (or create more transparency surrounding) techniques that are "proven to have manipulative effects."[50] In this way, the problem is not so much deceptive intentions, but the techniques used to amplify the messages.

While the focus on communication techniques provides an opening for further analysis, it is unclear whether it solves, or simply sidesteps, the problem of determining which influence operations should be considered foreign. Perhaps foreign interests are best regarded as a persistent worry that should be solved by focusing only on systematic efforts at manipulation rather than individual pieces of content. Such determinations can be approached through technical means in the web infrastructures of digital platforms. To cite one example, it could be helpful to introduce imprints on political ads stating who paid for them to bring online behavior in line with existing election law.[51] Furthermore, this understanding of illegitimacy could perhaps be used to determine when foreign state interference actually constitutes a violation of sovereignty under international law, as suggested by Schmitt.[52]

A Way Forward?

Ultimately, the concept of foreignness has no single, universal definition that can be used in discussing influence operations. International law is unlikely to provide a way to regulate foreign influence operations, democratic theory offers limited normative support to the debate on foreign influence operations, and individual states have inconsistent ways of legally defining foreignness. What is foreign and what is domestic appears more like a spectrum or scale than a binary distinction. What does this mean for the study of influence operations?

On the basis of this discussion, two clear lines in the sand can be drawn. Put simply, first of all, it appears that the term foreign is most applicable when foreignness is a systematic, constituent part of a larger-scale influence operation. Second, the term foreign is more pertinent when dealing with patterns of inauthentic or fraudulent behavior together with other more severe and subversive activities. Yet these are but two aspects of certain kinds of influence operations.

In thinking through how to most effectively combat influence operations, then, a complementary set of at least three different approaches ought to be considered in various situations. The first is a democratic discourse approach, which argues that democracies should be resilient to foreign participation in political discourse. The second is an institutional democratic approach, which argues that certain public institutions should receive special protection from foreign actors. Third is a national security approach, which argues that broader foreign state behavior should determine whether foreignness is an issue. These approaches offer opportunities for tangible change in dealing with influence operations.

A Democratic Discourse Approach

In liberal democracies, all individuals can participate in political discussions, regardless of citizenship. In democratic debate, it is a distraction to focus solely on foreignness at the expense of a more thorough and multifaceted examination of what represents acceptable ways of exerting political influence in democratic societies.[53] Democratic populations should be able to cope with challenging ideas, whether domestic or foreign in origin. In the sense of allaying threats to democracy, discussions of democratic integrity are therefore best served by focusing on bolstering institutional resilience and preparing suitable countermeasures, including by educating citizens to become more media literate.

Some of the techniques used in influence operations, however, challenge democratic rights, namely when they threaten freedom of thought, a freedom that states are obliged to protect.[54] Working to restrict techniques that allow bad actors to amplify influence operations and manipulate individual users should thus be a priority. While this approach successfully reorients the discussion on the question of societal norms and resilience, it fails to distinguish between individuals expressing their personal opinions and influence operations designed to undermine domestic democratic institutions. Nor does the foreignness of an influence operation matter much to this approach.

An Institutional Democratic Approach

When influence operations are directed at distinct domestic institutions, such as democratic elections, the institutional democratic framework becomes relevant. An important distinction here is that labeling influence operations as foreign is meant to protect domestic institutions—not democratic discussion. While the right to vote belongs to a specific group of citizens (making foreignness a relevant concept), any effort to protect democratic institutions must still consider fundamental rights like the freedom of speech and the freedom of thought on an individual level.[55]

The focus should therefore not be on single pieces of content or individual actors of foreign origin. Instead, the main role of states when it comes to the activities of foreign actors in an electoral context is to consider legislative changes to address foreign interference through, for example, changes to legal provisions regarding electoral funding and online political advertising.[56] Another important task is to work toward greater transparency on potential manipulative techniques on social media platforms, such as algorithms skewing electoral content like political coverage of pertinent campaign issues (whether foreign or domestic). Again, foreignness is not a central issue.

The institutional democratic approach necessitates that decisionmakers make difficult judgments about foreignness. Specifically, using this approach entails incorporating legislation and government policy mainly aimed at protecting the integrity of important democratic institutions (like elections, electoral funding, and related advertising); this approach is not intended to focus on countering large-scale interventions by malicious foreign actors in an online environment. When it comes to countering such foreign interventions, a third approach is required.

A National Security Approach

When there is overwhelming evidence of foreign state interests interfering with domestic interests, it makes sense to use a national security approach for labeling foreign influence operations. In such cases, influence operations should be framed as one component of a hostile state actor's strategy. Foreign state interests in situations involving state-based hybrid and irregular warfare—where questions of coercion, interference, and espionage are ongoing concerns—are best understood by focusing on patterns of coordinated behavior, rather than focusing on the acts of individuals.[57] If the patterns reveal a focus on influencing or undermining critical infrastructure using influence operations in combination with other techniques, the situation can be considered a matter of national security.

In such cases, foreign state interests become relevant by way of a definition of foreignness, but only when there is clear evidence of coordination, intent, and scale. Influence operations would not be the sole determining factor in such instances. Bringing in a broader range of national security assessments would also support stronger attribution. Foreign influence operations, then, are a central problem that needs to be reflected in, for example, a country-specific strategy that involves deterrence measures.

In sum, it is difficult to contend that foreignness is a decisive, or even central, problem in information operations, except in cases where a foreign actor clearly intends to persistently seek to undermine a sovereign state using a range of methods. In some cases, this determination is relevant to the protection of democratic institutions, particularly in instances when foreign interference aimed at undermining elections must be countered.

However, such acts are likely to be one part of a broader strategy. Outside of national security concerns, there is little legal or theoretical basis to question the legitimacy of communication techniques in influence operations on the basis of foreignness. In essence, illegitimate behaviors are the same problem whether domestic or foreign actors use them. Rather than focusing narrowly on the identity of malicious actors, policymakers should consider illegitimacy in influence operations in relation to specific manipulative communication techniques and how systematic the campaigns are in scale.

About the Authors

Hedvig Ördén is a senior lecturer in political science and intelligence analysis at Lund University. Her research focuses on online disinformation and the intersection between security studies and political theory.

James Pamment is a nonresident fellow in the Technology and International Affairs Program at the Carnegie Endowment for International Peace and an associate professor of strategic communication at Lund University.

Notes

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1779 Massachusetts Avenue NW Washington, DC 20036 P: + 1 202 483 7600

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