

## DIGITAL AUTHORITARIANISM

*Danielle Keats Citron\**

*Ari Ezra Waldman*

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### Introduction

Antidemocratic forces rely on intimidation tactics to silence criticism and opposition. Recall how J. Edgar Hoover's FBI warned civil rights leader Dr. Martin Luther King that secret recordings of his extramarital affairs would be made public unless he committed suicide.<sup>1</sup> In the digital age, online abuse is a go-to intimidation tactic for authoritarians and their allies. For instance, pro-Kremlin trolls targeted Finnish journalist Jessikka Aro after she reported on pro-Russian online influence campaigns.<sup>2</sup> Posters doxed Aro and published her private health information; they accused her of being an American spy and a NATO lobbyist; she received threats via email and text.<sup>3</sup>

Today's intimidation playbook follows a two-step pattern. In the first step, as in Aro's case, authoritarian forces target critics with [online abuse](#). In the second step, critics are falsely accused of engaging in online abuse. These false accusations allow the authoritarian to claim the mantle of victimhood. The second step represents a strategic escalation: by transforming victims into alleged perpetrators, authoritarians invite further online abuse against victims, compounding the harm. Under both steps, the real victims are critics of the powerful, who first experience harassment and then face gaslighting that incites additional abuse.

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<sup>1</sup> DANIELLE KEATS CITRON, *THE FIGHT FOR PRIVACY: PROTECTING DIGNITY, IDENTITY, AND LOVE IN THE DIGITAL AGE* 50, 55 (2022) [hereinafter CITRON, *FIGHT FOR PRIVACY*].

<sup>2</sup> JESSIKKA ARO, *PUTIN'S TROLLS: ON THE FRONTLINES OF RUSSIA'S INFORMATION WAR AGAINST THE WORLD* 9–21, 81, 185–89 (2022); Jessikka Aro: How Pro-Russian Trolls Tried to Destroy Me, BBC (Oct. 5, 2017), <https://perma.cc/X3JE-2YVP>.

<sup>3</sup> *Id.*

This two-step strategy echoes longstanding behavioral patterns in social and political life, including among both perpetrators of intimate partner violence and conservative legal movements. Attacking critics and co-opting the language and mechanisms of resistance silences dissent, punishes disobedience, and maintains traditional hierarchies of power. Today's would-be authoritarians are pursuing this two-step strategy to muzzle critics and undermine pro-democracy efforts.

And their strategy is working. Politicians have softened or changed their positions to forestall further attacks; [journalists](#) and researchers have withdrawn from public life.<sup>4</sup> False accusations of online abuse are not only psychologically devastating and destabilizing but also create a version of what Bobby Chesney and one of us (Citron) have called the [“liar’s dividend”](#): when everyone is a harasser, no one is. These tactics produce fear that compels conformity and silence.

Elon Musk, the richest man in the world and a senior advisor to President Trump, has embraced the two-step approach. Before his inauguration, President-elect Donald Trump announced that Musk, owner of the social media platform X, would play a role in his administration by [recommending cuts](#) to the federal government. Musk shared [posts](#) naming four women working in climate-related government positions with dismissive comments suggesting their roles were unnecessary. In one [post](#), Musk declared, “So many fake jobs.” Predictably, some of his more than two hundred million followers then attacked the four women, posting abusive [statements](#) like “Sorry Ashley Thomas. Gravy Train is over.” Everett Kelley, President of the American Federation of Government Employees, [underscored](#) that Musk’s “tactics are aimed at sowing terror and fear” and federal employees are “afraid to speak up.” Unsurprisingly, one of the four women deleted her social media accounts.

The second step began when an X user identified six employees working at Musk’s so-called Department of Government Efficiency (DOGE) and a journalist discussed their credentials in a [Wired article](#).<sup>5</sup> Musk [accused](#) the poster of “commit[ing] a crime” and called for the journalist’s firing. A wave of [online abuse](#) followed. Edward Martin, Jr., then the interim United States Attorney for the District of Columbia, [wrote](#) to Musk on X, saying his office would not “tolerate threats against DOGE” and would investigate anyone targeting DOGE

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<sup>4</sup> CITRON, FIGHT FOR PRIVACY, *supra* note 1, at 56.

<sup>5</sup> In federal law, a “department” is a term of art. The DOGE is an advisory body in the executive branch with no formal legal authority to call itself a “department.”

employees. The journalist who authored the *Wired* article faced even more [abuse](#) from Musk's troll army. Musk made the authoritarian two-step his own by first inciting online harassment of government employees and then falsely accusing the *Wired* journalist of abuse, which in turn generated genuine abuse of that journalist.

Of course, Elon Musk is not the only perpetrator of the authoritarian two-step online—he has forerunners in the Duterte regime in the Philippines. After Maria Ressa, founder of the news site Rappler, criticized extrajudicial killings associated with then-President Duterte's drug war, hundreds of pro-Duterte accounts [targeted](#) her with online abuse. Ressa received graphic rape and death threats under coordinated hashtags like #ArrestMariaRessa and #BringHerDown. Pro-government influencers amplified the abuse, publishing Ressa's home address and falsely claiming that she was a U.S. citizen trying to undermine Philippine sovereignty. The second step followed shortly thereafter: The Duterte administration cast Ressa as the perpetrator, [accusing](#) her of "cyber libel" and criminal behavior. Officials filed [criminal charges](#) against her, all in service of protecting the authoritarian regime.

In this Essay, we examine these developments' broader implications for democracy. We must recognize the authoritarian two-step playbook as part of a coordinated attack on public engagement. We surface these tactics so their costs to public discourse and civic engagement can be fully understood. We show how the misappropriation of the concept of online abuse has parallels in other efforts at conceptual diversion that dampen democratic guarantees. Democracy's survival requires creative solutions. Politicians and government workers must be able to operate free from intimidation. Journalists and researchers must be able to freely investigate governmental overreach and foreign malign influence campaigns that threaten the democratic process. Surfacing the two-step strategy is a critical start to combating it.

## **I. The Digital Authoritarian Playbook**

This Part explores the two-step playbook adopted by antidemocratic forces to dampen and silence criticism. The first involves online abuse; the second misappropriates the concept.

### **A. The First Step: Real Online Abuse**

In every era, antidemocratic forces attack government officials, political rivals, journalists, researchers, and advocates.<sup>6</sup> Digital technologies provide an easy and cheap way to scale such attacks by enabling immediate and devastating online abuse<sup>7</sup> by [cyber mobs](#). Online abuse involves threats, lies, doxing, and the nonconsensual recording, fabrication, or disclosure of intimate images; it is often sexually threatening and demeaning. As researchers have [explained](#), “[v]itriolic, hateful, and threatening language used against women in public life has become normalized by male politicians and media personalities who employ it mostly without consequence and inspire their online followers to replicate it across the internet.” Women and members of minoritized communities, particularly those with intersecting marginalized identities, shoulder a [disproportionate amount of abuse](#).<sup>8</sup>

Consider Musk’s targeting of a female government official whose directives he opposed. In April 2024, Australian eSafety Commissioner Julie Inman Grant [issued](#) a notice to X to remove a video of a brutal stabbing of a religious leader, which violated the country’s ban on content depicting [“acts of terrorism.”](#) After the Federal Court of Australia [granted](#) an interim injunction requiring X to hide the video, Musk denounced Inman Grant as the [“Australian censorship commissar.”](#) Having previously targeted individuals on X, Musk would have known that his more than 192 million followers would turn on Inman Grant. They did: She [received](#) a barrage of “dehumanizing slurs” and “credible death threats.” Her [personal information](#) and children’s names appeared online.

Musk has long [“singled out”](#) government officials who “stand in his way.” Former senior advisor at the National Highway Traffic Safety Administration Mary “Missy” Cummings [explained](#) that she “drew Musk’s ire because of her criticisms of Tesla when she was at the National Highway Traffic Safety Administration.” Musk [tweeted](#): “Objectively, her track record is extremely biased against Tesla.” Musk’s “legions of fans” launched vicious attacks. Posters made death threats, forcing Cummings to temporarily relocate and eventually move permanently. She [noted](#): “It’s his way of intimidating people to either quit or also to send a signal to all the other agencies that ‘you’re

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<sup>6</sup> CITRON, FIGHT FOR PRIVACY, *supra* note 1, at 50–57.

<sup>7</sup> DANIELLE KEATS CITRON, HATE CRIMES IN CYBERSPACE 56–72 (2014).

<sup>8</sup> See CITRON, FIGHT FOR PRIVACY, *supra* note 1, at xvi. The Committee to Protect Journalists found a rise in online harassment against journalists who are LGBTQ+, women, Black, and members of religious minority groups.

next.” With regret, Cummings said that Musk’s plan has worked and led federal employees to resign “in anticipation of what is to come.”

The conservative group The American Accountability Foundation has followed Musk’s lead: It maintains a [“DEI Watchlist”](#) targeting federal workers who are “most abusing diversity, equity, and inclusion.” The group’s website has posted the names and photographs of [over 50](#) federal workers. The site includes dossiers revealing individuals’ campaign donations and their negative online [comments](#) about then-candidate Trump. Many of the individuals included on the site are [Black workers at health agencies](#). The site has a [“tip line”](#) that solicits “suggestions for additional dossiers” with an “outsized influence on diversity, equity and inclusion.” The group has [called](#) workers “woke D.E.I. devotees in the federal government who need to be fired.” One worker whose name and photograph appeared on the list and who was put on administrative leave [remarked](#), “The current situation threatens my safety, the safety of my family and my ability to return to work or find other employment.” She “asked not to be named because of fears for her personal safety.”

Journalists domestically and abroad face [similar attacks](#). In the lead-up to the 2020 U.S. presidential election, Russia Today (RT) [attacked](#) New York Times journalist Nicole Perlroth after she tweeted about “the Russian Internet Research Agency’s well-documented strategy of targeting Black voters in an attempt to suppress Black turnout in the 2016 election.” RT’s articles [described](#) Perlroth as racist and stupid, sparking attacks on Twitter and fringe American outlets. The [online attacks](#) damaged Perlroth’s mental health and relationships. In April 2018, Indian journalist Rana Ayyub [criticized](#) the Modi regime’s human rights abuses on BBC. The next day, a source in the Modi regime warned her that a storm was coming her way. Moments later, her phone blew up with alerts: circulating online was a deepfake video of her engaged in a sex act. This was an early use of deepfake sex imagery. For months afterward, she was doxed, [endured](#) rape and death threats, and received texts demanding sex.

Disinformation researchers have been singled out for vicious abuse. Anonymous posters attacked Serbian analyst Jelena Milić, who studies Russian influence operations in the Balkans.<sup>9</sup> Posters called her a “whore paid by NATO” and fantasized about her death.<sup>10</sup> Her employer received messages accusing Milić of being a criminal, and its

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<sup>9</sup> ARO, *supra* note 2, at 195–98.

<sup>10</sup> *Id.*

website crashed after multiple distributed denial-of-service attacks.<sup>11</sup> Kate Starbird, a professor at the University of Washington and co-founder of the university's Center for an Informed Public, experienced a flood of [brutal harassment](#) online after a group of researchers with which she is affiliated provided written comments to the Congressional committee investigating the January 6, 2020 assault on the Capitol. Conservative groups continued this harassment by other means when they weaponized Washington's public records act to send Starbird repeated and expansive requests, grinding the Center's work to a halt and attempting to intimidate Starbird in the process.

U.S. disinformation experts have not been spared. In April 2022, the Biden administration [announced](#) that disinformation researcher Nina Jankowicz would serve as executive director of a new Department of Homeland Security group called the "Disinformation Governance Board." Although Jankowicz had previously been a target of online abuse, she faced significantly increased harassment after accepting the job. Politicians lit the flame. Representative Jim Jordan appeared on Sean Hannity's show on Fox News and [accused](#) Jankowicz of spreading disinformation and being a censor herself. Representative Lauren Boebert released a [statement](#) saying Jankowicz was a "Russia hoax espousing radical who is on video singing and asking who she needs to have sex with to become famous and powerful." A cyber mob campaign ensued. Online posts [included](#) a splice of a video in which it appeared that Jankowicz suggested that she should have the power to edit other people's tweets. She was doxed and inundated with threatening emails, texts, and voicemails; deepfake sex videos of her were circulated online.

## B. The Second Step: False Accusations and the Misappropriation of Online Abuse

Returning to Musk provides an example of the second step in operation. After DOGE employees [accessed](#) systems of personal records held by the Office of Personnel Management and General Services Administration with tens of millions of people's sensitive information, *Wired* reporter Vittoria Elliot asked crucial questions: who are the young people working for DOGE and what are their work and educational backgrounds? Her [story](#) revealed the names—and only the names—of six young men working for Musk. The DOGE employees ranged in ages from nineteen to twenty-four years old; one had just graduated from [high school](#); all possessed minimal to [no government](#)

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<sup>11</sup> *Id.*



[experience](#). *The Wall Street Journal* reporter Katharine Long [revealed](#) that one of the DOGE employees “was linked to a deleted social-media account that advocated racism and eugenics.”

These articles sparked a misappropriation of the concept of online abuse. Musk [wrote](#) on X that Long was a “disgusting and cruel person” whose actions were “certainly improper, possibly criminal.” Vice President JD Vance responded that “[w]e shouldn’t reward journalists who try to destroy people. Ever.” In a [post](#) to 4.6 million followers on X, right wing activist Charlie Kirk accused *Wired* magazine of “doxxing DOGE employees.”

[Joining the fray on X](#) was the interim District of Columbia U.S. Attorney Ed Martin: “Dear @elon Please see this important letter. We will not tolerate threats against DOGE workers or lawbreaking by the disgruntled.” Martin’s letter argued that the public targeting of DOGE employees with “threats, confrontations, or any other action that impedes your work may break numerous laws.” In a [follow-up statement](#), Martin wrote, “[o]ur initial review of the evidence presented to us indicates that certain individuals and/or groups have committed acts that appear to violate the law in targeting DOGE employees. We are in contact with the FBI and other law enforcement partners to proceed rapidly. We also have our prosecutors preparing.” In yet [another follow-up letter](#) about “protecting” Musk’s employees, Martin said: “[I]f people are discovered to have broken the law or even acted simply unethically, we will investigate them and we will chase them to the end of the Earth to hold them accountable.”

Shortly after, Long “became the target of a [massive swell](#) of online abuse and criticism.” Prominent hedge fund manager Bill Ackman called Long an “evil, unethical liar” in a [post](#) that included her contact information. Ackman’s post generated [responses](#) like: “She needs to be made famous. She’s beyond evil.” One poster [wrote](#) that “[h]er mentality and lack of ethics is what we need to eliminate as well.” Another poster [said](#), “Oh and internet. Do your thing on Katharine Long.” Yet another [wrote](#), “X Army, make her famous!! Fight! Fight! Fight!” A British right-wing influencer [wrote an article](#) describing Long as “fanatical” and suggested that she “might be an undercover federal agent because she had a State Department internship more than a decade ago and worked for the United States Agency for International Development in Tajikistan in 2016.”

The journalists reporting on DOGE employees did not violate any law. No true threats—which involve conveying a [serious desire to physically harm another person](#)—were made. The journalists neither implicitly nor explicitly suggested that the DOGE employees should be harmed. The accusation that the reporters engaged in doxing belies

any reasonable legal understanding of the term. Although no federal doxing law exists, [state laws](#) criminalizing the posting of a public official's personal information typically apply to the publication of a person's name or photograph along with "identifying information" with the intent to coerce, harass, or intimidate. The articles in *Wired* and *The Wall Street Journal* named the DOGE employees without providing additional identifying information (such as an address, phone number, or Social Security number). Nor was there any criminal intent. Merely naming several members of Musk's team is investigative journalism, not doxing. There is simply no evidence to suggest that the reporters intended to harass, coerce, or intimidate the DOGE employees. But the two-step approach rarely relies on actual evidence to be effective.

The [First Amendment precludes legal action against the reporters](#) because their pieces involved the publication of legally obtained, truthful personal information (names, education, work experience, and public writings of federal employees) about matters of [legitimate public interest](#). The public has [the right](#) to know about the bona fides of new federal employees who are entrusted with some of the most sensitive systems of records held by the U.S. government—those containing taxpayer records and background checks of former and current federal employees. As Justice Black [underscored](#), the "press was protected so that it could bare the secrets of government and inform the people." The experience and qualifications of federal employees constitute matters of utmost public importance.

The claims by Musk and Martin that the reporters were engaged in criminal activity were spurious. They had no rooting in sound understanding of law. Instead, they represented democracy-disrupting misdirection that undermines free expression and the vigorous and serious enforcement of cyber stalking, threat, and harassment laws. Of course, that is the point. When those in power assume the mantle of victimhood, they are following a well-trodden path with the goal of silencing their critics and undermining democratic values. We now turn to this crucial historical context.

## II. A Pattern of Abuse and Gaslighting

This two-step pattern should sound familiar. Domestic abusers perfected it long ago by weaponizing the language and mechanisms of victimhood against abuse victims. Legal movements seeking to maintain or reclaim traditional structures of power, particularly concerning gender, sexuality, and race, have their own version. In Professor Sarah Banet-Weiser's estimation, this is an [insidious flip](#) to



[“reroute\[\] victimhood.”](#) This Part connects examples from law (anti-discrimination and privacy) and culture to patterns of gaslighting today.

## A. Legal Illustrations

The playbook has been deployed by traditional forces seeking to dismantle laws that challenge structural privilege. The narrative proceeds like this: first, a history of privilege is threatened by laws prohibiting invidious discrimination; then, traditionalist forces repurpose those laws to reinforce systemic injustice by casting minorities as the discriminators. This approach was true of the conservative legal movement’s response to civil rights laws adopted to combat the subordination of Black individuals. The two-step approach is a longstanding conservative legal strategy.

In the 1970s, conservative think tanks sought a legal theory that would roll back modest progress on civil rights. Lawyers settled on a theory of civil rights that removed racial subordination from the equation. They argued that the [Fourteenth Amendment](#)’s Equal Protection Clause and statutes like the [Civil Rights Act of 1964](#) were restricted to a [“narrow”](#) vision of simple colorblindness rather than the [“eradication of the substantive conditions of Black subordination”](#) or any conception of equal justice.<sup>12</sup> Their vision of colorblind civil rights laws, formally adopted by a majority of Supreme Court justices in [Students for Fair Admissions v. Harvard College](#) (2023) and [Parents Involved in Community Schools v. Seattle School District No. 1](#) (2007), limited the state’s ability to account for a history of discrimination against Black people.<sup>13</sup> As Chief Justice Roberts (in)famously wrote:

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<sup>12</sup> See ROBIN WEST, CIVIL RIGHTS: RETHINKING THEIR NATURAL FOUNDATION 54–59 (2019).

<sup>13</sup> Colorblindness gained prominence in Supreme Court dissents and concurrences over four decades. See, e.g., Fullilove v. Klutznick, 448 U.S. 448, 522–23 (1980) (Stewart, J., dissenting); see also Daniel Harawa, *Coloring in the Fourth Amendment*, 137 HARV. L. REV. 1533, 1550–52 (2024) (collecting cases showing the slow growth of colorblindness theory in Supreme Court dissents and concurrences). An extensive body of scholarship on colorblindness in civil rights law has developed, much of which owes its intellectual origins to Professor Crenshaw’s scholarship and work by Neil Gotanda. See Neil Gotanda, *A Critique of “Our Constitution Is Color-Blind”*, 44 STAN. L. REV. 1, 5–6 (1991). For more recent scholarship, see Jonathan P. Feingold, *A Right to Inequality: Conservative Politics and Precedent Collide*, 57 CONN. L. REV. 1, 36–41 (2024); Christopher W. Schmidt, *Brown and the Colorblind Constitution*, 94 CORNELL L. REV. 203, 205 (2008); Reva B. Siegel, *From Colorblindness to*

“The way to stop discrimination on the basis of race is to stop discriminating on the basis of race.”

The colorblindness argument recast efforts to defeat racial discrimination into a form of discrimination. The conservative lawyers who developed the idea denied that they possessed any racial animus; as Kimberlé Williams Crenshaw [argued](#), the Reagan administration’s attorneys who championed colorblindness styled themselves as the descendants of Martin Luther King, Jr. and the Civil Rights Movement. After all, they argued, it was Dr. King who wanted people to be judged by their character and “not by the color of their skin.” By a sort of magic aided by selective quotation, Dr. King’s message of full employment, better education, improved conditions, and social justice to combat structural inequality was reduced to colorblindness. According to the conservative legal movement, attorneys championing the anti-subordination vision of civil rights were “perver[ting]” the law.

This reframing completes what Ian Haney López [described](#) as a “complex jujitsu of racial dog whistling.”<sup>14</sup> It begins with coded appeals to racial stereotypes; it continues with denials of racism; it ends with “a kick that savages the critic for opportunistically alleging racial victimization” and turns them into the problem. By hiding appeals to white constituencies through language obfuscating race (colorblindness), the conservative legal movement turned the tables on liberal critics: because liberal critics were the first to mention race, they were the racist ones.

When a history of patriarchal and heteronormative domination is threatened by the prospect of privacy rights of women and sexual minorities, traditionalists invert privacy to protect patriarchal and cis-normative institutions and erase the privacy interests of the marginalized. Consider the [weaponization of the law](#) and language of privacy to protect the powerful (cisgender people) at the expense of the powerless (transgender women). This [weaponization](#) is evident in [state prohibitions](#) on transgender girls playing on girls’ sports teams and in so-called [papers-to-pee laws](#) that empower authorities to investigate the genitalia of people using public restrooms.

Both laws are justified, in part, on the protection of the privacy of cisgender women and girls. As Suzan Hazeldean has [argued](#),

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*Antibalkanization: An Emerging Ground of Decision in Race Equality Cases*, 120 YALE L.J. 1278, 1281 (2011).

<sup>14</sup> IAN HANEY LÓPEZ, DOG WHISTLE POLITICS: HOW CODED RACIAL APPEALS HAVE REINVENTED RACISM AND WRECKED THE MIDDLE CLASS 4 (2014).

support for these policies amounts to a “pretextual” invocation of privacy; [no evidence](#) suggests that transgender women and girls have invaded the privacy of cisgender women and girls, such as by non-consensually opening bathroom doors or secretly recording them in stalls. Ruth Colker [argued](#) that “[t]he privacy justification” for restricting public restrooms to sex assigned at birth “is actually a pretext for the articulation of gender stereotypes” about men’s power and women’s supposed need for protection. These policies entrench a patriarchal vision of women’s modesty while implying that anyone seeking to protect the privacy of transgender women and girls is a privacy violator. The rationale for the policies has also moved feminist scholars like Catharine MacKinnon to [argue](#) that privacy as conceptualized by liberal elites was anathematic to women’s liberation. Such misdirection [harms all women](#) in the process.

The misappropriation of the concept of privacy to undermine the privacy of the marginalized is a longstanding strategy. In the nineteenth century, privacy was [used](#) to protect the dominion of men over women. In *State v. Rhodes* (N.C. 1868), the North Carolina Supreme Court ruled that a man who physically beat his wife was beyond the reach of the law. The court reasoned that the family’s privacy was inviolable and that the man had absolute power inside the home.<sup>15</sup> Abused wives had no privacy in the home at all; rather, society’s treatment of the home as a secluded domain was a form of “[coerced concealment](#).” Long after *Rhodes*, courts invoked the concept of [family privacy](#) as an excuse to immunize men’s crimes from accountability and to leave in place patriarchal rules of the home.

Opponents of the [Equal Rights Amendment](#) (ERA) used privacy to gaslight liberal critics. Although one of the goals of the ERA was to ensure that women had the same privacy rights as men, ERA opponent Phyllis Schlafly accused the amendment’s proponents of being the ones seeking to violate women’s privacy, [arguing](#) that their goal was unisex toilets. This argument tapped into a long-standing cultural unease about women in the public sphere and the patriarchal perception that women were “[timid\[ \] and delica\[te\]](#)” and needed male protection.

Therefore, traditionalist forces inverted the concept of privacy to rationalize recreating a private realm for women cut off from professional, social, and economic opportunity. As Anita Allen argued, women have long experienced too much of the “wrong kinds” of privacy (better described as concealment) and too little of the right kinds of privacy (autonomy to decide the extent to which others have access to

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<sup>15</sup> *Rhodes*, 61 N.C. at 457.

their persons and information and the self-respect and social respect enjoyed as a result of that autonomy).<sup>16</sup>

When powerful actors repurpose emancipatory legal concepts to serve their ends, they render those tools meaningless or hollow. This repurposing defangs law of its power and purpose. The direct effect is to leave those whom law was meant to protect without tools to protect themselves. Racism, misogyny, and homophobia flourish with impunity.

## B. Claiming the Mantle of Victimhood

The perversion of privacy and anti-discrimination law are not simply features of law. They reflect an underlying cultural dynamic in which powerful actors weaponize the language and tools of victimization. Many examples come to mind: Justice [Brett Kavanaugh](#), President [Donald Trump](#), and comedian [Bill Cosby](#) are just three men who, when faced with multiple credible claims of harassment, abuse, and other criminal behavior, referred to investigations into their behavior as “witch hunt[s]” or even “lynching[s].” All three claimed that [they were the ones](#) being abused, harassed, and [targeted](#). As Mary Anne Franks has [described](#) in harrowing detail, in the days leading up to and months after Dr. Christine Blasey Ford’s Senate testimony about how then-Supreme Court nominee Kavanaugh tried to rape her when they were in high school, Ford was doxed, sent death threats, and forced to flee her home with her family. She was attacked by Republican politicians and accused by Kavanaugh of maliciously seeking to impugn his reputation. These types of attacks and accusations produce a form of “[testimonial injustice](#),” where harassment victims are deemed not credible because of their identities.

The two-step’s history runs deep. Domestic abusers have long leveraged the two-step strategy to silence and subordinate their victims, most of whom are women. In a famous [article](#) published nearly thirty years ago, the psychologist Jennifer Freyd created the acronym DARVO—“deny, attack, reverse victim and offender”—to describe how abusers not only engage in the two-step approach we describe above but also use it to evade accountability. Freyd demonstrates that “abusers threaten, bully . . . anyone who holds them accountable . . . [while] rapidly creat[ing] the impression that the abuser is the wronged one, while the victim or concerned observer is the offender . . . The offender is on the offense and the person attempting to hold the

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<sup>16</sup> ANITA ALLEN, UNEASY ACCESS: PRIVACY FOR WOMEN IN A FREE SOCIETY 37 (1988).

offender accountable is put on the defense.” Members of minoritized groups are particularly vulnerable. This form of gaslighting and evasion is most “effective when it is [rooted in social inequalities](#), especially gender and sexuality, and executed in power-laden intimate relationships” because victims have long lived with society questioning their sanity, composure, and conceptions of reality.

DARVO has become a political strategy of the right. At a recent [hearing](#) before the U.S. Senate Judiciary Committee Subcommittee on the Constitution, Professor Franks analogized DARVO’s abusive gaslighting to Republicans’ now broken-record claims about the “censorship industrial complex.” Republicans’ claim that Big Tech disproportionately censors conservative content exemplifies DARVO in action. Despite Republican claims of censorship, the opposite is true, as the literature shows. Not only do conservative media personalities enjoy greater reach online, but Republicans’ routine hearings and media drumbeats about Big Tech’s supposed collusion with Democrats to silence conservative voices inverts the verifiable reality that Big Tech has had its collective thumb on the scale in favor of conservative media for some time. As the DARVO model predicts, Republicans try to turn their political opponents into censors to deflect blame and avoid accountability. The goal is to beat opponents into submission while [“presumptively absolv\[ing\] themselves of wrongdoing.”](#) They know what comes next—an assault on the ability of opponents to speak out.

The jump from DARVO to the censorship industrial complex is a small one. The tactics are the same. The only difference is that, in the context of domestic abuse, the victim is an individual, most often a woman. In the context of Republican gaslighting the public about online censorship, the victim is democracy at large. This kind of [“political gaslighting”](#) has systemic effects on the population. We discuss this and other broader social effects of the two-step playbook in the next Part.

### III. Damage to Democracy

The digital authoritarian two-step strategy, like its analog DARVO, seeks to intimidate and silence critics while whitewashing the reputation of perpetrators of violence. When launched against journalists, dissidents, and anyone with alternative viewpoints, the victim of the two-step playbook is democracy.

#### A. Chilling Effects: Silence and Conformity

The digital authoritarian playbook works. Online abuse changes victims' willingness to express themselves, and when they do speak, it alters what they are [willing to say](#). As Jonathon Penney has [found](#), women are statistically more chilled in their expression in the face of online abuse than men. A [NATO study](#) found that female Finnish municipal officials received a disproportionate amount of sexually explicit, racist, and sexually threatening tweets. Twenty-eight percent of those female officials reported being less willing than they otherwise would have been to make decisions that might unleash online abuse. Iris Suomela, a former Member of the Finnish Parliament, has [noted](#) that her fear of online abuse has altered the way that she discusses and tackles issues. The country's first Black woman Member of Parliament, Bella Forsgrén, agreed with her colleague and remarked that she thinks twice about the discussions in which she participates and about how she talks about the issues. In the United Kingdom, [73% of female members of parliament](#), compared to 51% of male members of Parliament, have made the decision not to speak about certain issues on social media due to the "abusive environment online." Ambassador Melanne Vermeer and Research Fellow Kristine Baekgaard [explain](#) that the "issues women choose not to speak about" are often issues concerning human rights. "Their silence prevents these issues from pushing forward."

To return to the examples discussed above, [Cummings](#) "deleted her Twitter account, stopped all public commentary and for the next few months largely went silent online." She briefly returned to social media (LinkedIn) to provide a record of threatening emails that she had been receiving "so that there is a traceable and public record in case anything happens to me." Ayyub did not leave her home or write for months.<sup>17</sup> [Perlroth](#) explained that "there's no clear way to respond, except silence." [Jankowicz](#) was run out of her job and withdrew from social media for months. This chilling effect has a [profound impact](#) on public discourse necessary for democracy to function.<sup>18</sup> As one of us (Waldman) [noted](#), "the loss of this deep engagement can have deleterious effects on politics, policy, and democracy."

Autocratic subversion of democracy [violates](#) the democratic rules of the game. Journalists and political opponents are bullied into silence. In 2016, President Trump "displayed such a readiness" when he repeatedly threatened to punish unfriendly media. For instance, he

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<sup>17</sup> CITRON, FIGHT FOR PRIVACY, *supra* note 1, at 56.

<sup>18</sup> Ari Ezra Waldman, *The Marketplace of Fake News*, 20 U. PA. J. CONST. L. 845, 860 (2018) ("[T]he loss of this deep engagement can have deleterious effects on politics, policy, and democracy.").



[announced](#) at a Texas rally that *The Washington Post* owner Jeff Bezos would “have such problems” if he became President. Steven Levitsky and Daniel Ziblatt have [explained](#) that when “important societal actors—university presidents, media outlets, C.E.O.s, mayors, governors—chang[e] their behavior in order to avoid the wrath of government, that’s a sign that we’ve crossed the line into some form of authoritarianism.” The fear permeates society when others see officials attack perceived opponents online: “People on both sides of the aisle who would normally be part of the public dialogue on big issues of the day say that they are intimidated by the prospect of online attacks from Mr. Trump and Mr. Musk, concerned about harm to their companies and frightened for the safety of their families.” Indeed, Bezos himself [announced](#) in February 2025 that he would be taking more direct ideological control over *The Washington Post* to facilitate coverage more in line with President Trump’s priorities.

Society loses when women, journalists, and members of minority groups are silenced by online abuse. We lose not only their voices but also the alternative perspective those voices offer. We lose our own freedom of thought as the media ecosystem becomes more homogenous and conforms to the will of those in power. And we lose out on a [politics inflected by diverse voices](#). Politics without room for dissent is fascistic.

## B. Psychological and Political Distortion Fields

Abuse and gaslighting have indirect effects on the psyches of their victims that make submission and conformity more likely. On both individual and social levels, abuse victims become disempowered and lose their capacity to resist their abusers.

For individual victims of physical and digital abuse, [gaslighting](#) creates a sense of confusion and self-doubt. It encourages victims to wonder [whether they are in the wrong](#). That kind of psychological distortion is unnerving and creates a disempowering sense of bewilderment. It is especially powerful given what Professor Deborah Tuerkheimer has called the “care gap,” or society’s “tendency to elevate the importance of [male] abusers” over female accusers.<sup>19</sup> Victims question their reality and become primed to accept the realities described to them by their harassers.

When authoritarian regimes (and would-be authoritarian leaders) gaslight victims and the public, they seek the same whiplash and confusion. This is a key goal of [foreign malign influence](#)

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<sup>19</sup> DEBORAH TUERKHEIMER, CREDIBLE: WHY WE DOUBT ACCUSERS AND PROTECT ABUSERS 163 (2021).

[campaigns](#). The dissemination of false and misleading information creates a “[liar’s dividend](#)”: when everything is uncertain, everything could be false. And when those who cannot be sure look elsewhere for confirmation of their perceived (often untrue) reality, it is usually the loudest voices, those in control of the government and media, who jump in with messages that incentivize conformity and obedience through fear or empty promises.

A second effect is no less dangerous than the first. For individual victims, strategies like DARVO make victims of harassment believe that they cannot fight back and that their situation is hopeless.<sup>20</sup> Giving in appears to be the only option.<sup>21</sup> Escape seems impossible because, as several scholars have shown, the ability to recognize avenues for escape atrophies as emergency survival skills strengthen.<sup>22</sup> Similarly, inverting law aimed at disrupting traditional hierarchies of power to entrench those power dynamics erodes respect and faith in law and politics as even imperfect instruments of change. This inversion discourages political engagement and allows authoritarians to implement their agenda with little pushback from the population. Populations subject to authoritarian gaslighting go into survival mode just like their individual abuse victim analogs. They tune out and focus on their private worlds due to the very real incapacitation that comes from public engagement. This is precisely where [authoritarians want the public](#): scared, docile, and focused inward.

### C. Misdirected Indignation

By claiming the mantle of victimhood, abusers situate themselves as the aggrieved party. Actual victims of abuse are worthy of sympathy and support, but abusers are not.<sup>23</sup> Abusers invert the narrative of abuse for social and communicative reasons. They adopt a position that others will find [sympathetic](#) because they need support and sympathy from their (mostly male) peers. Toxic [manosphere](#) podcasters like [Andrew Tate](#), a credibly accused sex offender, [provide](#)

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<sup>20</sup> See LENORE WALKER, *THE BATTERED WOMAN* 43–54 (1979).

<sup>21</sup> See LENORE WALKER, *THE BATTERED WOMAN SYNDROME* 87 (1984) (observing how “women’s experiences of the noncontingent nature of their attempts to control the violence,” produce learned helplessness and erode victims’ “motivation to respond”).

<sup>22</sup> *Id.* at 33, 87–89.

<sup>23</sup> See generally LILIE CHOULIARAKI, *WRONGED: THE WEAPONIZATION OF VICTIMHOOD* (2024).

that type of support for others by validating abusive men and boys as the true victims of women, queer populations, and people of color. This support justifies and excuses physical and digital violence against those they perceive as oppressors.

This move is a critical part of campaigns to entrench authoritarian power. In a non-inverted world, as Mervi Pantti and Karin Wahl-Joergensen [argue](#), “anger and moral outrage on behalf of the suffering victims can be a powerful motivation for dissent and opposition when there is someone to blame for the injustice.” This is, in part, how long simmering anger among women and queer people about their treatment by heterosexual men in positions of power turned into a broad-based movement like #MeToo. Indignation and outrage about the behavior of abusers like Harvey Weinstein, Les Moonves, and Kevin Spacey take time but finally bubble over into action.

In a world inverted by the online abuse and gaslighting two-step approach, however, where the powerful are draped in the cloak of victimhood, indignation about injustice is redirected to support abusers and authoritarians. Media and communications scholar Lilie Chouliaraki, relying on sociological and psychology literatures, argues that the co-optation of victimhood weaponizes pain and the indignation that it generates. “[T]he distinction,” Chouliaraki argues, “between pain as a *systemic condition*, or vulnerability, on the one hand, which defines our relative openness to violence in its various structural forms, . . . and pain as a *linguistic claim*, or victimhood,” is an important effect of authoritarian weaponization of victimhood.<sup>24</sup> Women, queer populations, and people of color face abuse and pain as a systemic condition.

That positionality opens these populations to disproportionate abuse online. Their claims to victimhood are legitimate and should be heard. But abusers and would-be authoritarians leverage the linguistic elements of victimhood without the underlying experience, generating and then channeling reactions of outrage and indignation—now directed toward the actual victim—in their favor. This reduces public discourse to competing claims of victimhood, a fight that the vulnerable rarely win. Chouliaraki adds: “Those who are most vulnerable do not get to be heard. It is instead the pain of the powerful . . . that ends up mattering the most, and the communication of victimhood becomes, in this sense, not about vulnerability but about privilege.” In other words, gaslighters have voices that are far louder, more powerful, and more wide reaching; their claims to victimhood are more effective at marshalling popular indignation. It is through this

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<sup>24</sup> *Id.* at ix.

inversion that the mantle of victimhood, particularly among powerful men, can become a tool of authoritarianism.

## **Conclusion**

We live in a dangerous inverted world. Abusers claim the mantle of victimhood while pummeling their victims with abuse. Would-be authoritarians are doing the same thing to the public. The powerful harass and silence dissidents, minoritized populations, journalists, protesters, and pro-democracy critics and then audaciously cry victim when anyone dares to push back.

Today, these authoritarian strategies have gone digital. The concept of online abuse has been misappropriated to shield antidemocratic actors from legitimate scrutiny and criticism while simultaneously enabling them to direct abuse towards critics. We are seeing this unfold in real time. As a presidential adviser and leader of an executive advisory panel, Elon Musk targeted relatively unknown female federal employees online, leading to cyber mob attacks on those women. When reporters questioned the credentials of the young men working for him in the federal government, Musk decried the reporting as online abuse, in turn sparking a campaign of online abuse against the reporter.

Social media companies are eager allies in this authoritarian playbook, and not only those platforms owned by authoritarian politicians themselves. Independent platforms, all of which thrive on the kind of hyper-engagement generated by online harassment and abusive gaslighting, see dollars, not democracy dying. When the authoritarian two-step approach is aimed at anyone those in power do not like, it is democracy that ends up being the final victim.

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Danielle Keats Citron is a Jefferson Scholars Foundation Schenck Distinguished Professor in Law, University of Virginia School of Law; Vice President, Cyber Civil Rights Initiative; 2019 MacArthur Fellow.

Ari Ezra Waldman is a Professor of Law and, by courtesy, Professor of Sociology, University of California, Irvine School of Law; Member and Compliance Officer, Board of Directors, Cyber Civil Rights Initiative.