

LEARNING FROM THE ENEMIES OF FREEDOM: FREEDOM OF EXPRESSION AND COLLECTIVE POWER

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Abstract: This paper develops an account of freedom of expression by drawing lessons from the strategic logic of China's censorship regime. It argues that freedom of expression helps build the common knowledge needed for overcoming coordination problems and is, thus, a source of collective power. However, realizing the full empowering potential of freedom of expression requires supplementing it with (a) public sources of information that are reliable, trusted, and democratically accountable and (b) measures that will provide citizens with equal opportunity to speak and be heard in ways that will enable them to contribute to their society's stock of common knowledge.

Key words: censorship; freedom of expression; common knowledge; collective power

'When an artful and bold man is placed at the head of an army or faction, it is often easy for him....to establish his dominion over a people a hundred times more numerous than his partizans. He allows no such open communication, that his enemies can know, with certainty, their number or force...Even all those, who are the instruments of his usurpation, may wish his fall; but their ignorance of each other's intention keeps them in awe, and is the sole cause of his security.'

David Hume

'The worst thing you can ever do is to tell someone the time because then they start to coordinate protests between the different tents.'

A security manager at Manston asylum processing center in the UK

'It is only when this hidden transcript is openly declared that subordinates can fully recognize the full extent to which their claims, their dreams, their anger is shared by other subordinates with whom they have not been in direct touch.'

James C. Scott

1. Introduction

Standpoint epistemologists have argued that, due to their social positions, members of disadvantaged groups can develop unique insights about their societies (Anderson 1995; Harding 2004; Intemann 2010). This argument can be applied to enemies of freedom as well.¹ Domination, after all, takes effort; dominators need to exercise constant vigilance to address potential challenges to their power. Understanding why dominators oppose certain freedoms and view them as threats can, therefore, be a source of insight into their significance. This is particularly the case with freedom of expression, as censorship has been an indispensable tool for authoritarian rule at both the macro and micro levels. It has been employed by both authoritarian rulers of states and overseers in plantations, prison wardens, and managers on the shop floor to ensure their power over subordinates.

Looking at dominators and their reasons for engaging in censorship draws our attention to the relationship between freedom of expression and collective power. It reminds us of a fact well-known by any autocrat, slave master, or boss: people who can talk to each other can act together, and people who can act together are harder to dominate. Dominators know that people acting together are powerful. But they also know that, even when their interests are aligned, people can fail to realize this potential because of coordination problems. Solving coordination problems requires having mutual expectations based on common knowledge. To act together, people need to make their beliefs, desires, and intentions known to others; know the beliefs, desires, and intentions of others; and know that they know each other's beliefs, desires, and intentions. This explains the appeal of censorship for dominators, as it undermines the very foundation of common knowledge necessary for effective collective action.

This paper develops an account of freedom of expression by attending to the dominators' perspective. The key actors for this account are the few, who have various resources that provide them with power over others, and the many, who are individually powerless but can collectively possess power-with ('the power to effect outcomes in virtue of others' assistance') (Abizadeh 2023, 9). Freedom of expression and the common knowledge it generates are sources of collective power for the many. For the same reason, the ability to undermine others' common knowledge or their ability to generate common knowledge is a source of power over others. Thus, the stock of common knowledge in society and the ability to add to or subtract from this stock influence the ability of different groups to overcome coordination problems. This, in turn, influences their ability to engage in collective action that furthers their

¹ They will have their socially-situated ignorance too, see Mills (2007).

ends and, accordingly, the distribution of power in society. Freedom of expression undergirds the many's ability to create common knowledge that helps them act together, direct their common life, and protect themselves from abuses of power.

The argument unfolds in three parts. The first (sections 2 and 3) examines China's censorship regime—one of the most sophisticated and best-studied in the world—in light of the political science literature on it and draws lessons about the relationship between freedom of expression and collective power. Armed with these lessons, the second part (section 4) turns to democratic societies. It argues that, even though freedom of expression is a necessary condition for the creation of a rich stock of common knowledge that empowers the many, it is not sufficient. Harnessing the empowering potential of freedom of expression requires *a system of freedom of expression* that goes beyond negative rights against censorship. The third part sketches what this system would look like. It proposes a system of freedom of expression with two key components. First, it will contain public sources of information that are reliable and trusted to generate common knowledge of facts on the ground. These public sources will need to be democratically governed so that the common knowledge they generate does not favor the already powerful (Section 5). Second, it will provide opportunities for free expression that give all citizens the chance to be heard by others in ways that contribute to the building of common knowledge of their preferences and intentions (Section 6).

The paper makes both methodological and substantive contributions. Methodologically, it demonstrates that authoritarian regimes and the political science literature on them can be sources of insight for normative theorizing about freedom and democracy. Substantively, it develops a novel argument about the value of freedom of expression by conceptualizing it as a source of collective power for the many.

Three clarifications before we proceed. First, I do not claim that the system of freedom of expression I propose in this article is the only source of collective power. Neither do I claim that it would by itself be sufficient to ameliorate all power inequalities in society. Freedom of expression would be a source of collective power alongside other sources and supplement them. Thus, as Klein and Bagg have cogently argued in recent works, which develop a similar line of argument about the value of democracy, democratic institutions have a crucial role to play, too (Klein 2022; Bagg 2024). It will be through social organizations, like political parties and labor unions, and democratic institutions that collective power will be exercised. There will be a reciprocal interaction between these organizations and freedom of expression. Freedom of expression will

empower these organizations, and at the same time, they will act as sources of common knowledge.

Second, I do not claim that coordination problems are the only problems that stand in the way of collective action for the many. Conflicts of interests, free-rider problems, and the failure to formulate actionable collective objectives can also hinder people's ability to realize their collective power. In fact, the task of organizations like political parties and unions is, in part, to overcome such problems. However, this does not mean that coordination problems do not matter in these cases; even when these challenges are overcome, and people's interests are aligned, coordination problems will need to be addressed.

Third, my discussion of China's censorship regime and its strategic logic in the following two sections is not meant to be a comprehensive account of the function of censorship in authoritarian regimes. I also do not claim originality for the account I offer. The aim is to draw lessons about the value of freedom of expression by understanding the logic of a particularly sophisticated censorship regime. The distinction between the context of discovery and the context of justification from the philosophy of science can clarify the paper's methodological approach and its use of China's censorship regime (Reichenbach 1938, 6-7). The examination of China's censorship serves as the context of discovery, providing insights into freedom of expression that transcend the specific case and hold relevance even for democratic contexts. The subsequent sections are devoted to the context of justification, where these insights are expanded to construct an account of freedom of expression for democratic societies.

2. China's Censorship Regime

Both freedom of expression and censorship are costly for authoritarian regimes. Free expression can inform citizens about the regime's failures and enable its opponents to organize. Censorship is, likewise, costly. It can hurt the economy and undermine bureaucratic efficiency (Chen and Xu 2017; Egorov, Guriev and Sonin 2009; Hope, Li, Liu and Wu 2021; Lorentzen 2014; Roberts 2018; Shirk 2011). It is often counterproductive (Boxell and Steinert-Threlkeld 2022; Chang et al. 2022; Hobbs and Roberts 2018; Nabi 2014; Pan and Siegel 2020; Roberts 2018, 23-4; Zuckerman 2015). Poorly implemented censorship can inadvertently compel even citizens without political interests to acquire the necessary skills to bypass restrictions, such as learning to use Virtual Private Networks (VPNs). Censorship also motivates citizens to find out what the regime wants to keep secret. When the regime censors news about some event, its citizens know that there is some incompetence, corruption, or bullying that the regime does not want them to find out. This, of course, makes citizens want to find out about it.

In light of these costs of free expression and censorship, authoritarian regimes need to strike a delicate balance between the two. They have, therefore, thought carefully about what kinds of speech pose the greatest threat to them. For the same reason, they have been innovative and developed substitutes for censorship where possible. This is why a highly sophisticated censorship regime like China's can be a source of insight about the value of freedom of expression and about mechanisms that limit its full potential in subtle ways.

The Chinese authorities have developed two techniques that help them use censorship sparingly. The first is 'information friction' (Roberts 2018, 56-80). It increases the costs—in terms of money or time—to access information. Two common mechanisms for creating friction are throttling—slowing down access to websites—and blocking websites. Information friction does not stop individuals from accessing information or expressing themselves. Those who are patient or use VPNs can still access these websites. Yet, it can be quite effective because most people are easily discouraged by these disincentives. Since friction can go undetected and provides officials with plausible deniability, it need not draw the public's attention to stories that the officials want to keep secret.

The second technique the authorities use is 'flooding' (Roberts 2018, 190-222). Flooding aims to distract the public by introducing competing information, which is less costly to access, into circulation. Its deployment in the aftermath of an earthquake illustrates how flooding works. The damage done in an earthquake and the government response in its aftermath risks revealing government incompetence and corruption to the citizenry at large. It can also act as a focal point for political protests. However, censoring the coverage of the earthquake can backfire: it would suggest to members of the public that the government has something to hide. Flooding offers an effective alternative to censorship in such circumstances. For instance, following the earthquake in Yunnan in 2014, the Chinese official media posted stories about a controversial internet personality involved in a corruption and prostitution scandal. The fact that they used her confession obtained several years earlier suggests that they had been sitting on this story to release it at an expedient moment (Roberts 2018, 190-1). This helped the government distract many citizens from the events that could show the government in a bad light without engaging in censorship that would draw attention to the earthquake's aftermath.

A notable feature of flooding is that much of it takes the form of social media posts that appear to be from ordinary Chinese citizens but are, in fact, from government officials referred to as the '50 cent party', which produces 448 million posts a year. Their posts do not aim to defend the government from criticism or win hearts and minds. Their aim, as

King and his co-authors put it, is to distract (King, Pan and Roberts 2017, 485).

Chinese authorities combine these sophisticated techniques with traditional censorship. They are, however, discriminate about what they choose to censor. Contrary to what one might expect, they permit criticisms of the government, its officials, and policies. Instead, they target ‘the spread of information that may lead to collective action, regardless of whether or not the expression is in direct opposition to the state and whether or not it is related to government policies’ (King, Pan and Roberts 2013, 328).

This choice of what to censor gives us a crucial clue about the underlying logic of the Chinese censorship regime. Neither friction nor flooding stops interested citizens from accessing information. They do not aim to make sure that no one knows of information harmful to the government. What the Chinese authorities want is their citizens to lack the capacity for collective action against the state (Roberts 2018, 22-3). As Morgenbesser puts it, contemporary authoritarian regimes like China want ‘citizens to be disempowered, not indoctrinated’ (2020, 1055). To do this, they take steps to make sure that citizens lack common knowledge of facts that would facilitate collective action. Someone may know various facts that would make them critical of the government. However, if they cannot know that others know these facts, and cannot know of collective action events that they could join to express their frustration, they cannot act on this information.

3. The Strategic Logic of China’s Censorship Regime

Weingast’s well-known model of a constitution as a self-enforcing pact sheds light on the strategy underlying China’s censorship regime (Weingast 1997). At a very general level, Weingast wants to explain how constitutions can constrain political authorities and make them respect citizens’ political and economic rights. The intuition that he wants to formalize is the following. In any political order, if a sufficient number of citizens rise up against the sovereign, they can depose it. If the sovereign knows that violating citizens’ rights will lead to an uprising, it is more likely to respect those rights, as it will be in its interest to do so. If, however, the citizens lack the ability to engage in such collective action, the sovereign will violate their rights and get away with it.

The citizens face a massive coordination problem: their resistance will be successful only if enough of them rise up, and participating in an unsuccessful uprising has dire consequences. Thus, constitutional resistance and, by the same logic, revolution requires overcoming a coordination problem (Bueno de Mesquita 2010; Chwe 2001; Egorov, Guriev, and Sonin 2009; Fearon 2011; Hampton 1990; Hardin 1995;

Hollyer, Rosendorff, and Vreelan 2015; Persson and Tabellini 2009; Shadmehr and Bernhardt 2011).² Weingast suggests that constitutions are coordination devices that generate common knowledge of which actions by the sovereign should trigger resistance by the whole of society.

To see this more clearly, consider Weingast’s game-theoretic model. The game has three players: the sovereign, S , and two groups of citizens, A and B . S acts first and can choose either to transgress citizens’ rights or not. Then, A and B act simultaneously. They can either challenge S or acquiesce. If they challenge S in concert, they depose S . If not, S stays in power.

Suppose S transgresses A and B ’s rights. If A acquiesces, then it is in B ’s interest to also acquiesce. If B challenges S alone, B will not only fail but also suffer additional harm. If, however, A challenges S ’s transgression, it is in B ’s interest to challenge S as well. Their payoffs following S ’s transgression are represented in Table 1.

Table 1: Constitutional resistance upon S ’s transgression

| | (payoffs: S, A, B) | |
|-----------|--------------------|-----------|
| | Challenge | Acquiesce |
| Challenge | 0, 7, 7 | 8, 1, 2 |
| Acquiesce | 8, 2, 1 | 8, 2, 2 |

A and B are both better off when they jointly challenge S , but they need common knowledge to overcome their coordination problem. Thus, if S can undermine the common knowledge that would enable A and B to take coordinated action, then S can get away with violating A and B ’s rights. In other words, the extent of S ’s ability to dominate A and B depends on the common knowledge they have or lack.

A and B need to have the following as common knowledge between them to act together and successfully resist S :

- (1) Knowledge of S ’s act that is a violation of the political or economic rights of A and B .
- (2) Knowledge that this act constitutes a violation of A and B ’s political or economic rights, crossing a threshold that necessitates active resistance.

² This is not to say that it *only* requires overcoming a coordination problem or that it requires overcoming a coordination problem without any distributional conflict. Indeed, Weingast introduces further complications into his model. But the fact remains that the parties need to overcome a coordination problem.

- (3) Knowledge that A and B can depose S by acting together.
- (4) Knowledge of the course of action that would enable them to depose S .
- (5) Knowledge that their interests are aligned and knowledge of each other's intentions.

While A and B can individually come to know many of these facts with relative ease, this is not enough. 1-5 must be common knowledge between them. Thus, censorship does not need to keep them both in the dark about the regime. If it can keep them in the dark about each other's beliefs, that is good enough.

This account of the crucial role of common knowledge in enabling large-scale collective action can help us better appreciate why China's censorship regime is effective. Its main function is to ensure that citizens lack common knowledge of the state's violations of citizens' rights, the state's incompetence, and corruption as well as of specific events and protests that could trigger large scale collective action.³ People who make the effort can find out many of these facts. However, they cannot know whether enough others also know and care about them. Thus, they cannot act on this knowledge. The regime uses censorship sparingly because censorship risks creating common knowledge by drawing attention to what is censored. It instead relies on friction and flooding. The posts by the 50c party also help undermine common knowledge. Their posts do more than distract the public. Because they appear to be from members of the public, these posts also mislead the public about what others think about the regime. Thus, even if they are not indoctrinated, Chinese citizens are disempowered.

³ King and colleagues argue that the Chinese regime only seeks to undermine common knowledge of collective action events and does not worry about common knowledge of shared grievances (King, Pan and Roberts 2017, 497). They arrive at this conclusion because they observe that the regime does not censor criticism and the population would already know about shared grievances. Their point is well-taken but draws too stark a distinction between different kinds of common knowledge and the regime's interest in suppressing them. As we have seen successful collective action against the state requires knowledge of several different facts, and the absence of one can hinder collective action. An authoritarian state that just tries to undermine common knowledge about collective action events, such as ongoing protests, would be putting all its eggs in one basket. A mix of strategies that undermines different kinds of common knowledge necessary for collective action would be safer. The mere fact that criticisms are not censored does not show that the Chinese regime has no interest in undermining common knowledge of grievances since flooding and friction help with this objective too. Moreover, even if existing problems with the regime's rule are well known, people may not know others' overall assessments. One may know that others are aware of existing corruption, for instance, but not know if others are on the whole critical of the government given the other benefits the regime confers.

4. Common Knowledge and Collective Power in Democracies

These observations about the connection between citizens' common knowledge and their collective power can be generalized beyond authoritarian regimes and beyond interactions between citizens and political authorities because the underlying strategic structure is pervasive. Although democracies, in contrast to authoritarian regimes, distribute power more evenly across social groups, they are not immune to inequalities of power. Even in democracies, people often find themselves in situations where they are individually powerless against other powerful actors but can be powerful if they act together with others. Whether they can do so depends on their ability to overcome coordination problems.

In democratic societies, the lack of censorship allows citizens to create common knowledge more easily than in authoritarian regimes. However, this freedom alone is often insufficient for producing common knowledge that leads to collective power. One barrier is what I shall call *unequal voice*, which is powerful actors' disproportionate ability to engage in public messaging. Thanks to this, just as Chinese authorities can use flooding as a substitute for censorship, powerful actors in democratic societies can hinder the generation of common knowledge, undermine it where it already exists, or bias the stock of common knowledge in their favor. Another hurdle in realizing the full potential of free expression is the practical difficulties in generating common knowledge within large societies. This challenge arises particularly when there is a lack of appropriate social infrastructure.

Thus, we should think about power inequalities in societies and citizens' ability to generate common knowledge that empowers them as both lying on continua. Citizens of authoritarian regimes face greater power inequalities than citizens of democracies, but democracies are not free of power inequalities. And a sophisticated censorship regime of the kind we examined in section 2 is a great obstacle to generating common knowledge, but not the only one. Correspondingly, the capacity of citizens to generate common knowledge and overcome coordination problems can range from very minimal and sporadic to highly effective and systematic, with contemporary democracies occupying a position somewhere in the middle. This section will explore the aforementioned challenges citizens of democratic societies face in generating common knowledge.

Let us begin with unequal voice. Even when all citizens enjoy freedom of expression, the ability of different people to be heard by others is unequal. Those who have wealth or political power and enjoy easy access to the media can reach more people than those who do not. One common thought is that such unequal voice enables those who have it to

change other people's minds in line with their interests. However, a growing body of literature raises doubts about this picture (Chen and Shi 2001; Peisakhin and Rozenas 2018; Voigtländer and Voth 2015; for a review of this literature see Mercier 2020, 128-134). Public messages do not easily change people's minds, especially when they contradict people's individual experiences, though they can help solidify existing beliefs. Thinking about the relationship between common knowledge and collective action can help us see why unequal voice can be effective even when public messaging is not convincing and better appreciate the difficulty of generating common knowledge.

Public messaging, even when not convincing, can undermine common knowledge. In a paper on ideological domination, Przeworski argues that much public messaging from corporations works 'not by duping individuals about objective causal relations between an individual action and its consequences for one's own welfare but by manipulating mutual expectations, the theories isolated individuals have about the beliefs of others' (Przeworski 1998, 153). That is, public messaging can work by undermining common knowledge by introducing claims that people themselves may not believe but may think that others do. Such doubt is enough to undermine common knowledge. For instance, if I suspect that you have been influenced by such messages, or if I believe you think I might have been, I can no longer count on you to act together with me. A course of collective action we could have taken is no longer feasible, even though it is still in our interest.⁴

The power of public messaging to distort people's perceptions about others' beliefs is accentuated by its capacity to mislead them about the prevalence of certain beliefs and attitudes. It does this by influencing beliefs about what views are socially acceptable to express. Public messaging, by its content, sanctions the expression of some views—especially when it comes from the state. At the same time, it makes the expression of some views appear more costly. For instance, anti-Semitic propaganda by state actors may lead existing anti-Semites to express their bigotry more freely (Mercier 2020, 129). Given that it is sanctioned by the state and seems to enjoy some popular support, people who are critical of anti-Semitism may be more hesitant to voice their criticisms. As a result, the frequency of the expression of anti-Semitic views and views critical of them will change even if people have not changed their opinions due to propaganda. This will not mean that propaganda has been ineffective. By changing people's perceptions of how widespread anti-Semitic views are,

⁴ This is not the only way that propaganda can be effective despite not being convincing. Weeden (2015) offers several other mechanisms.

the propaganda will have influenced their beliefs about the potential success of collective action against anti-Semitism.⁵

Public messaging can also be effective by creating common knowledge that favors the interests of one group over others. This is particularly relevant for coordination problems that have elements of conflict, which are more common than coordination problems where everyone agrees that one outcome is superior. Consider the following.⁶ Suppose there is a 7% threshold in an electoral system. We have two groups of agents: *A*'s and *B*'s. *A*'s support Party A, while *B*'s back Party B. Neither party can surpass the electoral threshold by itself. However, if most *A*'s and *B*'s unite behind one party, it can secure a place in the parliament. The two parties have similar ideologies. Thus, *A*'s and *B*'s would prefer Party A or B getting into parliament to neither party getting into parliament. In other words, they want to coordinate their actions but have competing preferences over which action should be chosen. The agents do not know the distribution of *A*'s and *B*'s in the population. Table 2 summarizes their payoffs.

Table 2: Electoral coordination

| | Vote for Party A | Vote for Party B |
|------------------|------------------|------------------|
| Vote for Party A | 2, 1 | -1, -1 |
| Vote for Party B | -1, -1 | 1, 2 |

Suppose there is public messaging in favor of Party A, but there is not for Party B. In such a case, most people, including *B*'s, will vote for Party A. This will not be because public messaging has convinced *B*'s of the relative merits of Party A. Rather, it will have changed their expectations of what others will do by creating a focal point. Notably, this will be the case even if *B*'s were, unbeknownst to them, the majority. Thus, unequal voice, which can shape people's mutual expectations, is a source of power because it can bias the stock of common knowledge in society in favor of some interests.

The absence of a suitable social infrastructure is another obstacle to generating and sustaining a rich stock of common knowledge in contemporary liberal democracies. Citizens are residentially segregated along social lines. The United States, for instance, is highly segregated along social lines such as race and income (Frey 2015; Fry and Taylor 2012;

⁵ Bursztyn, Egorov and Fiorin (2020) provide a model and offer evidence for the existence of such a process.

⁶ I'm grateful to İnci Ünal for helping me formulate this example.

Nunn, Parsons, and Shambaugh 2018; for other countries see OECD 2018). Residential segregation along party lines is also high (Brown and Enos 2021). Most people rarely encounter people different from them. Having little direct contact with people from other classes or social groups, they are only familiar with the views of people like them. Under such conditions, as Pettit notes, ‘people can easily lose any sense of what is a matter of general belief and expectation in that society’ (Pettit 1997, 167).⁷

Especially with the rise of social media, people’s online experience replicates their offline segregation. Citizens inhabit different online universes. As a result, they ‘are becoming more divided into “truth publics” with parallel realities and narratives online’ (The LSE Commission on Truth, Trust and Technology 2018, 11). Traditional journalism, which could remedy these problems, is also not well-placed to address them. It has been in crisis for a long time: news media have lost much of its revenue to online advertising, leading to shrinking newsrooms (Cagé 2016; Pickard 2020). Trust in journalism has been steadily declining (Allcott and Gentzkow 2017). As a result, people have a hard time finding out about the beliefs and desires of their fellow citizens, even in democracies that protect freedom of expression.⁸

5. Common Knowledge of Facts on the Ground

As our discussion of democratic societies shows, negative protections are not enough to fully realize the empowering potential of freedom of expression for the many. In fact, unequal voice can be a further source of power for the already powerful. To realize its empowering potential for the many, we need a system of freedom of expression that supplements the protection of freedom of expression with an institutional framework that reliably generates common knowledge and makes the opportunity to contribute to society’s stock of common knowledge more equal.

Broadly speaking, two kinds of common knowledge are necessary to enable collective action: knowledge of facts on the ground and knowledge of other people’s preferences and intentions. For instance, in Weingast’s discussion of constitutional resistance, citizens need to know both that the sovereign has carried out an act that violates a right that passes the threshold that requires active resistance, and that other citizens are also committed to protecting their constitutional order. This section will discuss mechanisms to generate common knowledge of facts on the

⁷ For a review of people’s misperceptions of others see Bursztyn and Yang (2020).

⁸ This is not to suggest that all was well with traditional media in the past. As we have seen, unequal voice can reinforce power inequalities. For this reason, elite-dominated media can be a source of power for elites. I will return to this topic in the next section.

ground, and the next will address common knowledge of citizens' preferences and intentions.

Most of the common knowledge we need will be based on sustained inquiry reported to us. Consider, for example, knowledge of economic facts, environmental risks, and social and political trends. Consider also knowledge of political events, crimes, corruption, and incompetence. Knowledge of these facts is the product of extensive and systematic epistemic cooperation carried out by scientists, journalists, and state institutions, such as the Bureau of Labor Statistics, that produce and disseminate politically and socially relevant information. Such publicly available information plays two simultaneous roles. It provides members of the public with information they need to deliberate about and to effectively pursue collective and individual ends. And, given its public nature, it enables people to form beliefs about the beliefs of others, thereby creating common knowledge (Morris and Shin 2002; Hollyer, Rosendorff, and Vreeland 2015).

The first requirement for the systematic creation of common knowledge for collective power is, then, reliable institutions of knowledge production and dissemination. This, however, does not get us common knowledge of the facts they report. We need three other ingredients. These can be introduced by going over the reasoning citizens would be able to undertake to arrive at common knowledge of facts reported by these sources when a system of freedom of expression is working well.

- (1) A reliable source reports that P about a matter of common concern.
- (2) It is common knowledge that this source is reliable.
- (3) It is common knowledge that (almost) everyone is (sufficiently) epistemically rational and would believe what a source they know to be reliable reports provided they do not have countervailing reasons.
- (4) It is common knowledge that (almost) everyone pays attention to claims by reliable sources about matters of common concern.
- (5) Therefore, (almost) everyone believes that P, and believes that (almost) everyone believes that P, and so on.

The realization of (1) and (2) requires reliable institutions of knowledge production and dissemination that are recognized as being so and are trusted by members of the public. The shared trust expressed by (2) is necessary because, if an individual believes a source to be reliable, but also believes that others do not trust it, they cannot count on what it reports

being accepted by others. We need both reliable institutions and their reliability being common knowledge.

(3) is a (weak) assumption of epistemic rationality. It may seem unrealistic when we look around us and note the widespread denial of various well-established claims. However, this is more plausibly interpreted as the outcome of distrust of these institutions. After all, (3) is an indispensable assumption of our everyday interactions with other people. It does not assume perfect rationality or logical omniscience. It merely says that people will form their beliefs in light of sources they recognize as being reliable.⁹

(4) is about shared attention. The satisfaction of conditions (1)-(3) entitles individuals only to the conditional belief that had others also been paying attention, they also would believe that *P*. We need to know that others have also been paying attention to the same things.

Attaining (4) faces two challenges. The first is motivational: people need to care about and be willing to pay attention to information about matters of common concern. The second challenge is shared focus. There are too many candidates for what should be of common concern and too much information about them. Citizens may be motivated to pay attention to these issues and know that others are similarly motivated. Still, they cannot count on others to pay attention to the same things. They may, however, pay attention to the same *sources* and know that others are doing the same. The satisfaction of (4), thus, needs an institutional solution that implements a division of labor. We need the news media to select certain issues and facts about them as being particularly worthy of the public's attention. The public, in turn, will need to keep track of these sources rather than specific issues.

This solution places a huge responsibility on the shoulders of the news media. It also gives it substantial power. Media institutions will be able to generate common knowledge that enables large-scale collective action. As our previous discussion of unequal voice has shown, what becomes common knowledge or does not enables (or disables) different profiles of collective action. It thereby influences the distribution of power in a society. If the media chooses what to report based on its own interests or those of dominant groups, it will exacerbate rather than reduce existing

⁹ (3) contains a qualification: it requires the absence of countervailing reasons. This is necessary because reliability does not guarantee truth. A reliable source may tell me that Sophia was in London last Friday, but if I saw her in Rome on that day, I do not need to believe my reliable source. This qualification rarely applies for the kinds of cases we are considering. We will usually lack countervailing reasons against what reliable journalists and scientists report to us, given the existence of extensive division of epistemic labor in our societies and the specialization it entails. We may, sometimes, have good reasons to distrust these institutions, but that is a different matter.

power inequalities in society. We, therefore, need mechanisms to make these institutions independent, so that they are not beholden to factional interests, and democratically accountable, so that they do not pursue their own agendas. In other words, the opportunity to influence what becomes common knowledge in a society through the media needs to be shared more equally.

The satisfaction of conditions (1)-(4) is a fecund source of common knowledge. Once they are in place, a society has the potential to systematically generate more common knowledge that empowers the citizenry; the absence of these conditions will, conversely, hamper a society's ability to generate common knowledge.

6. Common Knowledge of Others' Preferences and Intentions

Even if citizens know that others know the same set of facts about their social and political world, this is not enough for overcoming coordination problems. They also need common knowledge of the preferences and intentions of other citizens to find out about their shared interests and courses of action they can take. Freedom of assembly and public venues for joint deliberation, at the national level as well as at micro-level sites of power inequality, like workplaces, play an essential role in providing this knowledge.

Viewing freedom of expression through the lens of collective power brings forth its connection to freedom of assembly. As a mechanism of public expression, freedom of assembly has two advantages. First, since public demonstrations and protests take place in public spaces, they demand society's attention: everyone who uses public spaces is exposed to their messages whether they are interested or not (Fiss 1992, 19). Second, it is a freedom available to many people, including those who lack economic resources. Thus, it provides people with a more equal opportunity to contribute to their society's stock of common knowledge.

For freedom of assembly to function as a source of common knowledge, access to public forums—expansively understood to include not just parks and streets but also airports, train stations, and privately owned public areas— where citizens can capture their society's attention is essential. By the same logic, more disruptive forms of public assembly must be permitted since their disruptiveness tends to enhance their capacity to generate common knowledge. Additionally, the amplification of protests and demonstrations through news media coverage is vital in extending their reach and impact, further solidifying their role as sources of common knowledge.

One drawback of public demonstrations is that they cannot convey complex opinions. Here, deliberative polls pioneered by James

Fishkin can help (Fishkin 2011). Deliberative polls take a representative sample of the population and provide them the opportunity to deliberate together over several days about a specific question aided by the relevant experts. When the results of deliberative polls are shared with the larger public, they are likely to impact public opinion (Ingham and Levin 2018). When their likely effect on public opinion is also known, deliberative polls can act as a valuable source of common knowledge about other citizens' beliefs, desires, and intentions.

Crucially, this justification of deliberative polls is independent of their ability to improve the epistemic quality of public opinion. Rather, they function as mechanisms to generate common knowledge. Since the objective is to equalize the ability of citizens to contribute to their society's stock of common knowledge, in addition to the deliberative polls representative of the whole of society, as Fishkin envisages, there need to be deliberative polls specifically designed to be representative of disadvantaged groups. Members of these groups would particularly benefit from collective action but have limited means to generate common knowledge that would enable it. By helping them to generate common knowledge, such polls would help empower them.

When freedom of expression is seen as a source of collective power that can ameliorate power inequalities, its role in other sites of substantial power inequality also becomes relevant. I noted in the introduction that censorship operates at the level of the state as well as at more micro levels, such as at the workplace. The discussion so far makes clear why this should be the case: the interplay between freedom of expression, common knowledge, and collective power also operates at the micro level.

Consider freedom of expression at work. Free speech at work has been and remains an issue of contestation between workers and their employers and is heavily restricted.¹⁰ Given our previous discussion, this is unsurprising. Free speech at work can be a source of collective power for workers. This dynamic was demonstrated especially clearly in the list of words banned from Amazon's pilot internal messaging application. The banned words included: 'Union', 'Pay Raise', 'Bullying', 'Petition', 'Unfair', 'Slave labor', 'Master', 'Freedom' and 'Coalition' (Klippenstein 2022).

Since freedom of expression at work is heavily restricted in many jurisdictions, even protecting it at work would be a step forward. However, to fully realize this empowering potential, it is necessary to supplement these protections with conditions that facilitate the creation of common knowledge. Providing *shared* free time and *shared* meeting

¹⁰ For discussions of restrictions on freedom of expression at work see Barry (2007) and Volokh (2011).

spaces is crucial, as these allow workers to deliberate together to build common knowledge.¹¹ Both negative protections and the provision of a suitable social infrastructure are needed.

The potential of shared meeting spaces and shared free time to build common knowledge recommends these measures at other sites of power inequality, too. I specifically focus on freedom of expression at work not only due to its profound impact on people's lives but also because, when conceived this way, it offers an additional benefit. Free speech at work contributes to creating common knowledge necessary for collective power outside the workplace. This is because the workplace is 'a center of sociability and cooperation in which citizens forge connections beyond the boundaries of family and neighborhood, and, critically, across social cleavages of race, culture, and ethnicity' (Estlund 2000, 32). Thus, it is well suited to the building of common knowledge, relations of trust, and know-how that citizens need for broader political collective action.

7. Conclusion

This paper defended and traced the implications of a simple yet powerful idea. Given existing power inequalities, the many who are individually powerless need to act together to exercise collective power to protect themselves against domination and to shape their collective destiny. And to be able to act together, they need common knowledge. Freedom of expression helps build this common knowledge and is, for this reason, a source of collective power. But freedom of expression, conceived only as a negative protection, is not sufficient to fully realize this potential. It needs to be supplemented with public sources of information that are reliable, trusted, and democratically accountable to sustain a large body of common knowledge that would empower citizens. A system of freedom of expression also needs to provide citizens with the opportunity to speak *and* be heard in ways that will enable them to (relatively) equally contribute to their society's stock of common knowledge.

The account of freedom of expression that emerges from paying attention to collective power and its relation to common knowledge has several distinctive features.

First, by identifying its role as a source of collective power, enabling individuals to resist domination and pursue common goals, it does a better job of capturing the urgency of freedom of expression than other accounts. The autonomy defense of freedom of expression holds that it is a requirement of an individual's sovereignty 'in deciding what to believe and in weighing competing reasons for action' (Scanlon 1972, 215).

¹¹ On the importance of shared free time for effective freedom of association, see Rose (2016, 93-111).

The Millian defense of freedom of expression emphasizes its role in the pursuit of truth and the development and exercise of our rationality (Mill 2015 [1859]). No doubt, these are important and widely shared interests, but unlike the interest in building collective power, their urgency for people battling everyday hardships is far from apparent. The account developed in this article is also realistic in its expectations of people and what freedom of expression can accomplish. It is not over intellectualist: it does not assume that people continually reflect on and revise their convictions in light of input from others. What freedom of expression crucially does, on this account, is to inform people about the beliefs, preferences, and intentions of others, which, in turn, informs them about courses of collective action available to them. For both of these reasons, it does a better job of explaining why freedom of expression is an urgent interest for the many.

Second, this account straddles the distinction between listener-based and speaker-based approaches to freedom of expression. It sees freedom of expression as a resource for collective action. Undertaking collective action requires citizens to make their beliefs and desires known to others, know the beliefs and desires of others, know that they know each other's beliefs and desires, and so on. For this reason, it takes people's roles as speakers and listeners to be equally fundamental. Since freedom of expression is meant to enable people to generate common knowledge, which requires people not just being able to speak but also being heard, it sees the distribution of attention and voice in a society as a crucial factor that a system of freedom of expression needs to address.

This feature of the theory also enables it to provide a satisfactory answer to the problem of 'why speakers with redundant or repetitive messages to which listeners have plentiful access nevertheless should garner fundamental protection' that plagues many theories of freedom of expression (Shiffrin 2014, 83). If what matters is that we are exposed to certain views, then we can conclude with Meiklejohn that 'What is essential is not that *everyone* shall speak, but that *everything* worth saying shall be said' (Meiklejohn 1948, 25, emphases added). However, if, as I argued, freedom of expression is meant to give us a sense of how widely our claims, dreams, and anger are shared—to use Scott's formulation—then each individual utterance matters.

Third, and relatedly, this account has an in-built fair access component: it sees fairness not as a value separate from freedom that competes with it but as a requirement of freedom. Only if citizens have fair access to means of expressing themselves and fair access to their society's shared attention—a fair chance of being heard by others and contributing to their society's stock of common knowledge—can they enjoy collective power. Thus, access to public forums and systematic

opportunities for public deliberation come to the fore. The same logic applies to institutions responsible for producing and disseminating knowledge I discussed in section 5. They should be democratically controlled and publicly available to function as sources of common knowledge that empower the many. Moreover, this account provides a more realistic explanation of why unequal voice is a source of power and is, therefore, problematic. It does not assume that people's opinions are malleable. Rather, it maintains that unequal voice is a source of power because of its effect on the stock of common knowledge in a society that, in turn, shapes the profile of collective action that is feasible for the many.

Fourth, this account provides fresh insights into certain restrictions on freedom of expression, particularly the differentiation between content-based and content-neutral restrictions within First Amendment jurisprudence. Content-based restrictions prohibit expression criticizing a viewpoint, such as a prohibition on speech criticizing a war or expression on a particular subject, e.g., prohibition of any discussions of a war. Unlike content-based restrictions, regulations about when and where people can express their views are content-neutral. In First Amendment jurisprudence, there is a strong presumption against content-based restrictions. By contrast, content-neutral restrictions are usually subject to less scrutiny (Tribe 1988, 789-994). Content-neutral restrictions of freedom of expression look very different for this account. On this account, it is not only the content conveyed by a speech act but also what the speech act does that matters. Where and when a view is expressed, bear on its ability to generate common knowledge. By using some well-chosen content-neutral restrictions, a government can successfully undermine the empowering potential of freedom of expression without censoring any specific views. Likewise, this account alerts us to the dangers of restrictions on freedom of expression at sites of power inequality, such as work—even when freedom of speech is strongly protected elsewhere. Workers may be free to express their views outside the workplace, but the absence of freedom of expression at work will have limited its power to generate common knowledge. Thus, on the view defended in this paper, content-neutral restrictions that reduce the power of speech to generate common knowledge are also highly suspect.

Fifth, this account of freedom of expression offers a distinct diagnosis of why the contemporary fragmentation of the public sphere and loss of trust in institutions responsible for informing the public, such as the news media, is worrisome. Such fragmentation and distrust deplete a society's stock of common knowledge. This undermines people's ability to engage in collective action. These concerns regarding the contemporary information ecosystem are distinct from worries about misinformation and do not assume that people are gullible and easily swayed. The

fragmentation of the public sphere and lack of trust are cause for concern no matter how epistemically vigilant the public is because it diminishes collective power. Yet, this account is not nostalgic for the public sphere of the pre-internet era since the inequalities that characterized it meant that some had undue influence on what became common knowledge.

This paper introduced the fundamental aspects of a new account of freedom of expression, but much more work is required to develop it into a comprehensive theory. There are at least three critical issues that will need to be addressed. First, the value of freedom of expression extends beyond our interest in collective power. Our interests in autonomy, acquiring true beliefs and exercising our rationality, engaging in democratic deliberation, and expressing our convictions—which are emphasized by other theories of expression—do matter. How these interests will fit into a system of freedom of expression that promotes collective power needs to be worked out. Second, the implications of this account for current controversies about freedom of expression, such as hate speech, misinformation, and deplatforming, which look very different when evaluated from the perspective of their impact on common knowledge, need to be addressed. Both issues point to a tension between the democratic commitment to collective power, as emphasized by this account, and liberal rights, which need further attention. Third, the practical proposals put forth in this paper need to be fleshed out. For example, I proposed that a democratically governed and independent media is indispensable for ensuring that a society's stock of common knowledge is not biased in favor of dominant groups. Yet, the specific characteristics of such media remain undefined and require further clarification. While these tasks are undoubtedly challenging, the potential benefits of a system of freedom of expression system that enhances collective power make them worthwhile endeavors.

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