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October 2024

Foreign Influence and Democratic Governance

Defining and Countering Malign Influence

Miles Kahler

COUNCIL on FOREIGN RELATIONS

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CONTENTS

FOREWORD

The question of foreign influence in the political process has posed thorny challenges to democratic governance since the establishment of the republic. While pluralism and openness are defining virtues of liberal democracy, these tenets enable foreign entities, friendly and unfriendly, to influence domestic politics by overt and covert means that can infringe on U.S. sovereignty.

At the dawn of the nineteenth century, foreign influence was constrained to a relatively narrow set of techniques, namely subversive agents on the payroll of foreign powers and interests. Today, democratic governance is under siege from foreign influence by means the founders never envisaged, and by means exponentially more effective and accessible than those employed as recently as the end of the Cold War. The contemporary problem of foreign influence is driven by transformational shifts in world order, the global economy, and technology. Together, these shifts have opened new avenues for malign and benign foreign influence operations. Leading global autocracies are no longer sequestered behind an iron curtain, nor are their foreign influence schemes bound by ideological aims: marring the democratic process is often the goal in and of itself. The global economy is now deeply interconnected, with China, the world's most powerful autocracy, at its core, creating an array of opportunities and avenues for influence. The rise of the internet, social media, and artificial intelligence has also dramatically lowered the barrier for foreign entities to surreptitiously influence political discourse at scale.

Foreign influence is not limited to our adversaries or rivals. Allies and partners are likewise capitalizing on greater global connectivity to sway domestic political processes, further complicating the foreign influence threat landscape and blurring the legal and ethical lines

between legitimate political activity and illegitimate interference. To address this confluence of factors, democratic governance must evolve to combat malign foreign influence without succumbing to isolationist, nativist, and autocratic impulses.

In this Council Special Report, Senior Fellow for Global Governance Miles Kahler outlines a compelling and balanced framework to guide a potential policy response. Kahler defines the new means of foreign influence, exposes the unique risks they pose to democratic governance, and ultimately proposes novel methods, both legal and practical, by which democracies around the world can insulate themselves from undue foreign influence without undermining democratic values and free-market ideals or alienating well-intentioned allies and partners. Kahler's recommendations comprise a whole-of-society response, including broader campaign finance disclosures and donor restrictions; new federal data privacy rules for foreign social media companies; enhanced information sharing and joint enforcement mechanisms between federal, state, local, and friendly international authorities; and new guidelines for think tanks and civil society organizations to better identify and counter foreign influence. Yet all this is easier said than done. Kahler's report demands swift nonpartisan cooperation in an era of political polarization so intense that the very issue of foreign influence has become highly politicized. It is an important contribution at this critical time.

Michael Froman
President
Council on Foreign Relations
October 2024

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Miles Kahler

INTRODUCTION

Russian interference in the 2016 U.S. presidential election heightened concern over efforts by authoritarian governments to both redirect foreign policy and undermine confidence in democratic institutions. In this year of elections in liberal democracies, concerns over foreign influence have only grown, amplified by the ongoing Russian invasion of Ukraine, China's assertive foreign policy, and the Israeli-Palestinian conflict. There are many critical democratic processes to influence and a growing number of reasons to influence them.

Russia has led the way. A recently obtained secret addendum to a Russian Foreign Ministry document calls for an "offensive information campaign" and other measures, including "propaganda campaigns supporting isolationist and extremist policies."[1] That guidance was reflected in a "barrage of disinformation, manipulation and malice" from Russia in advance of elections to the European Parliament as well as allegations of Russian influence directed at specific far-right parliamentarians in Germany and elsewhere.[2] Russian attempts to influence the outcome of the 2024 U.S. elections have also intensified. In September, the U.S. Justice Department announced that two Russian operatives had directed millions of dollars to a U.S.-based business to create and distribute propaganda videos through American right-wing influencers.[3] Meta banned Russian state media outlets from its platforms after the U.S. government sanctioned their parent companies.[4] Microsoft described fake videos deployed by Russian agents to undermine the campaign of Vice President Kamala Harris.[5]

China's influence campaigns have expanded from the Asia-Pacific region (e.g., Australia, New Zealand, and Taiwan) to the United States and Europe. Although directed earlier to reshaping elite and public opinion of Chinese policies and its regime, China's recent actions in the

United States and Europe have followed Russia's attempts to deepen political divisions and forge alliances with politicians.[6] Anxiety over election-year meddling has been heightened by the advancing frontier of technology, especially the emergence of artificial intelligence (AI) as a new tool for disinformation wielded in influence campaigns. China has already used that tool in Taiwan's 2024 presidential election, although its efforts once again failed to defeat its target, the candidate of the Democratic Progressive Party.

Chinese influence operations have also erupted as a political issue in Canada, after a committee of parliamentarians reported "troubling intelligence" that some members of parliament are "'semi-witting or witting' participants in the efforts of foreign states to interfere in [Canadian] politics."[7] In the United States, the Chinese government and Chinese Communist Party were accused of extending their reach into state and local government when a high-ranking aide to two New York governors was indicted on multiple counts related to her work as a Chinese agent.[8] China's efforts to monitor and harass Chinese dissidents in the United States were highlighted by the conviction of a Chinese American academic for assisting in its transnational surveillance.[9] Iran's willingness to extend its repression abroad has included subcontracting to criminal organizations in the United States and elsewhere.[10] A desire to influence U.S. politics and policy is not limited to the United States' adversaries, however; countries aligned with the United States also aim to advance their interests via U.S. domestic politics.

To adequately address foreign influence in the domestic politics of the United States and its democratic allies, malign foreign influence should be defined and assessed, countermeasures developed, and the risks associated with those responses carefully evaluated. Successful defense against malign foreign influence in democracies will resonate with a wider global audience that embraces self-determination—the right of a country to determine its own future political path.

DEFINING AND EVALUATING FOREIGN INFLUENCE

A hard sovereignty view of democracy holds that democratic governments should only be accountable to and influenced by their citizens; all foreign influence should therefore be ruled illegitimate. However, no contemporary liberal democracy adopts this view of sovereignty, one more likely to be endorsed by authoritarian regimes. A more plausible perspective allows legitimate foreign stakeholders (i.e., those who are affected by a government's external policies) to influence those policies. For example, the U.S. government provides security guarantees and economic assistance far beyond its borders. As a global power, the United States should expect foreign efforts to influence its politics and policy.[11]

Most foreign efforts to influence U.S. democracy are benign, and many provide useful information about the effects of U.S. foreign and domestic policies on other societies. Information provided by those outside the United States can be particularly useful for a large, self-absorbed democracy with a fragmented, federal political system and a host of competing domestic interests. Foreign influence conducted in an open, legal, and transparent fashion contributes to successful U.S. foreign policy.

Rather than trying to exclude all efforts at foreign influence in U.S. politics, debate revolves around who is attempting to exert influence and how that influence is exerted. The concept of sharp power, coined to describe efforts by authoritarian states "at censorship, or the use of manipulation to sap the integrity of independent institutions," combines answers to those two distinct questions.[12] Distinguishing actor and actions allows for greater clarity in defining unwanted or malign foreign influence. Although the influence efforts of authoritarian states

have received the most attention recently, other governments, including the United States, have also conducted such influence operations and election interventions.[13] Such interventions by liberal democracies in other liberal democracies tend to be rare, but certain forms of influence would be regarded as illegitimate or illegal when conducted by any government or foreign actor. In the United States, those flatly illegitimate activities include contributing to election campaigns and voting in federal elections.

Although additional scrutiny is applied to foreign influence attempted by authoritarian adversaries or rivals, the "how"—what actions are attempted or implemented—serves as a superior benchmark for malign foreign influence. One definition distinguishes foreign influence ("activities that are unwelcome, but nonetheless legal") from foreign interference ("activities that are unwelcome, covert, and coercive").[14] The Australian government's definition of foreign interference is similar: actions that are "coercive, corrupting, deceptive or clandestine, and contrary to Australia's sovereignty, values, and national interests," in contrast to foreign influence activity that is "open and transparent and that respects our people, society, and systems."[15]

Those categories provide a workable definition: malign foreign influence is intended to affect domestic politics through coercive, corrupting, deceptive, or clandestine means. The varieties of foreign influence on democratic governance can also be divided into

- actions by foreign adversaries or rivals intended to increase distrust of democratic institutions and elected leaders. Recent information operations by Russia and China would be included in this category;

- actions by any government, including those aligned or allied with the United States, that are not intended to undermine democratic institutions, but can also undermine confidence in U.S. democracy through the means deployed in exercising influence. Examples include covert or corrupting actions by security-dependent U.S. allies; and

- foreign intervention in domestic politics that could skew foreign policy away from the preferences of a democratic electorate through legal and transparent means. Foreign governments and other actors in this case are a category of interest group, with the same benefits and risks of other potentially powerful interests. Overt or public interventions of this kind, although they could be unwelcome by one side in an election or political contest, are not usually regarded as malign.[16]

The definition of malign foreign influence adopted here excludes espionage, which is directed toward covert information gathering rather than information manipulation, and public diplomacy, which, by definition, is not clandestine. Espionage is certainly treated as unwelcome and is the target of counterintelligence operations, but its instruments and motivations are distinct from influence operations.[17] Certain concepts, such as hybrid or gray zone warfare, emphasize actions by adversaries and often include foreign influence operations.[18] They also include other measures short of open military conflict, however, such as cyberattacks and recent sabotage activities by Russia in Europe.[19] Those actions are not directed toward influencing domestic politics and democratic governance.

Further unpacking the definition of malign influence reveals lingering ambiguity:

- "Foreign" could be difficult to identify when domestic political actors echo or replicate the arguments and memes of foreign governments.

- Malign foreign influence could be welcomed by some actors in the target society, if foreign influence contributes to their cause.

- The same actions to exercise foreign influence could be tolerated in the case of allies or clients and repudiated if their source is an adversary or rival. As a result, a consistent, operational policy on foreign interference could be difficult to construct.

- Interference can be directed to short-term policy manipulation or to longer-term effects, such as reshaping public or elite opinion or eroding democratic institutions. The effects of foreign influence on long-term trends are more difficult to evaluate than short-term interference, such as election meddling.

- Even if influence attempts are unsuccessful, their revelation can have consequential second-order or spillover effects, undermining confidence in democratic institutions.

- Finally, exaggerating the threat posed by foreign influence could exclude valuable information and contributions to debates over foreign policy. Foreign governments, groups, and individuals will attempt to influence foreign policy in other countries; their concerns and voices often deserve to be heard. Discriminating between valuable contributions to

open debate and covert or distorting efforts to interfere in those debates is the difficult task of democratic governance.

Although the analysis, evaluation, and prescriptions that follow center on the United States, the experience of other liberal democracies, especially their successes and failures in countering malign foreign influence, will be included as useful comparisons.

WHAT IS NEW?

From the earliest years of the United States, more powerful states sought to manipulate the new republic. James Wilkinson, who rose to become de facto commanding general of the army from 1797 to 1812, was also a paid agent of the Spanish government.[20] Democratization of foreign policy-making in the twentieth century provided an opening for more familiar, modern instruments of influence. Cross-border movements based on national identity and political ideology offered midcentury dictatorships a means to manipulate followers and undermine opposing foreign policies. Those alliances also demonstrated persistent obstacles to their instruments of influence. Although the presence of the German American Bund provoked alarm over Nazi Germany's infiltration of American politics, the Bund was often at odds with the Nazi leadership in Germany. Consistent overestimation of its membership and political clout produced backlash in the United States, undermining German goals.[21] The Communist Party USA was damaged by Comintern directives from Moscow that ignored local conditions even before it faded under the anti-communist tide of postwar United States.[22] Those transnational alignments, the rise of mass media, and the wartime deployment of government propaganda produced precursors of today's disinformation analysts and the first calls for media literacy.[23]

During the Cold War, both superpowers deployed instruments for intervention in the domestic politics of their allies and opponents. Apart from military interventions and covert operations to destabilize incumbent governments, they engaged in significant influence campaigns and election interventions, overt and covert, as documented by academics Thomas Rid and Dov Levin.[24] The intelligence agencies of the United States and the Soviet Union used multiple, often unwitting, proxies to advance their goals. These included political movements, cultural institutions, and journalists. At the height of the Cold War, during the 1970s and 1980s, Soviet "active measures became fully activated,"

their success a function of political divisions in the target country, technology and "available media platforms," and the "design of divisive material and the craftsmanship of disinformation."[25]

The Cold War also created another group of influencers that targeted the United States: allies whose military weakness and security dependence on the U.S. government led to successful, multipronged strategies to ensure U.S. support. As Professor Robert Keohane noted in 1971, alliances presented an avenue of access to U.S. politics that could be as important as the security guarantee itself. He also noted the risks of this new pluralism and internationalization in American politics: "A small, indigent ally may exert a more powerful claim on American resources than poor, unorganized Americans."[26]

This history of influence strategies over the past century illustrates several recurrent features: the importance of amplifying domestic political divisions, conflict over strategy between the influencing government and its allies in the target country, and backlash when foreign influence is revealed or alleged. Two global changes distinguish the contemporary risks of foreign interference from those of the 1930s or the Cold War: a far more integrated global economy and the emergence of open economy authoritarian regimes. During the Cold War, the Soviet Union, the world's second-largest economy, could not translate its economic weight into equivalent influence in its Cold War rivals because of its embrace of autarchy. China, then a very poor, small economy, had only two significant instruments at its disposal: its overseas diaspora and ideologically aligned insurgencies in neighboring Southeast Asia.

The transitions of authoritarian regimes to more market-based, globally integrated economies have been applauded as triumphs for the United States and its allies, but those triumphs have also allowed the manipulation of new linkages to influence and disrupt the politics of liberal democracies. Although Russia and its current allies are diminished economic challengers relative to the Cold War Soviet Bloc, Russia's integration into economic and information networks provides it with greater potential to intervene as both an international and domestic spoiler. China, now the second largest or, on some measures, largest economy in the world, has both the resources and global connections to deploy its economic scale to build influence. Both have become nimble, though asymmetric, participants in the new information environment, which has supplemented planting disinformation through the uncertain cultivation of journalists with new social media platforms and their large audiences. This new, globalized media environment allows Russia, China, and other foreign actors to exert influence faster and

through diverse channels. The rise of state-owned enterprises and sovereign wealth funds has blurred the line between private and public domains. In another contrast with twentieth-century authoritarians, restrictions on emigration and travel have been weakened or removed, creating large diasporas, important for autocratic China as well as backsliding democracies, such as Turkey and India.

Russia and China are not alone in reaping those assets of globalization for their influence strategies. Professors Daniel Treisman and Sergei Guriev have described a new class of authoritarian leaders: spin dictators, who depart from earlier autocrats in avoiding the use of military force (Russian President Vladimir Putin is the exception) and the most severe forms of internal repression.[27] These "strong man" leaders seek foreign endorsements that certify their competence; endorsements which can be bought. They construct their own information networks and are masterful manipulators of social media. By financing think tanks at home and abroad as well as co-opting (or hiring) Western elites and lobbyists, spin dictators manage the information environment and their own images, which are central foundations of their rule.[28]

A more integrated world economy, one that rests on cross-border information and communications technology, has reinforced old channels of influence, such as the cultivation of ideological allies, and introduced new ones. From this menu, countries choose different strategies. For example, U.S.-aligned or security-dependent countries seldom exert influence to undermine trust in the political institutions or leaders of the United States. A much larger set participates in transnational repression and attempts to shape the information environment. Money, information, and people provide three linked categories for examining the instruments of foreign influence.

AVENUES OF INFLUENCE: MONEY

The oldest form of foreign influence remains one of the most widespread: using money or other material benefits to win elite favor; to support favored political candidates and parties; to fund expensive lobbying campaigns; and to induce self-censorship by private corporations, think tanks, and universities. Straightforward bribery has not gone out of fashion either, as the recent conviction of Senator Robert Menendez (D-NJ) and indictment of Representative Henry Cuellar (D-TX) demonstrate.[29] The charges leveled against them also highlight the rise of economies based on oil wealth, some of which are dependent for their security on the United States and closely linked to it militarily. Qatar, the United Arab Emirates (UAE), and Saudi Arabia have mounted a wide array of influence activities, some legal, some, according to a recent intelligence report, illegal.[30] U.S. politics includes a population of enablers who will assist foreign governments for a price, especially governments that are not regarded as adversaries. The United States is not alone; the European Union (EU) Parliament has been shaken by "Qatargate," the use—ironically—of nongovernmental organizations (NGOs) devoted to anticorruption to funnel cash to members of the EU Parliament for favorable votes on issues of interest to Qatar and Morocco.[31] The scandal has led directly to the creation of an EU Body for Ethical Standards, approved by the EU Parliament in April 2024, as well as stricter rules on transparency for EU parliamentarians.

ECONOMIC INCENTIVES AND BUSINESS RELATIONS

Bribery is the most egregious and illegal use of money to influence policy. However, given the narrow definition of corrupt behavior in

recent Supreme Court decisions, such as *McDonnell v. United States*, foreign governments can pursue a more indirect route to favorable policies: prospective economic benefits are offered in the hopes of producing support for their desired policies or reputational gains.

Former President Donald Trump's unprecedented international business holdings while in office—as well as those of his son-in-law, Jared Kushner—were criticized for potential conflicts of interest. Litigation alleged violations of the foreign emoluments clause of the Constitution, which is directed against the possibility of corrupting foreign influence.[32] Lower court judgments against Trump were vacated by the Supreme Court in 2021 on the grounds that Trump was no longer in office. Violations of this constitutional provision as it applies to presidents in a modern context of internationalized wealth have yet to be defined by either Congress or the Supreme Court.[33]

For other government officials, material rewards offered by foreign governments could be current or prospective, including board memberships, speaking engagements, foreign trips, or revolving-door relationships. Retired U.S. military officers who serve as consultants and contractors for foreign governments, especially those in the Middle East, are one relationship of concern. Prospective economic benefits could influence current behavior. The Constitution's foreign emoluments clause, as interpreted in U.S. legislation, requires such personnel to receive advance approval from the government before they can accept employment, or even an honorarium, from foreign governments. Such approval is rarely refused, however, even in the case of foreign governments known for human rights abuses.[34] Senators Elizabeth Warren (D-MA) and Charles Grassley (R-IA) introduced the Retired Officers Conflict of Interest Act to provide greater transparency for this widespread practice.[35]

Separating behavior motivated by economic gain from views driven by sincere beliefs is often difficult. Former German Chancellor Gerhard Schroeder has consistently served as an apologist for the actions of Putin's Russia while at the same time serving on boards of multiple Russian energy corporations.[36] His endorsement of continuing economic ties with Russia could be viewed as an outdated version of the Ostpolitik that was long the dominant German consensus or as the result of corporate compensation from Russian sources. Payments by authoritarian governments to media outlets and influencers, which in some cases could be unknown to those individuals, are even more difficult to interpret, as recent revelations regarding Tenet Media demonstrate.[37]

CAMPAIGN CONTRIBUTIONS

Bribery of public officials is forbidden for both foreign and domestic political actors in the United States and most countries. The United States also draws a bright legal line regarding another instrument for purchasing influence: contributions to political campaigns. No foreign national may contribute to candidates standing for election at any level.[38] Despite this ban, foreign influencers have been repeatedly discovered attempting to make campaign contributions, attempts that have become increasingly difficult to detect given the internationalization of finance and the use of internet platforms for campaigning.[39] The oldest vehicle for disguising foreign campaign contributions is straw donors, individuals or entities that funnel foreign cash to campaigns using another's name. The recent indictment of New York City Mayor Eric Adams included charges that his campaign benefited from contributions from Turkish sources, channeled by straw donors.[40]

Other loopholes have opened over time. The Supreme Court and the Federal Election Commission have ruled that the ban on foreign contributions does not cover spending on elections without candidates, such as ballot initiatives.[41] Domestic affiliates or wholly or partially owned subsidiaries of foreign corporations in the United States have also been excluded from the prohibition; those corporations have made substantial contributions to political campaigns. More significant, however, is the rise of cross-border financial flows and offshore financial centers, which has made the creation of shell companies a preferred means for the covert purchase of political influence. Prominent exemplars were Lev Parnas and Igor Fruman, who were both deeply involved in the activities that resulted in President Trump's first impeachment. They were convicted and sentenced to prison for serving as straw donors for Andrey Muraviev, a Russian oligarch, and using a shell company, Global Energy Producers, to make contributions to an independent expenditure committee and federal candidates. In addition to the first-order damage of the illegal contributions, these and similar cases produce significant second-order effects: perceptions of an American political system for sale, at home and abroad.[42]

The last major campaign finance legislation, the Bipartisan Campaign Reform Act (McCain-Feingold), was passed in 2002, before online advertising became a prominent part of campaigns. In the 2016 presidential campaign, social media accounts linked to Russia bought ads that did not require disclosure, which would have been required on other media. The ban on foreign election spending was also unclear for

ads that did not expressly advocate a candidate, although they included mentions of a candidate (for example, promoting negative images of a candidate's opponent).[43]

Perhaps the largest "known unknown" regarding foreign money in U.S. political campaigns is "dark money," political spending that is not required to disclose its source. This type of spending, by 501(c) nonprofit organizations, surged following the Supreme Court's *Citizens United v. FEC* ruling. Although foreign contributions to political campaigns through those organizations would be illegal, lack of transparency has meant that possibilities for abuse abound. The potential use of shell companies, at least until recent reforms directed toward greater transparency, could amplify the presence of foreign money in those and other vehicles, such as super political action committees (super PACs).[44] Another loophole in the ban on foreign political contributions is the legal campaign contributions made by U.S. lobbyists who have worked as registered agents of foreign governments.

LOBBYING AND FARA

While U.S. law aims to draw a line between foreign and domestic campaign contributions, it allows lobbying by foreign citizens and governments subject to the requirement of transparency (periodic public disclosure). The Foreign Agents Registration Act (FARA), enacted in 1938, is one of the oldest restrictions on foreign influence in U.S. politics, dating to the first surge of modern authoritarian influence in the 1930s. FARA remains a centerpiece of U.S. government action against malign foreign influence. Enforcement and oversight, which were sporadic for much of FARA's history, have intensified over the past decade as revelations of influence activities by authoritarian powers have multiplied. Critics—both those who focus on the apparent loopholes in FARA and those who worry about its possible abuse—claim that FARA is "an antiquated statutory regime which is expansive in its jurisdictional scope, stigmatizing in its terminology, and laden with key definitions that are unduly broad or vague."[45]

FARA requires registration, including provision of information on "political activities" undertaken on behalf of a foreign "principal." These categories can extend well beyond those typically identified with lobbying on behalf of a foreign government or political party, to include activities intended to shape public opinion and politics on behalf of any individual, corporation, or organization outside the United States, including U.S. citizens who live abroad.[46] At the same time, certain

actors and their activities have been exempted from FARA registration. The most prominent are those registered under the Lobbying Disclosure Act (1995), which requires less detailed information than FARA registration, and those enjoying the "commercial" exemption, which exempts lobbying on behalf of a foreign corporation if those activities benefit the corporation's own economic interests. In both cases, the exemption does not apply to activities on behalf of a foreign government or political party.

Both the breadth of FARA's coverage and its exemptions have led the Department of Justice to issue guidance on its provisions. Such guidance has not eliminated FARA's ambiguity, however. Demonstrating the status of foreign agent can be difficult. Thomas Barrack was recently acquitted of illegally lobbying the Trump administration as a foreign agent of the UAE, convincing a jury that he did not take direction from the UAE government. In parallel with the narrowing scope of bribery, "normal" business—leveraging supposed relations with U.S. officials for foreign business gains—does not automatically designate one as serving as the agent of those foreign entities. Such activity typifies "shadow lobbying," part of a larger advocacy industry in which loosely defined consultants and advisors can market their influence without entering the legally defined category of lobbyist or registered foreign agent under FARA. In other cases, individuals and organizations in the growing nonprofit sector have found their activities under investigation or subject to FARA registration "both burdensome and stigmatizing."[47]

FARA is not meant to prevent lobbying on behalf of a foreign government, since lobbying also provides valuable and necessary information to legislators and administrators. The effectiveness of such lobbying on behalf of foreign governments has been documented for foreign aid, subsidies offered to foreign corporations, and State Department Country Reports on Human Rights.[48] The risk in such FARA-legal lobbying is a bias in foreign policy that other actors—poorer, less powerful countries or the American electorate—cannot match.

U.S. CORPORATIONS: ECONOMIC INCENTIVES, ECONOMIC COERCION, AND SELF-CENSORSHIP

While positive economic rewards have long been part of the arsenal of foreign influence directed at individuals, those same prospective rewards have become a potent means to influence multinational corporations (MNCs) and, through them, their stance on U.S. policy. Foreign governments can also threaten punishment when corporations stray

from a desired set of policy prescriptions in their public statements. Targeting firms to influence public policy depends on both the firm's willingness to lobby the government and the government's willingness to shift policy in response to that pressure.[49] Because MNCs devote more resources to lobbying on more issues than domestic firms, a foreign government could assume that pressure on such a firm would produce desired results.[50] Those results could also include a willingness by MNCs to steer clear of sensitive topics in public.

The rapid economic rise of China has provided its party-state with abundant means to pursue economic rewards and coercion, as international firms have sought access to its growing economy for export and investment opportunities. Although the legal basis for measures targeting foreign firms has expanded with new laws on cybersecurity, data security, and national security, China has also wielded informal boycotts that are portrayed as rooted in popular outrage, as well as trade restrictions and impediments to tourism (such as travel warnings). Although those could be viewed as parallel to U.S. or EU economic sanctions, "which are based in an explicit legal structure and often multilateral in nature, Chinese economic coercion is often extra-legal, informal, unilateral and meant to be deniable."[51]

China's massive human rights violations in Xinjiang have produced recent examples of economic coercion. Intel, Sam's Club, and Walmart were threatened with boycotts and the Anti-Foreign Sanctions Law after ending their sourcing from Xinjiang.[52] In response to Chinese pressure, apparel and fashion companies pulled or altered statements critical of Xinjiang on their websites; H&M was "erased from the Chinese internet" for its statement on forced labor there, after being targeted by an online campaign.[53] Firms were caught between mobilization of economic coercion by the Chinese government on one side and, on the other, their own governments' sanctions and reputational costs in their home markets. Nevertheless, their willingness or unwillingness to take a stand on forced labor in Xinjiang was not as likely to influence U.S. public opinion on China as those companies that participate more directly in the shaping of public images and understanding of China.

Media censorship and self-censorship are significant avenues for China and other foreign governments to shape public opinion in democracies. The growing importance of the Chinese market for American cultural industries made China's threat to cut off access to that market a lever for preventing the crossing of its red lines. According to the media scholar Aynne Kokas, "[t]he threats work. Brands, corporations, and influencers in the United States limit what they say about

topics that Beijing deems sensitive for fear of having content barred from China."[54] An early example was the fate of the 1997 Martin Scorsese film *Kundun*, on the life of the Dalai Lama. Despite Chinese warnings, Disney released the film but then provided little publicity, and the film quickly disappeared.[55] No major Hollywood film openly critical of China has been produced since. China's active censorship of foreign films for the Chinese audience is not unique; other countries have adopted such practices. A more significant unknown is the number of changes made to satisfy Chinese censors in films released globally, and even more difficult to estimate, how much self-censorship has taken place: scripts not written; films not made.[56]

Other important cultural industries have also been affected by the efforts of China and other authoritarian governments to shape the image of their countries and suppress criticism. The substantial and growing economic interests of U.S. sports associations in authoritarian countries, such as China and Saudi Arabia, have led to claims of self-censorship by those associations ("sportswashing") on behalf of their autocratic partners.[57] Publishers have removed content regarded as sensitive from their Chinese websites under threat of market exclusion. In the United Kingdom and Australia, authors of books critical of Russia (Catherine Belton) and China (Clive Hamilton) have had publication of their books delayed by defamation lawsuits or the threat of such action. Even more significant are the possibilities of influencing major social media platforms through corporate linkages that create dependencies and avenues for influence. The ownership of both Tesla and X creates just such a means for China to shape both moderation policies on the platform and the messaging of its influential CEO, Elon Musk.[58] As author Erich Schwartzel observes, Hollywood's evolving relationship with China was only one example in which "a customer base proves too lucrative to ignore, and its leaders bend companies to their will."[59] Authoritarian influence in cultural industries points to a substantial overlap between deployment of the economic power of open economy authoritarians and both their aim and their ability to shape the information environment in liberal democracies. Governments find it difficult to respond to these efforts, because "they implicate private institutions and corporations on sensitive questions of content, viewpoint, and ideology, areas where governments should—and legally must—hesitate to tread."[60]

AVENUES OF INFLUENCE: INFORMATION

Manipulation of the information environment by foreign governments has received more attention than other channels, because the major practitioners are regarded as adversaries or rivals (e.g., Russia and China), and because threats to the information available to citizens undermine a central pillar of liberal democracies. As Josep Borrell, EU high representative for foreign and security policy, remarked, "Disinformation weakens the social fabric, poisons democracies, because only information makes democracy possible."[61] Although foreign use of information for tactical reasons, such as election meddling, occupies the center of public debate and concern, authoritarian governments also attempt to alter perceptions of their regimes and shift the foreign policies of democracies in the longer run. Institutions such as universities, think tanks, and the media become their targets as they attempt to propagate favorable images and suppress negative ones.

DISINFORMATION AND SOCIAL MEDIA

Disinformation—the propagation of information that is intentionally deceptive and could cause public harm—figured in Cold War active measures.[62] As described by political scientist Thomas Rid, "its goal is to engineer division by putting emotion over analysis, division over unity, conflict over consensus, the particular over the universal."[63] The resurgence of disinformation as a tool of authoritarian statecraft stems from growing distrust and deregulation of mainstream news media; the demise of credible local news sources; and the rise of new internet-based social media, which have become major sources of news for the public. Those changes have produced "the collapse of the information commons, hyperfragmentation, and the erosion of the

media's role as neutral arbiter."[64] The same changes have contributed to political polarization and lowered barriers to entry for hostile foreign actors seeking to manipulate domestic information ecosystems and sow distrust.

Despite the rapid expansion of investigations into information operations by foreign governments following the 2016 Russian election meddling, shortcomings remain: lack of uniformity in the definition of concepts, weak standards for conducting and evaluating investigations, overreliance on case studies, and, perhaps most important, limited understanding of the short- and long-term effects of foreign information operations and the effectiveness of countermeasures.[65] Skeptics argue that new technologies, such as social media, have been elevated over the broader political and social context in which information operations are situated.[66] Critics also note that research has focused disproportionately on a limited number of platforms, ignored information dynamics in the United States and other countries, and paid too little attention to the "larger media ecosystem."[67] The politicization of claims of disinformation within an atmosphere of perceived crisis makes dispassionate consideration of foreign information operations even more difficult.[68]

A study of online foreign political influence efforts through media channels from 2011 to 2021 documents that most were initiated by Russia (61 percent), with China, Iran, Saudi Arabia, and the UAE accounting for most of the rest. The targets were largely the United States and other industrialized liberal democracies.[69] Because those operations were designed to deceive, this documentation is likely an undercount. Although Russia's information operations, often borrowing from the Cold War playbook, seem to have occurred earlier and more often than China's, the gap could be narrowing. As Brookings Institution scholar Jessica Brandt described, the aims of Russia and China, given their different global positions, have not always coincided. Russia's aims are more zero-sum and disruptive of the political systems of the United States and its democratic allies. As with its economic coercion, China has often wielded its information operations to protect its red lines, such as Taiwan and Xinjiang, and to punish those who challenge its regime or its narrative on issues such as COVID-19 origins.[70] More recently, however, Chinese operations have demonstrated a strategy of playing on U.S. domestic divisions and undermining liberal democracy.[71] Despite the parallel tracks of Russian and Chinese information efforts and their shared goals, their cooperation in this domain appears to remain limited.[72]

A final technological advance—artificial intelligence—has introduced further alarm as a disinformation accelerator. AI-generated content could be harder to detect, more realistic and personalized, and easier to improve and replicate. The deployment of deepfakes could further undermine trust in mainstream media and political institutions. China has begun to use generative AI to create "sleek, engaging visual content," and China-linked actors have used AI-enhanced and -generated content "with an increasing volume and frequency."[73] Nevertheless, estimating the additional efficacy that AI will add to existing information operations is difficult, and even more difficult is estimating the effects of foreign information operations overall. Although China-linked actors waged information operations during the Taiwanese presidential election campaign in January 2024, including the use of AI-generated deepfakes, China was unable to defeat the candidate regarded as most hostile to its goal of reunification.

SOCIAL MEDIA CASE STUDY: TIKTOK

Controversy over the popular Chinese app, TikTok, has highlighted the difficulty of weighing risks of possible influence operations against benefits to U.S. citizens and small businesses. President Joe Biden signed legislation on April 24, 2024, that would force TikTok's parent corporation, ByteDance, to either sell its U.S. operations to an American corporation or face a permanent ban from the U.S. market. For supporters of the legislation, Chinese government control over TikTok's parent company posed a threat to the data security of U.S. citizens and raised serious concerns about TikTok's use as a potential instrument of influence for the Chinese party-state.[74] The U.S. legislation followed a ban that prohibited installation or use of TikTok on U.S. government devices and similar restrictions imposed in Europe and many U.S. states and localities. Despite this, both the Biden and Trump presidential campaigns continued to engage through TikTok as well as other social media platforms.[75]

A stark asymmetry in access exists between the United States and China, because major U.S. social media platforms are banned in China. Given the Chinese government's ability to intervene in private corporations under its national security legislation, proponents of the TikTok ban point to an apparent tightening of control over TikTok by parent company ByteDance, rather than distancing or ceding control, which would diminish the concerns of critics.[76] This control from Chinese headquarters leads some to believe that China could manipulate the

TikTok algorithm and effectively skew content to serve China's foreign and domestic policy interests. TikTok undermined its own defense by removing access to hashtag data after a study based on that data suggested a "strong possibility that TikTok systematically promotes or demotes content on the basis of whether it is aligned with or opposed to the interests of the Chinese government."[77] Both supporters and critics of the proposed TikTok ban agree that greater transparency from TikTok about how the app operates, as well as the provision of independent researcher access to TikTok's data, would help to resolve the question of possible pro-China biases.

Critics of the legislation describe justifications based on protecting data as security theater, given the weak protection of data privacy in the United States and the ease with which sensitive data can be purchased.[78] Differentiating TikTok's foreign influence threat from that of other social media also requires evidence that it operates—or could operate—differently from other social media platforms because of its Chinese ownership. Parallels to the ban could be drawn to Federal Communications Commission restrictions on ownership shares of U.S. radio or television stations by foreign governments, corporations, or individuals, but those parallels fail to acknowledge critical distinctions. First, the federal government has long maintained specific regulatory authority over private entities that rely on public airwaves to operate (which social media companies do not), and second, to date, investment in social media companies has been regulated by the Committee on Foreign Investment in the United States (CFIUS).[79]

Those opposing the ban also point to the easy access that Chinese influence operations have had on other social media platforms, especially after X removed tags and visibility filters on Chinese and Russian state-affiliated media accounts.[80] Leveraging a firm with Chinese headquarters has not been necessary for China to gain an online avenue to U.S. citizens. Others note that ByteDance and TikTok are profit-seeking corporations with majority international ownership that are not likely to skew away from users' preferences, as the success of their algorithm—and their profit model—is based on satisfying those preferences.[81] Apart from depriving American users of their right to expression on the app and imposing losses on American investors, the sale of TikTok would almost certainly increase concentration in an already highly concentrated sector. As the TikTok litigation wends its way through the courts, pitting the claims of national security against free speech, TikTok's Project Texas will play a major role in its defense.[82] A plan to insulate TikTok's user data with the

assistance of U.S.-based Oracle and external auditors, Project Texas has both supporters and critics.[83]

INFLUENCING THE INFORMATION ENVIRONMENT OVER TIME: UNIVERSITIES AND THINK TANKS

Internationalization of higher education in the United States has produced growing enrollments of foreign students at all levels, exchange and cooperation agreements, joint research projects, and campuses established in other countries. China and India make up by far the largest shares of international students in the United States: 27.4 percent and 25.4 percent respectively in 2022–23.[84] Although the authoritarian Middle Eastern states are not as prominent in sending students to the United States (only Saudi Arabia is in the top ten sending countries), they have been active as donors to universities and as hosts to overseas American campuses. Internationalization has been even more important to higher education in other democracies, such as Australia, Canada, and the United Kingdom. Few sectors demonstrate so clearly the shift to open economy authoritarianism, as China, Iran, and the Gulf states encourage and sponsor study abroad for their students and build research ties to universities in liberal democracies.

Despite the financial and intellectual benefits of internationalization, growing economic dependence on foreign students and donors, especially those governed by authoritarian regimes, has sparked concern that foreign leverage could distort the core missions of the university. As foreign donations to universities have increased, scrutiny of their processes for vetting those donations has grown in tandem. Among the top twenty foreign donors to U.S. universities in recent years were China (including Hong Kong), Qatar, Saudi Arabia, Singapore, and the UAE. Those statistics probably underestimate the degree of foreign authoritarian contributions, as funds can be routed through U.S.-based companies and foundations.[85] In addition, controversy often surrounds individual donors whose citizenship does not capture their business relations with kleptocrats and authoritarian regimes.

The greatest risk to academic freedom and free inquiry is the use of such donations to promote policy agendas or suppress lines of research that would be unwelcome to the government in question. That risk is not limited to current gifts: the prospect of future contributions could also result in self-censorship or an agenda that matches donor preferences. Such philanthropy can also influence a wider public through reputation laundering, the act of "minimizing or obscuring evidence of corruption

or authoritarianism in the [kleptocrat's] home country and rebranding kleptocrats as engaged global citizens."[86] Threats to academic freedom and an inclusive curriculum can also occur in branches of American universities located in authoritarian settings, such as China and the Middle East. In those cases, local laws and social norms can collide with the ability to research and teach freely, undermining both the values of the university and the contribution that they should make to host societies. Recent limits on protests at New York University's Abu Dhabi campus are one example of possible conflict between academic commitments to free speech and repressive political surroundings.[87]

The economic prominence of China and its active promotion of study abroad and research relationships have made it a target of U.S. efforts to curb malign foreign influence in universities, efforts that intensified during the Trump administration. The large presence of Chinese graduate students and researchers in American universities as well as research contracts and affiliations with Chinese universities led the U.S. government to launch the 2018 China Initiative, investigating, and in some cases prosecuting, cases of alleged nondisclosure of foreign research grants and other violations of research security.[88] Although the China Initiative was ended in 2022, heightened attention to possible interference in research by foreign partners both preceded the Trump administration and has continued under the Biden administration.[89]

Confucius Institutes (CIs), a global program of Chinese-funded, university-based partnerships directed to teaching Chinese language and culture, became a central concern related to Chinese government influence at U.S. universities. Resembling other national programs, such as Alliance Française and the Goethe-Institut, CIs are clearly part of China's international projection of its culture and identity. Controversy surrounds whether this vehicle for soft power could exercise sharp power as well. At their peak, 110 CIs operated in the United States; their programs often included aiding K–12 Chinese-language programs (called Confucius Classrooms). After restrictions in successive National Defense Authorization Acts, which eventually prohibited Defense Department funding for any program at universities that host CIs, nearly all U.S.-based CIs had closed by 2023.[90]

Successive congressional investigations and a report from the National Academies found no evidence that CIs were involved in malign activities such as threats to research security.[91] Violations of academic freedom—by tilting programming and teaching away from topics that violated the Chinese government's red lines—were a particular concern of critics from within the university. Here as well, most universities

viewed safeguards, such as faculty oversight and CI contract transparency, as adequately offsetting any risks. The U.S. government chose not to follow recommendations for better oversight rather than dissolution. In contrast, the Australian government supported parliamentary recommendations that CI agreements include free speech clauses and include close university oversight of curriculum and staff; the arrangements between CIs and Australian universities had already been made public. Other foreign influence risks were left to the universities and the University Foreign Interference Task Force.[92]

Foreign funding of research and publications that could shape U.S. policy and public opinion became an issue for Washington think tanks after a 2014 *New York Times* article.[93] A later investigation of think tank transparency and the extent of foreign funding indicated that most funding from foreign governments came from other liberal democracies, with Norway and the United Kingdom heading the list. The only authoritarian regimes in the top ten donors are Middle Eastern governments, the UAE and Qatar, which also figure prominently in foreign lobbying activity.[94] Increased scrutiny of foreign influence by Congress and the Justice Department has reinforced the need for transparency about the sources and levels of foreign funding for both think tanks and their staffs. Because contact with foreign government officials is often essential to the work of think tank researchers, potential conflicts of interest, benefits provided by those contacts, and resulting promotion of foreign government interests and self-censorship are risks, whether or not they rise to the level of FARA violations.[95]

AVENUES OF INFLUENCE: PEOPLE

Although the economic and information avenues of influence depend on people, specific organizations and groups also serve as targets for the influence efforts of foreign actors. Authoritarian governments have long sought ideological allies whose bonds cross national boundaries: far-right political networks and their ties to Putin's Russia are contemporary examples, as is the acquiescence of some on the left to Putin's aggression in Ukraine.[96] Globalization has added a final dimension that complicates the landscape of foreign influence on domestic politics: immigration. Open economy authoritarians have departed dramatically from the strict controls on emigration characteristic of twentieth-century dictatorships; access to travel has become part of the bargain between autocrats and their populations. A change in the United States has also affected recent trends in immigration: the 1965 U.S. immigration law removed quotas favoring immigrants from northern Europe, a relic of the 1920s. As a result, the United States has seen increases in immigration from Latin America (especially Mexico) and Asia. Accompanying those new waves of immigration was a shift in U.S. attitudes and legal opinion toward dual nationality. Legislation in 1940 and 1952 had not formally banned dual citizenship, but evidence of a competing national identity could result in expatriation. Hostility toward dual nationals and threats to their U.S. citizenship gradually dissolved in the wake of court decisions, as other countries also relaxed their restrictions. Now, nineteen out of the top twenty immigrant-sending countries either accept the status or fail to police it.[97]

DIASPORAS AS INSTRUMENTS OF INFLUENCE

Diasporas—those with a common origin who live outside an ethnic or religious homeland and identify or are identified by others as part of that homeland's national community—do not include all immigrant communities or even all of those with a common national origin. Within diasporas, even those who are intensely connected to their homeland display different levels of political activism, different channels of connection, and diverse opinions. Diaspora identities and activity are shaped by the stance of their homeland government, by their surrounding national community, and by their own backgrounds and experience. Refugees fleeing persecution often do not wish to retain any connection to the country from which they fled; second- and third-generation immigrants might also identify less with the homeland.

Activism by diasporas in U.S. foreign policy-making has a long history in the United States.[98] What has changed in recent decades, apart from the emergence of new diaspora communities, is the heightened interest of many homeland governments—China, India, and Turkey, to name three—in cultivating connections to their overseas communities. Diasporas, which had often been ignored or shunned by homeland governments in the past, have now become valuable economic assets—potential sources of expertise, investment, and remittances—as well as potential allies in influencing the U.S. government. For authoritarian governments, however, diasporas are also a potential threat, a haven for potential regime opponents who can organize and communicate with their fellow nationals.

The Indian diaspora, now the second-largest immigrant group in the United States, resembled earlier communities as it grew in numbers during the 1990s and undertook political activities: establishing a Congressional Caucus on India in 1993, lobbying to slow or block policies that would undermine U.S.-India relations, and building network power among business and media elites. As political scientist Devesh Kapur cautions, however, the diaspora's influence "although perceptible, should not be exaggerated. . . .it does not have its hands on the steering wheel, but its feet can press on the accelerator or the brakes."[99] Prime Minister Narendra Modi's diaspora outreach, including the establishment of Bharatiya Janata Party (BJP) party offices and recruitment of volunteers abroad, has not changed this evaluation. Mobilizing the diaspora as a means of Indian government influence could be difficult: although Modi's BJP is the most popular, 40 percent of those surveyed did not identify with a political party.[100]

Another democracy, Israel, has pursued a more active cultivation of the Jewish diaspora in the United States, with a Ministry of Diaspora Affairs and Combating Antisemitism designated as the formal liaison with Jewish communities outside Israel. Political support for Israel in the United States extends beyond the Jewish diaspora, however, with evangelical Christians providing consistent backing. The American Israel Public Affairs Committee (AIPAC) has been an influential diaspora organization for some time, lobbying Congress for military and economic assistance to Israel and intervening in congressional campaigns to elect supporters of Israel and defeat those viewed as critics of the Israeli government.[101] Although its political activities aim to avoid identifying with either Democrats or Republicans, the rightward trajectory of Israeli governments and the alignment of recent governments with the Republican party have made that task more difficult. The October 7 attack on Israel by Hamas and the ensuing conflict in Gaza produced an unprecedented influence operation in the United States by the Israeli Ministry of Diaspora Affairs, including the use of AI to create fake social media accounts targeting politicians and the public.[102] The effectiveness of this operation as well as efforts to mobilize support by diaspora organizations have encountered obstacles familiar from other past diaspora lobbies: backlash to overt interventions in domestic politics, shifting U.S. public opinion on the Israeli-Palestinian conflict, and divisions within the diaspora itself, as younger American Jews become more critical of the Israeli government.[103]

China's government under President Xi Jinping has moved from treating its diaspora as a valuable contributor to China's economic rise to viewing it as an asset for expanding China's global influence. China under Xi regards anyone of Chinese origin as Chinese nationals serving as "unofficial ambassadors" regardless of their citizenship. As in the case of MNCs, access to China's economy remains a major attraction to business in the diaspora, but the Chinese party-state has other instruments to use in its efforts to mobilize the diaspora on its behalf: the United Front system, diaspora organizations, and ownership of Chinese-language media. As the political scientist Audrye Wong describes, the Chinese government also manages the diaspora with wedge narratives, emphasizing negative and discriminatory messaging about the United States in an effort to divide the diaspora from the rest of U.S. society.[104] Deterioration in Sino-American relations over the past decade has hindered China's ability to use the diaspora as an instrument of influence, however, and its own strategies have also created obstacles by concentrating on those less integrated

and therefore least influential; heightening suspicion of Chinese nationals; and stimulating political backlash and heightened scrutiny from the U.S. government. Surveys conducted in Australia's Chinese diaspora suggest that China's influence strategies have had a limited effect: most Chinese Australians have a positive view of Australia, express growing support for democracy, and trust Australia more than any other country. Although foreign policy is not high among their issues of concern, their attitudes display modest divergence from the general Australian population: they are less convinced of the importance of the U.S. alliance, less likely to see China as a future military threat, and more supportive of Australian neutrality in a U.S.-China conflict.[105]

DIASPORAS AS TARGETS OF INTIMIDATION: TRANSNATIONAL REPRESSION

Diaspora communities are not only the subjects of influence efforts by their homeland governments; their influence can also flow in the opposite direction. Authoritarian governments have no need for recent research that demonstrates the democratizing influence of diasporas situated in liberal democracies.[106] Contemporary autocrats are aware of a rich history of exiles, including such diverse figures as Giuseppe Mazzini, Vladimir Lenin, Sun Yat-sen, Mahatma Gandhi, and Ho Chi Minh, who spent time outside their countries while forging revolutionary strategies and alliances.

The same instruments used by authoritarian governments to expand their influence can also be used to intimidate, harass, or assassinate their diaspora opponents. Freedom House has provided extensive documentation of transnational repression, the spectrum of tactics that governments use to silence dissenting voices in their diasporas.[107] Although China "conducts the most sophisticated, global, and comprehensive campaign of transnational repression in the world," thirty-six countries were identified as targeting dissidents between 2014 and 2021, evidence that the practice could be becoming normalized and increasingly brazen.[108] The discovery of Chinese police stations in Europe and the United States revealed a new front in China's extralegal pursuit of its citizens. U.S. private detectives have been charged for assisting China and Iran in their surveillance of dissidents.[109] Chinese surveillance of its large overseas student population has produced self-censorship and a "climate of fear" for many students who are concerned about their own futures and their families in China.[110] India has also been implicated

in the assassination and attempted assassination of Sikh activists in Canada and the United States, an indication that backsliding democracies could now be embarking on transnational repression.[111]

DIASPORA COMMUNITIES AS TARGETS OF LOCAL BACKLASH

Just as MNCs find themselves targets of both economic coercion by authoritarians and pressure from their own governments and NGOs, diaspora communities are the targets of influence campaigns by their countries of origin as well as suspicion and discrimination in their own countries. An overreaction to perceived foreign threats could drive some in the diaspora toward the country of origin, as wedge narratives emphasizing discrimination are apparently verified. Backlash can also undermine the democratization effects of diasporas in their countries of origin by darkening their views of liberal democracy.[112] A recent example, with effects still to be determined, is the legislation adopted by several U.S. states that prevents Chinese citizens from purchasing property; Florida's law is particularly expansive.[113] Such legislation could produce discriminatory treatment of Chinese American citizens and confirm Chinese government messaging on the flaws in U.S. liberal democracy.

FOREIGN INFLUENCE AND DEMOCRACY PROMOTION

Assisting other democracies in resisting malign foreign influences such as corruption, disinformation, or diasporic manipulation, should be a central component of U.S. democracy promotion. Sharing information and best practices with like-minded democracies—bilaterally, through the State Department's Global Engagement Center, and through multilateral mechanisms—improves the resilience of liberal democracies in the face of malign foreign influence.[114] At the same time, a common definition of malign foreign influence will avoid collective overreaction that could undermine the openness of liberal democracies to beneficial information and perspectives.

Authoritarian regimes, on the other hand, are likely to label the democracy promotion programs of the United States and other liberal democracies as undesirable foreign interference in their domestic politics. The American public, which offers strong support for defending human rights globally, is also skeptical of U.S. democracy promotion, perhaps because of its association with military interventions in Afghanistan and Iraq or a belief that such programs are unlikely to be effective.[115]

In responding to global audiences influenced by authoritarian arguments as well as a skeptical American public, U.S. support for democracy abroad is strengthened by credible, public commitments to avoid the types of malign foreign influence documented here. Such commitments—particularly a commitment that election interventions will be directed to making the electoral playing field fairer, rather than favoring one side—are especially important given the past U.S. record of covert election meddling.[116] Covert information operations, which are likely to be revealed, also undermine U.S. credibility in its campaigns against authoritarian disinformation.[117] Recent

revelations of a Pentagon disinformation campaign to discredit Chinese COVID-19 vaccines not only damaged the U.S. reputation in promoting global health, but could have also fostered already-high suspicion of other vaccines.[118] At the same time, U.S. public diplomacy and positive, public information campaigns could be amplified if bipartisan support for the U.S. Agency for Global Media and Voice of America can be rebuilt.

Few organizations are more important for promoting democracy and countering malign foreign influence than civil society organizations (CSOs) and robust, independent media. Promoting respect for human rights and democratic processes is more likely when international influence is combined with pressure from local CSOs. Many of those organizations necessarily depend on international financial support, which provides a lever for authoritarian regimes and backsliding democracies to undermine those organizations and their work. When such attacks are countered by allies in liberal democracies, the authoritarian response is "whataboutism": claims that democracies impose similar regulations on CSOs in the interest of transparency. A recent example of the risks for civil society occurred in Georgia, where the government passed a "foreign agent" law on the Russian model, clearly designed to disable the political opposition, which vociferously opposed the legislation.[119]

Finally, liberal democracies can also promote democracy abroad by defending immigrants at home. By protecting diaspora members against transnational repression, democracies can defend important agents of future political change and democratization. Equally important, immigrant communities that are treated with respect serve as important channels for communicating positive views of their new countries and the value of democracy to their home countries.[120]

FOREIGN INFLUENCE AND DEMOCRATIC GOVERNANCE: EVALUATION AND RESPONSE

Foreign influence in democratic governance is inevitable and—when it is not conducted using coercive, covert, or corrupt instruments—can be a useful addition to pluralist politics by adding the perspective of those affected by U.S. actions to our insular political debates.

For foreign influence that does not meet those criteria, particularly when it originates with adversaries or rivals, four difficult tasks remain in crafting a response:

- accurate assessment of the scale of foreign influence and its effects
- careful evaluation of responses, given the threat assessment
- assessment of the risks, international and domestic, associated with those responses
- determination of shortcomings in domestic institutions and policies required to adequately protect democratic governance

MALIGN FOREIGN INFLUENCE AND ITS CONSEQUENCES

In recent years, the U.S. government, independent media, and academics have documented evidence of unwelcome and harmful efforts to exert foreign influence in democracies, whether attempts to bribe and corrupt, spread disinformation, or manipulate and intimidate diasporas. Because most of those efforts are designed to be covert, the reported episodes probably represent an undercount. Self-censorship—behavior that is prevented by foreign influence—is especially difficult to measure.

Chinese influence, when exerted through economic payoffs to elites or coercion of corporations, has not consistently produced national policy change. China's attempt at economic coercion of Australia through trade, begun in 2020, was a failure, producing economic diversification and backlash in Australian public opinion. If other episodes are examined, there is "surprisingly little evidence of governments changing specific policies or their entire foreign policy stance as a result of formal or informal economic pressure from China."[121] As Audrye Wong notes, China's deployment of "subversive carrots" (corruption in various forms) as part of its influence strategy only appears to work in political systems with low transparency and accountability, typically authoritarian regimes or backsliding democracies.[122] International business, once China's principal political ally in the United States, has become a less useful source of influence as China has emerged as a competitor and the environment for foreign business in China has deteriorated.

At the level of individual attitudes, evaluation of influence strategies reveals little positive effect. U.S. attitudes toward Russian President Vladimir Putin and Russia remain overwhelmingly negative.[123] Little evidence exists for a positive trend in attitudes toward China in the United States or in most other countries. China's efforts to influence the attitudes of the American public appear to have failed miserably: about 80 percent of those surveyed have held an unfavorable view of the country.[124] A 2023 Pew survey of twenty-four countries documented that 67 percent of the sample had unfavorable views of China; 57 percent agreed that China interfered in the affairs of other countries. Attitudes in the U.S. public were among the most negative, surpassed only by Australia. China's economic role and influence could partially offset such negative assessments: middle-income countries in the survey, except for India, had more positive views of China and its role in global politics.[125]

The narrower domain of information also requires more rigorous investigation of political effects. A recent study of exposure to 2016 Russian Internet Research Agency disinformation and its effects found "no evidence of a meaningful relationship between exposure to the Russian foreign influence campaign and changes in attitudes, polarization, or voting behavior."[126] Exposure was heavily concentrated among users in the survey sample, especially Republicans. The broader information environment loomed large, because Internet Research Agency influence was "eclipsed by content from domestic news media and politicians."[127] Researchers on disinformation and its effects argue for research that requires more data—often withheld by social media platforms—as well as evaluations that include effects of disinformation on different

segments of the population. One leading investigator has argued that the concept of misinformation should be set aside by researchers in favor of "detection and measurement systems we need to observe how the information environment is changing and how that impacts real-world outcomes."[128] Such ambitious initiatives would aim to capture the larger information environment rather than discrete interventions by foreign or domestic actors.[129] Until such an agenda bears fruit, many of the unknowns regarding information operations will remain.

Whatever the first-order effects of malign foreign influence, however, its second-order effects, eroding support for democratic institutions and increasing distrust of political leaders, are often serious. In a survey experiment with a sample of U.S. adults, political scientists Michael Tomz and Jessica Weeks found that foreign meddling in elections "can have profoundly negative and divisive effects on confidence in American democracy," a result that confirmed one outcome of Russian interference in the 2016 U.S. presidential election.[130]

RESPONSES TO MALIGN INFLUENCE

In the absence of better information on the effects of malign foreign influence, designing and recommending appropriate responses should be approached with a degree of humility. That humility should also encourage Americans to put aside their faith in exceptionalism and learn from the successful strategies of other countries.

Increasing Transparency and Accountability

In curbing malign foreign influence, many recommendations converge on the need for greater transparency. One useful list that would close loopholes that allow covert finance to influence U.S. politics includes reporting requirements for campaign contacts with foreign powers, disclosure of foreign donors to nonprofits in order to limit dark money, and disclosure of online political ad buyers and foreign funding of media outlets.[131] Recent legislation to require the revelation of beneficial owners, directed to curbing illicit financial flows, could make the channels through which foreign money can enter U.S. politics more transparent. The Fighting Foreign Influence Act, introduced with bipartisan sponsorship in 2022 and again in 2024, mandates the disclosure of "high dollar gifts" to tax-exempt organizations (including think tanks) from foreign governments or political parties and requires that online campaign contributors have a valid U.S. address.[132] The Democracy Is

Strengthened by Casting Light on Spending in Elections (DISCLOSE) Act, reintroduced in 2023, targets dark money and contains provisions directed at curbing foreign influence via elections; specifically, that companies spending money in elections disclose beneficial owners and that organizations identify those behind political ads.[133]

FARA, which remains central to ensuring foreign influence transparency, requires reform. The modernization proposed by the American Bar Association (ABA) Task Force would allow the U.S. government, through FARA, to concentrate on the most significant foreign influence threats to democracy. Dispensing with the label of "foreign agent" in favor of "foreign representative," would remove the stigma of FARA registration and eliminate confusion in the media and the public between legal representation and illegal activities, such as bribery or espionage. Narrowing the definition of foreign "principal" to include foreign governments, political parties, and those acting on their behalf would concentrate enforcement on foreign influence of greatest concern and reduce FARA's negative effects on beneficial cross-border collaboration by nonstate actors. Business would oppose an elimination of the Lobbying Disclosure Act (LDA) and commercial exemptions, but the ABA Task Force suggests reducing the LDA "loophole" by harmonizing its registration requirements with FARA.[134] Reforms of FARA would also contribute to the democracy promotion agenda by distinguishing U.S. regulation of foreign influence from authoritarian legislation that weaponizes and stigmatizes foreign agents.[135]

Other proposals have gone beyond enhancing transparency. The Stop Helping Adversaries Manipulate Everything (SHAME) Act would have legislated bans on any lobbying or representational services for "countries of concern," a list that includes Russia and China. It would have also excluded representation of any corporation directly or indirectly controlled by a foreign adversary. This approach, which argues that transparency is not enough, challenges the value of lobbying and representation beyond diplomatic channels and its role in democratic debate—debate that would include rivals or adversaries as well as other foreign participants.

In the absence of legislated transparency, codes of conduct for political and institutional actors can serve as substitutes. Standards of donor disclosure, funding transparency, and potential conflicts of interest have been proposed for think tanks.[136] A similar recommendation has been made for "robust and institutionalized transparency" in reporting gifts to universities coupled with broader accountability that includes students and faculty.[137] The consumers of research and

policy recommendations should be protected by clarity in the foreign sponsors of research and the affiliations of researchers. University contracts to establish branch campuses in authoritarian states should also be made public, allowing scrutiny of the explicit and implicit bargains that could impair academic freedom and the export of liberal values. However, legislated requirements for broader reporting by universities of foreign contracts and memoranda of understanding could increase transparency, but at substantial administrative cost, especially for smaller academic institutions. Centralized reporting, rather than the current fragmented, agency-by-agency approach, would both reduce the burden of reporting and enhance access to this information.

Transparency can also offset authoritarian carrots and sticks that cause international corporations to self-censor and comply with authoritarian preferences. Disclosure of the measures that an authoritarian government has threatened is required before a careful evaluation can be made of the likelihood that those threats will be carried out. Trade associations and governments should certainly assist with such risk assessments; civil society organizations can threaten to impose reputational costs that could outweigh the economic costs imposed by the autocrat.

Transnational repression is another arena of malign foreign influence that requires both new legislation and government outreach for effective countermeasures. Governments at every level in the United States have inadequate data on transnational repression. They will require additional engagement with and public outreach to diaspora communities in order to encourage reporting of incidents of repression and to obtain assistance in enforcement.[138]

Effectiveness in countering transnational repression and other malign foreign influence through a reformed transparency regime will depend on a transparency and accountability ecosystem that includes civil society actors (investigative journalists and NGOs) as well as adequate resources for government agencies tasked with enforcement. Allocation of resources within the accountability ecosystem should also evolve with better understanding of the instruments of influence that are most damaging to democratic governance.

Responding to Authoritarian Disinformation Campaigns: Reducing the Knowledge Deficit

In responding to authoritarian disinformation campaigns, measuring what works is as difficult as assessing the effects of those campaigns. One

recent experimental study concluded that "practitioners have a plentiful toolbox of intervention approaches to choose from when working to combat misinformation belief and spread."[139] Others are more skeptical. One evaluation of effective responses concluded that more nonexperimental ("real world") studies are needed as well as assessment of both measures taken by social media platforms and countermeasures directed toward the creators of disinformation rather than consumers.[140] Another comprehensive survey concluded that "none of the interventions considered . . . were simultaneously well-studied, very effective, and easy to scale." Its authors recommend that attention should instead be directed to the larger media and information environment and less fashionable fixes such as reviving local journalism and improving media literacy.[141] As critical elections approach, pre-bunking—inoculating publics to likely disinformation before it is encountered—has been advanced as an alternative to responses that concentrate on disinformation as it occurs.[142] The threat posed by AI-generated images in disinformation campaigns has produced calls for watermarking images, but that solution alone is unlikely to be sufficient.[143] There are no silver bullet responses to malign campaigns on social media; innovation and evaluation will be constants as novel disinformation instruments emerge.[144] Although foreign organizations operating abroad have no First Amendment rights in the United States, the potential value of information provided by foreign actors should be a guide: foreign influence can be part of the national conversation, so long as it is identified as such and is not intended to harm democratic institutions or U.S. citizens.

A Whole-of-Society Approach to Countering Malign Foreign Influence

The experience of other societies that have confronted powerful foreign influence campaigns highlights the importance of a unified and multilayered approach. As malign foreign influence often aims to undermine trust in government institutions, the role of civil society and corporations, especially social and traditional media, is central. Taiwan, an open, democratic society, has been the subject of repeated, intensive influence operations by China. Its successful elections and maintenance of citizen trust in its government are owed in part to NGOs that have exposed and combated disinformation. In Australia, civil society, including the Chinese Australian community, provided essential leadership in countering unwelcome Chinese influence and transnational repression.[145] Successful responses to Russian disinformation in the Czech Republic and Estonia also relied on local think

tanks and civil society, deploying fact-checking and investigative journalism as countermeasures.[146] Given the central role played by CSOs in addressing disinformation, strengthening their capacity becomes a core countermeasure to malign foreign influence.[147]

In light of this record of civil society success across targeted countries, all more exposed and smaller than the United States, recent attacks on similar organizations in the United States are both disturbing and damaging to the United States' capacity to counter malign foreign influence. The creation of the Disinformation Governance Board, a small coordinating agency within the Department of Homeland Security, and its first director, were attacked as "Orwellian" by critics on both the left and the right; the agency was shelved.[148] The next targets of an effective campaign, led by Republicans in the House of Representatives and Elon Musk, were the State Department's Global Engagement Center as well as scholars and CSOs prominent in investigating and exposing disinformation. The result was a temporary suspension of cooperation between those organizations, which also saw their funders withdraw, and federal agencies. The collaboration of government, CSOs, and social media companies that had proven so effective elsewhere appeared to be crumbling in the United States.

RISKS OF COUNTERMEASURES AGAINST FOREIGN INFLUENCE

Countermeasures, whether effective or not, pose at least four risks of ancillary damage: overselling the threat, politicizing enforcement, directing xenophobia against diasporas, and damaging beneficial international relationships.

Overselling the Threat

The damaging second-order effects of disinformation have been identified by Thomas Rid: "... [If] a targeted community believes that a disinformation campaign was a major success, then it has made it a major success."[149] The belief that an election, other political processes, or a politician has been influenced by a foreign actor aggravates distrust of democratic institutions, a phenomenon that the United States witnessed as a result of Russian interference in the 2016 election.[150] Election threats are important, given the central role of elections in democratic governance, but foreign influence efforts should be evaluated carefully

over time and across democratic institutions, including state and local governments. Exaggeration of the threat of foreign influence only serves the corrosive aims of malign actors.

Wielding Foreign Influence As a Way of Silencing Political Opponents

Linked to this risk is the possibility that disclosure, under FARA and other provisions, could be used to attack political opponents as foreign agents. To avoid such abuse, Nick Robinson, senior legal advisor at the International Center for Not-for-Profit Law, endorses FARA reforms to make clear that its provisions only apply to agents of a foreign government and are narrowed to cover only certain types of political activity.[151] All sides in debates over foreign influence have cited human rights to defend their positions. Attempts to remove illegal foreign political contributions through disclosure requirements imposed on dark money vehicles have collided with privacy rights, which the Supreme Court has defined expansively to protect individuals from unwarranted government scrutiny. TikTok has made free speech arguments central to its effort to overturn the sell-or-ban legislation in the courts, and social media has become a contentious site for arguments over what kind of foreign content should be removed, a debate that has implications for other liberal democracies.[152]

Backlash and Xenophobia: The Risk to Diasporas

The search for foreign influence has often led to immigrant communities, whether they maintain connections to their country of origin or not. As political consensus supporting confrontation with China has hardened, Chinese Americans and permanent residents have been targeted as likely agents of influence. The China Initiative and its aftermath have been damaging to Asian American scientists, who now fear that "they could fall under suspicion simply for doing science while Chinese."[153] Researchers of Chinese descent, who could most easily build beneficial research collaborations with Chinese scholars, are now less likely to take part in cross-border cooperation in areas of mutual concern, such as public health and climate change.[154] Campaigns that enhance suspicion of law enforcement among diasporas will also undermine collaboration in countering transnational repression and other malign foreign influence.

Damage to Beneficial International Relationships

Because globalization created an expansion of channels for foreign influence, one radical solution is deglobalization, a decoupling from societies governed by authoritarian regimes by restricting exchange and collaboration. That extension of the logic of the China Initiative and other measures, such as the termination of the Fulbright program in China, represents yet another risk, perhaps the greatest one, associated with misplaced countermeasures directed at foreign influence.

CONCLUSION: FOREIGN INFLUENCE, DOMESTIC SOLUTIONS

Resilience has become an overused term in the era of climate change and supply chain disruptions, but its application to responses to foreign influence is appropriate. Malign foreign influence would be reduced or eliminated by addressing shortcomings in U.S. democracy. Loopholes in existing campaign finance law and its enforcement create the risk of foreign money influencing U.S. election campaigns. Fears that foreign governments will access user data from social media platforms, a major argument for the forced divestiture of TikTok, would be eliminated if the United States enacted strict data privacy regulations applicable to all platforms, domestic and foreign. Social media platforms are often portrayed as the principal avenue for unwelcome foreign influence, but their algorithms can amplify extremist content without the intervention of foreign governments. Civic education directed to better assessment of misinformation and disinformation, whatever the source, would be beneficial to U.S. democracy. The erosion of a competitive media environment, particularly local sources of news, long predated the appearance of Russia's Internet Research Agency. The development of codes of conduct and accountability mechanisms to ensure that large donors will not exercise undesirable influence over universities and think tanks would strengthen the credibility of those institutions whether the funds were foreign or domestic. Reaching out to immigrant communities and protecting them from domestic stigmatization should be a priority, even if they are not currently the target of transnational repression or unwelcome foreign influence operations.

Contending successfully with the risks of malign foreign influence requires domestic consensus that has often been ephemeral or impossible. As scholars have shown and recent U.S. experience has demonstrated, the response of citizens to foreign interference, even meddling

in elections, is shaped by their partisan affiliations: Does the intervention help my side or my opponent's?[155] Nevertheless, the U.S. Congress reached bipartisan consensus on sanctioning Russia for its interference in the 2016 presidential election, despite the opposition of President Trump and his administration.[156] Consolidating such a consensus on the parameters of unwelcome and unacceptable foreign influence as well as appropriate responses will be difficult in a polarized political environment. Without such minimal agreement, however, political division will provide a ready entry point for malign foreign actors.

International lawyers have argued that foreign interference in domestic politics, and particularly election interference, is a violation of international law. Which international legal principles are violated continues to be debated: sovereignty, nonintervention, and self-determination are advanced as candidates.[157] In a world deeply divided between democracies and authoritarian regimes, achieving a global consensus on the boundaries of acceptable foreign influence is even more unlikely than reaching a domestic consensus. Nevertheless, supporting an international debate on the benefits and limits of foreign influence—and the norms that should govern foreign influence—could provide a platform for democracies to advance the aim of societies that remain open and secure in setting their own futures.

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