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The coming of the storm: moral panics, social media and regulation in the QAnon era

Mark O'Brien 

The City Law School, City, University of London, London, UK

ABSTRACT

The presidency of Donald Trump was marked by a period of populist and sometimes extremist right-wing policies and rhetoric, and an escalation of 'culture wars' between the left and right in politics and society. He also gained the devoted support of numerous right-wing and so-called alt-right groups, such as QAnon, a conspiracy theory group that first emerged in 2017. This paper takes the novel approach of exploring the existence of a moral panic having formed around the activities of QAnon itself. I suggest that the current regulatory discourses around QAnon are flawed, with insufficient attention being paid to a wider range of extremist groups in assessing how to regulate extremist speech and action.

KEYWORDS

QAnon; moral panic; Donald Trump; capitol insurrection; hate speech; regulation

Introduction

Donald Trump's elevation to the presidency of the United States in November 2016 was, as is well-documented, assisted by his ability to tap into sections of society who felt fearful, left-behind, and marginalised by mainstream politics¹ – an outlook mirrored elsewhere in the world in recent years by the rise of populist, alternative, so-called alt-right leaders.² His presidency advanced often populist, sometimes extremist rhetoric and policies, such as that surrounding his controversial policy to 'build a wall' on the border between the United States and Mexico, was frequently controversial due to the advancing of demonstrably untrue statements (or 'alternative facts', in the words of former Counsellor to the President, Kelly-Ann Conway.³) His term in office climaxed with his asserting that the 2020 Presidential election was 'rigged' to ensure his defeat, and with the now infamous storming of the Capitol on 6 January 2021 by his supporters. following a speech to supporters.

CONTACT Mark O'Brien  mark.obrien@city.ac.uk

¹T Ferguson and others, 'The Roots of Right Wing Populism: Donald Trump in 2016' (2020) 49 *International Journal of Political Economy* 2, 3; T Rudolph, 'Populist Anger, Donald Trump and the 2016 Election' (2021) 1 *Journal of Elections, Public Opinion and Parties* 33; for an example of media reportage, see S Collinson, 'The GOP's Devotion to Trump Threatens to Destroy American Democracy' *CNN News* (4 May 2021) – it is worth noting that Donald Trump frequently criticized news outlet CNN's coverage of him and his agenda <<https://edition.cnn.com/2021/05/04/politics/donald-trump-gop-democracy/index.html>> accessed 21 October 2021.

²B Teitelbaum, 'Tremors from Afar: Negotiating the rise of Donald Trump on Sweden's Populist Right' (2019) 53 *Patterns of Prejudice* 5, 534; A Biro-Nagy, 'Orban's Political Jackpot: Migration and the Hungarian Electorate' (2022) 48 *Journal of Ethnic and Migration Studies* 405.

³NBC News, 'Meet the Press' (22 January 2017).

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A significant aspect of Trump's unique, iconoclastic style was the cult-like devotion that he enjoyed – and at the time of writing, still enjoys – from certain sections of the United States population and his Republican Party voters.⁴ This article focuses upon issues pertaining to one of the groupings that has become associated with him: the QAnon cult. In the latter stages of his presidency, this cult was the subject of considerable media reportage, especially in the period from his loss of the Presidential election in November 2020, a result which he did (and, at point of writing, still does) contest, up to and after the assault on the Capitol of 6 January 2021 by Trump supporters. This assault on the Capitol followed a speech made by President Trump as part of his continued campaign to dispute the election outcome. The assault has been closely connected by the media and others to QAnon, possibly in part due to the visibility of leading QAnon figures, QAnon imagery at the attack itself, and prior social and other media narratives.

Following the Capitol attack, there was considerable media coverage of risk posed to the state and democracy by QAnon, attribution of blame to QAnon adherents, which I will contend has the hallmarks of a moral panic. Moreover, there was extensive discussion of regulation pertaining to the group, culminating in the banning of the President from mainstream social media, along with 70,000 alleged QAnon adherents.

There is a developing body of academic and wider literature on the rise of QAnon being attributable to adherents' moral panic-style fears relating to the desire to protect children from harm, demonisation of outsiders, and fears about devil-worship all contributing to the 'rise' of QAnon.⁵ However, a sustained examination of the rise in a moral panic in reaction to QAnon itself, particularly in light of the Capitol attack has not, hitherto, taken place. Therefore, this article makes an original contribution by taking the novel approach of exploring the possible formation of a moral panic *around the perceived roles and activities of QAnon itself* in the latter days of the Trump presidency and thereafter. In analysing this, I argue the following:

- (1) The media reportage of QAnon itself, and the labelling of this amorphous entity *itself* as a 'folk devil' has all the classic hallmarks of a moral panic. It will be argued this has created a potential misstatement or overstatement of the risk posed to security and democracy by QAnon *as an entity*; a disproportionate (mass) media response; and an inappropriate reaction in the form of suggested and actual regulatory responses.
- (2) As a consequence of a moral panic about QAnon, there is an apparent conflation in the eyes of the media about the different issues at play in this sphere, such that there is a conflation of Q Anon with issues such as concern about child abuse, devil worship, white supremacist views, and so forth. Although certainly sometimes overlapping with Q Anon adherence, belief in one or more of these elements does not *automatically* confer a belief in other Q Anon tenets, or even Q Anon itself, in exactly the same

⁴J Kaplan, 'A Conspiracy of Dunces: Good Americans Versus a Cabal of Satanic Pedophiles' (2021) 33 *Terrorism and Political Violence* 6, 917; K Valaskivi, 'Circulation of Conspiracy Theories in the Attention Factory' (2022) *Popular Communication* <<https://doi.org/10.1080/15405702.2022.2045996>>.

⁵S Clarke, 'Is There a New Conspiracism?' (2022) *Social Epistemology* <<https://doi.org/10.1080/02691728.2022.2057369>>; D Robertson and A Amarasingham, 'How Conspiracy Theorists Argue: Epistemic Capital in the QAnon Social Media Sphere' (2022) *Popular Communication* <<https://doi.org/10.1080/15405702.2022.2050238>>; J Evans, 'Folk Devils and Fear: QAnon Feeds into a Culture of Moral Panic' (25 October 2020) <<https://theconversation.com/folk-devils-and-fear-qanon-feeds-into-a-culture-of-moral-panic-148606>> accessed 21 October 2021.

way as believing in Q Anon does not automatically necessitate belief in the activities discussed.

- (3) This conflation arguably causes the simplistic assumption that holding (possibly misguided, possibly completely detached from truth) concerns or views such as a fear of satanism, advocacy of white supremacy, a fear of child abuse rings or similar are synonymous with QAnon adherence, when they are not. Indeed, devil worship fears, the othering of groups, and child safety concerns have been long-established parts of the moral panic terrain in the United States, United Kingdom and a range of countries, especially in the Global North, for more than forty years.⁶ In the case of racism and witchcraft this link has been established much longer, and in both cases *quite separately from* the recent emergence of QAnon.

Therefore, I argue that regulating Q Anon *alone* will not necessarily address or resolve the wider, underlying factors of racist thought, or misguided beliefs as to the ‘true’ extent of paedophilia or satanic abuse and so forth that in reality lie behind the activities that give rise to the moral panic discussed here.⁷ The moral panic has also, I suggest, resulted in the creation of a flawed legal and regulatory discourse – skewed by virtue of the media coverage of QAnon to one of a focus of restriction largely upon QAnon and not necessarily other complicit groups – where arguably regulation is more likely to fail, except when it operates by chance or serendipity.

Moreover, I argue that a form of regulation that focuses on QAnon impacts upon free speech. As will be seen, this is problematic not only because of an inappropriate targeting, but also because the regulation in this sphere hitherto has largely not been by the state, but by private sector entities, whose motivations *may* differ from those of a democratic government wishing to balance free speech and security, say, via a transparent legislative process and lawmaker debate.

In short, regulation on the basis of sects, rather than on the basis of an identified dangerous action or actions, arguably undermines freedom and the administration of justice.

Moreover, this article seeks to contribute to the development of the theoretical frame pertaining to moral panics, that is the demonising of a particular group, event, or sub-culture such that it becomes defined, as the creator of the concept articulated, as a ‘threat to societal values and interests’⁸: in the presence of a mainstream media-led moral panic relating to QAnon after the January 2021 attack on the Capitol, I argue there is a partial re-emergence of a ‘traditional’ conception of moral panics. By this, I mean a panic that is led by dominant, traditional media forces, via a ‘vertical relationship’ (Garland),⁹ as envisaged in the early, ‘classical’ panic theoretical developments outlined by Cohen.¹⁰ I contend that the documented rise of new and varied media outlets, and latterly user-generated social media content, facilitating a more equal ‘culture wars’ style fight-back by demonised groups, as envisaged initially by the seminal work of McRobbie

⁶For example, J Walsh, ‘Desired Panic: The Folk Devil as Provocateur’ (2020) 41 *Deviant Behavior* 9, 1192.

⁷Robertson and Amarasingham (n 5).

⁸S Cohen, *Folk Devils and Moral Panics: The Creation of the Mods and the Rockers* (3rd edn Routledge, 2002) 1.

⁹D Garland, ‘On the Concept of Moral Panic’ (2008) 4 *Crime, Media, Culture* 1, 9.

¹⁰Cohen (n 8).

and Thornton,¹¹ in this instance does not appear to operate in the oppositional ways envisaged, in part because of the banning of some social media presence. Therefore, the contours of the current panic might point to a re-assertion in some instances of traditional 'vertical' moral panic dynamics over more modern culture wars – orientated 'battles of the panics', even in the modern, social media-dominated world.

QAnon: from the fringe to 'folk devil'¹²

QAnon is a right-wing conspiracy theory that has identifiably been circulating online since 2017,¹³ but is thought to have its origins in the – debunked – 'Pizzagate' conspiracy of 2016.¹⁴ This foreshadowed the complex interconnected misrepresentations, half-truths and outright fantasies that would become all-too-common in subsequent social media developments around QAnon. 'Pizzagate' originated on 4chan, a right-wing/ extreme website and message board, and stemmed from the Wikileaks release of emails from John Podesta, the Chairman of Secretary Hillary Clinton's 2016 presidential election campaign. James Alefantis, the owner of the 'Comet Ping Pong' pizza parlour in Washington DC was referred to in connection with Party fund-raising events in the release of this email stash. Alefantis was a supporter of the US Democratic Party, and donor to the campaigns both of President Barack Obama and Secretary Clinton. The Wikileaks information led to the posting of conspiracy theories on 4chan, derived in part it appears from Mr Alefantis's modern art collection in his restaurant.¹⁵ These theories, which were without foundation, placed the restaurant at the centre of an alleged paedophile sex ring of Democrat politicians and political donors, which allegedly took place in the restaurant's basement. (The building did not have a basement.) This led to protests taking place outside the restaurant. Further allegations were posted in the (slightly) more mainstream forum of a subreddit post in early November 2016, whereupon a wider campaign of online intimidation began.¹⁶ This culminated in North Carolinian Edgar Welch equipping himself with a rifle and entering the restaurant allegedly to 'save' incarcerated children who were subject

¹¹A McRobbie and S Thornton, 'Rethinking Moral Panic for Multi-Mediated Social Worlds' (1995) 4 *British Journal of Sociology* 16, 559.

¹²See n 10. The concept of the 'folk devil' was devised by Cohen to be applied to groups in society whom others in society blame for a societal problem.

¹³N Smith, 'A Quasi-Fideist Approach to QAnon' (2022) *Social Epistemology* <<https://doi.org/10.1080/02691728.2022.2025947>>; B Rhode, 'In Paranoid Style: The Last Days of Trump' (2021) 63 *Global Politics* 1, 213; M Wendling, 'QAnon: What Is It and Where Did It Come from?' *BBC News* (2021) <www.bbc.com/news/53498434> accessed 15 October 2021.

¹⁴J Kline, 'C.G.Jung and Norman Cohn Explain Pizzagate: The Archetypal Dimension of a Conspiracy Theory' (2017) *Psychological Perspectives* <<https://doi.org/10.1080/00332925.2017.1314699>>; J Kline, 'Eat My Flesh, Drink My Blood: Archetypal Elements in the QAnon Conspiracy' (2021) 15 *Jung Journal* 3, 36.

¹⁵M Wendling, 'The Sage of "pizzagate": The Fake Story that Shows How Conspiracy Theories Spread' *BBC News* (2 December 2016) <www.bbc.co.uk/news/blogs-trending-38156985> accessed 15 October 2021; A Robb, 'Anatomy of a Fake News Scandal' *Rolling Stone* (16 November 2017) <www.rollingstone.com/feature/anatomy-of-a-fake-news-scandal-125877/> accessed 15 October 2021.

¹⁶E Sozeri, 'How the Alt-Right's PizzaGate Conspiracy Hid Real Scandal in Turkey' *Daily Dot* (23 November 2016) <www.dailydot.com/debug/pizzagate-alt-right-turkey-trolls-child-abuse/> accessed 15 October 2021, provides an insight into some of the routes by which these claims were disseminated and gained traction in the internet environment. She reports that five mainstream Turkish media outlets, supportive of the Erdogan government, ran stories at this time about 'PizzaGate', utilising the images and claims from a by-then subReddit thread relating to the conspiracy theory. Sozeri notes that the story may have been deployed for domestic political reasons, and in part to divert attention from a child abuse scandal in Turkey allegedly linked to a religious organisation and the Turkish government: E Sozeri, 'Turkish Court Orders 860 Tweets Censored by Child-Rape Scandal' *Daily Dot* (12 April 2016) <www.dailydot.com/debug/turkcell-twitter-censorship-protest-ensar-foundation/> accessed 15 October 2021.

to child abuse.¹⁷ He found none. In January 2019, a small fire at the restaurant was extinguished, which according to the United State Bureau of Alcohol, Tobacco, Firearms and Explosives was ‘a deliberately set fire’.¹⁸

The origins of QAnon itself also stem from the far-right/ alt-right website 4chan (and, when this was regulated, 8chan and its successor website 8kun), in this instance from the ‘Politically Incorrect’ page of 4chan.¹⁹ At 20.33 EST on 28th October 2017, a user posted a thread that said ‘Hillary Clinton will be arrested between 7:45AM – 8:30AM EST on Monday – the morning on Oct 30, 2017.’ (The style ‘Q’ is thought to refer to a security clearance level categorisation in one US federal government department, and it is worth noting that the posts immediately after the above.) Amarasingham and Argentino note²⁰ that the claim made by Q to be a government official imparting top secret information was not unique: previously, several 4chan posts had appeared claiming similar status, including FBIAnon, CIAAnon, and WHInsiderAnon (presumably a reference to the US White House.) Indeed, reaction to the initial post on the 4chan forum was sceptical, with ‘Q’ posting in the same thread ‘I am not a “bad larp (*sic.*)” Nor do I have any interest in proving my legitimacy’ and ‘I’m telling you guys Hillary is getting arrested and no-one believes just like the media do not.’ Zadrozny and Collins have argued that the posts of Q, as distinct from the other posters claiming to have insider knowledge previously mentioned, gained publicity because of the work of a group of 4chan moderators and a social media influencer to facilitate the conspiracy theory gaining greater media traction,²¹ and according prominence to the increasingly cryptic and opaque posts from ‘Q’ on 4chan and the websites 8chan/ 8kun, which were later dubbed ‘Q drops’.²²

Whatever the origins of the prominence of QAnon, commonly accepted tenets of Q Anon thinking appear to be (disproven and in any case somewhat fanciful) claims that a secret group of devil-worshipping paedophile Democrat politicians, and media and film industry figures, were secretly conducting a global child sex-trafficking ring. Furthermore, it is claimed that while he was in office, President Donald Trump was running a secret worldwide campaign to fight this alleged group, with the conspiracy theory en route weaving in a debunking of allegations of Russian interference in the US election of 2016 (QAnon’s adherents arguing the interference was faked and was part of a plan to frustrate a coup spearheaded by Democrats), and developing a narrative around the earlier Pizzagate conspiracy (the false claim being that the above group’s child sex rings were run from pizzerias.) Other events that told place in the world were made

¹⁷M Jensen and S Kane, ‘QAnon-Inspired Violence in the United States: An Empirical Assessment of a Misunderstood Threat’ (2021) *Behavioural Sciences of Terrorism and Political Aggression* <<https://doi.org/10.1080/19434472.2021.2013292>>.

¹⁸D Romero, ‘Authorities Seek Man in Arson Fire at “Pizzagate” Eatery’ *NBC News* (26 January 2019) <www.nbcnews.com/news/us-news/authorities-seek-man-arson-fire-pizzagate-eatery-n963206> accessed 15 October 2021.

¹⁹E Zuckerman, ‘QAnon and the Emergence of the Unreal’ (2019) *Journal of Design and Science* 6; I Komola, ‘QAnon and the Digital Lumpenproletariat’ (2021) *43 New Political Science* 2, 231. Also, T Shane, ‘The Rise of Gaslighting: Debates about Disinformation on Twitter and 4chan, and the Possibility of a “Good Echo Chamber”’ (2022) *Popular Communication* <<https://doi.org/10.1080/15405702.2022.2044042>>.

²⁰A Amarasingham and M-A Argentino, ‘The QAnon Conspiracy Theory: A Security Threat in the Making?’ (2020) *13 CTC Sentinel* 7, 37.

²¹B Zadrozny and B Collins, ‘How Three Conspiracy Theorists Took “Q” and Sparked QAnon’ *NBC News* (14 August 2018) <www.nbcnews.com/tech/tech-news/how-three-conspiracy-theorists-took-q-sparked-qanon-n900531> accessed 10 October 2021.

²²J McIntosh, ‘The Sinister Signs of QAnon: Interpretive Agency and Paranoid Truths in Alt-Right Oracles’ (2022) *38 Anthropology Today* 1, 8; S Venkataramakrishnan, ‘QAnon a Year After Q’ *Financial Times* (8 December 2021).

subject to the group's online conspiracy theories, and vehicles for untrue conspiracies and racist tropes. One example of this was the Q Anon online response to the huge explosion in a port warehouse in Beirut on 4 August 2020, which was caused by ammonium nitrate stored there – QAnon conspiracy theorists instead tried to construct an online narrative that the Rothschilds, an originally Frankfurt-based Jewish family that established a financial empire from the 1760s, owned the Central Bank of Lebanon, and caused the explosion to conceal issues pertaining to the country's financial woes. All these claims were untrue.²³

The QAnon movement also spread outside its origins in the United States, including to the UK,²⁴ France, Japan²⁵ and Germany. In 2019, it was labelled 'a likely source of terrorism' in the USA by the FBI.²⁶ Nevertheless, the group expanded significantly, both in its alt-right birthplace, but also via more mainstream social media. It also was becoming particularly visible amongst Trump supporters, with President Trump referring to them in a speech in 2018 for the first in a number of times, and increasingly in the United State Republican Party itself. It is claimed by Nguyen that during his presidency, Trump had mentioned or re-tweeted the Twitter accounts of over 150 Q Anon followers or supporters.²⁷ A settled QAnon narrative became the claim that, in order to address the supposed Satan-worshipping paedophile elite, President Trump had been planning a 'day of reckoning' (dubbed 'the Storm'), where thousands of members would be arrested and executed.²⁸

As well as increased interest in QAnon from law enforcement agencies, some of the social media outlets on which dissemination of QAnon ideas took place considered regulatory action due to a perceived rapid spread of QAnon ideas and theories. An investigation by the British newspaper *The Guardian* in August 2020 claimed over 170 identified QAnon groups, pages and accounts.²⁹ A month before the November 2020 US Presidential election, Facebook banned Facebook pages and Instagram accounts that 'represented' QAnon,³⁰ though this did not apply to users who posted about QAnon matters, but did not *explicitly* refer to themselves as supporters of QAnon.

²³C Goforth, 'QAnon has an Anti-Semitic Theory Behind the Beirut Explosion' *Daily Dot* (5 August 2020) <www.dailydot.com/debug/qanon-beirut-explosion-rothschild-bank/> accessed 16 October 2021.

²⁴S Sardarizadeh, 'What's Behind the Rise of QAnon in the UK?' *BBC News* (13 October 2020) <www.bbc.co.uk/news/blogs-trending-54065470> accessed 10 October 2021.

²⁵Thompson notes J-Anon, Japan's QAnon equivalent, was in part empowered by Japan's history of cultism including the doomsday cult 'Qum': N Thompson, 'What Drives 'J-Anon, QAnon's Japanese Counterpart' *Global Voices* (13 January 2021) <<https://globalvoices.org/2021/01/13/what-drives-j-anon-qanons-japanese-counterpart/>> accessed 16 October 2021, and J Ryall, 'Why the Pro-Trump QAnon Movement is Finding Followers in Japan' *Deutsche Welle* (25 January 2021) <www.dw.com/en/why-the-pro-trump-qanon-movement-is-finding-followers-in-japan/a-56333553> accessed 16 October 2021.

²⁶J Winter, 'FBI Document Warns Conspiracy Theories are a New Domestic Terrorism Threat' *Yahoo! News* (1 August 2019) <<https://news.yahoo.com/fbi-documents-conspiracy-theories-terrorism-160000507.html>> accessed 16 October 2021.

²⁷T Nguyen, 'Trump Isn't Secretly Winking at QAnon. He's Retweeting its Followers' *Politico* (7 July 2020) <www.politico.com/news/2020/07/12/trump-tweeting-qanon-followers-357238> accessed 16 October 2021.

²⁸R Horowitz, 'Trump and the Deep State' (2021) 42 *Policy Studies* 5–6, 473; Jensen and Kane (n 17).

²⁹JC Wong, 'Facebook Groups Are Growing at a Rapid Pace Around the World' *The Guardian* (11 August 2020) <www.theguardian.com/us-news/2020/aug/11/qanon-facebook-groups-growing-conspiracy-theory> accessed 16 October 2021. Wong details over 170 groups, pages and accounts on Facebook and Instagram with QAnon content, which she claims have more than 4.5 million followers (NB: this is an aggregated number, and does not preclude the possibility that many of these sites may have the same followers).

³⁰H Innes and M Innes, 'Deplatforming Disinformation: Conspiracy Theories and Their Control' (2021) *Information, Communication and Society* <<https://doi.org/10.1080/1369118X.2021.1994631>> JC Wong, 'Facebook to Ban QAnon-Themed Groups, Pages and Accounts in Crackdown' *The Guardian* (6 October 2020) <www.theguardian.com/technology/2020/oct/06/qanon-facebook-ban-conspiracy-theory-groups> accessed 16 October 2021.

Support for the ideas of QAnon appears to extend to some sections of the Republican Party. It has been claimed that large numbers of the party faithful adhere to some of QAnon's core tenets. Sometimes QAnon supporter Marjorie Taylor Greene won a Georgia Congress seat in November 2020, and Ron Watkins, posited by some sources as 'the creator of QAnon' – a claim which he denies – announced in October 2021 that he was planning to be a Republican candidate for Congress in Arizona.³¹

The 2020 presidential election, and the capitol attack

A febrile political atmosphere resulted from the 2020 Presidential Election defeat of President Trump by former Democrat Vice-President Joe Biden, by the same significant Electoral College margin as that by which President Trump had won election four years previously. This atmosphere was fanned by President Trump and his supporters, who, having made numerous claims prior to the election that there was a likelihood of voter fraud,³² and that the only way that President Trump would lose was if the election was rigged by way of fraudulent mail-in voting and other tactics,³³ proceeded to make persistent, false claims that this is exactly what happened. He also refused to take the traditional path of conceding defeat to the election victor.³⁴ These actions led to mainstream social media sources such as Twitter and Facebook labelling the numerous tweets and posts from President Trump and his followers in the days and weeks following the election, and the resulting social media #StopTheSteal campaign, as 'potentially misleading'.³⁵ The election count itself had been marked by frequent and unsubstantiated allegation of mail-in and other voter fraud and ballot box tampering across numerous states, much of which spread to, and was propagated by, social media.³⁶ In the period immediately following President Trump's defeat, he and his supporters made numerous allegations, including regarding some precincts having more votes than registered voters; votes being 'flipped' from President Trump to Vice-President Biden by means including alleged irregularities with voting machines; that voting machines were 'owned' by Democrats; that there were irregularities in vote-counting of in-person ballot papers; and that fraud was committed by electoral rolls containing large numbers of deceased citizens.³⁷

³¹R Ruelas, 'Ron Watkins, Believed to be the Creator of QAnon, Claims He's Running for Congress in Arizona' *Arizona Republic* (15 October 2021) <<https://eu.azcentral.com/story/news/politics/arizona/2021/10/15/ron-watkins-qanon-claims-running-congress-arizona-kari-lake/8470286002/>> accessed 17 October 2021.

³²BBC News, 'Donald Trump Suggests Delay to 2020 US Presidential Election' *BBC News* (30 July 2020) <www.bbc.co.uk/news/world-us-canada-53597975> accessed 17 October 2021.

³³G Pennycook and D Rand, 'Research Note: Examining False Beliefs About Voter Fraud in the Wake of the 2020 Presidential Election' (2021) 2 *Harvard Kennedy School Misinformation Review* 2 <<https://dash.harvard.edu/handle/1/37367184>> accessed 16 October 2021.

³⁴J Scacco and K Coe, 'Securing the Guardrails of Democracy?: Accountability and Presidential Communication in the 2020 Election' (2021) 4 *Quarterly Journal of Speech* 423.

³⁵For example, N Bomey, 'Facebook, Twitter Label Trump Claims Over "Stealing the Election" as Potentially Misleading' *USA Today* (3 November 2020) <<https://eu.usatoday.com/story/tech/2020/11/03/trump-twitter-facebook-election-tweet-label/6157256002/>> accessed on 16 October 2021.

³⁶J Auerbach and S Pierson, 'Does Voting by Mail Increase Fraud? Estimating the Change in Reported Voter Fraud When States Switch to Elections by Mail' (2021) 1 *Statistics and Public Policy* 18. For an historical perspective, and to underline that this is not perceived to be a novel issue in US politics, see B Fogarty and others, 'The Media, Voter Fraud and the U.S. 2012 Elections' (2012) 32 *Journal of Elections, Public Opinion and Parties* 1, 46; M Holman and J Lay, 'They See Dead People (Voting): Correcting Misperceptions about Voter Fraud in the 2016 U.S. Presidential Election' (2019) 18 *Journal of Political Marketing* 1–2, 31.

³⁷BBC News, 'US Election 2020: Fact-Checking Trump Team's Main Fraud Claims' (23 November 2020) <www.bbc.co.uk/news/election-us-2020-55016029> accessed 17 October 2021.

Subsequently, concerted but unsuccessful efforts were made by Republicans to overturn the election result judicially. One example of this was the dismissal of an attempt by the Trump campaign to prevent the certification of Joe Biden as the winner of the Pennsylvania state vote. In his judgment, Judge Bibas wrote that:

Free, fair elections are the lifeblood of our democracy. Charges of unfairness are serious. But calling an election unfair does not make it so ... Charges require specific allegation and then proof. We have neither here.³⁸ By the time of President Biden's inauguration on 20th January 2021, over 50 legal challenges to the election results, brought by President Trump and his allies, had been dismissed, with over 60 cases being dismissed by April 2021.³⁹

There were also allegations of extra-judicial, overtly political attempts to overturn the election outcome, such as a telephone call made by President Trump to Brad Raffensperger, the Secretary of State for Georgia, in which Trump sought Raffensperger's agreement to switch the state's declaration of victory for Mr Biden, who won the popular vote narrowly, to Trump himself. Amongst the (unsubstantiated) arguments advanced by President Trump in a transcript of the telephone call was that 'we [Trump] won very substantially in Georgia. You even see it by rally size, frankly'⁴⁰ – a rather novel tool for measurement of the vote in a mature democracy.

It was against this backdrop of intense polarisation, social media claims and counter-claims, legal action and the approaching certification of President Biden's election win by the United States Senate on 6 January 2021, that online, largely far-right, groupings appeared to plan an assault on the United States Capitol. According to Woodward, these took place not only on websites such as 8kun, but also openly on 'mainstream' social media sites such as Reddit, Twitter and YouTube, presumably as individual discussion of such matters was unaffected by the prior ban on specifically QAnon-related pages. Moreover, Woodward identifies that an image entitled 'Operation Occupy the Capitol' was posted in various social media locations following the election result in 2020 and one day prior to the 6th January attack on the United States Capitol, a message was posted on 8kun to 'gather as many Patriots as can be'.⁴¹

As part of the ongoing campaign disputing the Presidential Election outcome, various pro-Trump supporters organised a rally in Washington DC, called 'Save America', for 6th January 2021. The primary organiser was a group called 'Women for America First', who had organised previous protests following President Trump's election defeat.⁴² Several thousands of supporters gathered to listen to President Trump give a speech at noon that lasted over an hour, during which he said 'we will stop this steal', 'we will never

³⁸T Hals, 'In a Fresh Blow to Trump, US Court Rejects Pennsylvania Election Case' (27 November 2020) <www.reuters.com/article/us-usa-election-lawsuit-pennsylvania-idUSKBN2872AZ> accessed 17 October 2021.

³⁹Reuters Staff, 'Fact Check: Courts have Dismissed Multiple Lawsuits of Alleged Electoral Fraud Presented by the Trump Campaign' (15 February 2021) <www.reuters.com/article/uk-factcheck-courts-election-idUSKBN2AF1G1> accessed 17 October 2021.

⁴⁰A Gardner and P Firozi, 'Here's the Full Transcript and Audio of the Call Between Trump and Raffensperger' *The Washington Post* (5 January 2021) <www.washingtonpost.com/politics/trump-raffensperger-call-transcript-georgia-vote/2021/01/03/2768e0cc-4ddd-11eb-83e3-322644d82356_sto> accessed 16 October 2021.

⁴¹A Woodward, "'Storm the Capitol': Violence Organised on Social Media as Warnings of Far-Right Post-Election Went Unheard' *Independent* (8 January 2021) <www.independent.co.uk/news/world/americas/us-politics/capitol-riot-was-openly-organized-on-mainstream-social-media-b1784703.html> accessed 16 October 2021.

⁴²Al-Jazeera News, 'US House Panel Subpoenas Organisers of January 6 Trump Rally' *Al-Jazeera News* (30 September 2021) <www.aljazeera.com/news/2021/9/30/us-house-panel-subpoenas-organisers-trump-january-6-rally> accessed 17 October 2021.

give up', 'our country has had enough', 'you will have an illegitimate President [...] and we can't let that happen', and 'if you don't fight like hell you're not going to have a country anymore'. He later said 'I know that everyone here will soon be marching over to the Capitol building to peacefully and patriotically make your voices heard.'⁴³ Following this, his supporters moved from the rally venue, along Constitution Avenue in Washington towards the Capitol building, and made their way through the police barricades, at around 1.30pm. At 2.15pm, members of the group broke into the Capitol itself by breaking windows and climbing in, opening other windows by which others entered the building. The rioters then proceeded to force their way further into the Capitol complex, entering Senate, and offices such as that of the House majority Leader, Congresswoman Nancy Pelosi. Media reportage showed rioters wearing pro-Trump 'Make America Great Again' insignia, as well as holding confederate flags and wearing clothes with the 'Q' insignia of QAnon. One of the most striking and enduring visual images from the day of the riot, amongst people wearing combat gear, superhero costumes, or dressed as Abraham Lincoln and others from US history, was Jake Angeli, the so-called Q Shaman, who was dressed in a fur headdress with horns, carrying a spear.⁴⁴ Five people died during the violence, including a police officer and four rioters.⁴⁵ There were corresponding outbreaks of violence in several state capitals at the same time.

These events, naturally, provoked significant reaction. The following day, President Trump issued a recorded statement condemning the violence and apparently conceding the election.⁴⁶ President-elect Joe Biden characterised the rioters as 'terrorists' and the events as 'one of the darkest days in the history of our nation'.⁴⁷ In the virtual world, Twitter⁴⁸ suspended the accounts of more than 70,000 accounts they associated with QAnon, Facebook banned 'Stop the Steal'-related material, Snapchat blocked Donald Trump's account, and YouTube blocked material that it considered incited violence.⁴⁹ President Donald Trump also was banned from mainstream social media, Twitter and Facebook. Moreover, the mysterious Q appears to have disappeared from sight following Donald Trump's election defeat, if indeed they ever existed.

⁴³S Cabral, 'Capitol Riots: Did Trump's Words at Rally Incite Violence?' *BBC News* (14 February 2021) <www.bbc.co.uk/news/world-us-canada-55640437> accessed 17 October 2021.

⁴⁴R Smith and A-M Santiago, 'The Storming of Washington DC: The City of Love Against the City of White Supremacy' (2021) 29 *Journal of Community Practice* 1,1; T McCauley, 'Race War or Culture War: The Diversity in Right-Wing Extremism' (2021) 14 *Dynamics of Asymmetric Conflict* 2 <<https://doi.org/10.1080/17467586.2021.1917771>>; E Sheppard, 'Pro-Trump Capitol Rioters Like the "QAnon Shaman" Looked Ridiculous – by Design' *NBC News* (13 January 2021) <www.nbcnews.com/think/opinion/pro-trump-capitol-rioters-qanon-shaman-looked-ridiculous-design-ncna1254010> accessed 16 October 2021.

⁴⁵K Evelyn, 'Capitol Attack: The Five People Who Died' *The Guardian* (8 January 2021) <www.theguardian.com/us-news/2021/jan/08/capitol-attack-police-officer-five-deaths> accessed 16 October 2021. Initially, it reported that a Capitol police officer was struck on the head and died of his injuries: however, a medical examiner later ruled that he had died from natural causes, in this instance a stroke.

⁴⁶M Choi, 'Trump Condemns Violence in Capitol Riots More Than 24 Hour Later' *Politico* (8 January 2021) <www.politico.com/news/2021/01/07/trump-condemns-capitol-riot-456207> accessed 16 October 2021.

⁴⁷NBC News, 'Capitol Riot Was One of the Darkest Days in the History of Our Nation' (7 January 2021) <www.nbcchicago.com/news/national-international/biden-capitol-riot-was-one-of-darkest-days-in-the-history-of-our-nation/2410751/> accessed 16 October 2021.

⁴⁸T Romm and E Dwoskin, 'Twitter Purged more than 70,000 Accounts Affiliated with QAnon' *The Washington Post* (11 January 2021) <www.washingtonpost.com/technology/2021/01/11/trump-twitter-ban/> accessed 17 October 2021.

⁴⁹D Ghosh, 'Are We Entering a New Era of Social Media Regulation?' *Harvard Business Review* (14 January 2021) <<https://hbr.org/2021/01/are-we-entering-a-new-era-of-social-media-regulation>> accessed 16 October 2021.

The aftermath of the capitol attack: reaction and moral panic

There was – understandably – extended media coverage of the attack on the Capitol, via the reporting of events, subsequent investigations, arrests and prosecutions. There was also an emergence of considerable media and wider societal concern.

The construction of media moral panics in the presence of, or as a reaction to, social problems, anxieties, perceived threats, incidents or events in society are not novel. As Lemmings notes, modern iterations of law-and-order derived panics originated with the 'hitherto unknown conjunction of a broad-circulation press, the anxiety-driven middle-class public, and regular parliamentary sessions',⁵⁰ and a deregulation of printing led to an expansion in media output. The subject of some early panics transcended national boundaries: a panic around witchcraft in 1645–1647 in Essex and Suffolk in England culminated in the execution of around forty alleged witchcraft practitioners, and in 1692, Salem was the epicentre of the first of what would become a number – including most recently QAnon, as outlined – of witchcraft moral panics in what is now the United States. In his work on the 'traditional' iteration of the moral panic,⁵¹ Cohen identified its key characteristics as follows:

[w]hen a condition, episode, person or group of persons emerges as a threat to societal values and interests; its nature is presented in a stylised and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved or resorted to.

Cohen's original concept derived from analysis of public order incidents, and the reaction to them, involving competing groups of young people (the so-called mods and rockers) on Easter Bank Holiday 1964 in the English town of Clacton-on-Sea, followed by similar events in Margate and Brighton later the same year. His concept envisaged a scenario whereby:

- (1) Events involving the participants in the incident would attract considerable media attention, and be exaggerated and distorted by the media;
- (2) The public would exhibit concern and reaction to the media coverage;
- (3) There would be police – or other criminal justice agent – reaction and enforcement; and
- (4) Politicians would express concern at the perceived threat, and devise ways of neutralising the threat.

⁵⁰D Lemmings, 'Law and Order, Moral Panics and Early Modern England' in D Lemmings and C Walker (eds) *Moral Panics, the Media and the Law in Early Modern England* (Palgrave Macmillan, 2009).

⁵¹Cohen (n 8); J Young, 'Moral Panics and the Transgressive Other' (2011) 7 *Crime Media Culture* 3, 245. Whereas Young is often regarded as the first person to use the term 'moral panic', Cohen was the first to elaborate on a conceptual framework. I described the Cohen framework as 'traditional' because of the subsequent elaborations upon or deconstructions of the Cohen moral panic model, for example the work by Hall linking panic theory more closely to the perspectives and wishes of the state, and Waddington's analysis, suggesting flawed normativity in the original theoretical work around conceptions of 'over-reaction' that form part of the moral panic. As these and other important debates do not form the core of this article, I propose to utilise moral panic, as Falkof outlines, 'as a framework rather than a model', and also draw upon McRobbie and Thornton's work, and also Garland, to explore the operation of moral panics in relation to QAnon (see also: Cohen (n 8); McRobbie and Thornton (n 11); Garland (n 9); and N Falkof, 'On Moral Panics' (2020) 46 *Critical Sociology* 2, 225).

Numerous examples of what would become characterised more widely as moral panics have taken place elsewhere, in relation to incidents as widespread as witchcraft, satanism, ‘hooligan’ children, music, and pornography.⁵² In his analysis of the 1964 events, Cohen considered the roles of various actors: the participants, the police, the politicians, the press, and the public. Via their re-formulation of Cohen’s concept as one that arguably was less normative,⁵³ panic theorists Goode and Ben-Yehuda suggested an environment of ‘concern, hostility, consensus, disproportionality and volatility’⁵⁴ was necessary for a moral panic scenario to operate, and Hier highlights the roles that ‘claims makers, moral guardians and the media play in the construction, amplification and exaggeration of deviance’.⁵⁵

In relation to media reporting of QAnon, I argue that there is evidence of the operation of several of the central tenets of moral panic theory.

Media attention, exaggeration, and distortion

There has been – as would be expected – significant media coverage of what, in the riot at the Capitol, represented a significant event politically and in the history of the United States. In the modern age, this now includes of course social media coverage in addition to traditional forms of mass media such as television coverage and newspapers. Media coverage of the Capitol riot, from its occurrence, through the resulting court hearings, opinion editorials, in-depth analyses in print, visual and social media, and so forth, has been considerable. Initially, some mainstream media *initially* focussed, arguably correctly,⁵⁶ upon the wider themes of *general* right-wing extremism amongst the Capitol rioters in the initial stages of the reaction to events at the Capitol⁵⁷ – it appears that of those arrested on suspicion of committing crimes, of the (minority) sixty-six identified as ‘affiliated arrestees’, that is associated with a specific group or groups, fifty-five of them were associated with QAnon, and/or other movements the Oath Keepers, and/or the Proud Boys.⁵⁸ However, others in the media and criminal justice agencies appear to have begun to report and focus specifically on the presence and role of QAnon adherents at the riot. This was against a backdrop of protestors wearing a wide array of costume, from combat gear, to superhero outfits, though potentially significantly, those wearing ‘Q’ symbols on their attire would send a clear and unambiguous message about their affiliations, in a way some of the other protestors might not. For example, it was reported that the right-wing group the Proud Boys consciously decided not to wear what had come to be recognised as their uniform in order to preserve their anonymity as part of the wider

⁵²S Wright Monod, *Making Sense of Moral Panics: A Framework for Research* (Palgrave Macmillan, 2017); M O’Brien, ‘The Witchfinder-General and the Will-o’-the-Wisp: The Myth and Reality of Internet Control’ (2006) 15 *Information and Communications Technology Law* 3, 259.

⁵³Garland (n 9).

⁵⁴E Goode and N Ben-Yehuda, *Moral Panics: The Social Construction of Deviance* (Blackwell, 1994).

⁵⁵S Hier, ‘Moral Panic, Moral Regulation, and the Civilising Process’ (2016) 67 *British Journal of Sociology* 3.

⁵⁶McCauley (n 44) 192. McCauley argues that there are two distinct ‘strands’ to right-wing movements currently in the United States, one advocating racial supremacy, the other cultural supremacy.

⁵⁷L Mogelson, ‘Among the Insurrectionists at the Capitol’ *New Yorker* (25 January 2021) <www.newyorker.com/magazine/2021/01/25/among-the-insurrectionists> accessed 16 October 2021, and R Carroll, ‘Baked Alaska, the QAnon Shaman ... Who Led the Storming of the Capitol?’ *The Guardian* (7 January 2021) <www.theguardian.com/us-news/2021/jan/07/baked-alaska-the-qanon-shaman-who-led-the-storming-of-the-capitol> accessed 16 October 2021.

⁵⁸McCauley (n 44) 192.

crowd.⁵⁹ Thus, QAnon's specific participation was announced by attire, placards, and similar, and the publicity-grabbing attire of the 'Q Shaman' outlined above, as well as due to the social media backstory. Later, Rubin, Bruggeman and Steakin reported that court records into indictments stemming from the Capitol riots showed that QAnon was being regarded as a 'common thread' amongst those arrested for their participation in the events, including 'a number accused of [unspecified] egregious crimes'.⁶⁰

Subsequently, there appears to be a degree of pivot away in some quarters from media highlighting of the wider panoply of right-wing protesters such as the figure Baked Alaska, a purported 'right-wing troll' formerly known as Ali Akbar, the far right Proud Boys – whom Donald Trump had controversially referred to during his presidential debates – the Oath Keepers, the Three Percenters,⁶¹ or the Kek Flag, and the National Anarchist Movement,⁶² arguably to a greater, distorting, focus onto QAnon. Potentially, this is significant, as subsequently it has been reported that the number of QAnon adherents involved in the Capitol attack was thirty-six,⁶³ a small proportion of the number of those who rioted and have been indicted. There was other reporting, however, that over subsequent weeks and months that emphasised the role of QAnon. This included exploration of the links between the rioters at the Capitol and QAnon beliefs⁶⁴; reports on the perceived wider threat posed by QAnon; the role of QAnon in infiltration of the Republican Party and influence over the legislative processes⁶⁵; and the perceived risk to state(s) and democracy from QAnon. Examples of reportage include on the role of US Air Force veteran Ashli Babbitt, killed during the storming of the Capitol, as a QAnon adherent. Babbitt wrote on Twitter the day before the Capitol riot that: 'Nothing will stop us [...] the storm is here and it is descending upon DC in less than 24 h. Dark to light!'.⁶⁶ Similarly, there was high-profile coverage of Douglas Austen Jensen, of whom images were taken on the second floor of the Capitol challenging police officers whilst wearing a QAnon t-shirt,⁶⁷ as there was also extensive reporting of Jake Angeli, the horned headdress-wearing 'QAnon Shaman', for example.

More speculative reporting, however, highlighted the putative threats that commentators considered were posed by QAnon. Farivar, for example, suggested that the Capitol

⁵⁹A Feuer and F Rubles, 'Proud Boys Under Growing Scrutiny in Capitol Riot Investigation' *New York Times* (26 January 2021) <www.nytimes.com/2021/01/26/us/proud-boys-capitol-riot.html> accessed 16 October 2021.

⁶⁰O Rubin, L Bruggeman and W Steakin, 'QAnon Emerges as Recurring Theme of Criminal Cases Tied to Capitol Siege' *ABC News* (19 January 2021).

⁶¹Carroll (n 57).

⁶²S Neilson and M McFall-Johnson, 'Several Groups of Extremists Stormed the Capitol on Wednesday. Here Are Some of the Most Notable Individuals, Symbols, and Groups' *Business Insider* (7 January 2021).

⁶³M Farivar, 'Capitol Riot Exposed QAnon's Violent Potential' *VOA News* (31 March 2021) <www.voanews.com/a/usa-capitol-riot-exposed-qanons-violent-potential/6203967.html> X accessed 16 October 2021.

⁶⁴L Beckett and V Ho, 'She Was Deep into It: Ashli Babbitt, Killed in Capitol Riot, was Devoted Conspiracy Theorist' *The Guardian* (9 January 2021) <www.theguardian.com/us-news/2021/jan/09/ashli-babbitt-capitol-mob-trump-qanon-conspiracy-theory> accessed 16 October 2021.

⁶⁵D Smith, "'It's Endemic': State-Level Republican Groups Lead Party's Drift to Extremism' *The Guardian* (31 January 2021).

⁶⁶Beckett and Ho (n 64). It was reported in October 2021 that Donald Trump had recorded a video message praising Ashli Babbitt, and expressing 'unwavering' support for her family (D Gilbert, 'Trump Recorded a Birthday Video for Capitol Rioter Ashli Babbitt' *Vice News* (12 October 2021)).

⁶⁷D Mangan, 'Trump Rioter, QAnon Supporter Douglas Austen Jensen thought he Invade White House, not Capitol', video shows, 13 July 2021 <www.cbc.com/2021/07/13/trump-rioter-douglas-austen-jensen-thought-he-invaded-white-house-not-capitol.html> (accessed 16 October 2021).

riot 'exposed the potential for violence in a movement that reared its head on the fringes of the internet in 2018 and now boasts *millions* of adherents around the world'.⁶⁸ (Emphasis added.) Other analysis, with varying degrees of accuracy, proportionality and/or hostility, highlighted the perceived threat likely to be posed in the future by QAnon, including Edsall's eye-catching headline in the *New York Times*, 'How long can democracy survive QAnon and its allies?'⁶⁹ Some months after the events in question, Gangel and O'Sullivan highlighted the formation of new social media platforms for QAnon in the summer of 2021, after the removal of many sites facilitating discussion following the Capitol attack. They suggest that the development of new social media avenues of activity relating to Donald Trump's false claims regarding the election outcome could lead to further violence.⁷⁰

Public concern and reaction, criminal justice and political responses

Arguably, other fronts have emerged in relation to the media coverage of QAnon. Public concern and reaction, which are central to Cohen's construction of moral panics, have included media coverage of concern from relatives about the impact of QAnon upon their loved ones,⁷¹ and exploration of links between the Republican Party and QAnon.⁷² Expert concern also has emerged in the form of media coverage of self-professed mental health diagnoses amongst QAnon adherents.⁷³ Meanwhile, there has been media coverage of the perceived impact of the activities of QAnon adherents on the politics sphere. Examples of this include racist trolling, associated with QAnon and others that deployed anti-Semitic tropes, and threats to the life of Californian Democratic State Senator Scott Weiner.⁷⁴ In 2017, he had authored a bill to revise California's sex offender registers, and in 2019 piloted a proposal to amend the laws on judicial discretion in placing sex offenders on the Californian sex offenders registry.⁷⁵ Moreover, an increasing media focus appears to have developed into reporting concern at the impact of QAnon on local elections, and more specifically children's education, in the United

⁶⁸Farivar, 'Capitol Riot Exposed' (n 63). Further, Farivar suggests in the same report that of those apparent QAnon adherents, 36 were present at the Capitol attack.

⁶⁹T Edsall, 'How Long Can Democracy Survive QAnon and Its Allies?' *The New York Times* (10 February 2021) <www.nytimes.com/2021/02/10/opinion/democracy-qanon.html>; J-P McAuley, 'After the Capitol Riots, Criminologists Should Take the QAnon Conspiracy Theory Very Seriously' *Oxford University Centre for Criminology* (13 January 2021) <www.law.ox.ac.uk/centres-institutes/centre-criminology/blog/2021/01/after-capitol-riots-criminologists-should-take> accessed 16 October 2021.

⁷⁰J Gangel and D O'Sullivan, 'Talk of Overturning the 2020 Election on New Social Media Platforms Used by QAnon Followers Sparks Fears of Further Violence' *CNN News* (2 June 2021) <<https://edition.cnn.com/2021/06/02/politics/telegram-qanon-trump-supporters/index.html>> accessed 17 October 2021.

⁷¹A Nagesh, 'The Moment QAnon Took the Person I Love Most' *BBC News* (17 September 2021) <www.bbc.co.uk/news/world-us-canada-57369349> accessed 16 October 2021.

⁷²Ruelas (n 31).

⁷³S Moskalenko, 'Many QAnon Followers Report Having Mental Health Diagnoses' *The Conversation* (25 March 2021) <<https://theconversation.com/many-qanon-followers-report-having-mental-health-diagnoses-157299>> accessed 19 October 2021.

⁷⁴JC Wong, 'The Difference is QAnon': How a Conspiratorial Hate Campaign Upended Californian Politics' *The Guardian* (16 September 2020) <www.theguardian.com/us-news/2020/sep/16/qanon-republicans-conspiracy-theory-politics-save-the-children> accessed 21 October 2021.

⁷⁵The detail of the amendment concerned a discrepancy in the treatment of offenders between penile-vaginal sexual intercourse, and oral or anal sexual intercourse: by virtue of a 2015 Californian Supreme Court ruling, Judges had been given discretion as to entry on the sex offenders register in the case of the former penile-vaginal offence, on the basis that the offender would be unable to work and thus provide for child maintenance if the victim became pregnant, which State Senator Weiner considered discriminated against LGBTQ+ people.

States.⁷⁶ This has involved media coverage of the election of alleged QAnon adherents and far-right figures to school boards in the United States,⁷⁷ including claims that QAnon were seeking to influence education, and gain leverage at a local government level.⁷⁸

Concern from criminal justice agencies and politicians about QAnon pre-dated the 6 January 2021 attack on the Capitol. For instance, in 2019, the US Federal Bureau of Investigation issued a report, in which it argued that QAnon *and other fringe groups* (emphasis added) could 'very likely motivate some domestic extremists'.⁷⁹ A United States House of Representatives resolution was also sponsored by Rep Thomas Malinowski, the Democratic Representative for the 7th District of the State of New Jersey, on 25 September 2020, 'Condemning QAnon and rejecting the conspiracy theories it promotes'.⁸⁰ Similar concerns were expressed by lawmakers in other countries: in a debate in the United Kingdom Parliament on online harms Christian Wakeford, the Member of Parliament for Bury South, cited an example of a spurious claimant to the English throne, who had interacted with QAnon, and had cited false and anti-Semitic claims in support of his contention.⁸¹ As a consequence, Mr Wakeford argued for a code of practice on hate crime in the Online Harms Bill, [of] 'equal status to the two proposed statutory codes on terrorism and child sexual exploitation' and asking the Government to ensure that 'all elements of platforms with user-generated content be covered'.⁸² The United Kingdom Government originally published its Online Safety Bill in May 2021.

In terms of legal responses, whilst more generally countries such as the United Kingdom, Germany and others historically have had laws that may be deployed to outlaw forms of indirect or direct hate speech, the United States notably has heightened measures affording protection to free speech from being limited by *Government*.⁸³ S.230 of the United States's Communications Decency Act states that 'no provider or user of an interactive computer service shall be treated as the publisher and speaker of any information provided by another information content provider', thus intermediaries cannot be liable for others' actions online, thus, arguably the most significant regulatory responses as they relate to QAnon, are non-legal and non-governmental, and mainly resulted directly from the 6 January attack on the Capitol. The pre-Capitol riot regulation included the 6 October 2020 social media policy update by Facebook Inc., by which Instagram accounts and Facebook posts that 'represented' QAnon would be banned,⁸⁴

⁷⁶N Singh, 'QAnon Devotee Planning to Run for School Boards Without Mentioning Conspiracy, Report Claims' *The Independent* (8 July 2021) <www.independent.co.uk/news/world/americas/us-politics/qanon-conspiracy-school-boards-trump-b1880189.html> accessed 20 October 2021, B Collins, 'QAnons's New Plan? Run for School Boards' <www.nbcnews.com/tech/tech-news/qanons-new-plan-run-school-board-rcna1352> accessed 20 October 2021.

⁷⁷V Bergengruen, 'QAnon Candidates Are Winning Local Elections. Can They be Stopped?' *Time* (16 April 2021) <<https://time.com/5955248/qanon-local-elections/>> accessed 20 October 2021.

⁷⁸C Miller-Idriss, 'QAnon Moves from Pro-Trump Rallies to Local Schools' *MSNBC News* (10 July 2021) <www.msnbc.com/opinion/qanon-moves-pro-trump-rallies-local-schools-n1273616> accessed 18 October 2021.

⁷⁹FBI Intelligence Bulletin, 'Anti-Government, Identity Based and Fringe Political Conspiracy Theories Very Likely Motivate Some Domestic Extremists to Commit Criminal, Sometimes Violent, Activity' <www.justsecurity.org/wp-content/uploads/2019/08/420379775-fbi-conspiracy-theories-domestic-extremism.pdf> accessed 19 October 2021.

⁸⁰US Congress, H.Res. 1154 – 116th Congress (2019–2020).

⁸¹Christian Wakeford MP, 2020 HC Debs 684, 19 November 2020.

⁸²In the context of a motion moved by Jeremy Wright MP to the UK Government to speed up the passage of an Online Harms Bill.

⁸³First amendment to the United States Constitution.

⁸⁴JC Wong, 'Facebook to Ban QAnon-Themed Groups, Pages and Accounts in Crackdown' *The Guardian* (6 October 2020) <www.theguardian.com/technology/2020/oct/06/qanon-facebook-ban-conspiracy-theory-groups> accessed 19 October 2021.

(though this did not apply to users who posted about QAnon matters, but did not explicitly refer to themselves as supporters of QAnon.) However, after the Capitol riot, the regulation was much more expansive, as detailed below.

On the basis of sects: panic narratives and QAnon

I suggest, then, that in the context of a moral panic pertaining to QAnon, a disproportionate and volatile moral panic narrative has created a potential overstatement of the specific risk posed to security and democracy by QAnon. (I do not argue that there is *no* threat, to be clear, but that while there *is* a threat, is not one that can be attributed neatly or solely to a coherent organisation called QAnon.) I suggest that the narrative presents a number of distinct challenges and problems.

Mischaracterisation of QAnon as a clear entity

The first issue to consider is the flexible, largely inchoate nature of QAnon and its tenets. By the nature of the media reporting on QAnon, I suggest that there has been created the impression of a defined, identifiable group with relatively homogenous beliefs, which does not in actuality appear to be the case. QAnon has encompassed a wide array of views and conspiracy theories, ranging from apparently commonly held ones like that of the fantasy Satan worshipping paedophile Democrat elite against whom President Trump was alleged to be fighting, and the coming ‘storm’ – through a range of racist and/ or anti-Semitic beliefs, to somewhat more idiosyncratic ones, such as a belief in ‘lizard people’.⁸⁵ Furthermore, there are no clearly identified leaders of, or structures to, any organisation: it has hitherto not been established who ‘Q’, the source of the cryptic 4chan, 8chan and 8kun messaging, is or was, or if indeed they even existed. As such, QAnon adherents can be seen as more ‘leaderless and porous’ than a traditional grouping, engaging in ‘diffuse, leaderless activities’⁸⁶ facilitated the opportunities provided by social media connectivity due to technological development.⁸⁷

A further dimension of uncertainty results from the very nature of the messages allegedly posted by ‘Q’, which became known as ‘Q drops’: they were often cryptic, and, without context sometimes appeared meaningless.⁸⁸ Therefore, the messages often did not have an unambiguous meaning. QAnon supporters could – and, it has been suggested, did – ascribe very different meanings to the posts purporting to come from Q, in the context of a wide array of beliefs.

The FBI has declared QAnon – alongside other extremist *organisations* – a domestic terror threat.⁸⁹ However, in light of the wide array of shifting QAnon tenets in which adherents may believe, its lack of leadership and structures, and evidence suggesting it

⁸⁵D Gotfredson, ‘Father Charged with Murdering Kids May Have Believed in “Lizard People”’ *CBS8 News* (9 September 2021) <www.cbs8.com/article/news/local/father-charged-with-murdering-kids-may-have-believed-lizard-people/509-309c60f3-02d3-49f0-931f-56bcd2d37e46> accessed 19 October 2021. This is one of a number of instances of believers in ‘lizard people’ being cited as adherents to the tenets of QAnon.

⁸⁶C Conner and N MacMurray, ‘The Perfect Storm: A Subcultural Analysis of the QAnon Movement’ (2021) *Critical Sociology* <<https://doi.org/10.1111/1177/08969205211055863>>.

⁸⁷Z Tufekci, *Twitter and Tear Gas: The Power and Fragility of Networked Protest* (Yale University Press, 2017).

⁸⁸M Hannah, ‘A Conspiracy of Data: QAnon, Social Media and Information Visualisation’ (2021) *Social Media + Society* <<https://doi.org/10.1177/20563051211036064>>.

⁸⁹FBI Intelligence Bulletin (n 79).

may not be a significant domestic terror threat – Jensen and Kane argue that the evidence suggests that QAnon adherents present a relatively small terror risk, and more of a threat to their family members and those around them, than they do to the state more widely.⁹⁰ Arguably therefore it would be desirable to explicate more fully which elements of any suggested QAnon beliefs may represent credible domestic terror threats, and which do not.

Misunderstanding beliefs

Another issue that arises in some of the media reportage of the QAnon moral panic is that a belief in a heightened threat from paedophiles, or white supremacy, or anti-semitism, a threat from Satanism, or a belief in the existence of lizard people is equivalent to, and *interchangeable with* QAnon adherence.⁹¹ Such an equivalence would present some difficulties. Several of the publicised beliefs associated with QAnon far predate its emergence in 2017. Witchcraft and satanism have formed the basis of several panics in the United States, the United Kingdom and other countries over many years. In the United States and United Kingdom, there were a series of 'satanic panics' in the 1980s and 1990s, including for example, the Kern County alleged satanic ritual sex ring, where thirty-four convictions in 1984 were overturned on appeal.⁹² Moreover, in the United Kingdom there were several child abuse panics, including the Cleveland child abuse scandal of 1987,⁹³ and even those who believe in the existence of 'lizard people' pre-date QAnon.⁹⁴ The history of racism and white supremacy in parts of the United States is well-documented. Therefore, I contend that while any of the preceding beliefs *may* be held by QAnon adherents, especially given the peculiarly flexible nature of its creed (s), the reverse may not be true.

Empirical research has suggested significant variations in respondents' beliefs as to the existence of QAnon on one hand, and some of the specific conspiracy theories associated with the group on the other. Uscinski and Enders note this in their survey of beliefs about QAnon and child sex trafficking. Their work highlights that, rather than levels of belief in child sex trafficking and support for QAnon being similar, it was in fact the case that only 6.8% of interviewees expressed support for the statement 'I believe in QAnon'.⁹⁵ Uscinski and Enders's research also undermines a variety of media-based claims, outlined earlier in this paper, regarding very large support for QAnon *per se*. It is noteworthy, however, that their survey also illustrated that (an erroneous) belief in child sex trafficking was very high, with 35% thinking that elites from Hollywood are engaged in child sex trafficking rings, and 34% thinking over 300,000 children were trafficked every year.

Furthermore, regarding some of the media coverage highlighted earlier in this paper regarding the power and reach of QAnon, and the potential threat posed to the

⁹⁰Jensen and Kane (n 17).

⁹¹Edsall (n 69) appears to conflate these two issues.

⁹²Mohdahl v County of Kern (2003) 61 Fed Appx 394.

⁹³E Butler-Sloss, *Report of the Inquiry into Child Abuse in Cleveland 1987 Cmnd 412* (HMSO, 1987).

⁹⁴O Oksman, 'Conspiracy Craze: Why 12 Million Americans Believe Alien Lizards Rule Us' *The Guardian* (7 April 2016) <www.theguardian.com/lifeandstyle/2016/apr/07/conspiracy-theory-paranoia-aliens-illuminati-beyonce-vaccines-cliven-bundy-jfk> accessed 10 October 2021.

⁹⁵J Uscinski and A Enders, 'Unfounded Fears About Sex Trafficking did not Begin with QAnon and Go Far Beyond It' (9 March 2021) <<https://blogs.lse.ac.uk/usappblog/2021/03/09/unfounded-fears-about-sex-trafficking-did-not-begin-with-qanon-and-go-far-beyond-it/>>.

democratic process, Uscinski and Enders make the point that, at the zenith of its popularity, the Republican Tea Party movement commanded around 30% of support in surveys, considerably higher than that QAnon achieved in their research, yet they did not take over the political firmament.

A cumulative effect of the above may have been that the recent media focus upon QAnon as an entity has impacted on understanding of, and lessened the focus upon the significance of the diverse array of extremist groups who actually *do* appear to have undertaken the Capitol attack. Importantly, in terms of addressing issues, it could also have taken the focus off their range of underlying motivations. The range of groups involved in the assault on the Capitol was noted earlier in this paper, and included a relatively diverse number of right-wing/ white supremacist groups that are identifiably different from QAnon. For example, Farivar has highlighted that the right-wing Proud Boys movement helped organise the Capitol attack, with several leaders claiming to have been leaders of the assault,⁹⁶ and Lokay *et al* discuss the role of the Oath Keepers, a 'militia/patriot movement' in the Capitol attack.⁹⁷

Regulatory issues

The non-state regulatory approach adopted regarding social media in this moral panic context also is deserving of consideration. As already noted, there was some regulatory intervention by social media companies prior to the United State Presidential election. This took the form of the banning of Facebook pages that 'represented' QAnon. Following the 6 January 2021 Capitol attack, however, a significantly greater degree of regulation took place, with Twitter banning around 70,000 accounts associated with QAnon, Facebook banning 'StopTheSteal' material, both organisations banning Donald Trump, and YouTube banning videos on incitement grounds.

This form of non-state regulation of speech by a private company potentially is noteworthy for several reasons. Firstly, in the context specifically of the United States, mechanisms for the restriction of freedom of speech rights protected by the First Amendment to the United States Constitution can only be carried out by government, and not private companies, unless the State Action Doctrine is in operation.⁹⁸ Secondly, and of wider jurisdictional applicability, whilst restriction of speech can of course take place in the public as well as the private realm, in the case of the latter, a private company with control over social media is not subject to the same degree of public scrutiny – whether by parliamentary discussion and debate of new laws, media examination, constitutional safeguard or otherwise – that may take place with a new legislative proposal from a government. Moreover, companies engaging in private regulatory activity of social media may not be motivated by altruistic goals, or wider free speech or public security or safety goals in their regulatory actions, but by other goals such as their business needs.⁹⁹ Ghosh has suggested one reason for regulation in this instance might have been 'self-preservation',

⁹⁶M Farivar, 'Far-Right Group "Proud Boys" Celebrates Trump's Debate Comments' *Voice of America* (1 October 2020) <www.voanews.com/a/usa_far-right-group-proud-boys-celebrates-trumps-debate-comments/6196583.html>.

⁹⁷A Lokay and others, 'The Oath Keepers' (2021) 14 *Dynamics of Asymmetric Conflict* 2, 160.

⁹⁸T Peretti, 'Constructing the State Action Doctrine, 1940–1990' (2013) 35 *Law & Social Inquiry* 2.

⁹⁹M Hameleers, 'Empowering the People's Truth Through Social Media? (DE)legitimising Truth Claims of Populist Politicians and Citizens' (2022) 10 *Politics and Governance* 1, 210.

given the presence of legal action against the social media companies by the Federal Trade Commission and forty-six US states and districts, plus the imminent transition of the United States Federal government.¹⁰⁰ Moreover, as Wagner and Rozgonyi highlight, in the complex technological world of social media, achieving regulation that is transparent is made even more challenging by social media platforms' use of design techniques to manipulate user – so called dark patterns.¹⁰¹

QAnon and moral panic theory

Finally, an additional area of exploration in the context of this paper is how, conceptually, current understandings of moral panic theory fare in explaining and illuminating the development of events that have been examined here.

In the last two decades, there has been considerable interest shown by panic theorists in a further theoretical expansion of moral panics, following the early development of the concept by Young, Cohen and later Hall nearly fifty years ago, and subsequent critiques of the concept, for example Waddington's challenges to the normative assumptions as to overreaction implicit in Cohen's and Hall's panic theory. Nonetheless, as Hier notes, a 'conventional objective' often remains, which is 'to demonstrate how people in positions of power, typically affiliated with the state, intermittently construct claims that amplify deviance in a manner that is disproportionate to the actual threats'.¹⁰² For many years, therefore, one of the central planks of moral panic theory was that of a 'monolithic' media, that is, a relatively unified, disproportionate (traditional) media response to a deviant 'folk devil'. Garland subsequently characterised this as a 'vertical', traditional media response.

However, this prevailing orthodoxy was challenged in 1995 by McRobbie and Thornton,¹⁰³ who developed further some of the tenets of panic theory. They suggested that there was an expansion of 'niche and micro-media' at the time, in the form of independent 'zines', and also a wider array of perspectives being articulated in the mass media. Because of this, they argued, the 'folk devils' that are the subject of moral panics henceforth would be less marginalised than previously was the case. This was because, as well as facing strong opposition in the mainstream (print and televisual) media of the time, these folk devils would, according to McRobbie and Thornton, additionally be 'vociferously and articulately supported' by the media.

McRobbie and Thornton's conceptual rethinking slightly pre-dated the development of mass Internet use, and significantly pre-dated the development of user-generated internet content and social media as we now understand it. Arguably, their core ideas, including their 'reality of social difference' and 'the complex realm of reception' could be seen to apply as equally to the world of the Internet and that of social media, as to their consideration at the time of publication of a fragmentation of traditional media. It is in this context that a view has emerged around how controversial issues may play

¹⁰⁰DGhosh, 'Are We Entering a New Era of Social Media Regulation?' *Harvard Business Review* (14 January 2021) <<https://hbr.org/2021/01/are-we-entering-a-new-era-of-social-media-regulation>> accessed 16 October 2021.

¹⁰¹B Wagner and K Rozgonyi, 'Regulating Transparency?: Facebook, Twitter and the German Network Enforcement Act. FAT '20: (2020) Proceedings of the 2020 Conference Fairness, Accountability and Transparency (Association for Computing Machinery, 2020).

¹⁰²S Hier, 'Moral Panic, Moral Regulation, and the Civilising Process' (2016) 3 *British Journal of Sociology* 67.

¹⁰³McRobbie and Thornton (n 11).

out in the modern, social media-dominated world: that they might take the form of ‘culture wars’, that is contested notions, often pertaining to culture and values¹⁰⁴ would dominate. Furthermore, Walsh has argued that ‘recent technological transformations unleash and intensify collective harm [...] digital platforms and communications constitute significant targets, facilitators, and instruments of panic production’.¹⁰⁵

In the context of the issues discussed in this paper, as we have seen, in the prelude to the attack on the Capitol on 6 January 2021, the envisaged highly contested ‘culture war’ discourse outlined above certainly does play out. In the absence of clear evidence, allegations as to child abuse, satanic activity and so forth are propagated online, untruths about widespread election fraud are spread, and those that spread this information, including President Trump and his associates, fight back in the digital world.

However, the actions of the (private) social media companies, and other, more mainstream, media activity following the fightback in the *real* world in the form of the storming of the Capitol, in which social media banned President Trump,¹⁰⁶ and suspended thousands of social media accounts associated with QAnon adherents and other extremist groups, might point to a partial re-emergence of a conception of a form of *traditionally conceptualised* moral panic that is led and shaped by a dominant ‘monolithic’ media. This may mark a move away from the ‘horizontal’, contested sphere of moral panic theory envisaged by MacRobbie and Thornton – albeit perhaps temporarily, and in the face of what appeared to many – with some justification – as significant threats to the state, such as the Capitol attack. Therefore, following the banishment from mainstream social media of many of the leading dissenting voices of the online culture wars in this sphere – and thus, at least temporarily, the stilling what McRobbie and Thornton call ‘the plurality and divergences of opinion that characterise today’s (...) moral panics’¹⁰⁷ we see the emergence of an identifiable ‘folk devil’ in the form of QAnon, with media over-reaction in some cases to the nature, scale and actual and likely impact of the group, and an at least partial absence of the oppositional social media forces. Arguably, therefore, in the context of circumstances of a suspected or actual major threat to the state, or matter of similar gravity, we may see a reversion to the operation of more traditional models of moral panic.

Conclusion

Undoubtedly, the events surrounding President Trump’s last days in office were unprecedented in the recent history of the United States of America, as were his, and his supporters’ long-standing presence in the virtual trenches of the social media culture wars during his period of office.

I have argued in this paper that there has been the development of a moral panic around one of these many groups of culture warriors – QAnon; that this moral panic presents challenges in relation to the inchoate nature of the group, and a lack of clarity as to

¹⁰⁴Garland (n 9).

¹⁰⁵J Walsh, ‘Social Media and Moral Panics: Assessing the Effects of Technological Change on Societal Reaction’ (2020) *International Journal of Cultural Studies* <<https://doi.org/10.1177/1367877920912257>>.

¹⁰⁶Z Luo, ‘Why Should Facebook (not) Ban Donald Trump? Connecting Divides in Reasoning and Morality in Public Deliberation’ (2021) 25 *Information, Communication & Society* 5, 654.

¹⁰⁷McRobbie and Thornton (n 11).

exactly what is to be regulated, and why this group and not others. Furthermore, I have sought to argue that the resulting media narratives and (private, non-state) regulation run the risk of impacting unnecessarily upon free speech, and of QAnon being a 'red herring' – that is, facilitating the emergence of a discourse that favours regulating QAnon *alone* or *predominately*, will not identify, address or resolve the wider reasons that gave rise to the actions that led to the narratives around election fraud and the storming of the Capitol on 6 January 2021. These reasons seem likely to be deeply rooted in issues of white supremacy, anti-Semitism and related matters beyond simply QAnon adherents, encompassing other individuals and other groups discussed in this paper,¹⁰⁸ and their activities cast a shadow not only over the Trump Presidency, but US history more widely.

Following the Charlottesville attack of 2017, when a man who had express white supremacist beliefs drove a car into a crowd of peaceful protestors, the then-former Vice-President Joe Biden wrote an article for *The Atlantic* magazine. He said:

In Charlottesville, that long trail emerged once again into plain view [...] The crazed, angry faces illuminated by torches. The chants echoing the same anti-Semitic bile heard in the 1930s. The neo-Nazis emerging from dark rooms and remote fields and the anonymity of the web into the bright light of day [...] If it wasn't clear before now, it's clear now: we are living through a battle for the soul of this nation.¹⁰⁹

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ORCID

Mark O'brien  <http://orcid.org/0000-0003-2619-4563>

¹⁰⁸Carroll (n 57).

¹⁰⁹J Biden, 'We Are Living Through a Battle for the Soul of This Nation' *The Atlantic* (27 August 2017) <www.theatlantic.com/politics/archive/2017/08/joe-biden-after-charlottesville/538128/> accessed 21 October 2021.