LIGHT DISINFECTS

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I. INTRODUCTION

The assertion that “sunlight is the best disinfectant,” sometimes stated as “light disinfects,” is so common on the contemporary Internet that it often goes without saying. It’s just true, no argument is needed. When someone does situate the term, the attribution invariably goes to Supreme Court Justice Louis Brandeis, who in 1913 wrote that “sunlight is said to be the best of disinfectants; electric light the most efficient policeman.”1 Although Justice Brandeis was describing how transparency and regulation can minimize financial crimes, the phrase “sunlight disinfects” resonated far outside the specific context of finance. It has since become a widespread aphorism, one that, according to The American Prospect’s Mark Schmitt, very quickly transcended insight “to cliché and beyond.”2

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1 LOUIS BRANDEIS, OTHER PEOPLE’S MONEY 92 (Frederick A. Stokes Co., 1914).
Reflecting on the ubiquity of the idea within the news media, *Vox* Editor-at-Large Ezra Klein links the sunlight model to journalists’ fundamental duty to inform. According to this model, we have to call attention to harmful things like mass shootings, white supremacy, and everyday presidential racism, if we hope to do anything about them.

Journalists are not the only proponents of light as a disinfectant. For example, in 2013 the Anti-Defamation League included the phrase “Sunlight is the best disinfectant” as a subject header in a press release about the growth of European anti-Semitism. Oren Segal, the director of the Anti-Defamation League’s Center on Extremism, repeated the claim in 2018 when responding to white supremacists’ efforts to recruit on college campuses. “It’s a cliché,” Segal explained in an interview with *The Washington Post*, “but we still believe that sunlight is the best disinfectant.”

The assumption that light disinfects is also a common belief among everyday citizens; in my own work exploring far-right media manipulators, polluted information, and bigoted attacks online, I frequently encounter variations on the phrase as well as strong resistance to anyone who suggests otherwise.

Very often, I am a person who suggests otherwise. I whole-heartedly share the concern about white supremacy and a catastrophically polluted information ecosystem. My objection is that both things can be worsened, or at least profoundly complicated, by the potent collision of sunlight and digital tools. Algorithms that docent users to ideologically-siloed and other trending content, the post-now-ask-questions-later incentives of the attention economy, and the ease of searching for, storing, remixing, and redeploying digital content all send information zooming unchecked across audiences. Light refracts and shifts to warp speed, growing increasingly unpredictable with each network turn. While that light might disinfect for some, for others it can promote dangerous ideologies and cultivate ever-worsening threats to public health.

Put simply, the sunlight model doesn’t always do what people think it does. In fact, it can cause an even bigger mess downstream. The cliché and beyond must therefore be dethroned as a natural, universal solution to harmful speech and behavior. Instead it must be regarded—and respected—as

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something fundamentally ambivalent, with as many potential harms as benefits. Exploring the embodied challenges of the sunlight model is the first step to this end. Doing so establishes a “digital control” that isolates which of these challenges are inherent to the light itself and which emerge from—or at least are exacerbated by—digital tools. The second step to achieving a more nuanced understanding of light is to cultivate ecological thinking about online environments: specifically, how the light we shine is reciprocally interconnected with our networks, our tools, and ourselves. Ecologically-sensitive approaches to light help minimize the harms and maximize the benefits of the deceptively simple declaration: *look at this.*

II. IN THE BEGINNING THERE WAS LIGHT

For many, “light disinfects” is gospel. Within the Judeo-Christian tradition, light is genesis, God’s creation of the world. Light is such a pervasive motif in Judaism, Rabbi Adin Steinsaltz explains, that “redemption, truth, justice, peace and even life itself ‘shine,’ and their revelation is expressed in terms of the revelation of light.”

Christianity places an equivalent emphasis on light with an additional theological counterweight: darkness. Darkness isn’t merely an absence of light; it’s the state of being spiritually lost, of being blinded to the truth, of traveling down the wrong path without God’s guidance or grace. Darkness is, as a result, often apocalyptic. Christian eschatology hinges on *light* defeating *dark,* a feature especially characteristic of the extreme dualism of Catholicism that crystalized during the Middle Ages. This extremity is most clearly evidenced by the European witch craze from the 14th to 17th centuries, which overlapped with the Catholic Inquisition. Inquisitors and their supporters asserted that the Devil was on the march, and that the only thing that could stop him was God’s divine, righteous light.

In an ironic twist, historians Rolf Reichardt and Deborah Louise Cohen argue, the battle between good and evil, light and darkness, was so central to Christian theology that it provided the aesthetic and rhetorical framework for the Enlightenment. These *lumières* emerged from a Christian—and particularly French Catholic—tradition, even as they railed against that

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tradition.\textsuperscript{9} The continuity between the visual symbolism of the Enlightenment and the visual symbolism of Christianity was so pronounced that Reichardt and Cohen described it as a “secular, historically updated reinterpretation of the Old Testament creation myth.”\textsuperscript{10} The primary difference was that the divine light of God was no longer what restored direction to the lost and sight to the blind. That’s what scientific truth was for, as darkness was reframed as a counterpoint to progress and empiricism.

Visual, philosophical, and literary representations of truth-as-light locked in battle with ignorance-as-darkness persisted throughout the centuries. The concept permeates Victor Hugo’s proclamation in \textit{Les Misérables} that “[t]he true division of humanity is this: between the luminous and the dark. To diminish the number of the dark, to increase the number of the luminous, behold the aim. This is why we cry, education, knowledge!”\textsuperscript{11} Truth-as-light is also implicit in the claim made by Justice Louis Brandeis—who wasn’t just steeped in Western legal traditions, but also in Jewish ontology—that “sunlight is the best of disinfectants.”\textsuperscript{12} What he said resonated because it had the ring of hundreds of years of truth; light as a kind of magic.

That’s not the only reason “light disinfects” has persisted as a self-evident truth. While the assertion might seem straightforward, its use is bifurcated, reflecting two different sets of assumptions, stakes, and ethical paradigms. People think they’re talking about the same thing because they’re using the same words. But that same thing is actually two arguments. The resulting equivocation complicates clear-eyed analysis; it’s difficult to hold either argument up to scrutiny when each is shrouded by the other.

One of those arguments emerges from liberalism. Reflecting its deep philosophical roots, “light disinfects” in the liberal sense replicates the visual motifs of the Enlightenment, and the Enlightenment’s replication of the visual motifs of Christianity. These include images of mirrors showing things “as they are,” blazing suns, and bright horizons, all symbolizing truth.\textsuperscript{13} Liberal light tends to be aimed at the bad action—the hate, the abuse, the ugliness—itself. It disinfects by filtering those harms through the marketplace of ideas. This process, it’s assumed, exposes hate and falsehood for what it is: a dark cloud of ignorance. In so doing, liberal light strips hate and falsehood of its power. The second meaning and implicit argument for “light disinfects” aligns with social justice activism. It tends to focus on those affected by harmful actions. The light of social justice disinfects by inviting others to bear witness

\textsuperscript{9} See generally Reichardt & Cohen, supra note 7.
\textsuperscript{10} Id. at 95.
\textsuperscript{11} \textsc{Victor Hugo}, \textit{Les Misérables} 93 (Charles Lassalle, 1863).
\textsuperscript{12} See Randy Lee, \textit{Louis Brandeis ’s Vision of Light and Justice as Articulated on the Side of a Coffee Mug}, 33 \textsc{Touro L.R.} 323, 326 (2017).
\textsuperscript{13} See generally Reichardt & Cohen, supra note 7.
to the affected parties’ first-person, subjective experiences of pain. The idea, and ideal, behind this light is that seeing harmful effects helps catalyze a collective process of truth and reconciliation.

Cleaving the light of liberalism from the light of social justice invites a more exacting analysis of what each light is meant to do and what it actually does, or at least, is capable of doing. Zeroing in on how each light works in a historical, offline context also helps pinpoint what elements of society are being illuminated—allowing us to ask, is there somewhere else we should be looking?

III. THE FREEDOM OF FREEDOM

The goals and priorities of the light of liberalism reflect the goals and priorities of liberalism more broadly, particularly its emphasis on individual autonomy and personal freedoms. As communication scholars Clifford C. Christians, John Ferré, and P. Mark Fackler explain, these freedoms are best understood as negative freedoms: freedom from external restriction. Liberalism’s emphasis on freedoms from censorship, regulation, and nanny-state handholding (or at least, perceptions of hand holding) helps to explain the overlap between liberalism as a political philosophy and conservative politics, a connection distilled as don’t tread on me.

Radical freedoms pose challenges, of course, especially when one person’s freedoms bump up against another’s. The solution within liberalism is not to restrict those freedoms, but rather to let the markets decide. Regarding speech, liberalism relies on a minimally-regulated marketplace of ideas. Informed, rational subjects exposed to a variety of speech from many quarters will weigh each position carefully and, after deliberation, embrace the best and brightest arguments—no censorship needed. The light of liberalism plays a critical role in this process. It exposes people to the full range of argumentative possibilities and, the argument goes, enriches and educates society as a whole. Despite these broad pro-social aims, the responsibility for bearing all that light, and responding logically to the lights of others, falls to individual citizens. Their individual truth-telling will out, and in outing will disinfect, and in disinfecting will preserve our personal freedoms.

15 Focus on markets is an especially prominent feature of neoliberalism. For more on the role markets play within the liberal tradition, see Stephen J.A. Ward, The Invention of Journalism Ethics: The Path to Objectivity and Beyond 193 (Philip J. Cercone, 1st ed. 2006).
16 See generally Christians, Ferré & Fackler, supra note 14.
American folklorist Alan Dundes provides a textbook example of the light of liberalism and its implicit reliance on the marketplace of ideas. In 1983, Dundes, writing with Thomas Hauschild, published a collection of Auschwitz jokes circulating Germany. These were not jokes told by Jews, Dundes emphasizes. These were jokes told by anti-Semites, or at least by those who thought violent anti-Semitic humor was worth telling and re-telling. The jokes proved that anti-Semitism wasn’t dead in Germany. At the same time, Dundes maintains, the jokes showed that people were talking about the Holocaust, which in Dundes’ estimation was better than not talking about it at all.

Dundes published a follow-up with Uli Linke, unsubtly titled “More Auschwitz Jokes,” in 1987. Besides presenting a fresh collection of jokes, the collection chronicles the fallout from his 1983 article. Not only did the Journal of Jewish Studies refuse to review the article, Dundes explains, but he also received a number of “hateful letters” once it was published, and many argued he never should have recirculated the jokes. Dundes defends his article by claiming that the jokes would have been circulating anyway, even suggesting that if someone had published more accounts of anti-Semitism before WWII, lives may have been saved. That was the purpose of publishing these jokes: to shine a light on Germany’s persistent anti-Semitism, not just among the extremist ranks, but as part of everyday joke-telling. Perhaps not all the joke tellers and listeners actively hated Jews, Dundes conceded, but clearly some did, and any dehumanization of Jewish people, even in the context of “just joking,” was something to address head-on. His reasoning was simple: left on its own, evil doesn’t just disappear. It needs to be aired out and revealed for what it is, and that is the job of the folklorist—to fight injustice by shining light on injustice.

Dundes then echoes the Enlightenment’s mirror motif, stating that folklore doesn’t create society, it reflects it. The ugly reality mirrored is what needs to be altered, not the existence of the mirror itself. Dundes concludes that, “[u]nless or until the causes and extent of prejudice are recognized, that prejudice will persist. To the degree that folklore is a factor in the formation and perpetuation of prejudice, it must be held up to the light of reason.” And

17 See generally Alan Dundes and Thomas Hauschild, Auschwitz Jokes, 42 Western Folklore 249 (1983).
19 Id. at 29.
20 Id.
21 Id. at 30, 31, 37.
22 Id. at 23, 38.
to what end? “Perhaps one day, Auschwitz jokes, or jokes like them, will no longer be told.”

“The Open Letter to Race Hatred,” written by William N. Robson and produced by CBS in 1943, makes a similar argument about confronting bigotry head-on and is particularly illustrative of what the light of liberalism seeks to achieve by publicizing hate.

The program opens by imploring its audience to listen carefully, because “we believe no sensible, fully informed American will allow to happen again here at home what he is fighting against all over the world.” The program’s subsequent denunciation of Hitler’s systematic attacks against Jews makes clear what sensible, fully-informed Americans should be on guard against (“the pattern is the same, the victim similar. The minority which is most easily recognized”). The stakes could not be higher, the program asserts; so long as bigotry engulfs the United States at home, the effort to fight fascism abroad will be a hypocritical fool’s errand, and a weakness the Axis powers will surely exploit.

As an example of how US racism was interfering in the war effort, the program then begins to narrate the Detroit race riots, which took place several months earlier. Dozens of Black people were killed and hundreds injured during the riots, prompting the deployment of federal troops. A fictionalized radio broadcast from Japan—which the program includes to illustrate the global impact of the riots—describes these victims as having been “sacrificed to the altar of American white superiority complex.” Flashing forward two days, the program zeros in on the graduation ceremony of a desegregated high school that had been placed under federal protection. A mob of “Kluxxers, cowards and crackpots” broke through the police line, threatening a group of white and Black students. Their bayonets raised, the troops charged; they quickly sent the rabble back “into the shadows whence they came,” reflecting the centuries-old equation of darkness and ignorance.

The announcer then pivots to the moral of these stories. Facing the riots and the self-sabotaging effects of race hatred “quietly and without passion or

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23 Id. at 38.
25 Id.
26 Id. at 74.
27 Id. at 73–74.
28 Id. at 62–68.
29 It’s unclear if this characterization was shared by the program’s producers, or if they were speculating about how the riots would be weaponized as anti-American propaganda. Id. at 73.
30 Id.
31 Id.
prejudice”—in other words, holding a mirror up to American bigotry—lays bare a critical truth. It’s up to individual people to stop it. “It’s each one of us,” the announcer states, “each anonymous citizen keeping his head on his shoulders, his fists unclenched, and his mouth shut.” The call for individual citizens to make the reasonable, responsible choice to reject prejudice is then reiterated by a brief address from politician Wendall Wilkie, a white supporter of civil rights. White American racism, Wilkie argues, tramples the rights of Black citizens. It’s also a roadblock to maintaining good relationships with non-white war allies. It’s therefore imperative to ensure the rights of Black people at home and to guard against the “forces of fascism” that seek to deprive some Americans equal citizenship. The fascist attitude within our own borders, Wilkie argues, “is as serious a threat to freedom as is the attack without . . . It is essential that we eliminate it at home as well as abroad.”

As both examples show, the light of liberalism means well. The light of liberalism certainly makes a compelling case, particularly about fighting the forces of fascism and bigotry. The problem is that the light of liberalism easily backfires, resulting not in the clear-cut, universal disinfection of hate, but also its proliferation.

These unintended consequences stem from a series of faulty assumptions. The first is that the marketplace of ideas is a fundamentally neutral and, indeed, rational apparatus; that everyone is equally free to add their perspectives, and that individual critical thinkers weighing all the available evidence will arrive at the most rational, progressive positions, thus yielding the most rational, progressive consensus. This simply isn’t how the marketplace of ideas works. For one thing, as free speech lawyer Nabiha Syed emphasizes, it has long favored the voices and perspectives of dominant populations, namely white people and white men in particular. Non-dominant voices are either ignored or shouted down, disallowing those perspectives from ever becoming true contenders within the cultural upvoting

32 Id. at 62.
33 Id. at 75.
34 Id. at 76–77.
35 Id. at 77.
36 Id.
37 See generally CHRISTIANS, FERRÉ & FACKLER supra note 14.
process.\textsuperscript{39} The marketplace of ideas, in other words, isn’t a particularly rational, fair, or free mechanism to begin with.\textsuperscript{40}

That the marketplace is replete with short-sightedness and bias speaks to another false assumption made by the light of liberalism: that facts are enough to change people’s hearts and minds. The belief that the rational liberal subject will see a fact, apply a neutral process of critical thinking to it, then come to an objectively correct conclusion, is the underlying argument for shining as many lights as possible on as many injustices as possible. The light of liberalism thus aligns itself with the federal troops described in “An Open Letter to Race Hatred,” who, bayonets raised, send the Kluxers, cowards, and crackpots scurrying back into the shadows whence they came.\textsuperscript{41}

This argument falls apart, of course, if the federal troops brandishing the bayonets are themselves bigots. It also falls apart when considering just how unreliable an ally the truth can be when correcting false or harmful information. Alice Marwick emphasizes this point in her critique of truth as a “magic bullet” in the fight against disinformation. I make a similar point in work exploring the limitations and unintended consequences of fact checking.\textsuperscript{42} People believe and do things not solely because of facts, but because of a host of other complex, social-psychological factors that often have very little to do with rationality.

Despite the faultiness of these assumptions, the light of liberalism remains compelling and seemingly self-evident, because the ideals of liberalism remain compelling and seemingly self-evident. The result is to provide de facto justification and even logical predicate for flooding the darkest corners of the marketplace with light—a position most simply articulated in the assertion \textit{because it works}. What history shows, however, is that it does not work, at least not reliably. What the light of liberalism reliably does instead is call greater attention to bigots’ messages, making them more prominent, mainstream, and accessible—a point Dundes himself acknowledges when he admits that his piece aided in the circulation of the

\textsuperscript{39} “Upvoting” is a term popularized on the content aggregation site Reddit. Reddit allows users to click an up arrow icon beside posted content; the more users click that arrow, the higher in the feed the content travels, allowing more people to see and engage with it. Conversely, if users click the down arrow, the content falls in visibility. See generally \textsc{Reddit}, http://reddit.com [https://perma.cc/TV4R-P2FF].

\textsuperscript{40} See generally \textsc{Christians, Ferré & Fackler supra} note 14, at 25–30, 38–44.

\textsuperscript{41} \textsc{Barnouw, supra} note 24 at 73.

Holocaust jokes he published, and that before publication, most people weren’t aware they even existed.\textsuperscript{43}

Early newspaper coverage of the Ku Klux Klan provides another example of how the light of liberalism can amplify and strengthen hate. As historian Elaine Frantz Parsons chronicles, Northern journalists played an enormous role in strengthening the Klan during Reconstruction.\textsuperscript{44} The Klan’s racial terrorism was all too real. But newspaper coverage lent coherence and national branding opportunities to what had been an inchoate and uncoordinated group of racist vigilantes, ensuring more opportunities for more violence.\textsuperscript{45} Historian Felix Harcourt describes a similar dynamic in the rise of the second Klan in the 1920s.\textsuperscript{46} Even the most scathing coverage, Harcourt emphasizes, helped spotlight the group for nonmembers.\textsuperscript{47} As a result, Klan membership skyrocketed. Here too, incessant publicity played an enormous role in helping the Klan secure its place as the United States’ “Invisible Empire.”\textsuperscript{48}

If disinfection really were an inherent quality of light, the more coverage, the more condemnation, the more exposés of the Klan there had been, the less powerful the group would have become. The opposite proved to be true, spurring the Black press during the 20s to adopt a policy of defiant silence when responding to Klan activities—a position Jewish groups in the 1960s also urged journalists to adopt in response to the rise of the American Nazi Party.\textsuperscript{49} A minority of voices has long understood an uncomfortable truth: that not only can light not be trusted wholesale to disinfect, it risks setting in place the weapons of one’s own murder.

\textbf{IV. Bearing Witness}

Unlike the light of liberalism, which foregrounds the individuals composing society, the light of social justice foregrounds the society comprising individuals—a society whose unjust norms, structures, and

\begin{itemize}
\item \textsuperscript{43} \textsc{Dundes \& Linke}, \emph{supra} note 18, at 29.
\item \textsuperscript{44} \textit{See generally} Elaine Frantz Parsons, \textit{Ku Klux: The Birth of the Klan During Reconstruction} (2015).
\item \textsuperscript{45} \textit{See generally id.}
\item \textsuperscript{46} \textit{See generally Felix Harcourt, Ku Klux Kulture: America and the Klan in the 1920s} (2017).
\item \textsuperscript{47} Id. at 19–21.
\item \textsuperscript{48} \textit{See generally Harcourt, supra} note 46.
\item \textsuperscript{49} \textit{See generally Harcourt, supra} note 466; \textsc{Frederick J. Simonelli, American Fuehrer: George Lincoln Rockwell and the American Nazi Party} (1999); danah boyd \& Joan Donovan, \textit{The Case for Quarantining Extremist Ideas}, \textsc{Guardian} (June 1, 2018) \url{https://www.theguardian.com/commentisfree/2018/jun/01/extremist-ideas-media-coverage-kkk} [\url{https://perma.cc/9BE2-LWUG}].
\end{itemize}
Hierarchies must change if there is any hope for individual citizens’ actions to change. From this framework, negative freedoms are supplanted by the positive freedoms of communitarian thinking, namely freedom for the good of the collective. Ethical action, Christians, Ferré, and Fackler explain, is thus reconfigured as a “positive duty to create a social environment in which others can share the same rights equally.”

As it reflects the communitarian assertion that individuals are never alone and that their rights always already exist in relation to the broader community, the light of social justice hails the collective we, not the atomistic me. In the process, it provides an alternative to what Christians, Ferré, and Fackler describe as liberalism’s “mistaken assumption that our personal identity exists independently of socially given ends.” An ethics centered on the we first, me second—that, the authors assert, is the true disinfectant “for our moldy conventions.”

As when considering the light of liberalism, highlighting how the light of social justice unfolds in embodied contexts helps isolate the variables and challenges specific to digital environments. The death of Emmett Till is a case in point; it exemplifies the vast differences between where the light of liberalism shines and where the light of social justice shines.

In 1955, the 14-year-old Till traveled from his home in Chicago to Money, Mississippi, to visit family. While there, he visited a white-owned store, bought something, and left. The store owner’s wife Carolyn Bryant, with whom Till had briefly interacted, later accused Till of sexually threatening her—an accusation Bryant recanted in 2017. On Carolyn Bryant’s word, Till was hunted down and lynched by store owner Roy Bryant and several accomplices; his mutilated body was later discovered in the Tallahatchie river, weighed down by a cotton-gin fan. Till’s mother, Mamie Till Bradley, insisted that her son’s body be transported back to Chicago. Journalists chronicled the arrival of Emmett Till’s casket at the train station, its transfer into the hearse, and departure for the funeral home. After seeing her son on the slab, Mamie Till Bradley made a decision: the press must also chronicle her son’s broken, mangled body. “Let the people see what they did to my boy,”

50 See generally Christians, Ferré & Fackler, supra note 14.
51 Id. at 45–46.
52 Id. at 46–47.
55 Gorn, supra note 53 at 1, 32.
56 Id at 56–63.
57 Id.
she famously said, and allowed David Jackson of *Jet* magazine to take photographs.\(^{58}\) *Jet* published the images in September 1955, which were then reprinted by a number of Black newspapers, including the *Chicago Defender*.\(^{59}\)

According to popular history, the image of Till’s mutilated body galvanized white Americans, helping to shore up national support for civil rights. This is a compelling story, historian Elliot Gorn explains, but is complicated by the fact that, until the 1980s, very few white people had seen David Jackson’s funeral-slab series.\(^{60}\) Eventually, Mamie Till’s wishes would be realized; the people, including the white majority, would see what the bigots did to her boy (many of them misremembering when they first encountered the photos). But initially, the most gruesome images of Emmett Till were limited in circulation—though they were not limited in their effects, successfully galvanizing a generation of Black Americans towards civil rights activism.\(^{61}\)

The images of Till’s funeral, however, and Mamie Till’s excruciated expression as she so publicly grieved, were widely circulated within the white press.\(^{62}\) The result, political scientist Heather Pool argues, was to center the struggles of marginalized people for sympathetic whites, unify heterogeneous groups through collective grief, and lay bare the failures of the United States’ democratic ideals.\(^{63}\) What Mamie Till was seeking, and what she successfully achieved, was for her son’s fellow citizens to ask the question, “why was this boy allowed to die?”—a question whose answer could generate precisely the collective energies needed to enact structural change.

In insisting that the country—and indeed the world—bear witness to her son’s violent murder, Mamie Till aligned herself with other powerful civil rights activists working long before the Civil Rights era. The post-Reconstruction anti-lynching campaign of Ida B. Wells, for instance, similarly implored: *you will look at this*. Wells was a Black journalist who began her career in Memphis, Tennessee.\(^{64}\) When three of her friends were lynched in 1892, she resolved to speak truth to white supremacist power.\(^{65}\) When she did so, racist whites threatened to kill her; Wells moved north and kept writing.\(^{66}\)

\(^{58}\) Id. at 59, 62.

\(^{59}\) Id. at 62.

\(^{60}\) Id. at 2, 62.

\(^{61}\) See generally GORN, supra note 53, at 259–78.

\(^{62}\) Id. at 1–2, 7.


\(^{65}\) Id.

\(^{66}\) Id.
In three pamphlets published between 1892 and 1900—*Southern Horrors: Lynch Law in All Its Phases, Red Record, and Mob Rule in New Orleans*—Wells dismantled the cover stories used to justify lynchings.67 These attacks were not, Wells showed, isolated events unconnected to race or racism, as many white Southerners maintained. They certainly were not honorable efforts to protect white women, a racist myth that positioned white Southern men as heroes, not murderers. Lynchings were, instead, acts of racial terrorism and fit within a broader systematic effort to control Black people and restrict power to white men.68 This was an affront to American values, Wells asserted; the truth had to be told.69 “When the Christian world knows the alarming growth and extent of outlawry in our land,” she wrote in *Red Record*, “some means will be found to stop it”.70

This call, at least in verbiage, was similar to the one made in “An Open Letter to Race Hatred.” However, rather than framing the solutions in terms of the individual citizen, Wells sought to “intervene boldly in public discourse and to change public opinion so that the application of justice for all could prevail,” as biographer Jaqueline Jones Royster explains.71 Wells focused particularly on educating white Americans, who had the ability—and therefore, according to Wells, the obligation—to push for change.72 Ultimately, Congress failed to pass the federal anti-lynching laws for which Wells and others campaigned.73 Over a century later, they still haven’t.74 Still, Wells forced critical debates on the subject of lynching, and public sentiment against mob violence did indeed shift. In shining her light, Wells created the conditions for a different type of individual to emerge: one aligned with the communitarian freedoms of a more just society.

The Equal Justice Initiative’s Legacy Museum in Montgomery, Alabama continues in Wells’ footsteps.75 It tells the story of slavery from the perspective of those harmed, dehumanized, and murdered through

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67 Id.
68 Id. at 27–33.
69 Id. at 28.
70 Id. at 157.
71 Id. at 40.
72 Id.
73 Id.
enslavement, and shows how the institution of slavery evolved from lynchings to Jim Crow to mass incarceration. The museum grounds are also home to the National Memorial for Peace and Justice, which includes an installation of hundreds of suspended columns representing the counties in the United States where lynchings occurred. Each of the columns bears the names of those who were murdered. The museum’s guiding ethos is that shining a light on ugly truths is a necessary first step towards restorative justice. The museum’s executive director Bryan Stevenson emphasizes this point, arguing that the United States never fully contended with the full ugliness of slavery or the defiant and widespread white resistance to the civil rights struggle. Because the root of that evil was never confronted, it has been allowed to grow and evolve. Appropriately, the Legacy Museum’s museum book includes a full-page quote from Ida B. Wells: “The way to right wrongs is to turn the light of truth upon them.” The Legacy Museum thus invites visitors to bear witness and confront America’s racist past with “honesty, courage, and hope for the future.” Only then can the country begin the process of collective healing. Only then can freedom really be free for all.

The light of social justice does not presume that the marketplace of ideas will filter the best ideas to the top; in fact it implicitly concedes that the most resonant and popular ideas are often the ones in most desperate need of challenging. Lynching, for example, was popular. These rituals of pornographic torture and murder were enthusiastically attended by thousands of white Southerners. White newspapers chronicled every move, often covering the white terrorists sympathetically. White children looked on, unfazed. The marketplace of ideas was, at best, useless to the cause of social justice, and at worst, an accomplice to mob violence.

The light of social justice, in short, reveals the unseen—including the myopias of liberal light. It contends with power. It shows us bodies. It is necessary to an inclusive, pluralistic democracy. But it is not a failsafe. It too can have unpredictable effects. It too can backfire. In her reflections on the pain of others, Susan Sontag forwards a simple explanation: the fracture of the

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77 Id.
79 Id. at 5.
80 Id. at 2.
“we” who looks. “No ‘we’ should be taken for granted when the subject is looking at other people’s pain,” she writes. 82

For audiences grounded in the same ethical paradigms as those shining the light, social justice spotlights can serve as what visual culture scholar Ariella Azoulay describes as an emergency claim. 83 Emergency claims highlight something so egregious and so extraordinary that it triggers a pressing sense of civic responsibility to act. 84 How terrible, this is not the kind of society we want; we must do something to stop it. When successfully made and received, emergency claims can catalyze meaningful social change.

The wild card is who encounters those claims, and what insular “we” those audiences identify with. Sometimes (certain) audiences only register the first part: that this thing is terrible, and doesn’t reflect the kind of society we want. And yet that recognition is then followed by awkward silence. Condemnation without follow-through easily slips into abstraction. Literary scholar Debra Walker King describes this risk in her analysis of blackpain, the process by which Black bodies in distress are transformed from spiritually-whole subjects to metaphors for suffering. 85 Those observing these bodies “from the trees,” that is to say, with a comfortable emotional distance, can cry about something sad that happened to (the idea of) a Black person, feel good about crying, then continue on with the day as if nothing happened. 86 The essence of blackpain is an emergency claim that serves as nothing more than a set-piece for education, or even entertainment—a particular risk once that pain is made consumable by white people.

Sometimes, both moral revulsion and a sense of social responsibility are lacking: in short, both halves of the emergency claim fail. For that segment of the “we,” an event is not regarded as all that bad, so there is no reason to do anything about it. In these cases, Azoulay explains, harms are normalized as the status quo. 87 For many white people in the North and South, this was lynching in a nutshell. As political communication scholar Richard Perloff chronicles, white newspaper coverage embodied such an outlook. 88 Reporting on lynchings was “akin to reporting on unpleasant acts of nature such as earthquakes or floods; the events were unfortunate but necessary aspects of the order of things...” 89

82 SUSAN SONTAG, REGARDING THE PAIN OF OTHERS 7 (2006).
84 Id. at 197–99.
86 Id. at 20.
87 AZOULAY, supra note 83, at 203–04.
88 Perloff, supra note 81, at 317–321.
89 Id. at 318.
Speaking to the outcry following Emmett Till’s death, Heather Pool offers up an even more distressing outcome of a failed emergency claim: that members of the dominant group double-down on the status quo.90 This is particularly risky when the emergency claim is directed towards the group responsible for the harms in question. Many white Southerners, for example, reacted to Till’s death not as a catalyst to racial reconciliation, but as further reason to mistrust outsiders and activist groups like the NAACP, who these white people believed were conspiring to destroy the “traditional” (read: insular, homogenous, and structurally racist) Southern way of life.91 And that’s to say nothing of the white people who were compelled to raise the Confederate flag, whether proverbial or literal, even higher. This second, more explicitly violent response is evidenced by how frequently Emmett Till memorials have been shot up over the decades. Indeed, so many people have shot at the Graball Landing memorial sign—which marks where Emmett Till’s mangled body was fished from the Tallahatchie River—since its dedication in 2008 that the Emmett Till Memorial Commission had to replace it four times. The commission finally installed a bulletproof sign in 2019.92

When considering the consequences of failed emergency claims, the takeaway is stark: Where there is apathy, the light of social justice cannot shine as intended. Where there is hate, it can transform into something else entirely. The more unwieldy the audience is, the more difficult it is to predict which response is more likely. For example, given that visitors could be traveling in from any part of the country for any range of reasons, it is not possible to anticipate whether the people driving towards the Graball Landing memorial are there to confront the United States’ violent past with honesty, courage, and hope for the future—or whether they are there to riddle the memorial with bullets.

V. DIGITALLY-MEDIATED LIGHT

Online, predicting an audience’s response—let alone identifying where one audience ends and another begins—can be even more difficult. The permeability of audiences online stems from social sharing spurred by trending topic algorithms, streamlined retweeting and reposting functions, and the various attention-economy incentives dangled by profit-driven social

90 Pool, supra note 63, at 418.
91 For more on how the Till case was reframed as an outside attack against white Southerners, see GORN, supra note 53, at 64–68.
platforms. Information often moves faster than it can be tracked in real-time, especially as it weaves between public and private networks. Anticipating who will see something we post, and what might happen as a result—or, put another way, who will show up to mourn and who will show up with guns—is often impossible to predict.

The consequences for light, both of liberalism and social justice, are profound. A person trying to call attention to something might shine their light nobly, a steady beam cutting through the darkness. However pure that light might be, however focused, its reception is in fact prismatic, refracting wildly across networks. Its colors change; its wavelengths lengthen; and it can never be called back.

Because it holds a mirror up to society to reveal its ugliest contours, the light of liberalism is particularly vulnerable to out-of-control refraction online. The funhouse mirror that is the marketplace of ideas only strengthens that light, bending it towards worse and stranger outcomes. This happens because there is no singular, self-contained marketplace online. Instead, groups are sorted into highly-insular echo-systems—a term introduced by Kate Starbird and her team at the University of Washington—93—that keep people algorithmically fed by a steady diet of worldview-affirming media. This is particularly true of echo-systems on the right, which over a period of decades have become asymmetrically polarized, even radicalized.94 These echo-systems essentially function as highly-specialized marketplaces of ideas. A scathing critique spotlighted by the light of liberalism can filter into a reactionary marketplace and emerge transformed: into a joke, a justification, or an incentive to do something even worse next time.

The possibility that the light of liberalism might reconfigure into something dangerous speaks to a further vexing fact of light: that calling attention to harm, even in order to minimize that harm, still serves to publicize the harm. The ambivalent risks associated with publicity have long been an Achilles heel of the light of liberalism. Online, the unchecked spread of information, coupled with hopelessly collapsed audiences, only exacerabtes the problem. I explore the digital contours of this tension in my 2018 *Oxygen of Amplification* report on best practices for reporting on bigots, manipulators,


and abusers. When asked about the dangers of amplifying hate by reporting on hate, one journalist encapsulated the issue. As he explained, “There’s no way around [the publicity tension]...There’s bad people in the world, and there are poisonous ideologies in the world, and at a certain point you have to realize that you’re promoting them to a…” The reporter paused. “Not promoting them, but you’re getting those ideas out to a wider audience.”

Almost by journalistic definition, getting those ideas out to wider audiences risks handing weapons to those audiences. Of course—and this is where the reporters I interviewed furrowed their brows most deeply—not taking that risk could be worse. Remaining silent could allow the problems to fester unchecked, give bad actors control of the narrative, or signal complicity. The challenges truly cut both ways.

Digital spaces pose similar complications for the light of social justice. As necessary as the light might be to communitarian freedom and justice, online its potential benefits are often matched by its potential fallout. For example, the Equal Justice Initiative—whose Legacy Museum and National Memorial for Peace and Justice provides visitors a brilliantly curated, immersive, and viscerally interactive experience—disabled the comment feature on all of its promotional YouTube videos. The purpose of the museum is to foster dialogue and engagement. Online, that learning environment is much more difficult to control. The unwanted actions of unintended audiences—pressingly, the violently racist YouTube comments those audiences might post—is simply not worth the risk. Such commentary could, and almost assuredly would, transform the videos into sites of white racial terror.

In short, context-collapsed audiences online pose significant challenges to social justice efforts. That’s not all: these same challenges are easily weaponized by bigots. Even when a person highlighting harms takes great care to honor the experiences of those subjected to hate, harassment, and violence, bigots can take the most thoughtful framing and flatten the person or people described into racist, easily sharable, memes. In other words, into content—an abstraction that very easily dovetails into Debra Walker King’s

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97 Id.
conception of *blackpain*. Sharing stories about abuse and harassment—even when the goal is to elicit a collective, communitarian response—can also spur worse abuse and harassment. Once again, the tools of digital media are the culprit. Search indexing, which allows people to easily find people, places, or things by keyword, sets those things into place, transforming them into static, easily accessible targets. This danger extends well beyond the person who has been targeted; the very light that seeks to highlight injustice in order to fight injustice lights up that person’s social networks, providing bigots and abusers a whole new set of people to terrorize.

VI. ECOLOGICAL ILLUMINATION

The light of liberalism and the light of social justice are different. Each should be analyzed on its own terms. Simultaneously, digital spaces blur that dividing line. For one thing, it can be extremely difficult to tell one kind of light from the other once it’s been refracted through seamless social sharing. For another, both kinds of light can cause considerable, if wholly unintended, harms.

In these cases, the most dangerous quality of light is that it does not seem dangerous. We assume that light is inherently good; that it’s the best of disinfectants. It is true that light can be good and can disinfect in some cases, with some people. But light can also be the stuff of nightmares. Exploring the history of light—including all it has solved and all it has made worse—helps dispel the idea that we can take our light to the bank. All we can take to the bank is refraction.

This does not mean we are powerless. It certainly does not mean we should default to a defeatist binary: either we never shine our light, or we shine it regardless of consequence. Both will only make things worse. What we must do, instead, is approach light ecologically.

Ecological thinking draws lessons from the interconnection and interdependence of the natural world and applies those lessons to digital spaces.99 For example, in nature, the deep reciprocities between flora and fauna, predator and prey, sky and earth, ensure that no one thing can be carved out from all the rest. Everything is dependent upon everything else; what happens to one happens to all. The Internet is the same. There are deep reciprocities between our digital tools—our algorithms, our retweet buttons, our media editing software—and our everyday interactions with those tools (algorithms, for example, feed us, but we also feed them). There are deep reciprocities between the bigots, chaos agents, and manipulators (collectively,

“bad actors”) and citizens of good faith; the actions of one shape and incentivize the actions of the other. There are deep reciprocities between our sprawling institutions and the body politic, both of which circulate, respond to, and strengthen good and bad information alike.

An ecological approach to light explores these connections by asking how the things we illuminate here might impact the people, places, and things over there—directing our attention to the unexpected places and unintended consequences of everyday action. An ecological approach to light also sidesteps questions of intentionality. We might want to rid the world of the scourge of bigotry; we might want to protect and empower marginalized groups; we might want to defend democracy with all our might. And yet, however deeply we care about our communities and the environment, intentions are not the same as outcomes, especially online, when information zooms unpredictably across and between countless networks with little ability to predict what happens next.

By asking us to reflect on how, when, and where we shine our light, ecological thinking reminds us to ground ourselves in the world we’re actually in, not the one built atop existing assumptions. Living bravely in that world means applying strategic, case-by-case assessments of the costs and benefits of light and of darkness. It means acknowledging that our light can be weapons for some, and necessary beacons for others. Most importantly, it means acknowledging the impact we have on the world and making peace with the fact that, when it comes to light, there are no easy answers.