"I do not consent": political legitimacy, misinformation, and the compliance challenge in Australia's Covid-19 policy response

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Abstract

This paper examines the relationship between policy compliance, the emergence of alternate epistemes and authorities in online spaces, and the decline of trust and legitimacy in democratic institutions. Drawing on insights from public policy, regulation theory, and political theory, the paper critically engages with scholarship on "policy-takers" to illuminate the tensions of compliance and legitimacy in liberal states. It proposes a compliance–legitimacy matrix that identifies the features of policy compliance—including consent, legitimacy, expertise, and trust—and their relationship to the disaggregation of policy knowledge. The article applies this framework to a case study of social media posts that respond to policy information during the management of the Covid-19 pandemic in Australia. Through analysis of these posts, the study reveals the distrust in "the science" and experts advocated by government and the calls from skeptic groups for noncompliance with public health measures. The paper argues that public policy faces an epistemic crisis of public confidence, with significant downstream consequences for compliance with public policy initiatives that has been brought on both by the failures of states to cultivate trust in science and the government. The compliance–legitimacy matrix offers a useful tool for policymakers to anticipate and address objections from policy-takers and to preempt and diffuse their fears.

Keywords: evidence-based policy making, legitimacy, compliance, misinformation, Covid-19, expertise, dissent

The Covid-19 pandemic challenged the epidemiological expertise of state and international health bodies, overwhelming health services in almost every state, taking the lives of millions, and harming millions more. Yet it was a crisis of the foundational authority of the state too: state managers had to not just urgently design public health strategies but also to overcome growing mistrust of the government's handling of the crisis to convince the public to *comply* with the often strict ordinances they contained—to stay in isolated "lockdown" for days and weeks, to wear masks in public spaces, to receive vaccinations, and more. Securing public compliance for such measures, after the monumental technical achievement of producing effective vaccines, became a universal challenge for all state managers. As

Dickinson et al. (2023), writing in this journal, observe, that was a challenge of public education and persuasion: "policy capacity is critical to successful vaccination programs, which are about more than not just procuring and distributing vaccinations but also building awareness and acceptance of these" (p. 105). For states of a liberal tradition, the tension between individual rights and collective, utilitarian notions of public safety could not have been greater.

Indeed, it was a tension that worsened amidst uncertainty among epidemiological experts over the necessity of some interventions, on the one hand, and digital misinformation on the other. The use of scientific expertise to diagnose and resolve public policy challenges has long been embedded in the policy cycle as the default mechanism to secure policy aims efficiently and effectively. Since its conceptual articulation as a unified "evidence-based policymaking" approach, utilitarian scholarly approaches in policy sciences have advocated, refined, and widened the Evidence-Based Policymaking (EBPM) approach (Davies et al., 2002; Legrand, 2012). Yet, even while early debates on the suitability of the evidence-based approach cautioned its inherent vulnerability to being co-opted by political considerations, few could have predicted the scale of today's emergent challenge to the authority and veracity of government expertise. Global online communities—focused on alternative treatments, conspiracies, and other forms of misinformation—flourished, fueling public dissent over the necessity of public health mandates and calling into question the credibility and credentials of mainstream experts working in universities, hospitals, and public health bodies.

The challenge to the expertise and authority of state institutions in managing crises has serious repercussions for liberal democracies and beyond. Policymakers have taken for granted that the public—as "policy-takers"—first consent to, and comply with, the application of state initiatives that pertain to national safety because there is widespread acceptance that the state has the requisite expertise to identify the best management strategy for collective problems and also has the resources and mandate to do so. Across policing, road safety, public health policy, and beyond, public compliance with public policy mandate is pivotal to achieving policy aims. Yet, the connection between policy implementation and public compliance is reliant on, first, the widespread acceptance of the legitimacy of state authority; second, cohesive expertise that is widely accepted and the absence of alternate sources of authority; and third, the public's intersubjective consensus on the veracity of truth claims made by the government.

The paper commences by critically engaging with scholarship on "policy-takers," drawing on work from public policy, regulation theory, and political theory to draw out the tensions of compliance, expertise, and legitimacy in liberal states. Its second section proposes a framework of "compliance–legitimacy matrix" that relates the features of policy compliance—consent, legitimacy, authority, and trust—to the disaggregation of policy knowledge. In its third section, the paper applies this framework to the case study, analyzing a dataset of social media posts that are direct responses to "policy information" to extract themes and their relative frequency. Using the management of the Covid-19 pandemic by the Australian federal and state governments as a case study, we draw on the most prominent anti-government social media sites to explore the distrust in epidemiological expertise—"the science" advocated by government—and the calls from skeptic groups for noncompliance with public health measures.

Securing compliance in policy-takers

How do state managers secure high levels of compliance in policy-takers? Understanding the causes and conditions of compliance and noncompliance is vital to effective policy design and, by extension, to the authority of the state; yet, for Michael Howlett, the conditions of state failure in securing public compliance remain to be sufficiently interrogated:

> Why such compliance is not always forthcoming is a key question in the policy sciences and one which has often been examined but often in a very cursory fashion and under the burden of many, mainly economistic, assumptions about the motivations of policy targets (2019, p. 73).

Regulation scholars and policy scientists alike share a concern with developing tools that ensure that the intent of policy is achieved. John Braithwaite's work on "responsive regulation" in liberal democracies, for example, offers multiple "how to" approaches to overcoming resistance or recalcitrance in policy-takers (Braithwaite, 2011, p. 476), yet among today's policy sciences literature, R. Kent Waever

Levels of intrusion	Nature of principal-agent interaction	Compliance measure
Low ↓ **Heavy**	Cooperation	'Providing information about what behavior is compliant, how to comply, and the advantages of compliance'
	Persuasion	'Admonition to comply on moral, self-interested, or other grounds'
	Carriage or support	'Providing resources to comply, which may be targeted to those who would otherwise lack those resources'
	Constructed choice	'Manipulating options and defaults (choice architecture) without substantially affecting the payoffs to individuals of doing so'
	Inducement	'Providing positive incentives for compliance'
	Cost imposition	'Having negative incentives for noncompliance'
	Coercion	'Prohibitions and requirements with punishments attached'

Figure 1. Compliance measures. Adapted from Weaver (2015, p.811).

has developed perhaps the most direct advice to the would-be policymaker on achieving policy compliance: "Many government policies can achieve their objectives only if individuals and businesses in society engage in specific behaviors that are consistent with those objectives" (Weaver, 2015, p. 806). Among the litany of compliance vulnerabilities, Waever identifies the following categories: (1) incentives, monitoring, and enforcement barriers; (2) information/cognition, beliefs, and peer effect barriers; (3) resources and autonomy barriers; and (4) multiple barriers and compliance failures.

In many Anglosphere and European states and beyond, today's levers of compliance are loaded toward the "low" end of intrusion (Figure 1). These owe much to the "new public management" restructuring of government in the 1980s and 1990s that saw the ascendency of an incentive-based approach to compliance, replacing the long-standing top-down "command-and-control" paradigm, at the "heavy" pole of intrusion. The post-war era of policy science had been dominated by economists' utilitarian assumptions of compliance that cast individuals as rational, utility-maximizers weighing up the costs or disincentives of noncompliance against the benefits and incentives of compliance (Howlett, 2019).

Compliance, legitimacy, and democratic government

It is widely held that there is a direct relationship between compliance and state legitimacy, since the failure of government to attain compliance with its policy decisions depletes its authority and as a corollary diminishes its policy capacity too. Legitimacy, for Fritz Scharpf, is "a socially sanctioned obligation to comply with government policies even if these violate the actor's own interests or normative preferences, and even if official sanctions could be avoided at low cost." Similarly, for legal scholars, it represents "the perceived obligation to obey and trust and confidence in the relevant institutions" (Tyler & Jackson, 2014, p. 79), while regulation theorists have shown how compliance rises and falls with the incentives within, and perceived legitimacy of, the regulatory regime (Bardach, 2006). Broadly, it is understood that legitimacy accrues from the alignment of public beliefs about government, specifically that the public trust in government institutions; believe that decision-making processes are fair, and decisions made are in the public interest; believe that institutions are capable of delivery/implementation; and believe that those institutions have the requisite authority to do so. So, in recognizing the legitimacy of an institution, behaviors consonant with policy aims arise: "When people ascribe legitimacy to the system that governs them, they become willing subjects whose behavior is strongly influenced by official (and unofficial) doctrine" (Tyler & Jackson, 2013, pp. 83–104).

The legitimacy ascribed to government, as the "policymaker," by the public, the "policy-takers," is therefore central to compliance, the effectiveness of policy delivery and, indeed, whether policy is delivered at all. And so, for the policy literature, it is held to be crucial that we attend to "the importance of considerations around *the legitimacy of government actions* and the operation of a wide variety of descriptive and injunctive social norms held by targets" (Howlett, 2022, p. 310). Moreover, we must recognize that compliance is not just a matter of policy effectiveness but is in fact central to democracy itself,

since: "Public policies that serve democracy need to garner support, stimulate civic engagement, and encourage cooperation in the solution of problems" (Ingram & Schneider, 2006 p. 180). We might, then, see compliance in policy-takers as not merely a matter of policy effectiveness or capacity but as a weathervane of the legitimacy of the state itself.

Trust and legitimacy in policy design

Trust is intrinsic to legitimacy and expertise and the basis of the "functionality of institutional capacity" (Hartley & Jarvis, 2020, p. 403). Bo Rothstein suggests that building trust and legitimacy together is vital for public managers, and without both "it is difficult to obtain the economic and political resources necessary for the state to implement policies in a competent way" (Rothstein, 2012, p. 407). According to Craig W. Thomas, it has "cognitive, emotional, and behavioral components" (Thomas, 1998, p. 170), and most scholars agree that trust will "generally include some reference to expectations or beliefs that others will behave in a predictable manner" (p. 170). We use trust to characterize the relationship between two or more entities—here, the public and the government in three dimensions. *Fiduciary* trust refers to the belief that the state makes decisions and operates in the best interests of the public. This is especially vital in policy challenges that are especially technical or resource-heavy, for which the state is best-placed to address. In circumstances of *mutual* trust for the optimum outcome to be achieved, there is a shared trust between the state and the public—as for street-level bureaucrats—to collaboratively fulfill duties, such as that between a medical expert (who is trusted by the patient as someone with the requisite expert credentials to prescribe a course of treatment) and a patient (who is trusted by the medical expert to follow that treatment). Finally, *social* trust is the quotidian expectations of behavior that individuals have of one another to follow rules and norms or moral obligation: it "permeates and eases our day-to-day existence" (1998, p. 177). It is vital for the functioning of systems, such as road traffic systems, that require individuals to believe that others will follow rules and that others will reciprocate that belief: or "trust in trust" as Thomas puts it (p. 178).

To design effective policies, understanding the role of trust and legitimacy is crucial. Policy issues often require fiduciary, mutual, and social trust to achieve the desired outcomes and maintain political legitimacy, especially during a crisis like Covid-19. Low levels of trust can have manifold consequences, as discussed later. For instance, if a fiduciary decision, such as commissioning science experts to undertake rapid vaccine development, is made in a context of low trust in the experts, the vaccine's viability and safety might be doubted. Low mutual trust could result in vaccination refusal, hindering the collaboration necessary to combat the disease. Further, in low social trust environments, citizens might avoid public spaces or neglect safe behaviors, like timely vaccinations, assuming others are not following them. The loss of trust, in short, can have damaging implications for how well government policy performs, as well as for societal outcomes at large.

Evidence and policy legitimacy

Information is similarly vital to legitimacy and trust. Howlett, for example, frames public trust as a behavioral prerequisite for effective governing tools, casting it as the "willingness to believe and act on *information provided by government*" (our emphasis, Howlett, 2019, p. 83). There is a long-standing relationship between science and government decision-making (most prominently Habermas, 1985; see also Head, 2010), but it has never been more influential among state managers than it is today as "evidence-based policymaking," a phrasing that has appeared in numerous post-1990s government policy strategies across the world. There is a vast literature examining EBPM and its signaling (e.g., Legrand, 2021; Pawson, 2002; Packwood, 2002; Sanderson, 2002; Solesbury, 2001; Young et al., 2002). Among the many appealing qualities of the notion of EBPM, what stands out perhaps the most is its potential to fortify the *credibility* of decision-making, and especially in policy domains dominated by technical or scientific variables. Marston & Watts summarize it best: "[EBPM] acts as a catch-phrase 'scientific', 'scholarly', and 'rationality', which taken together can be understood as an attempt to modernize policymaking and professionalize human service practice" (Marston & Watts, 2003, p. 144–145). In times of uncertainty, as Ulrich Beck argues, science-backed decisions can give confidence to decision-making, and the public's (fiduciary) trust that the state is acting on the best available information in the public interest: "When risk is still seen as external risk, science may continue to offer a sense of security, even of certainty, to lay individuals (and political officials)" (Beck, 2000, p. 275).

Notwithstanding the manifest benefits of evidence-based decision-making for times of certainty and times of crisis alike, there are clear indications that "alternate epistemes" are becoming increasingly resonant across the world. The construction of alternative epistemes has become a growing concern for scholars and presents an acute and potentially enduring challenge for EBPM. While some scholars and policymakers contend that fact-checking is the answer, research suggests that in a "post-truth" world, this approach is ineffective (Barrera et al., 2020; Fischer, 2019). In this world, neither experts nor facts are always regarded as objective, and evidence is fungible through "alternative facts" (Wight, 2018). Segments of society display distrust in the systems that underpin the source of mainstream knowledge and the experts therein and oppose facts generated within what they perceive as corrupted systems of governance. Within this framework of knowledge politics, the *political meaning* of the information is prioritized over its veracity (Fischer, 2019), and fact-checking does not guarantee improved policy support (Barrera et al., 2020).

Social media has served as an enabler of alternative epistemes through the ease in which disinformation and misinformation can circulate and fuel a culture of post-truth (Cosentino, 2020; d'Ancona, 2017). Moreover, initial gaps in prevailing expertise, created because the "unknowns" of the novel Covid-19 virus and its transmission vectors, provided further opportunities for purveyors of misinformation to fill information voids with alternative claims aligning with fringe ideologies (Neblo & Wallace, 2021). Covid-19 skeptics tend to have worldviews that are situated at the extreme ends of the political spectrum wherein mistrust of mainstream political institutions is abundant (Imhoff & Lamberty, 2020; Küppers & Reiser, 2022). Accordingly, policymakers are confronted with a crisis of legitimacy wherein appeals to "the facts" and expertise to support decision-making are not guaranteed to generate complete compliance.

Justification of public policy

The contest over evidence-based decision-making suggests that the integration of evidence in and of itself into decision-making is not a sufficient condition of legitimacy. To generate public confidence on the basis of a policy decision requires a justification that draws together both (expert-interpreted) evidence and political values and genuinely engages in deliberative discussion. Indeed, for Barnhill *et al.* (2023), achieving political legitimacy in decision-making requires the state to go beyond providing the information behind decisions and engage in "reasoned justification." They develop and propose a "public reason ethics framework" for resolving general ethical conflicts in public debates (and specifically to the question of mandatory vaccines). The approach relies on a Rawlsian account of public reason—*public justification*—which calls on decision-makers to justify measures affecting the public in reasoned terms. Fulfillment of that duty is, they argue, vital to generating or maintaining political legitimacy, "resulting in policies that are ethically justifiable, legitimate and effective" (2023). Government can fulfill that duty, they argue, by rejecting majoritarian decision-making (which potentially neglects "the rights and interests of minority groups") and undertaking public justification. On this view, public justification is a superior approach in liberal democracies to utilitarian ones because it maintains the integrity of individual rights. It can be summarized thus: "when a person appeals to shared moral evaluative standards in order to justify a policy such as vaccine passports, other people may find their reason accessible, and therefore suitable for public justification, *even if they do not share that reason.*" (Barnhill et al, 2023). If successful, the ensuing legitimacy leverages potentially all forms of trust: fiduciary, mutual, and social, especially within those policy domains where the cooperation of the public is vital to the intended policy outcomes.

The vital question of public compliance that arises might not be "how do we overcome noncompliance or outright civil disobedience?" but, rather, "what can we learn from those who do?" Waever makes this point forcefully: "Widespread failures of compliance by targets of policy may signal that there is something wrong with the policy, rather than with the targets who are being uncooperative by failing to comply with it" (Weaver, 2015, p. 815). In our discussion earlier of the forms of trust, fiduciary trust characterizes the public belief (or lack thereof) that the government operates in good faith to manage challenges that are beyond the technical ability or resources of citizens. Such circumstances are more likely where decisions are made not through the consultative or cooperative mechanisms but as unilateral determinations—or mandates—made by the state. Opposition to fiduciary decisions manifest as more than noncompliance with (nonmandated) guidelines but also as public protests and deliberate law-breaking.

Table 1. Compliance–legitimacy matrix.

Policy-taker outcomes	Policy-takers relation to government			Government policy levers	
Compliance	Expertise	Trust: Fiduciary/mutual/social	Government legitimacy	Regulatory burden	Policy justification
Cooperation	Narrow/accepted establishment	High	Endorsed	Light	Reasoned discussion
Consent	Focused	Medium	Accepted	Simple	Utilitarian
Dissent	Disaggregated/non-mainstream	Low	Contested	Complex	Selective or partial
Disobedience[a]	Alternate/rejects orthodoxy	Low/none	Rejected	Overburdened	None attempted

[a]This framework coheres the contributing dimensions of policy-taker compliance but does not have the full empirical space available to illustrate how these connect. First, it includes behavioral elements—such as cooperation and disobedience—which are connected to the cognitive elements of consent and dissent. As this article is focused on the *discourses* of dissent, we do not explore the behavioral dimensions of the framework, yet retain these in the framework to show this vital cognitive–behavioral connection. Likewise, we include Regulatory Burden and Policy Justification, but do not explore their expression in the case study here because of the constraints of space.

By way of example, in their analysis of vaccine uptake among Disability Support Workers (DSWs) in Australia, Helen Dickinson et al. (2023) found a "strong theme" of a lack of faith or trust in government among their DSW interviewees. There was further expressed belief that government and the media had been misleading the public that the mandate lacked procedural fairness and that DSWs were being "treated as guinea pigs for vaccinations" (2023, p. 113). In their analysis, Dickinson et al. find that "the 'Achilles' heel" for the Australian government in the mandate of vaccinations for DSWs is the critical policy capacity of political legitimacy.

The compliance–legitimacy matrix

The foregoing exploration of the qualities relevant to political legitimacy and compliance reveals a complex, uncertain, and non-prescriptive matrix of factors. That it is drawn from approaches in policy design, regulation, law, political science, and political theory underlines the importance of compliance to a range of disciplines. We frame the matrix as uncertain for two reasons. First, there is no phenomenon of political legitimacy that can be independently measured; rather, the concept is a heuristic that enables us to relate together multiple variables—of trust in government, of belief in government's fairness and effectiveness, and so on—that either enhances or reduces the likelihood that a decision is accepted and complied with. The matrix in Table 1 relates these qualities to one another to depict how compliance *tends to arise*, or not, according to a simple interpretation of the variables, but that the complex interaction of such variables can produce counterintuitive results. Second, it is non-prescriptive because we do not want to be drawn into a claim that compliance is normatively "good" and dissent normatively "bad." Our analytical context here is liberal democracy, where the availability of contested information relating to Covid-19 muddied both decision-making and policy-taking. As Cairney and Toth (this issue) show, there is no neutral uptake of evidence and science into decision-making, but that contest of expertise presents to decision-makers (and the public) a mixed bag of often contrasting options. That contest, as Cairney and Toth show, produced divergent policy decisions across the world in how to manage the pandemic and from which we reasonably conclude that we cannot assess whether there was any public management strategy necessarily "better" than others, nor that any particular public response was better or worse than others at the time.

Expertise, compliance, and Covid-19 in Australia

There has scarcely been a more important time to understand public compliance for policy programs—nor one with worse consequences for noncompliance—than the COVID-19 pandemic. The pandemic represented one of the most pressing global health crises since the Spanish Flu killed 50 million people in 1918. The World Health Organization estimates that as of September 2022, more than 600 million people had had a Covid-19 infection, with 6.4 million deaths.

Once the scale of the threat became apparent in the last weeks of 2019, public health agencies scrambled to develop the epidemiological advice urgently required by governments to curb the spread of the virus. States called on their public health experts to identify or develop the instruments needed to prevent and treat infections from the novel coronavirus, and so a host of interventions were rapidly developed, trialed, and retained or shelved. Variously, governments introduced policies based on expert advice with differing levels of compliance requirements: quarantine for travelers, international travel restrictions, wearing mask in public spaces, contact-tracing of positive cases, herd immunity or "let it rip," and, as the principal measure, the development of effective vaccines to curb the prevalence and severity of COVID-19 infections and its variants.

In deploying its Covid-19 health interventions, the Australian government leaned heavily on medical science as an evidence-based approach in its public communication strategy. In the first press conference addressing the growing pandemic in January 2020, Prime Minister Morrison stated that the government was adopting "evidence-based, proportionate, additional measures." In Australia's parliamentary debates, similar language emerged: "it's not a matter of politics but a matter of science to support vaccines. We must be guided by science in our support of vaccines" (Joshua Burns MP); "the Morrison government's world-class response is evidence-based, expert-informed and timely" (Katrina Allen MP). The Minister for Health and Aged Care similarly acclaimed the government approach and coordination with the states and territories as "an evidence-based response to COVID-19, based on the latest medical advice" (June 2021). Nonetheless, the government's public justification was adjudged as poor by the Parliamentary Senate Select Committee on COVID-19 (Dec 2020) report on the government's handling:

> The Australian Government's overarching strategy to deal with COVID-19 was not explained clearly to the public until late July—more than four months after strict sanctions were placed on the way Australians lived their lives.

Crucially, for the government response to have a reasonable expectation of success, public compliance with the mandated measure was vital. The range of public health measures had varying effectiveness, but the overwhelming scientific consensus pointed to the need for widespread compliance to minimize the virus' spread. Yet, as the next section shows, widespread dissent quickly emerged against the government's evidence-based and expert-informed claims.

Resistance and dissent over Australia's public health mandates

Resistance to and noncompliance with the Covid-19 health measures was a common feature of almost every state's Covid-19 response. While authoritarian states, such as China, did not shy away from wielding the full force of coercive powers, for liberal states, the use of punitive powers to force public compliance sat uneasily. In Australia, multiple sources of dissent emerged very quickly to the government's planned Covid-19 management program. Movements such as "Reignite Democracy Australia (RDA)," the "Convoy to Canberra," the "Australian Vaccination-Risks Network," and others formed a vocal cohort of dissent against the government's mandated health measures, especially in vaccination, mask-wearing, and lockdowns.

While "fringe" groups, these gained momentum rapidly amidst the pandemic. By 13 May 2021, Australia-based public groups on Facebook advocating noncompliance with government health measures had increased their membership by 280% (Reset Australia, 2021). More than 115,000 members were active and responsible for over 2 million comments on these sites. In these spaces, misinformation flourished, including claims that the pandemic was a government conspiracy, the Covid-19 vaccines were harmful, the virus originated in a Chinese bioweapons laboratory, 5G mobile phone signals were spreading the virus, "Big Pharma" had contrived the pandemic to sell their products, and so on. These claims, although evidence-free, gained traction in a sizable proportion of the population. A survey by Pickles et al. (2021) found among those who gave credence to misinformation claims related to COVID-19, "lower levels of digital health literacy, perceived threat of COVID-19, confidence in government, and trust in scientific institutions." There are no estimates available for the total size of the population who fully or partly subscribed to claims that were based on misinformation, but these groups managed to

secure a high national media profile. Our empirical case selects four of the groups central to the anti-government mandate movements to explore the misinformation and messaging produced by the group in online settings.

Case study selection

Out case study explores discourses of noncompliance with Australia's Covid-19 policy. Our empirical focus is a subset of online forums ("channels") on the digital platform Telegram. We selected four forums, including the Australian National Socialist Network (NSN), RDA, Australian Freedom Rally (AF), and the Australian Sovereignty Alliance (ASA). These groups were not only among the most public and vocal advocates of noncompliance with Australian government's COVID-19 policy, but on the Telegram platform, the RDA, AF, and the ASA had, at the time of data collection, the most subscribers to their chats out of chats that were (1) self-labeled as "Australian," (2) focused on policy dissent, and (3) published content produced by multiple authors. Though NSN had fewer subscribers, it was a group that was highly active in public settings vocalizing dissent and thus was included in the case studies. Our selection of cases here is, of course, *purposive* and not a representative sample from which future predictions can be extrapolated. Our aim is to identify the ways in which noncompliance discourses urge anti-state action, and the cases chosen here are not only illustrative of this dynamic, they also enable us to reflect on how digital environments operate as influential political spaces. For researchers, the digital environment is a challenging space, since there are few reliable indicators of whether actors are who they claim to be. The corollary of this is that a limitation of our study is that there is potential for non-Australian actors to be active in the ostensibly "Australian" chats, since we cannot verify the geographic location of posts nor the citizenship/residency of posters. Indeed, foreign interference through social media is not unprecedented (US State Department, 2020), and so we must be cognisant of the possibility that discourses in online settings are synthetic. Notwithstanding the challenges of establishing provenance, the data we explore here can nevertheless reveal insights into the discourses *claimed to be of Australian origin* circulating within these communities throughout the height of the pandemic.

Investigating public policy dissent within noncompliance communities is valuable for gaining insight into noncompliance more generally because actors from diverse, yet fringe, ideological orientations have spearheaded noncompliance activism and fueled COVID-19 conspiracies (McNeill-Wilson, 2020). Indeed, recent work has shown that skepticism regarding Covid-19 and its associated policies is most acute at the extremes of the political spectrum (Debus & Tosun, 2021; Imhoff & Lamberty, 2020), yet also defies the traditional left-right binary with a surge of libertarian "sovereign citizen" movements. The heterogeneity of political affiliation was demonstrated quite literally in the "freedom rallies," as well as from discursive justifications for opposing masks, vaccination, and/or isolation, which are rooted in different values and beliefs depending on the ideological disposition of the non-complier. Alongside, far-right groups were accompanied by anti-vaccine "wellness movement" groups, Christian fundamentalists, and libertarian cohorts. These seemingly disparate segments of the community have coalesced around opposition to the same government policies as "non-compliers" banding together to resist public health policies and call into question the credibility of public health experts.

We find that in these communities noncompliance is not only the norm but is openly discussed and, indeed, encouraged. The AF "chat" (each "chat" is a discreet discussion group) centers on noncompliance with its opening call to "reach out to all your anti-lockdown mates and invite them to this group." These chats provide a rich, dense source of data pertaining to patterns and rationales of noncompliance. A high concentration of noncompliance perspectives affords us the ability to focus on analysis of user-articulated reasons for noncompliance, rather than searching the proverbial big data haystack for contents related to compliance. By using a sample that is "noncompliance" rich, we are able to arrive at more significant findings and identify patterns in noncompliance rationales that would not be as possible with a more diffuse sample that crossed geographies and policy themes. It provides a methodological and empirical starting point to explore patterns in discourses of noncompliance more widely and ascertain how central suspicion of expertise was to noncompliance rhetoric.

Because of the ideologically diverse scope of noncompliance rhetoric, politically fringe actors have been able to harness the public health crisis to promote narratives reflecting Covid-19 skepticism and public policy dissent beyond traditional ideological confines (Waldek et al., 2021). For example, for the far-right, Waldek et al. (2021: ix) find that Covid-19 has provided "opportunities for an alignment between far-right extremist and popular public discourse," allowing far-right messages to reach and

influence wider audiences. Consequently, the noncompliance rhetoric spawned in these digital groups is important because their discourse feeds into the wider public sphere even if it is condemned. We see this in mainstream news media reports that publicize acts of noncompliance such as lockdown protests, flouting mask-wearing mandates, use of ivermectin, and rejection of vaccines (e.g., Landis-Hanley & Henriques-Gomes, 2021). Anecdotally, the same narratives that are identified in this paper manifested at Australian protests, with signs criticizing the "new world order" and government overreach. This signals a confluence between online discourses of noncompliance and offline noncompliance with public health policy.

Data collection

To ascertain users' reasons for noncompliance, a dataset was created that consisted of approximately 15,670 publicly available social media posts from the platform Telegram[1]. These platforms were selected because they are the platforms that were utilized the most by the specified communities during the height of the pandemic in Australia. Posts were harvested for the period of March 2020–March 2021[2]. These dates were chosen because they align with the start and peak period of Covid-19 policy implementation in Australia (Campbell & Vines, 2020). Throughout this time frame, federal and state governments implemented sweeping public health measures such as lockdowns, mandatory mask-wearing, border closures (between national states and international states), and rolled out voluntary vaccination programs (Campbell & Vines, 2020). The initial dataset comprised all posts from the NSN, RDA, AF, and the ASA for the specified 1-year time period. Although this method facilitated collection of mostly Australian posts, some content nevertheless did not pertain to the Australian context. Likewise, not all posts were relevant to Covid-19 or Covid-19 policy.

To narrow the sample further, we conducted three rounds of data refinement using NVivo software. Round 1: removal of non-COVID content; Round 2: removal of content ostensibly outside the Australian context; Round 3: removal of posts that did not pertain (tangentially or directly) to Covid-19 policies. This approach "cleaned" the data to reveal the most relevant discourse for this article's purpose. We were left with a sample of approximately 1000 posts that were likely to be (1) produced by Australian users on the specified chats and (2) about Covid-19 policy. From here, we refined the sample further to posts that directly concerned policy compliance, resulting in approximately 400 posts. Although the sample is small compared to samples utilized in quantitative "big data" studies, the sample entirely comprised posts about noncompliance which makes it large enough to reveal patterns in reasons for dissent among "non-compliers" and small enough to conduct detailed qualitative analysis.

Data analysis

We manually coded each post to a thematic reason for noncompliance based on the dominant narrative content of the post[3]. Dominant narrative content was determined through qualitative analysis of each posts' core message: the main point that the text communicated. There is overlap between themes in so far as distrust in government could stem from a distrust of the "science," "experts," and vice versa. However, posts tended to emphasize one theme more than the other. For example, a post opposing vaccination on the basis that "the vaccines are poisonous" was coded to "distrust in epistemic authority" because the view that vaccines are not what health authorities claim inadvertently signals suspicion of the health experts, and their veracity and motives. Likewise, a post about government "forcing" vaccination was coded to "distrust in political authority" because the post emphasized perceived government overreach rather than the science of vaccination.

The rationale for categorizing such posts to a code labeled "distrust" was based on simple dictionary conceptualizations of distrust as the "feeling that someone or something cannot be relied upon," "to doubt the honesty of," or "regard with suspicion." Deeper conceptualizations of political trust also informed the coding process as a relative marker of the converse of distrust. For example, Citrin and Stoker (2018) describe the foundation of trust as: "A judges B to be trustworthy, that he or she will act with integrity and competence and with A's interests paramount." On this logic, A's perceptions of B's

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[1] The dataset was generated by a blend of manual download of Telegram chat histories in the Telegram app and web scraping of the identified chats.

[2] Note that AF and the ASA were created after May 2020 but within the sample timeframe; thus, data are collected from their first availability for those groups.

[3] Given the manual and qualitative nature of the research methods deployed, a margin of error in the figures is possible, yet would not be sufficiently large to alter the dominant themes identified.

failure to act with integrity and competence and acting against A's best interests therefore can signal distrust.

Posts that emphasize the notion that Covid-19 is a hoax or a bioweapon were coded to "distrust in global authority" because those narratives point to suspicion about various global institutions (e.g., World Health Organization), transnational corporations, and elites' (e.g., Bill Gates) integrity. Posts that did not evoke these themes were coded to "Neutral" and included posts on noncompliance that did not communicate an apparent reason for noncompliance but nonetheless communicated noncompliance rhetoric (e.g., "I do not consent!").

Each post was initially only coded to the dominant theme of the post (first-level coding), but thematic overlap was also observed, considered in second-level coding, and reflected in the analysis and discussion. Once first-level coding was complete, the relative frequency of reasons was ascertained to see what the main reasons for noncompliance were in the sample, and analysis of key narratives and terms was conducted via a secondary coding process to isolate specific narratives within each theme. The purpose of this was to understand the following: (1) what are the overarching reasons for noncompliance in the sample group and (2) what narratives feed into reasons for noncompliance?

Data snapshot
Distrust in political authority
Expression of distrust in political authority is the most common user-articulated reason for opposing government Covid-19 mandates in the sample. Chat groups such as RDA and AF were founded to resist perceived government overreach. Distrust in political authority emerged as a dominant noncompliance theme from narrative content that emphasized government control, manipulation, misinformation, and corruption. All the posts coded to this theme therefore share a negative view of government's COVID-19 policy that is ostensibly rooted in distrust. We do not code for fiduciary or mutual types of trust, though these become relevant to our discussion later, since the expressions of distrust are directed broadly at the government. Some posts use unequivocal language to denote distrust. For example, "disingenuous governments are controlling us," "corrupt governments are telling us what to do," "government websites don't give us the whole story, so how can I trust them when the information is so vague?". Others communicate distrust implicitly through posts that refer to government shortcomings such as, "even though they promised not to, the government is forcing us to get vaccinated," along with references to manipulation like, "the government is manipulating us with these lockdowns." Many posts express anger and dismay over what is apparently perceived as government overreach, and these tacitly stem from distrust because at the core of them are notions of elected authorities exploiting their power and acting beyond what "the people" empowered them for. The most frequently used words also signal and support identification of the dominant reasons within the theme: words such as "control," "forced," "liars," and "corrupt" are ubiquitous and evoke connotations of distrust within the context of the posts (Table 2).

The wider political context of the posts is critical to understanding the noncompliance discourse. These communities post about experiences within a representative liberal democracy, and their posts highlight their expectations about what constitutes "good" public policy within that context. Based on the data, all four communities appear to want policies that they perceive as (1) representative of their interests, (2) do not impinge on perceived entitlements to freedoms, (3) are transparent, and (though reflected to a lesser extent than 1–3 in the data), (4) seemingly more objective in communicating background evidence to support policies. For example, some users expressed dissatisfaction with the one-track message communicated by governments and the mainstream media regarding vaccinations and called for more detailed messaging that showed more of the science behind government policy. This broadly aligns with established research on the dynamic role of the media in public policy, as well as with research into political communication as a key ingredient for trust (see e.g., Habermas, 2006; Shapiro & Page, 1988; Wolfe et al., 2013).

Distrust in epistemic authority
A second reason articulated for noncompliance is "distrust in epistemic authority." This theme shares similar features to "distrust in political authority" since distrust of the authority of government-endorsed experts is at the core of both themes. This is not surprising given the sample group chosen—"non-compliers." As the academic literature shows, antiestablishment views are endemic in fringe

Table 2. Snapshot of data.

Thematic reason for noncompliance	% of sample	Narratives of noncompliance	Key terms/phrases
Distrust in political authority	47	Perceptions of government corruption Perceptions of government dis/misinformation Perceptions of government overreach Perceptions of government encroachment on freedom	"control," "forced," "controlled," "lies/liars," "deceit," "corrupt governments," "silencing masks," "manipulation," "forced vaccinations," "choice," "tyranny," "dictatorDan."
Distrust in epistemic authority	27	Skepticism of the science behind vaccines Alternate public health narratives: vaccine is poisonous, vaccine leads to infertility, vaccine mutates genes, ivermectin is a cure	"poison," "deaths," "dead," "experimental," "consent," "poisonous vaccines," "insidious vaccines"
Distrust in global authority	15	Belief that Covid-19 is a hoax Belief that Covid-19 is a scam designed to depopulate the world Belief that Covid-19 is a biological weapon designed to eradicate white people Belief that Covid-19 is a profiteering exercise by deep Pharma	"new world order," "plandemic," "planned," "dystopian nightmare," "lie," "fake," "depopulation," "whites," "Gates," "insidious," "humanity," "designed," "sham," "world," "money," "deep pharma"
Neutral	6	Declarations of noncompliance without an articulated reason	"consent," "I do not consent," "I will not comply"

political ideologies (see e.g., Mudde, 2022). The major narratives feeding into this theme stem from a mutually reinforcing skepticism of the science and alternative "facts" about Covid-19 that give rise to such skepticism. Posts that express distrust in the vaccine are the most common. For example: "the COVID vaccine isn't a vaccine; it's gene modification" and "don't get the deep pharma poison." The act of sharing information that contradicts mainstream public health messaging is itself an expression of distrust and noncompliance. Statements such as, "they don't want us to know that ivermectin will cure COVID," "the vaccine mutates our DNA," "masks don't stop viruses!," and "the vaccine causes infertility" are framed in terms of a lack of effective government communication on the science behind Covid-2019 policy.

These "alternative facts" are sometimes presented as originating from ostensibly legitimate epistemic authorities, such as the vaccine manufacturing companies. This suggests a dissonance, whereby users express concurrent trust *and* distrust in epistemic authority. One example of this is a post that shares commentary from Moderna about its vaccine, which the poster then reframes as proof that the vaccine mutates DNA. Similarly, many of the posts share stories of "death by vaccine" as a means of discouraging fellow social media users from getting vaccinated against Covid-19. Such posts encourage noncompliance while also reflecting the posters' reasons for noncompliant attitudes.

Distrust in global authority

The third major theme of noncompliance emerging from the data is described here as distrust in global authority, which includes distrust of global institutions, elites, and "the system." This theme emerged from content that indicated that Covid-19 was a "globalist conspiracy." It is a theme of noncompliance because posts along these lines express dissent with policy by doubting the fundamental premise of the policies—that Covid-19 is real. Many posts within this theme refer to "fake COVID" and the "new world order." Other posts posit that Covid-19 and the vaccines are "bioweapons to eradicate opponents of the Jewish globalist system," "a bioweapon against white people,"[4] a means of "depopulation", and/or that COVID-19 is a "psyop." There is also content that expresses distrust of global institutions, such as the World Health Organization (e.g., "don't trust the WHO!"), which is coded here as distrust of global

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4 Distrust in global authority narratives such as those pertaining to "white people" and "Jews" are found within the NSN chat and are not prominent narratives in the other non-complier communities.

governance but could also have been coded to distrust of epistemic authority, demonstrating the overlap and multilevel operation of distrust on this issue.

Neutral noncompliance

Posts that communicate noncompliance without extrapolation are deemed "neutral" because of an absence of articulated reasons for noncompliance. This is not to assume that there are no reasons for compliance behind the post, rather that the text itself does not provide evidence of a rationale for noncompliance. Although posts such as "we do not comply!" and "I do not consent!" do not communicate rationales for compliance, they unequivocally communicate noncompliance. These posts provide insight into the way that opposition to policy is framed within non-complier communities. Noncompliance is portrayed as a virtue, irrespective of its justification, signaling the potential for the performance of a "non-complier" identity to contribute toward the practice of noncompliance.

Discussion

The foregoing case reveals an epistemic crisis of political legitimacy that has had significant downstream consequences for compliance with public policy initiatives. The foregoing theoretical discussion surveyed and drew upon a range of literatures to show the clear normative preference for, and commitment to, information and persuasive approaches to securing compliance with policy initiatives. The premise of securing compliance in this mode of implementation is relatively high levels of political legitimacy—whereby the public not only generally trust the government, and its appointed experts, but share the values of the state, do not seriously question the use of science in decision-making, and broadly accept the authority of the state to make fiduciary decisions in the public interest.

Yet the case study here reveals that the failure of state managers to cultivate trust in public health institutions, and the experts therein, and in their advocacy of science has significant repercussions for compliance with vital policy measures. The empirical evidence reveals that a three-phase deconstruction and reconstruction process takes place to supplant mainstream epistemes in this case. First, distrust at each policy domain is communicated by raising suspicion about the rationale for policy initiatives. Second, doubt is cast on the veracity of "facts" purveyed by existing experts/authorities—whether scientific, political, or cultural. Third, the non-complier communities share "alternative facts" that challenge mainstream policy discourses, undermining the levels of mutual trust required for the success of widespread vaccination and other measures to curtail the spread of the virus. Moreover, and while not in the empirical ambit of this paper, we might speculate that the ensuing low levels of trust in the government's depiction of the science played a role in undermining social trust, the extent to which social norms around social distancing, or mask-wearing, or self-testing for infection, and so on, were followed.

By casting doubt on the legitimacy of mainstream, government-endorsed scientific expertise, these non-complier communities can generate alternative structures of epistemic authority to supersede the existing order. As our case suggests, such communities engage in a process of "breaking" mainstream structures of knowledge in order to replace them with their own more *trusted*, more *legitimate* epistemes and engineer ideological transformation. Through discourses and demonstrations of noncompliance, they can redistribute epistemic and political power, sapping dominant epistemes (and in turn, policies) vital to political legitimacy. In this Australian case, the scale of ideological transformation has not yet been sufficiently robust to lead to an overhaul of existing epistemes and trust in government at the systemic level. However, within the context of public health, even a small-scale recalibration of structures of knowledge can significantly impede the realization of policy objectives. The non-complier communities jeopardized the Australian government's policy objective of rapid reduction of Covid-19, a policy which, by design, necessitated universal consent and compliance.

Where there is opposition to a policy—and not least one of such critical importance as those of the public health ordinances amidst a pandemic—is it vital we not only anticipate the likely opposition among policy-takers to such policy, but how to preempt it. The case explored here, the sources of the most vocal opposition to Australia's public health mandates, reveals the real danger in the loss of political legitimacy: there is little doubt that much of the widespread death and injury caused by the pandemic could have been significantly reduced by high levels of voluntary social compliance with the policy mandates.

Conclusion: government, risk, and transboundary crises

The challenge of compliance has never been greater than that faced by governments amidst the Covid-19 pandemic. Our case analysis here shows that in online settings, the trustworthiness and authority of government—its legitimacy, indeed—can be rapidly undermined. Fact-free claims of the complicity of the government, or "Big Pharma", quickly took hold of, and leveraged, doubts about the capacity of the state to adequately protect its citizens from global threats. What we see manifest in these online spaces is distrust of political authority, epistemic (expert) authority, and global governance and authority. While, no doubt, as a proportion of the population protagonists of misinformation are relatively few, the capacity of social media to amplify and "reach out" to the broader public is partly a function of mainstream media's engagement with (and in some cases, tacit acceptance) these marginal views.

Understanding these spaces, and how they exploit public uncertainty and fears, is thereby central to effective policy design that anticipates cynical misinformation, especially in an era of global networks. Ulrich Beck's work on the "world risk society" in global systems set the foundations of a research agenda that has grappled with balancing the uncertainties of life, with the increased demands for governments to be *seen to* meet and overcome those risks; to "feign control over the uncontrollable", as Beck puts it (Beck, 2000, p. 4). Yet, maintaining control amidst a world of threat is no small task. Boin's earlier work explains that crises are phenomena that represent "a serious threat to the basic structures or the 'fundamental values and norms of a system,' which under time pressure and highly uncertain circumstances necessitates making vital decisions" (*our emphasis*, Boin et al., 2009). The growing risks faced by state managers (of which Covid-19 is a clear example) are a function of emergent transboundary crises. According to Boin, as new technologies emerge and global travel patterns change, "threat agents will look familiar (e.g., natural forces, violence, and technological failure), but the consequences play out very differently" (Boin et al., 2009, 367). How governments respond to these risks is vital, and learning from the lessons in trust, expertise, and legitimacy furnished by noncompliance during the Covid-19 pandemic will be pivotal in such future government responses to transboundary crises.

Conflict of interest

None declared.

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