

Opinion: Justice Gorsuch is concerned about Internet disinformation. But his solution is backwards. | The Washington Post

By Erik Wemple

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Supreme Court Justice Neil M. Gorsuch deplores the level of disinformation being fed to Americans these days. “It seems that publishing without investigation, fact-checking, or editing has become the optimal legal strategy,” Gorsuch wrote about the 21st century’s absolutely-anything-goes publishing environment.

His solution? To attack the Supreme Court precedent, 1964’s *New York Times v. Sullivan*, which protects the country’s media outlets — the very entities entrusted with battling Internet disinformation.

Gorsuch’s viewpoint on media law surfaced last week as he and Justice Clarence Thomas dissented from a Supreme Court decision not to review the U.S. Court of Appeals for the 11th’s Circuit’s decision in *Shkelzen Berisha v. Guy Lawson et al.* In that case, the son of the former prime minister of Albania sued over a 2015 book published by Simon & Schuster that “accused him of being involved in an elaborate arms-dealing scandal in the early 2000s.”

[...]

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