

Opinion: How to Keep the Rising Tide of Fake News From Drowning Our Democracy | The New York Times

By Richard L. Hasen

March 7, 2022

The same information revolution that brought us Netflix, podcasts and the knowledge of the world in our smartphone-gripping hands has also undermined American democracy. There can be no doubt that virally spread political disinformation and delusional invective about stolen, rigged elections are threatening the foundation of our Republic. It's going to take both legal and political change to bolster that foundation, and it might not be enough.

Today we live in an era of "cheap speech." Eugene Volokh, a First Amendment scholar at U.C.L.A., coined the term in 1995 to refer to a new period marked by changes in communications technology that would allow readers, viewers and listeners to receive speech from a practically infinite variety of sources unmediated by traditional media institutions, like newspapers, that had served as curators and gatekeepers. Professor Volokh was correct back in 1995 that the amount of speech flowing to us in formats like video would move from a trickle to a flood.

What Professor Volokh did not foresee in his largely optimistic prognostication was that our information environment would become increasingly "cheap" in a second sense of the word, favoring speech of little value over speech that is more valuable to voters.

[...]

Source: [Opinion: How to Keep the Rising Tide of Fake News From Drowning Our Democracy | The New York Times](#)