

In this thought-provoking NPR podcast discussing free speech, a lot of persuasive arguments were laid out by Emily Bazelon of the New York Times. To answer the question of the potential bias of internet providers with restrictions, from a non-partisan standpoint, it is safe to assume that internet providers allow for the equal distribution of opportunity between parties. Granted, one party might be targeted more frequently than the other(s) because of some content that may be untruthful, however, the opportunity is there to enhance the marketplace of ideas theory. One idea that Bazelon mentioned was that social media and internet providers in the United States allow internet companies to regulate themselves.

I believe that this may lead to, if it has not already, the opportunity discrimination of certain parties by media providers is definitely possible. There is a fine line of self-regulation between eliminating false news-spreading and party-based discrimination. For example, I understand Twitter has been a social media platform that has self-regulated former president, Donald Trump in the past because of the manner and content of his tweets, which Facebook has also done the same thing, however, of eliminating his tweets, and overall use of the platform to spread his ideologies. Since the intent was to eliminate false information, that fine line was straddled to ensure the safest media use for consumers. Her wise analogy of the private zone and public squares, and also tying in the mall idea that they supply their own employees but are not accountable for behavior or actions in a mall. Furthermore, to answer what the best way to decide truth and misinformation is a source-based answer. Doing research and fully understanding where the news came from, and determining its credibility is a huge factor in stopping the spread of misinformation. I think the best way to do that is by getting as much information into a headline, statement, or tweet as possible. Listing the source, author, or and publication could play a huge role in stopping misinformation. There are a few issues with that

regarding whether the source can be/wants to be included in the information, which we have discussed in class as well, and also, when tweeting or making a statement, getting the most information included of the source may sound bland and rather robotic, it's just not how people talk in a day-to-day atmosphere. However, there is always room for improvement when spreading the news. To wrap up this topic, it is important to mention an argument from Bazelon where she discussed that TV ads have to include who funded the ad, whereas social media or other styles of advertising do not have to include the source of financing. This plays into the argument that the more information included in a political ad, statement, or general information, will help determine credibility.

If the intent of information is to incite a public disturbance, it will depend on different factors if it should attain government protection or not. When answering the question, it is important to include the Brandenburg Test where 4 separate elements have to be met for speech to be unprotected. In short, the test determines if the intent was for lawless action, lawless action itself, and the time between words and action as well as the likeness of lawless action. With that same Brandenburg Test, the government cannot punish for lying. They can punish for action, but not for misinformation. Therefore, the answer is that false speech should not be punished because America uses the Marketplace of Ideas Theory, and false information supplements that ideology. That is a democracy, and to compare to communism, like Russia who uses the Access Theory, freedom of speech can only belong to those who own it. Government should not be able to punish or over-regulate for false speech, there are things that can be done to try and prevent or reduce false speech, but government action and regulation is not necessarily one of them.

I believe it is important to discuss the overseas practices regarding free speech because history shows that there are constant influences on governmental, political, and societal trends from

other countries regarding most facets of life. The balancing test used in Europe of free speech and free election is important and the marketplace of ideas theory plays a role in both countries/continents. However, the government should not be the one who decides what is true or not, that is the responsibility of the people. It is known that human correction will find the truth in the marketplace of ideas, not governmental action and regulations. That answers why the marketplace of ideas can regulate false speech because that is the purpose of the theory. Humans and members of society will find what's right and wrong and adjust accordingly to draw conclusions for themselves.

Of the tools that Emily Bazelon mentions, the most important one is the idea of suspending information until it is verified. I keep coming back to this example in these reflections but the event of the accident and death of Kobe Bryant was misreported numerous times in the first few hours-days until the tragedy could be accurately reported on. The news outlets were racing to be the first on the scene with the biggest headline of how many were dead or involved, and almost all of them got it wrong. There are families and people involved and hurt with the misreporting to get the most clicks or fastest spreading of news. This tool is the safest and most productive tool in revealing the truth behind a story or an event, and especially and sort of free speech.