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Book Review: Social Media and Democracy: The State of the Field and Prospects for Reform

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Keeping Up with New Legal Titles*

Compiled by Susan Azyndar** and Susan David deMaine***

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* The works reviewed in this issue were published in 2020 and 2021. If you would like to write a review for "Keeping Up with New Legal Titles," please send an email to sdemaine@iu.edu and sazyndar@nd.edu.

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prison, and Clean Break Theater Company's goal of correcting the representational landscape and narrative surrounding incarcerated women.

¶33 *Prison Theater and the Global Crisis of Incarceration* provides a unique look inside prisons from the perspective of a theater professional. Much of the book focuses on the art, creativity, and personal growth of the performers, but it also explores institutional challenges and the negative impacts of the penal system on incarcerated people and their families. It would be useful to those starting or participating in similar theater programs or for those researching education and reform activities in prisons. This book would be a good fit for an academic law library collection, especially one that maintains a focus on prisons, rehabilitation, and social justice.

Persily, Nathaniel, and Joshua A. Tucker, eds. *Social Media and Democracy: The State of the Field and Prospects for Reform*. Cambridge, Eng.: Cambridge University Press, 2020. 366p. \$29.78. Available open access at <https://doi.org/10.1017/9781108890960> [<https://perma.cc/3YEW-CANU>].

*Reviewed by Cynthia W. Bassett**

¶34 From the Arab Spring to the Hong Kong protests and finally the 2021 storming of the U.S. Capitol, it is undeniable that using social media to connect like-minded people and amplify political messages has changed the modern political landscape. Social media, and data regarding citizens' engagement with it, provide a transformative opportunity to discern how citizens encounter and discuss political questions—if researchers can access the data.

¶35 *Social Media and Democracy* illuminates the empirical social science research done to date to tease apart the effects social media has had on representative democracies. It is a collection of essays by academic social scientists researching the intersection of social media and democracy from a variety of angles. Essays examine correcting, regulating, and critically evaluating misinformation; the use of bots to spread propaganda; filter bubbles and their role in political polarization; and online hate speech. Several solutions to issues exacerbated by social media are evaluated, including an argument for amending Section 230 of the Communications Decency Act⁷ and an admonition for more transparency among platform providers. But this book does not purport to answer all the questions. Instead, it compares social media with historical media and evaluates whether the policy solutions that worked in the past will still work, whether historical legal precedents still apply or how they might be distinguished, and what reforms might be needed for the future.

¶36 The strength of this book, and what sets it apart from others in the field, is its focus on the social science research already done on the topic and the research still needed. In the essay titled "Misinformation, Disinformation, and Online Propaganda," the authors provide background on how the research was performed and the major

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7. 47 U.S.C. § 230.

research findings in each of the areas, as well as the areas and questions still needing empirical study. Each essay is followed immediately by a list of information sources (linked in the open access version of the book) so that users can immediately track resources for independent evaluation. While at first blush this focus on empirical social science might seem tangential to the work and research needs of law students and faculty, the policy connection to law and democracy makes it useful in understanding an intersectional area of empirical research.

¶37 Because law and policy are the focus of the book, essays provide helpful background on the governing laws along with how and why they have changed. For example, the essay on “Facts and Where to Find Them: Empirical Research on Internet Platforms and Content Moderation” gives a thorough but easily understandable background on the policy priorities at play in intermediary liability laws governing the legal responsibility carriers and hosts, like ISPs and search engines, have for users’ speech. The essay then situates the policy goals within statutes like the U.S.’s Digital Millennium Copyright Act.⁸

¶38 A major theme of the book is the need for transparency in platform management of user data and content. Platforms must navigate the tension between the needs of various constituencies. Law enforcement and policymakers fear that social media is being used to plan and enact events dangerous to individuals and institutions; they have a clear interest in obtaining data to prevent harmful events. Similarly, researchers wish to understand user interactions with social media and want more access to data about platforms monitoring and suppressing content. In contrast, users fear their freedoms of speech and association may be curtailed by autocratic regimes if platforms are allowed or required to turn over user data. Media platforms are sensitive to the damage that can be done by relinquishing a user’s information, as releasing data leads to questions about user privacy and ethical concerns as to how researchers use the data. Trying to navigate this precarious line, social media platforms have voluntarily released some data in recent years to provide more insight into their monitoring practices, but more is needed if all stakeholders are to contribute to choices about use and governance of these platforms.

¶39 *Social Media and Democracy* is currently available open access, but it would also be an inexpensive and worthwhile print addition to an academic law library’s collection. It is part of the Social Science Research Council’s *Anxieties of Democracy* series, which seeks to explore whether and how democracies can address large, widespread problems, such as income inequality, climate change, and (in the title at hand) effects of social media on national political conversations. Overall, *Social Media and Democracy* is easy to read and understand. This title would be useful for a researcher studying First Amendment rights, antitrust, administrative law, and the intersection of the law and the media. It would also be helpful to a practicing attorney working on policy and legislation in this area.

8. 17 U.S.C. § 1201 *et seq.*