What we once called the “public square” is now controlled to a large extent by social media companies and other transnational private corporations which have an immense, if poorly understood, influence on who can speak, what can be said, and what speech gets heard. Because these corporations shape public discourse (and thereby shape our societies), we should recognize that research and journalism that focuses on them is of special social value.

What would it mean for the law to reflect this recognition? The law affords special protection to journalism and research focused on the government. Should it afford analogous protection to journalism and research focused on the social media platforms?

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