



# **Ethics, Public Policy, and Technological Change**

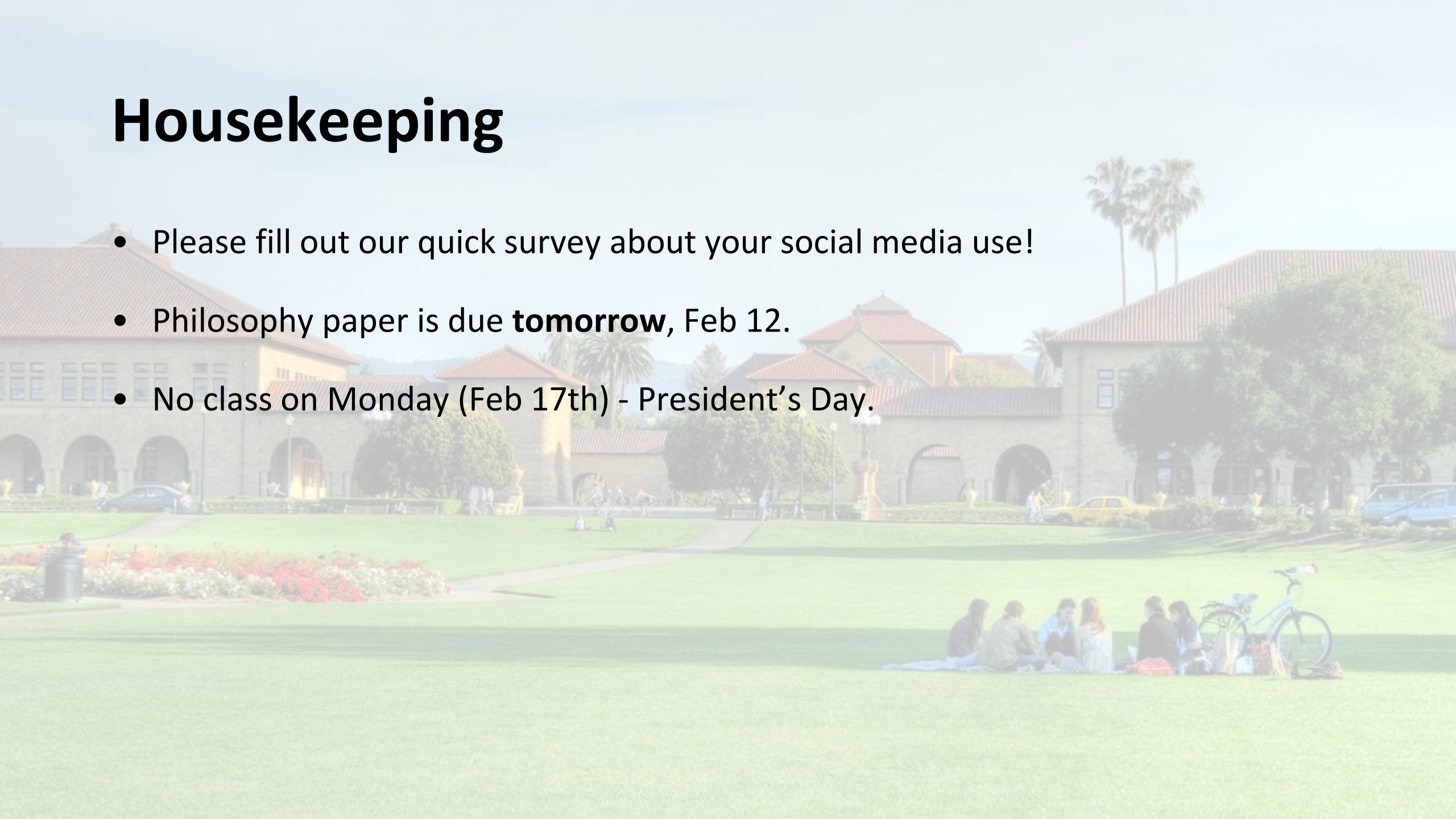
Rob Reich

Mehran Sahami

Head TA: Roberta Fischli

# Housekeeping

- Please fill out our quick survey about your social media use!
- Philosophy paper is due **tomorrow**, Feb 12.
- No class on Monday (Feb 17th) - President's Day.



---

# Today's Agenda

1. The Rise of Platform Power
    - Case Study: The Facebook Files
  2. Platforms, Speech, and the Digital Public Sphere
  3. John Stuart Mill on Freedom of Expression
-

---

# Power of Private Platforms: Promise and Perils

## 1. The Rise of Platform Power

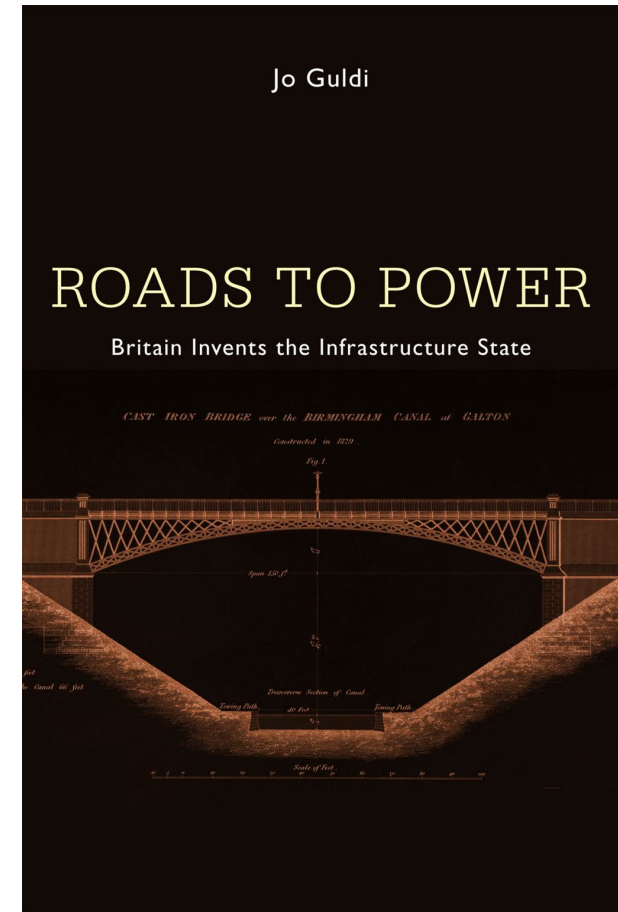
- Case Study: The Facebook Files

## 2. Platforms, Speech, and the Digital Public Sphere

## 3. John Stuart Mill on Freedom of Expression

---

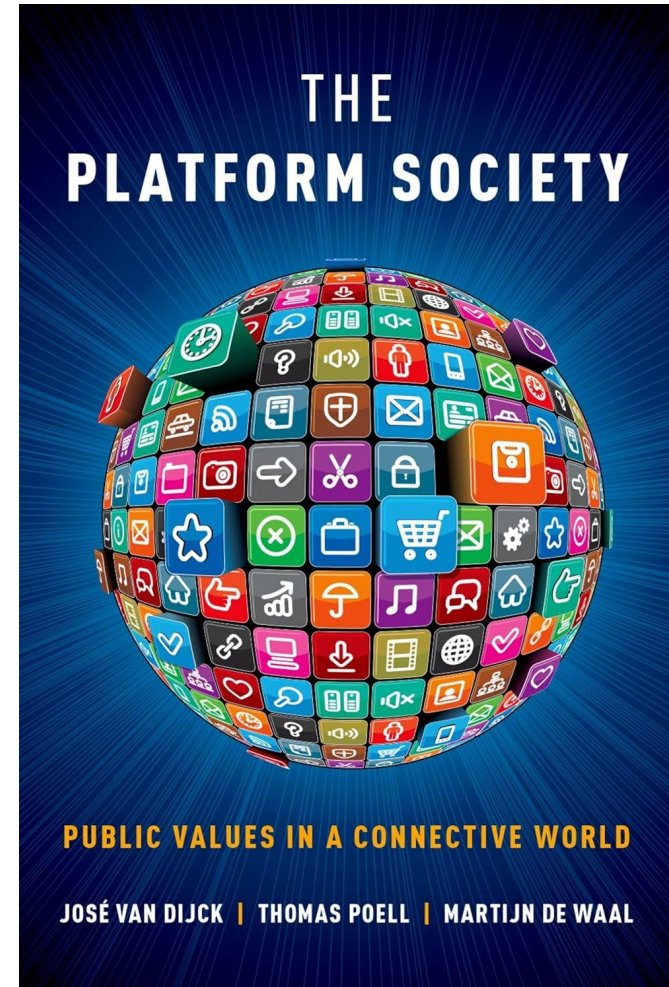
# Private Platforms 1.0



# The Anatomy of a (Digital) Platform

“Fueled by **data**, automated and organized through **algorithms** and interfaces, formalized through **ownership** relations driven by **business models**, and governed through **user agreements**”

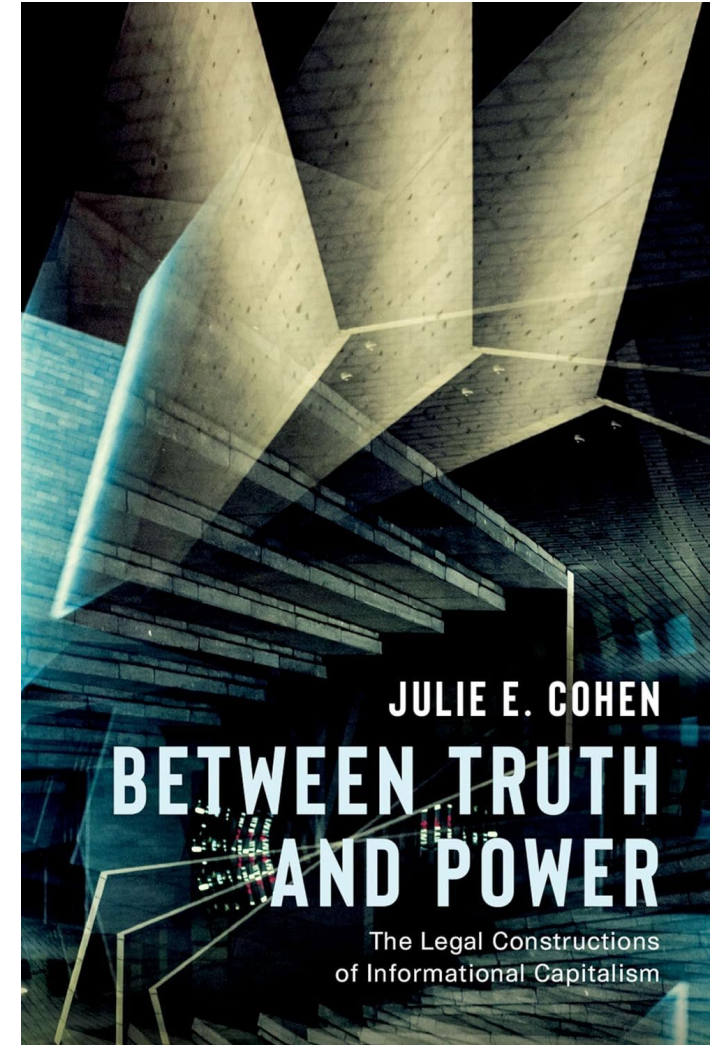
(Van Dijck et al., 2018, The Platform Society, p. 9)



# Platforms and Datafication

Platforms are “key drivers of the **datafication** of important resources and active **legal entrepreneurs** pursuing **powerful strategies** for ensuring their continued access to and de facto control of the data on which they rely.”

*(Julie E. Cohen, 2019, Between Truth and Power, p. 37, 48)*



---

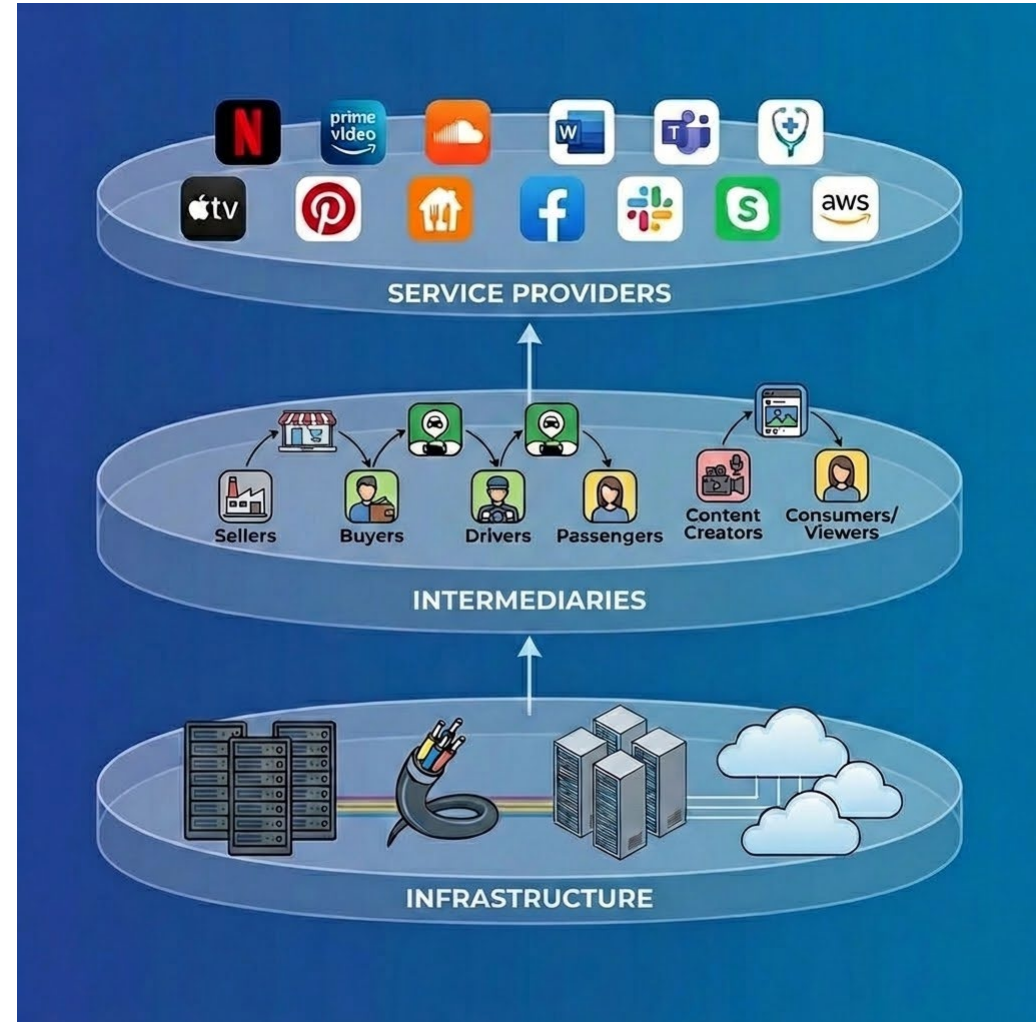
# Challenge

**What aspect of social life has not yet been “platformized”?**

---

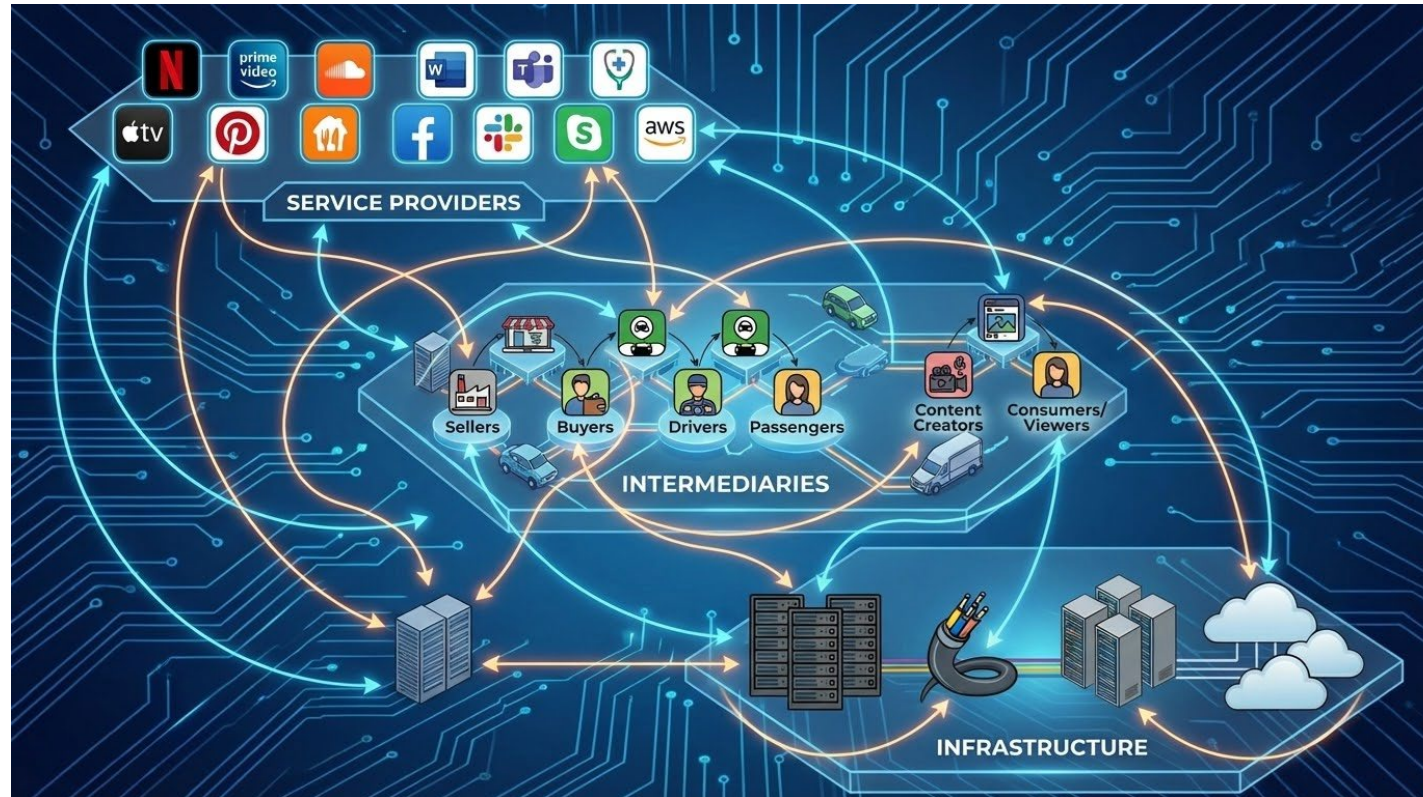
# Platform Roles

1. Platforms are **service providers**.
2. Platforms are **intermediaries**.
3. Platforms are **infrastructures**.



# Platform Roles

In practice, these roles **overlap** and **reinforce** each other.



# Platform Power in Numbers

- Amazon captures 37% of all online shopping (down from around 40% in 2023).
- Google captures approximately 90% of the global search market and handles over 8.5 million queries per minute.
- Instagram has between 2 and 3 billion active users, Youtube has around 2.7 billion active users.
- Alphabet, Amazon, and Meta are projected to have over 55% of all global ad revenues in 2026.

The Amazon logo consists of the word "amazon" in a lowercase, black, sans-serif font. Below the text is a curved orange arrow that starts under the letter 'a' and points towards the letter 'z'.The Google logo features the word "Google" in its signature multi-colored font: 'G' is blue, 'o' is red, 'o' is yellow, 'g' is blue, 'l' is green, and 'e' is red.The Meta logo features a blue infinity symbol (∞) above the word "Meta" in a dark blue, sans-serif font.

---

# Exercising Platform Power

**Do platforms tend towards monopolies?**

**Monopolies:** a firm has notable and enduring market power, little or no meaningful competition, the ability to raise prices above competitive levels, or exclude competitors.

**Benefits:** lower prices, better services and interconnection, increased convenience.

**Risks:** higher prices, exclusion of competitors, lack of alternatives, reduced quality of services.

**Thiel: So what?**

## Competition Is for Losers

If you want to create and capture lasting value, look to build a monopoly, writes Peter Thiel

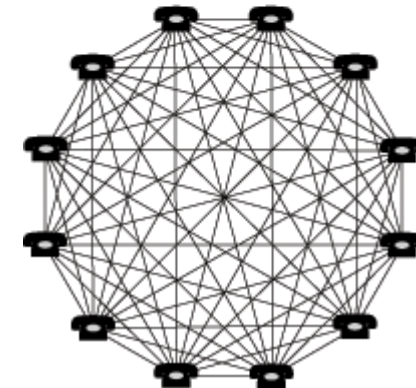
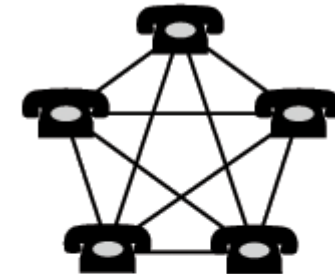
*By Peter Thiel*

*Sept. 12, 2014 at 11:25 am ET*

---

# Sources of Platform Power

1. **Network Effects:** every new member increases the value for all other members
1. **Access to User Data:** platforms have unique access to user data (and ability to make it *useful*)
1. **Gatekeeper Function:** platforms mediate between two- and multi-sided markets, *de facto* infrastructure
1. **Acquisitions:** ability to acquire or “catch and kill” (nascent) competitors and knowledge.



(See Tim Wu, *The Curse of Bigness*)

Source: wikimedia commons

# Amazon's Antitrust Paradox

**Question: Is consumer welfare still the relevant indicator for assessing market power in the platform economy?**

Platforms like Amazon are not *\*just\** service providers, they also offer the **infrastructure** on which their **rivals** depend → conflict of interest!

*(Lina Khan, Amazon's Antitrust Paradox)*

THE YALE LAW JOURNAL

LINA M. KHAN

Amazon's Antitrust Paradox

**ABSTRACT.** Amazon is the titan of twenty-first century commerce. In addition to being a retailer, it is now a marketing platform, a delivery and logistics network, a payment service, a credit lender, an auction house, a major book publisher, a producer of television and films, a fashion designer, a hardware manufacturer, and a leading host of cloud server space. Although Amazon has clocked staggering growth, it generates meager profits, choosing to price below-cost and expand widely instead. Through this strategy, the company has positioned itself at the center of e-commerce and now serves as essential infrastructure for a host of other businesses that depend upon it. Elements of the firm's structure and conduct pose anticompetitive concerns—yet it has escaped antitrust scrutiny.

This Note argues that the current framework in antitrust—specifically its pegging competition to “consumer welfare,” defined as short-term price effects—is unequipped to capture the architecture of market power in the modern economy. We cannot estimate the potential harms to competition posed by Amazon's dominance if we measure competition primarily through price and output. Specifically, current doctrine underappreciates the risk of predatory pricing and how integration across distinct business lines may prove anticompetitive. These concerns are heightened in the context of online platforms for two reasons. First, the economics of platform markets create incentives for a company to pursue growth over profits, a strategy that investors have rewarded. Under these conditions, predatory pricing becomes highly rational—even as existing doctrine treats it as irrational and therefore implausible. Second, because online platforms serve as critical intermediaries, integrating across business lines positions these platforms to control the essential infrastructure on which their rivals depend. This dual role also enables a platform to exploit information collected on companies using its services to undermine them as competitors.

This Note maps out facets of Amazon's dominance. Doing so enables us to make sense of its business strategy, illuminates anticompetitive aspects of Amazon's structure and conduct, and underscores deficiencies in current doctrine. The Note closes by considering two potential regimes for addressing Amazon's power: restoring traditional antitrust and competition policy principles or applying common carrier obligations and duties.

**AUTHOR.** I am deeply grateful to David Singh Grewal for encouraging me to pursue this project and to Barry C. Lynn for introducing me to these issues in the first place. For thoughtful feedback at various stages of this project, I am also grateful to Christopher R. Leslie, Daniel



Lina Khan, 56th Chair of the Federal Trade Commission (Official Portrait)

---

# Externalities

**Key idea:** private companies produce civic and political externalities.

**Externality (from econ):** a side effect or consequence of an industrial or commercial activity that affects other parties without this being reflected in the cost of the goods or services involved.

**Positive externalities:** flu shot, mindfulness practice

**Negative externalities:** chemical plants, high chaos tolerance

---

---

# Platform Power and Democracy

“Are extreme levels of industrial concentration actually compatible with the premise of rough equality among citizens, industrial freedom, and democracy itself?”

*(Tim Wu, Curse of Bigness)*

Monopolies are not just bad for economic competition: they have negative effects on **democracy.**



Tim Wu, photo by Miranda Sita

# Assessing Platform Power

So, should platform power merely be assessed in terms of economic markets?

**What about platforms' effects on citizen well-being, public discourse, and the health of democratic societies at large?**



---

# Power of Private Platforms: Promise and Perils

1. The Rise of Platform Power
    - **Case Study: The Facebook Files**
  2. Platforms, Speech, and the Digital Public Sphere
  3. John Stuart Mill on Freedom of Expression
-

# The Facebook Files (2021)



Frances Haugen by Drew Angerer / Getty Images

---

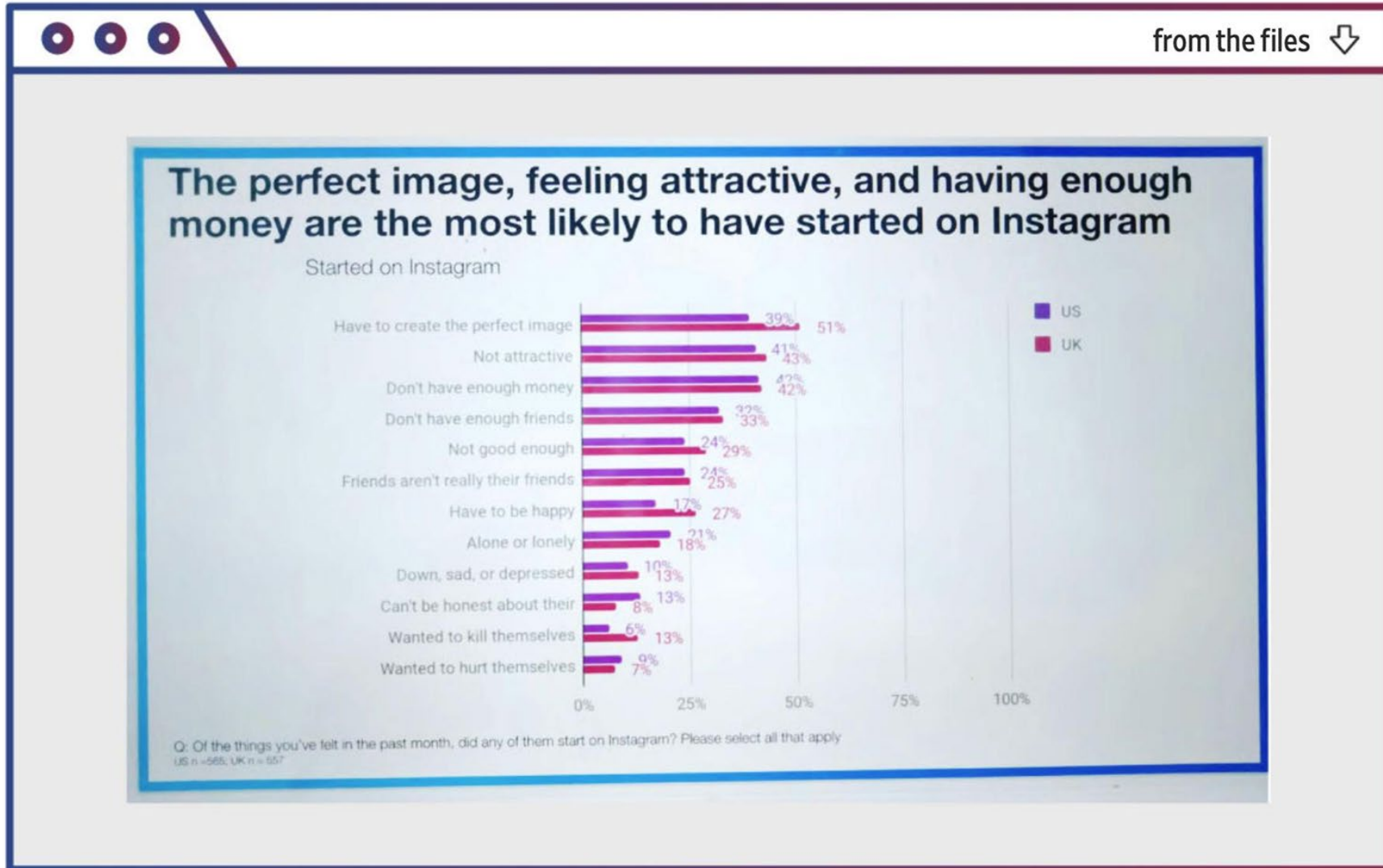
# The Facebook Files (2021)

1. Instagram **worsened body image** issues for **1 in 3** teenage girls who **already had concerns**.
2. A **whitelist system** that that protected **high-profile users and celebrities** from standard content moderation rule
3. Algorithms that favor **divisive and emotional content**.
4. **Weak enforcement** on issues like **human trafficking** and **drug cartel activities**.

Source: Wall Street Journal (2021): The Facebook Files:  
<https://www.wsj.com/articles/the-facebook-files-11631713039>

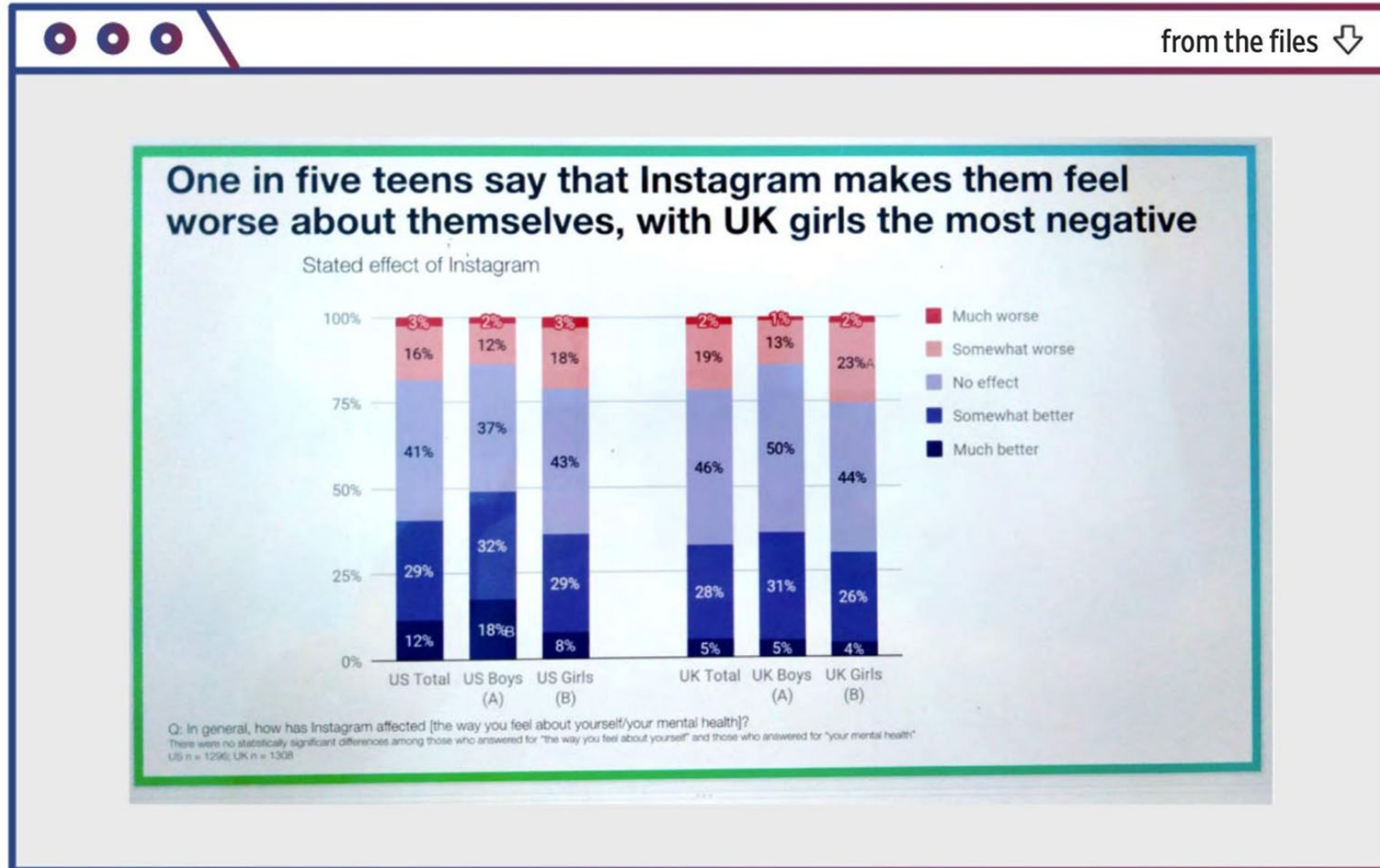
---

# Teen Mental Health Deep Dive



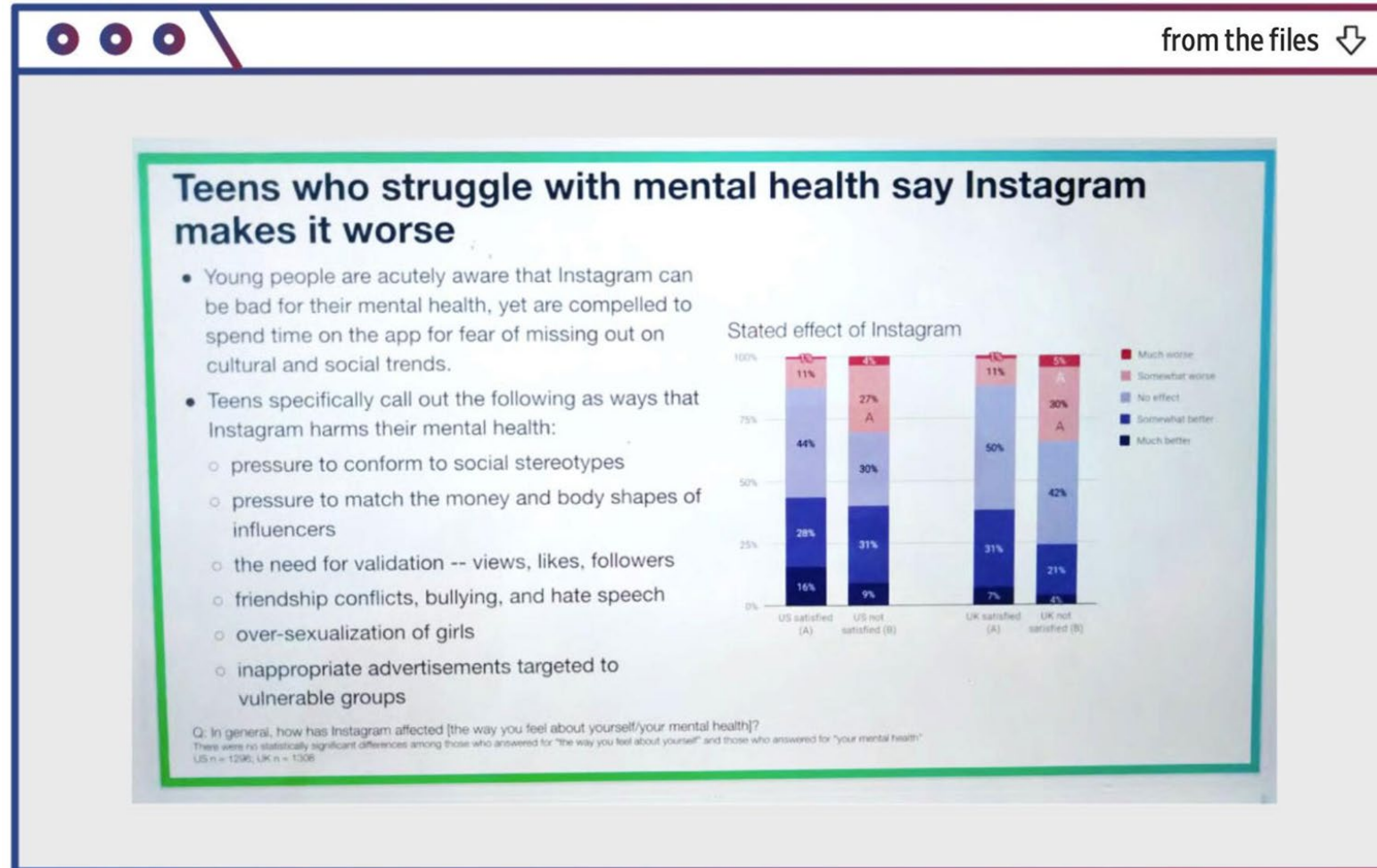
Source: 2019 Instagram slide presentation called 'Teen Mental Health Deep Dive', via The Wall Street Journal

# Instagram's Impact on Self-Esteem



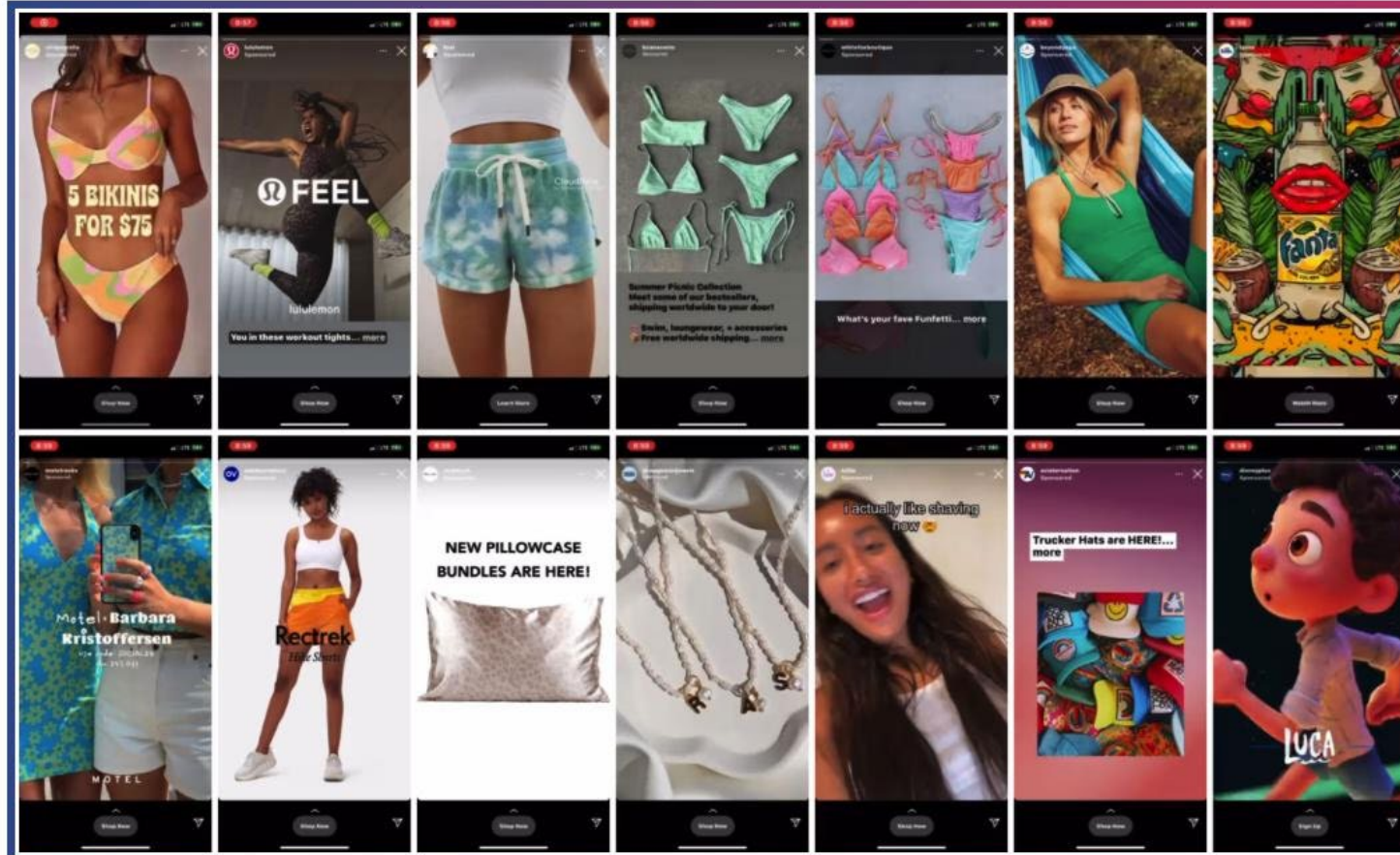
Source: 2019 Instagram slide presentation called 'Teen Mental Health Deep Dive'

# FOMO vs. Mental Health?



Source: 2019 Instagram slide presentation called 'Teen Mental Health Deep Dive'

# Personalized Feeds, Targeted Ads?



Lindsay Dubin found that in two minutes of watching Instagram stories, she saw 33 stories of accounts she follows as well as these 14 ads, many of which were focused on physical appearances.

via the Wall Street Journal, 2021

---

# Poll

**What type of social media do you use?**

**How do you feel about your use of social media?**

**Does social media make you feel better or worse about yourself?**

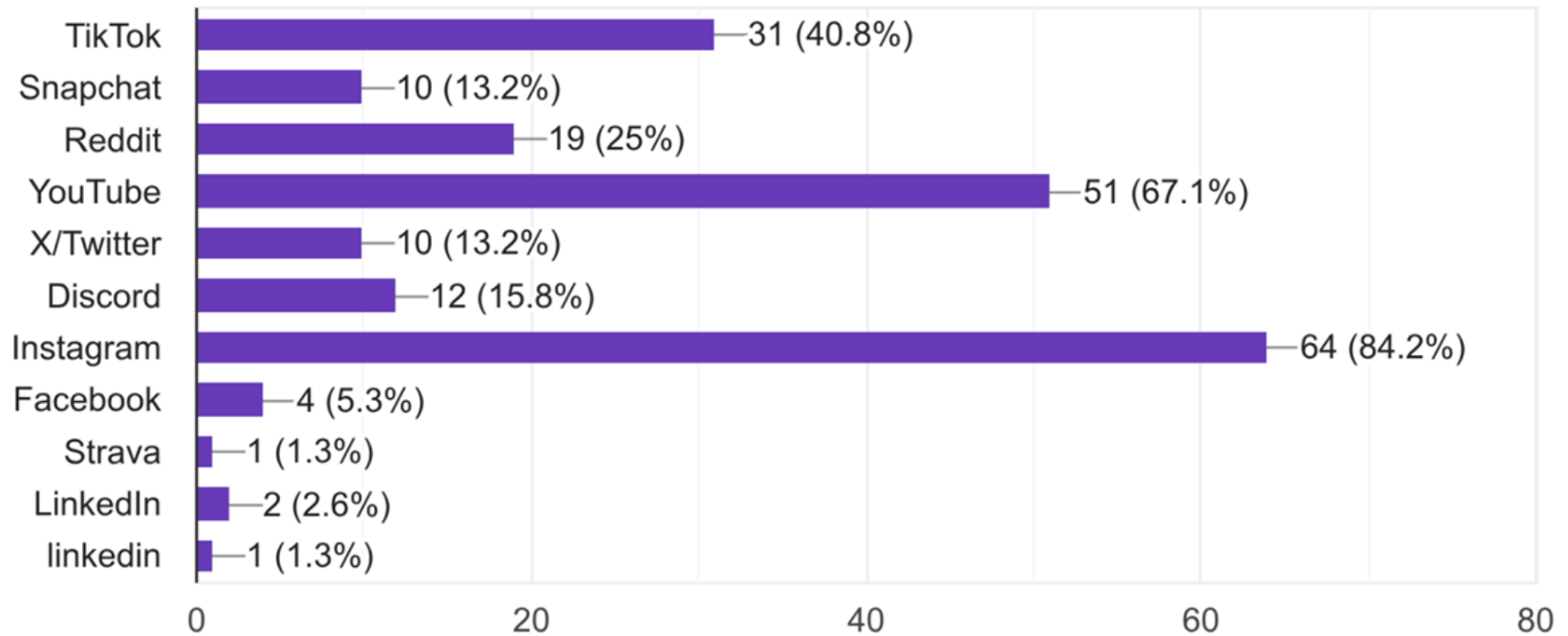
**Do you think banning social media is a good idea?**

---

# Poll

What type of social media do you use on a weekly basis?

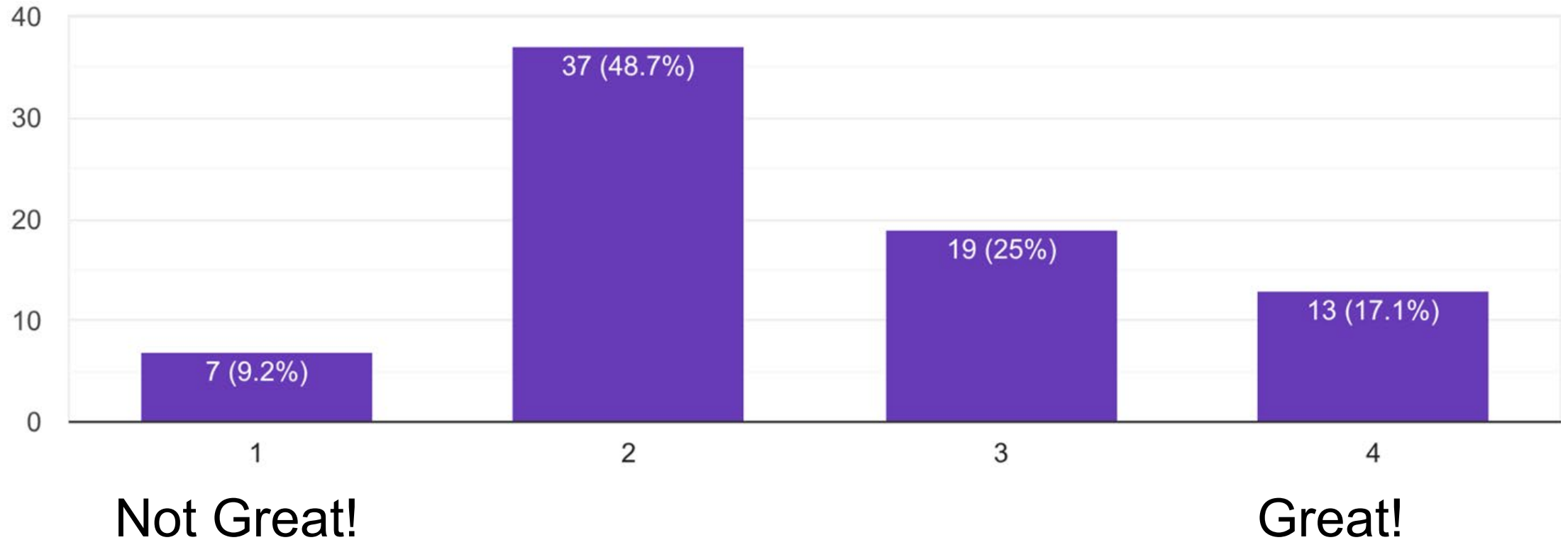
76 responses



# Poll

How do you feel about your personal use of social media?

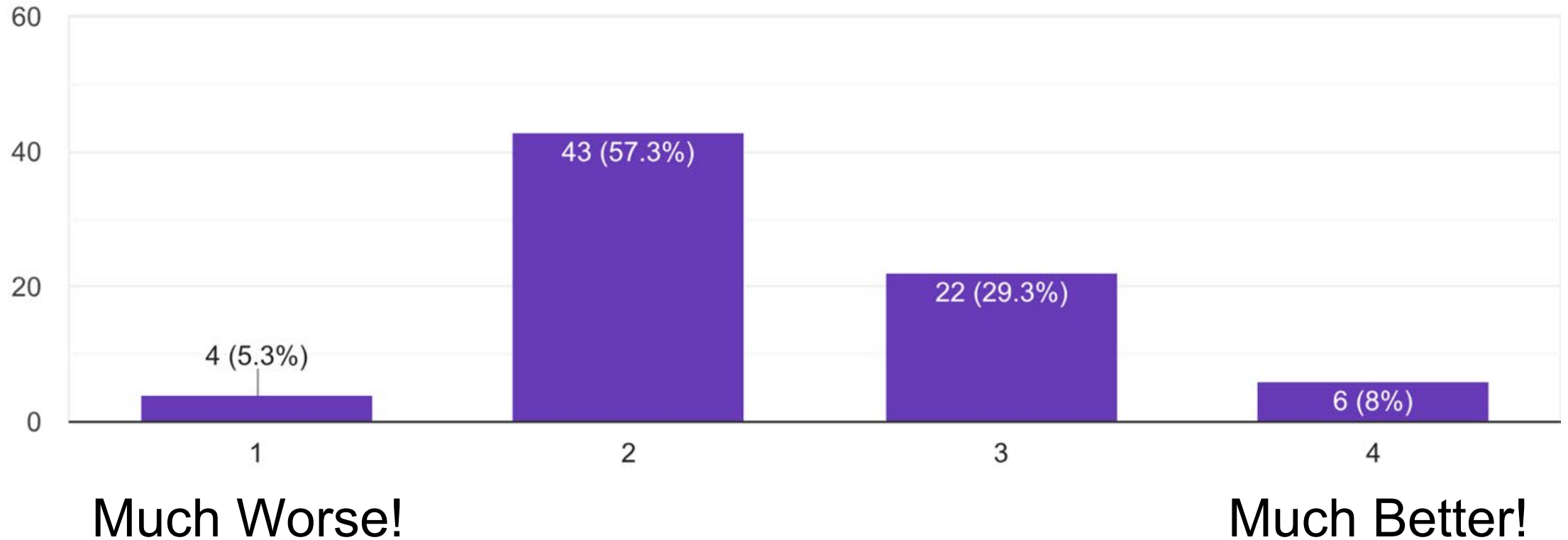
76 responses



# Poll

Does social media make you feel better or worse about yourself?

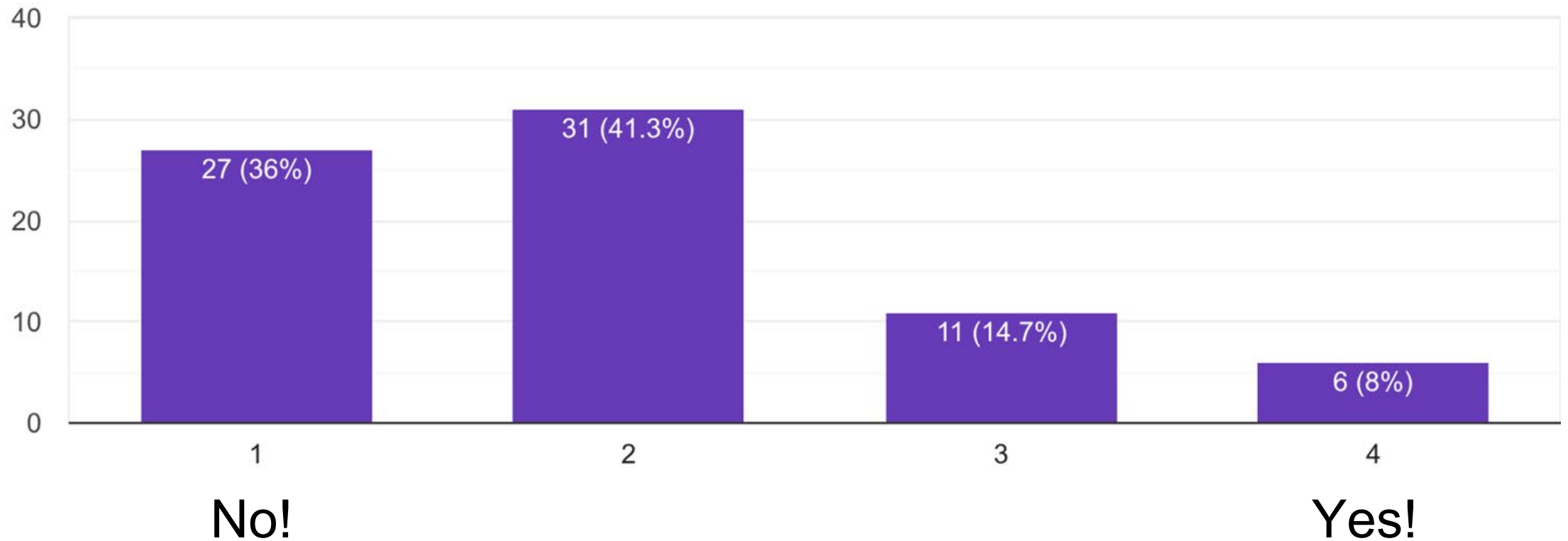
75 responses



# Poll

Do you think banning social media is a good idea?

75 responses



# When Social Dynamics Meet Platform Power

## 1. Social Dynamics + Network Effects:

Many users don't leave the platform even though they want to, because all their friends are on it and they have no alternative.

## 1. Algorithmic optimization + recommendation:

Platforms can use their access to user data to design their services in a way that incentivizes attention and engagement.

## Facebook told advertisers it can identify teens feeling 'insecure' and 'worthless'

Leaked documents said to describe how the social network shares psychological insights on young people with advertisers



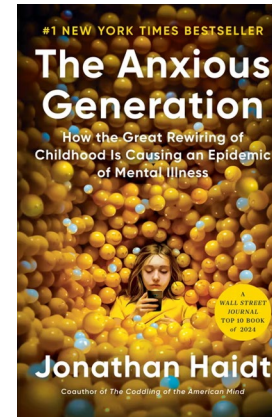
📷 An internal report produced by Facebook executives reportedly states the company can monitor posts and photos when young people feel 'stressed', 'defeated' and 'useless'. Photograph: Paul Sakuma/AP

Sam Levin (2017, The Guardian::

<https://www.theguardian.com/technology/2017/may/01/facebook-advertising-data-insecure-teens>

# Attempts to Disrupt Platform Power

1. **Anti-Monopoly Lawsuits:** focus on platform's anti-competitive behavior
1. **Personal Injury Lawsuits:** target platforms' impact on well-being (akin to big tobacco and pharma )
1. **Social Media Bans:** attempt to protect minors from the harms of social media



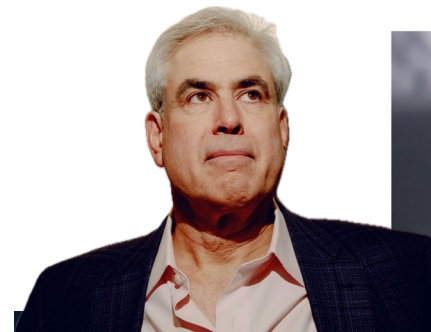
The New York Times

## *What to Know About the Social Media Addiction Trials*

Landmark trials beginning this week will test a new legal strategy claiming that Meta, TikTok, Snap and YouTube caused personal injury through addictive products.

Listen to this article · 4:17 min [Learn more](#)

[Share full article](#) [Share](#) [Bookmark](#)



## Australia social media ban hits 4.7 million teen accounts in first month

Global regulators are closely watching the implementation of the world-first ban for users under 16, with some U.S. states considering whether to follow suit.

Source: BBC

---

# Critics' Response

1. What if there are other factors that contribute to young users' mental health crisis?
  1. What if self-reporting is not the right way to assess the relationship between social media use and user well-being?
  1. What if adolescents with depressive symptoms spend more time on social media?
-

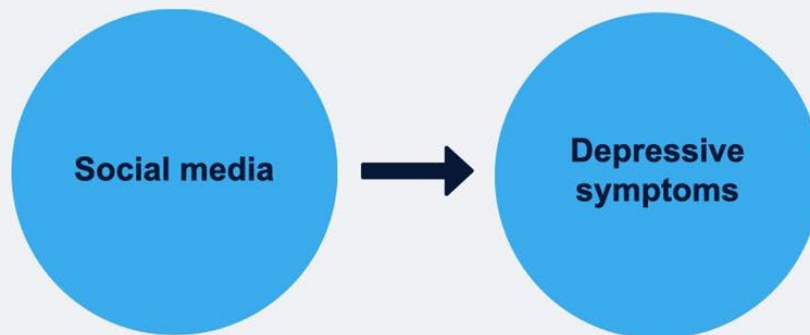
# What Social Science Says

**Jason Nagata et al. (2025):** Teens that spend more time on social media are at a greater risk of depression (the trend does not hold the other way around)

**Goldfield et al. (2026):** Reducing social media use decreases loneliness

## AT A GLANCE

Individual **increases in social media use** were associated with **elevated depression symptoms** in subsequent follow-up intervals. Individual increases in depressive symptoms were *not* associated with increased social media use at any interval.



Link to study:

[https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2834349?utm\\_source=For The Media&utm\\_medium=referral&utm\\_campaign=ftm\\_links&utm\\_term=052125](https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2834349?utm_source=For%20The%20Media&utm_medium=referral&utm_campaign=ftm_links&utm_term=052125)



Journal of Affective Disorders

Available online 2 February 2026, 121331

In Press, Journal Pre-proof [What's this?](#)



Short Communication

Reducing social media use decreases loneliness regardless of gender or level of social comparisons in youth with anxiety and depression: A randomized controlled trial

Gary S. Goldfield <sup>a b c</sup> , Marcus V.V. Lopes <sup>a</sup> , Wardah Mahboob <sup>a b</sup> , Sabrina Perry <sup>a b</sup> , Christopher Davis <sup>b</sup>

Link to study:

<https://www.sciencedirect.com/science/article/abs/pii/S0165032726001825>

---

# Implications

The (potential) relationship between social media use and teen mental health is not an engineering or a philosophical question, **it's a matter of social science.**

**Open questions:** What role do lack of sleep and cyberbullying play?

For truly **independent research**, social scientists need access to the **data** and **algorithms** used to organize and promote content.

---

---

# Power of Private Platforms: Promise and Perils

1. The Rise of Platform Power
  - Case Study: The Facebook Files
- 2. Platforms, Speech, and the Digital Public Sphere**
3. John Stuart Mill on Freedom of Expression



---

# The Public Sphere

1. **Rights:** Every person has basic liberties to avoid viewpoint discrimination.
2. **Expression:** Every person has a fair opportunity for expression (# guaranteed audience)
3. **Access:** Every person has a fair opportunity to access factual information (# right to being informed)
4. **Diversity:** Every person has reasonable access to competing viewpoints about public values.
5. **Communicative Power:** Each person has the capacity for sustained collective action.

**What norms do we need for a functioning public sphere? Truth, Common Good, Civility.**

*(Joshua Cohen and Archon Fung, Democracy and the Digital Public Sphere)*

---

# Speaker's Corner



By Cmglee - Own work, CC BY-SA 4.0,  
<https://commons.wikimedia.org/w/index.php?curid=11089227>

9



By Michael E. Cumpston - Own work, CC BY-SA 4.0,  
<https://commons.wikimedia.org/w/index.php?curid=39624657>

# The Landsgemeinde (Cantonal Assembly)



---

# The First Amendment (1791)

## The First Amendment:

“ Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

*Note:* The First Amendment is concerned with **public** power: the power of **citizens** to make **political** judgments.

*(Alexander Meiklejohn, Supreme Court Review, 1961)*

---

# The Digital Public Sphere

Characterized by a **superabundance** of information, increased **diversity of sources** and viewpoints, greater opportunity for expression.

**But also:** increased risk of online speech that violates or undermines truth seeking, common-good orientation, and civility.

## Examples:

Trolling, misinformation, doxxing, fake-news, etc.



---

# Relevant Trade-Offs

1. **The Problem of Prioritization:** How should we prioritize information? (This is not just an engineering problem)
  1. **Anonymity vs. Civility:** Online speech can be anonymous. Civility needs direct contact.
  1. **Privacy vs. Safety:** People are entitled to privacy. But what happens when privacy shields those who pose a threat to society?
  1. **Expression vs. Truth:** How should we deal with actors who are not committed to the truth, or might seek to undermine it?
  1. **Lack of (easily available) regulation:** Platforms can set their own rules.
-

---

# How Platforms Mediate Speech

1. Virality
2. Amplification
3. Censoring
4. Up-Down Grading
5. Content Moderation
6. Flagging
7. Blocking

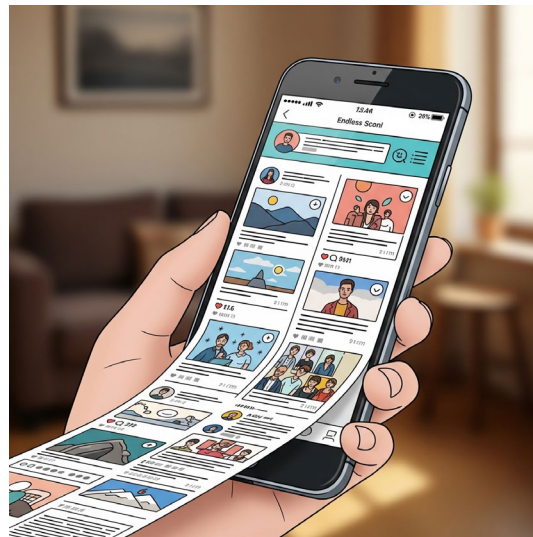
**Business Rationales:** Optimize for **Attention & Engagement**

---

# Configuring the Digital Public Sphere

**Everything about our digital networks is designed.**

Examples: Infinite scroll, like button, retweet, home feed, recommendations, community notes, verification.



# Platforms and Free Speech

How it started:

How it's going:



Elon Musk    
@elonmusk

For Twitter to deserve public trust, it must be politically neutral, which effectively means upsetting the far right and the far left equally

[Post übersetzen](#)

1:38 nachm. · 27. Apr. 2022

67.310  155.146  1 Mio.  4.154 



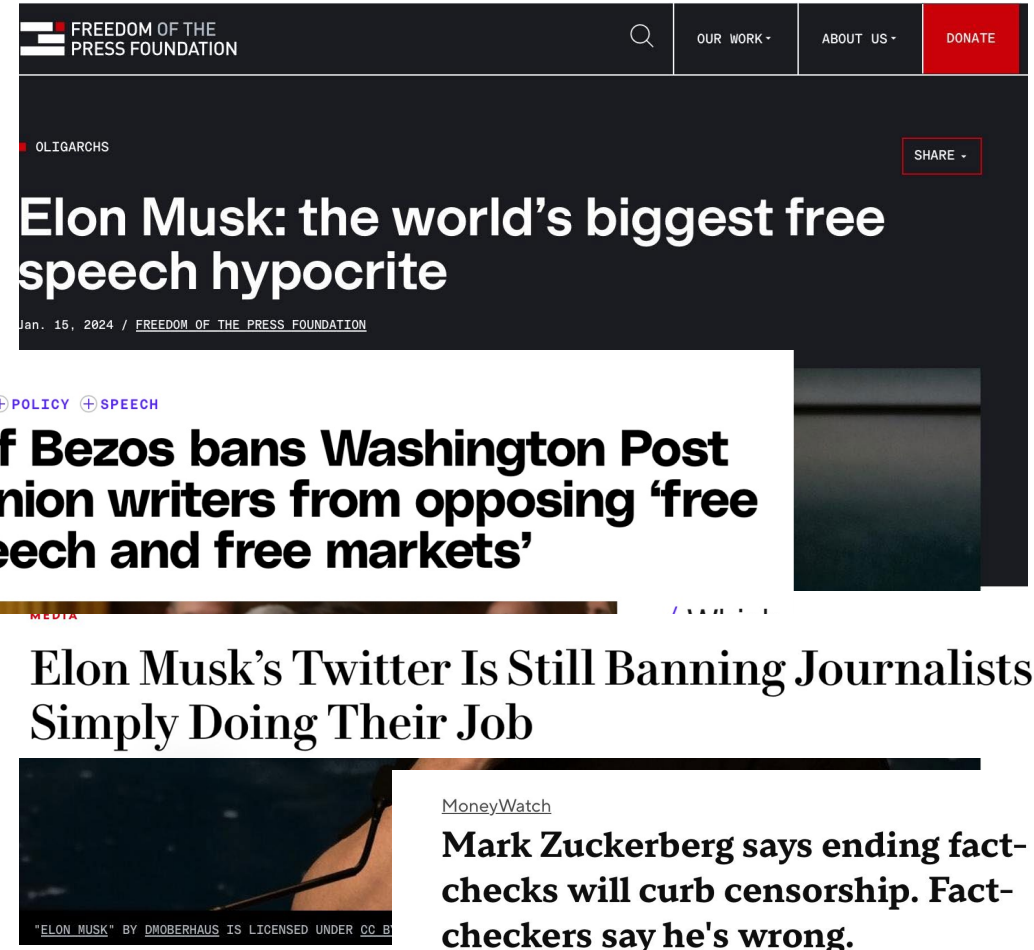
TECH

## Jeff Bezos says his 'stewardship of the Washington Post' helps 'support American democracy'

PUBLISHED THU, SEP 13 2018-11:56 AM EDT | UPDATED THU, SEP 13 2018-2:28 PM EDT

 Matt Rosoff

SHARE    



FREEDOM OF THE PRESS FOUNDATION

OUR WORK - ABOUT US - DONATE

## OLIGARCHS

# Elon Musk: the world's biggest free speech hypocrite

Jan. 15, 2024 / FREEDOM OF THE PRESS FOUNDATION

[SHARE](#)

[NEWS](#) [POLICY](#) [SPEECH](#)

## Jeff Bezos bans Washington Post opinion writers from opposing 'free speech and free markets'

## Elon Musk's Twitter Is Still Banning Journalists for Simply Doing Their Job

MoneyWatch

### Mark Zuckerberg says ending fact-checks will curb censorship. Fact-checkers say he's wrong.

By [Kate Gibson](#)

Updated on: January 8, 2025, 7:35 PM EST / CBS News

From top left to bottom right: Twitter/X, Freedom of the Press Foundation, CNBC, The Verge, The Atlantic, CNN Money Watch, the Atlantic

---

# Thought Experiment

A pandemic has slowly been building in parts of the world. A prominent social media platform reports a surge in posts that claim that the infection rates might be linked to people with blood type O+. **Scientists** openly **question the accuracy** of these claims. **Government officials** are **pressing the platforms to downgrade** the posts mentioning this theory to reduce their spread. **Freedom of speech activists** caution against it, arguing that suppressing opinions will lead to a degradation of the public debate, ultimately fueling conspiracy theories.

**What should the platform's content moderation strategy be?**

---

---

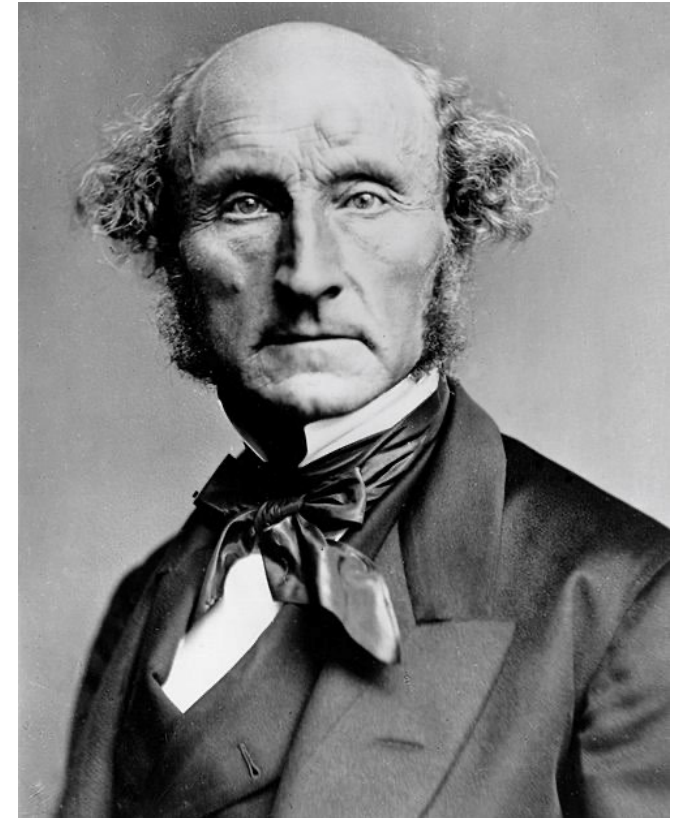
# Power of Private Platforms: Promise and Perils

1. The Rise of Platform Power
    - Case Study: The Facebook Files
  2. Platforms, Speech, and the Digital Public Sphere
  3. **John Stuart Mill on Freedom of Expression**
-

# John Stuart Mill and Freedom of Expression

- British philosopher, politician, activist (1806 - 1873)
- One of the most **influential** thinkers of the 19th century
- Early supporter of **women's suffrage, anti-racism, and right to protest**

How can we **reconcile mass democracies and equality** with individual **liberty** and **freedom of expression**?



Source: Wikipedia

---

# Tyranny of the Masses

“Protection, therefore, against the tyranny of the magistrate is not enough.

There needs protection also against the tyranny of the prevailing opinion and feeling.”

- *John Stuart Mill, On Liberty*

---

---

# Argument 1: Fallibilism

**“The opinion may possibly be true”**

1. To assume that one’s own view is accurate, and others are false and should therefore be suppressed, assumes infallibility for one’s own beliefs. But humans are fallible beings.
1. Who gets to decide what is true and can be censored? Mill: Nobody should!
1. Discussion must stay open and people must be able to revise their beliefs (similar to science)

**→ An openness to revise one’s viewpoints!**

---

---

# Argument 2: Dead Dogma

**“He who only knows his side of the case”**

1. Confidence in our own beliefs should make us even more open to hearing competing views.
1. If an opinion or conviction is not “fully, frequently, and fearlessly discussed, it will be held as a dead dogma, not a living truth”.

*(John Stuart Mill, On Liberty, XVIII: 243).*

**→ A commitment to an active and ongoing debate!**

---

---

# Argument 3: Marketplace of Ideas

**“Conflicting doctrines share the truth between them”**

1. Popular opinions rarely embody the whole truth. They sometimes need competing viewpoints to illuminate an important part of the full picture.
1. The dominant opinion can be “exaggerated, distorted, or disjointed from the truths by which they ought to be accompanied and limited.”

**→ Openness to consider different viewpoints!**

---

---

# John Stuart Mill vs. Platform Power

## **John Stuart Mill:**

1. Dissent is imperative for public discourse, which seeks to find the truth
2. One person, one opinion?

## **But people have all kinds of reason to engage in online discourse, including:**

- seeking, providing, or sharing information
  - voicing opinions
  - amplifying or downranking content
  - engage in mis- or disinformation
  - spreading rumors to sow division
-

---

# Discussion

1. How does Mill's commitment for freedom of expression fare in today's networked society?
  1. What, if anything, complicates his support for a diversity of viewpoints?
  1. What would Mill say about restricting access to social media?
-

---

# Takeaways

1. Platforms take on a **range of roles**: they are service providers, intermediaries, and infrastructure.
  1. Private platforms are uniquely placed to **mediate, amplify, and suppress speech**.
  1. **Plurality of actors and interests** in today's platform economy.
  1. John Stuart Mill reminds us that a flourishing society requires **active debate**, openness to **different viewpoints** and **revising one's opinions**.
-