

Privacy, Antitrust, or Utilities? Finding the Best Way to Regulate Big Tech

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In the face of the increasing economic, cultural, and political influence of big tech companies, there is a growing sentiment that the ‘[Frightful Five](#)’ (Amazon, Apple, Facebook, Google, and Microsoft) need stronger government regulation.

When you consider [Facebook’s recent revelation](#) that Russian entities purchased ads to influence American political opinion and myriad examples of the [use of social media to radicalize individuals](#), it is becoming increasingly clear that big tech firms have created the means to do immense harm, all the while [still raking in immense profits](#). British Prime Minister Theresa May and the EU feel that “[enough is enough](#)” when it comes to the freedom of big tech companies, but does Washington feel the same?

One New York Times author, Farhad Manjoo, writes that it is unlikely that the growing cultural influence and marketplace dominance of big tech companies [will be effectively combated](#) by Washington lawmakers. These companies’ increasing political clout and a lack of consensus among representatives of Big Tech’s potential harms are two main reasons many argue Washington will be unable to curtail the power of Big Tech.

Even if the legislature mobilizes against tech companies, the methods further complicate the issue. Lina M. Khan, a fellow at Open Markets Institute (a liberal think-tank that opposes concentrated corporate power), [argues that our antitrust laws are out of date](#). Because antitrust legislation is focused on punishing corporations for unfair prices, tech companies (who typically offer their services at little or no cost) are overlooked by regulation. Khan suggests that modernization of our antitrust laws could be an effective solution.

On the other hand, EU lawmakers are demonstrating a willingness to crack down on big tech companies, using both current and future legislation. [After fining Google \\$2.7 billion in June](#) for violating European antitrust laws, regulators have also [chosen to implement new privacy laws](#) to combat tech companies’ misuse of consumer data. Beginning in 2018, EU data protection authorities will be permitted to slap fines of up to 4 percent of a company’s worldwide revenue for violations of new privacy rules approved by the European Parliament.

A unique solution is to [regulate tech firms like utilities](#). This method would treat the Frightful Five like monopolies that provide essential services. In this scenario, users would not only be given more control of their information by retaining the choice of whether to sell their personal data to advertisers, but would also profit by providing advertisers with access to their information.

Though big tech companies have generally experienced tremendous freedom from government oversight thus far, legislatures around the world, recognizing the cultural, economic, and political implications of allowing tech companies free reign, are trending towards imposing control on

how big tech companies influence our society. Whether through antitrust legislation, privacy laws, or more creative alternatives, tech companies should prepare to brace themselves for stricter regulation.