AntiTrust Law in the US

The Issue:
Through the Google antitrust lawsuit we are a a turning point to see how the US will handle big tech corporations and the alleged issues and fears surrounding them. This case is meant to set the tone for future proceedings and can expand or restrict current conceptions of antitrust in the courts. The term antitrust is related 1890's era where big monopolies used their power prevent competition and gain and maintain control over markets, which led to predatory practices against consumers and lack of innovation. However in today's age these anti trust laws seem insufficient in actually targeting current Big Tech companies.

The Three Laws

Sherman Act:
Congress passed the Sherman Antitrust Act in 1890, which was the first legislation to address issues with monopolistic practices in the United States. The Sherman Act, which was famously used to dismantle Microsoft in the late 1990s.

Clayton act:
The United States Congress passed the Clayton Antitrust Act in 1914 in an effort to improve and bolster the Sherman Antitrust Act (1890). Large firms were able to engage in some restrictive business agreements that led to scenarios that negatively impacted competition because of the latter's ambiguous wording.

The FTC Act:
The Federal Trade Commission Act gives the Federal Trade Commission the ability to take action to protect consumers and conduct investigations from unfair methods of competition that affect interstate commerce.

Their Flaws:
These acts are heavily interpreted under the idea of consumer welfare where if there is no direct harm to the consumer then there is no harm in the monopoly. As well as the fact that these laws cannot target the global exploitation these companies engage in and hides this fact through an american centric framing of antitrust.

Why this matters

Consumer welfare has prevented many monopolies from being prosecuted because its concept its not equipped to handle companies like google who seemingly provide their services for free. Yet their anti competitive behaviors are obvious. Similarly google holds a huge market share in globally over 90%. Their ability to control global digital markets is another way they can exploit peripheral countries who do not have the means to sue them.