

my opinion, the criticism of Internet companies for "unethical" business models is misguided. If society finds the surveillance business model offensive, then the remedy is public policy, in the form of laws and regulations, rather than an ethics outrage. Of course, public policy cannot be divorced from ethics. We ban human-organ trading because we find it ethically repugnant, but the ban is enforced via public policy, not via an ethics debate.

The IT industry has successfully lobbied for decades against any attempt to legislate/regulate IT public policy under the mantra "regulation stifles innovation." In response to the investigation of Tesla's CEO Elon Musk by the U.S. Security and Exchange Commission for possible security-law violation, a recent *Wired* magazine headline proclaimed, "The case against Elon Musk will chill innovation!" Of course regulation chills innovation. In fact, the whole point of regulation is to chill certain kinds of innovation, the kind that public policy wishes to chill. At the same time, regulation also encourages innovation. There is no question that automobile regulation increased automobile safety and fuel efficiency, for example. Regulation can be a blunt instrument and must be wielded carefully; otherwise, it can chill innovation in unpredictable ways. Public policy is hard, but it is better than anarchy.^b

Do we need ethics? Of course! But the current crisis is not an ethics crisis; it is a public policy crisis.

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Footnotes

a. <https://bit.ly/2FvmGGt>

b. See Point/Counterpoint debate in the December 2018 issue.

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