This is a time of ferment for antitrust. Major presidential candidates are proposing changes in the antitrust laws to deal with concentrated economic power. The Supreme Court has just decided two important antitrust cases that will affect the development of antitrust in important ways. Scholars are writing books and doing studies critical of what they perceive to be antitrust’s deficiencies. Technology is disrupting some industries and creating new powerful firms. Chicago-School economics is under attack and even the idea that antitrust should promote “consumer welfare” is up for debate.

This seminar will explore how—or whether—antitrust law and policy should respond to these calls for change.

Course materials: Course materials (other than hyperlinked-materials) are posted on NYU Classes under Course Materials/Readings. Please read the posted versions rather than downloading different ones.

Writing requirements: Students are required to write a research paper. Each student must submit a thesis statement of the topic (including a preliminary bibliography), a first draft, and a final paper. Papers fulfilling the substantial writing requirement must be approximately 30-40 pages. Other papers may be approximately 20-25 pages. A list of suggested research topics will be posted, but you are free to pursue a topic of your own choosing that is within the scope of the seminar.

Submission dates: Your topic choice is due September 24. The thesis statement (including preliminary bibliography) is due October 15. The first draft is due November 5; the final paper is due December 19. Please submit everything by email to me and to Nicole Arzt. No extensions will be given.

Grades: The first draft will count for 20 percent of the grade; the final draft will count for 50 percent. The remainder of the grade will be based on participation and performance in the seminar.

Make-up classes: Classes will be canceled on October 8 (make-up class on Friday, October 25, at 2pm) and on November 26 (make-up class on Friday, November 15, at 2pm).

Administrator for the course: Ms. Nicole Arzt (VH 336; nicole.arzt@nyu.edu) will be the administrator for the course.
CLASS SCHEDULE

Class 1: September 3
Introduction — Setting the Stage

Class 2: September 10
Progressives, Neo-Brandeisians, and the Chicago School

Class 3: September 17
Is there a monopoly problem? Antitrust and the major platforms

Class 4: September 24
Should competition be fair?

Class 5: October 1
Is there a merger problem?

Class 6: October 15
Can antitrust protect labor?

Class 7: October 22
Can antitrust deal with two-sided markets?

Class 8: October 25
Can private parties sue for damages in two-sided markets?

Class 9: October 29
Can antitrust control access to technology?

Class 10: November 5
Can antitrust control pharma pricing?

Class 11: November 12
Can criminal enforcement stop antitrust violations?

Class 12: November 15
Student presentations

Class 13: November 19
Student presentations

Class 14: December 3
Student presentations