

WEEK 12 / 14

High-Risk Political Posting: Law & Economics of TCK 299

Pricing a joke's legal risk the way you would price any other cost.

Economics Concept: **Becker's Model of Crime: Expected Cost vs. Benefit**

CORE CONCEPT

Becker's Rational Offender

- Gary Becker modeled crime as a rational choice: act if expected benefit exceeds expected cost (probability of punishment $\times$ severity).
- A political meme's visibility is the benefit. Legal exposure under statutes like TCK 299 is the cost.
- Nothing here is about right and wrong — it's a calculation a rational poster is already making, whether consciously or not.



STRATEGIC CALCULATION

Ambiguity as Risk Management

- Multi-layered allegory and historical metaphor reduce the probability of successful prosecution without reducing visibility much.
- Irony provides plausible deniability — a defense that a direct statement could never offer.
- This is risk-adjusted content design, not cowardice: the same logic any rational actor applies under a costly legal regime.



AMBIGUITY LOWERS PROBABILITY OF COST

INSTRUCTOR'S NOTE

We are studying the incentive structure, not encouraging any specific post. The Department assumes zero liability for your calculations.

CASE PATTERN

Visibility and Exposure Move Together

- The same reach that makes a post valuable also makes it legally visible — you cannot have one without some of the other.
- Rational posters therefore optimize the ratio, not either variable alone.
- This mirrors any regulated market: the highest-margin activity is usually also the most closely watched.



TAKEAWAY OF THE WEEK

Every Post Is a **Small Legal Bet**

Whether or not a poster ever writes down the math, expected cost versus expected benefit is being calculated on every send.

NEXT WEEK → GENERATIVE AI & CONTENT HYPER-INFLATION