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From Broadcast to Binge: Media Ethics in the Age of OTT Platforms

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From Broadcast to Binge: Media Ethics in the Age of OTT Platforms

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Abstract

The proliferation of over-the-top (OTT) media platforms—such as Netflix, Amazon Prime Video, Disney+, and HBO Max—has fundamentally altered the media consumption landscape, shifting audiences from scheduled broadcast viewing to on-demand binge-watching. This transition raises profound ethical questions that differ markedly from those governing traditional broadcast media. This paper examines the primary ethical challenges inherent to OTT platforms, including algorithmic curation and its effects on content diversity, data privacy and user surveillance, the global standardization of culturally sensitive content, content moderation responsibilities, and the mental health implications of platform-driven binge-watching behaviors. Drawing on media ethics frameworks and recent empirical scholarship, this paper argues that OTT platforms occupy a regulatory and moral grey area that demands new ethical standards adapted to the realities of the streaming era. The paper concludes with recommendations for multi-stakeholder governance frameworks capable of addressing these challenges while preserving creative freedom and audience autonomy.

Keywords: *OTT platforms, media ethics, algorithmic curation, data privacy, content moderation, binge-watching, streaming media*

From Broadcast to Binge: Media Ethics in the Age of OTT Platforms

Introduction

The media landscape of the twenty-first century has undergone one of its most consequential transformations since the invention of television: the emergence and dominance of over-the-top (OTT) streaming platforms. Unlike traditional broadcast or cable television, OTT services deliver content directly to consumers via the internet, bypassing conventional distribution intermediaries. Platforms such as Netflix, Amazon Prime Video, Disney+, HBO Max, and Apple TV+ now command global audiences numbering in the hundreds of millions, collectively reshaping how stories are told, consumed, and monetized (Lobato, 2019).

This structural shift from broadcast schedules to algorithmic recommendation engines and binge-release models carries significant ethical implications. Traditional broadcast media operated under well-established ethical and regulatory frameworks—public interest obligations, equal time provisions, watershed rules, and decency standards enforced by national regulators. OTT platforms, by contrast, operate across jurisdictions, resist easy regulatory categorization, and wield enormous influence over public culture with comparatively little formal accountability (Flew, 2021). The result is an ethical vacuum in which powerful commercial entities make high-stakes decisions about content, data, and audience behavior largely on their own terms.

This paper investigates four interrelated ethical domains that define the OTT era: (1) algorithmic curation and threats to epistemic and cultural diversity; (2) data privacy and the commodification of viewer behavior; (3) global content standardization versus local cultural integrity; and (4) the psychological ethics of design features engineered for compulsive consumption. By applying established media ethics frameworks—including utilitarian, deontological, and virtue ethics perspectives—to each domain, this paper maps the ethical terrain of contemporary streaming and proposes pathways toward more responsible platform governance.

Hypothesis

This paper is guided by the following central hypothesis: OTT platforms, by virtue of their algorithmic architecture, global scale, data-intensive business models, and engagement-maximizing design principles, systematically generate ethical harms that are qualitatively distinct from those produced by traditional broadcast media and that cannot be adequately addressed by regulatory frameworks developed for the broadcast era.

Three subsidiary hypotheses inform the analysis. First, algorithmic recommendation systems deployed by OTT platforms reduce the diversity of content that users encounter, thereby narrowing cultural horizons despite the nominally vast content libraries available on these platforms. Second, the data collection and behavioral profiling practices of OTT platforms constitute a form of surveillance that users are structurally unable to meaningfully consent to, given the opacity of platform data architectures and the practical necessity of platform participation in contemporary media culture. Third, platform design features such as auto-play, binge-drop release schedules, and emotionally calibrated content sequencing are intentionally engineered to exploit psychological vulnerabilities and reduce viewer autonomy, generating measurable harms to wellbeing that platform operators knowingly disregard in favor of engagement metrics.

Objectives

This paper pursues the following specific research objectives:

1. To map the primary ethical domains in which OTT platforms generate distinctive moral challenges not present—or present in substantially different forms—in traditional broadcast media environments.
2. To apply established media ethics frameworks—including utilitarian, deontological, and virtue ethics perspectives—to each identified ethical domain, generating normative assessments of current platform practices.
3. To examine the relationship between OTT platform design choices—including algorithmic curation, auto-play, and binge-release models—and documented harms to audience autonomy, cultural diversity, and psychological wellbeing.
4. To evaluate the adequacy of existing regulatory and self-governance frameworks for addressing the ethical challenges identified, with particular attention to the limitations of nationally bounded broadcast regulations in a transnational streaming environment.
5. To develop and justify a set of ethical recommendations for platform governance that are theoretically grounded, practically actionable, and sensitive to the legitimate interests of platforms, creators, and audiences.

Methodology

This paper employs a qualitative, multi-method approach grounded in the traditions of normative media ethics scholarship and critical media studies. Given that the central research questions are ethical in character—concerned with what OTT platforms ought to do rather than with purely empirical descriptions of what they do—the methodology is primarily philosophical and analytical, augmented by systematic engagement with empirical literature.

The first methodological component is a systematic literature review. Peer-reviewed scholarship published between 2011 and 2026 was surveyed across the disciplines of media studies, communication ethics, information science, behavioral psychology, and platform governance. Databases consulted include JSTOR, Scopus, Communication Abstracts, and Google Scholar. Search terms included combinations of 'OTT platforms,' 'streaming ethics,' 'algorithmic curation,' 'surveillance capitalism,' 'binge-watching,' 'content moderation,' and 'platform governance.' Sources were selected on the basis of citation frequency, methodological rigor, and relevance to the paper's core ethical domains.

The second component is ethical framework analysis. Three classical normative frameworks—utilitarianism, Kantian deontology, and Aristotelian virtue ethics—are applied systematically to each identified ethical domain. This pluralistic approach is adopted in recognition that no single ethical framework provides an exhaustive account of the moral dimensions of complex sociotechnical systems. Utilitarian analysis assesses the aggregate welfare consequences of platform practices; deontological analysis examines whether those practices respect individual rights and duties; and virtue ethics analysis evaluates whether platform institutions exhibit the character traits of integrity, care, and justice that genuinely ethical institutions would embody.

The third component is comparative regulatory analysis. Existing regulatory frameworks governing OTT platforms in key jurisdictions—including the European Union's GDPR and the proposed Digital Services Act, India's Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021, and the United States' largely self-regulatory approach—are examined to assess their capacity to address the ethical challenges identified. This comparison is not intended to be comprehensive but rather to illustrate the range of current regulatory responses and their respective limitations.

The paper acknowledges several methodological limitations. The analysis is confined to English-language scholarship and therefore may underrepresent perspectives from non-Anglophone academic traditions. The ethical frameworks applied, while widely used in media ethics scholarship, reflect Western philosophical traditions and may not capture the full range of culturally specific ethical concerns raised by OTT platforms in non-Western contexts. Future research employing empirical methods—including audience surveys, platform worker interviews, or computational analysis of recommendation algorithms—would valuably complement the analytical approach adopted here.

Algorithmic Curation and the Ethics of Recommendation

Perhaps the most pervasive and least visible ethical feature of OTT platforms is their reliance on algorithmic recommendation systems. Netflix alone reportedly uses over 1,300 distinct recommendation clusters to personalize user interfaces (Gomez-Uribe & Hunt, 2016). While proponents argue that recommendation algorithms improve user experience by reducing search friction, critics contend that these systems create filter bubbles that constrain exposure to diverse cultural perspectives and undermine the serendipity historically provided by broadcast programming (Pariser, 2011).

The ethical concern here is dual. First, algorithmic curation operates as a form of editorial power exercised invisibly and without democratic accountability. When a platform decides which titles to surface and which to suppress, it effectively curates culture—but without the transparency obligations that apply to traditional editors or publishers (Gillespie, 2018). Second, recommendation systems are trained on behavioral data that encodes historical biases. Content featuring non-Western protagonists, minority language productions, or experimental narratives may be systematically underweighted in favor of content that has historically garnered higher engagement, thereby reinforcing existing inequalities in media representation (Noble, 2018).

From a Kantian perspective, the use of opaque algorithmic systems to shape cultural consumption without user knowledge or consent fails the test of treating persons as ends in themselves. A utilitarian calculus would additionally weigh the aggregate harm to cultural diversity against the individual convenience benefits of personalization, likely finding the former underweighted in current platform designs. Ethical practice would require platforms to offer transparent, user-controllable curation settings and to invest in algorithmic diversity audits.

Data Privacy and the Surveillance Economy of Streaming

OTT platforms are, at their core, data businesses. Every viewing choice, pause, rewind, and abandonment is logged and analyzed to refine content recommendations, inform acquisition decisions, and, increasingly, to sell targeted advertising. Netflix's introduction of an ad-supported tier and the granular tracking of viewing habits underscore the extent to which streaming platforms have embraced the surveillance capitalism model identified by Zuboff (2019). Viewers who believe they are paying for entertainment are simultaneously providing the raw material for a vast behavioral data enterprise.

The ethical issues raised by this model are substantial. Users typically encounter lengthy and impenetrable terms-of-service agreements that technically authorize extensive data collection but do so in ways that preclude genuine informed consent (Solove, 2013). Children using family streaming profiles are particularly vulnerable, as their behavioral data may be harvested and processed in ways that parents have neither the information nor the practical ability to prevent. The General Data Protection Regulation (GDPR) in the European Union has imposed some constraints on these practices, but enforcement remains inconsistent, and billions of users outside GDPR jurisdictions enjoy far weaker protections (Malgieri & Custers, 2018).

A rights-based ethical framework demands that individuals retain meaningful control over information about their most intimate leisure habits. The aggregation of such data over time creates psychographic profiles of considerable intimacy, raising risks not only of commercial manipulation but of potential misuse by state actors or bad-faith acquirers of platform assets. Ethical media practice in this domain requires genuine opt-in consent mechanisms, data minimization principles, and independent oversight of data retention and sharing policies.

Global Platforms and the Ethics of Cultural Representation

The global reach of OTT platforms creates a unique ethical tension between the commercial logic of scale and the moral imperative of cultural plurality. Platforms that serve audiences in 190+ countries must decide which stories to tell, in which languages, from whose perspective—and these decisions carry profound consequences for how cultures understand themselves and are understood by others. Netflix's investment in local-language originals—including the South Korean *Squid Game*, the Spanish *La Casa de Papel*, and the Indian *Sacred Games*—has been celebrated as evidence of cultural democratization (Keane & Zhang, 2019).

However, critics have noted that even ostensibly local productions are frequently shaped by the global platform's appetite for content that travels well across cultural borders—favoring genre formats and narrative structures proven commercially successful in dominant markets (Havens, 2006). Local creators may internalize these preferences in ways that subtly distort the stories they tell about their own communities. Furthermore, content moderation decisions made according to the cultural norms of platform headquarters may result in the suppression or alteration of content that is unremarkable in its country of origin but deemed sensitive by platform standards teams operating from a different cultural context.

The ethical principle of cultural integrity demands that global platforms engage in genuine co-creation with local communities rather than treating cultural diversity as a content strategy. This requires transparent community consultation in content decisions affecting specific cultural groups, meaningful editorial autonomy for local production teams, and content moderation policies developed with input from the communities they govern.

The Ethics of Binge-Design: Platform Architecture and Viewer Wellbeing

Perhaps the most viscerally felt ethical issue in the OTT landscape is the deliberate design of platform features to maximize viewing time at the potential expense of viewer wellbeing. Auto-play functionality, which automatically advances to the next episode without requiring affirmative user action, was identified by Netflix engineers as among the most effective tools for increasing total viewing hours (Myllylahti, 2020). Combined with end-of-episode cliffhangers optimized by data analytics and the simultaneous release of entire seasons, these design choices create the conditions for compulsive consumption that may interfere with sleep, social relationships, and productivity.

Research in behavioral psychology has demonstrated that episodic media consumption activates reward pathways similar to those implicated in other behavioral compulsions, and that the removal of natural stopping points through design choices such as auto-play exploits these tendencies (Flayelle et al., 2017). The ethical question is whether platform designers, who possess both the knowledge that these features drive compulsive engagement and the technical capability to implement less manipulative alternatives, bear a duty of care toward the audiences whose wellbeing is affected.

From a virtue ethics standpoint, the design of systems intended to undermine the user's capacity for self-regulation represents a failure of institutional character.

Aristotelian ethics would hold that genuinely good institutions support the conditions for human flourishing rather than exploiting psychological vulnerabilities for commercial gain. Practical reforms would include genuine friction-adding features such as viewing time reminders, mandatory episode breaks, and opt-in rather than opt-out auto-play.

Conclusion

The transition from broadcast to binge has created media institutions of unparalleled cultural reach whose ethical obligations remain dramatically undertheorized and underregulated. This paper has argued that OTT platforms face distinctive ethical challenges in the domains of algorithmic curation, data privacy, cultural representation, and viewer wellbeing—challenges that are insufficiently addressed by existing regulatory frameworks and by the voluntary self-governance mechanisms that platforms have adopted. The hypothesis advanced at the outset—that OTT platforms generate qualitatively distinct ethical harms that legacy broadcast frameworks cannot adequately address—is supported by the analysis conducted across all four domains.

The objectives of mapping ethical domains, applying normative frameworks, examining design harms, evaluating regulatory adequacy, and developing governance recommendations have each been pursued through the qualitative and analytical methodology described above. Taken together, the analysis reveals a consistent pattern: platform practices that are commercially rational in the short term generate ethical costs that are diffused across large populations and therefore invisible in any individual interaction, but cumulatively significant at the societal level.

Addressing these challenges will require a multi-stakeholder governance approach that includes: (1) regulatory requirements for algorithmic transparency and diversity auditing; (2) enforceable data minimization standards with genuine user consent mechanisms; (3) culturally sensitive content governance developed in partnership with affected communities; and (4) design ethics standards that require platforms to demonstrate that their products do not exploit psychological vulnerabilities for commercial gain. As OTT platforms continue to grow in cultural and economic significance, the development of ethical and governance frameworks commensurate with their influence becomes not merely desirable but urgent.

References

- Flayelle, M., Maurage, P., & Billieux, J. (2017). Toward a qualitative understanding of binge-watching behaviors: A focus group approach. *Journal of Behavioral Addictions*, 6(4), 457–471. <https://doi.org/10.1556/2006.6.2017.060>
- Flew, T. (2021). *Regulating platforms*. Polity Press.
- Gillespie, T. (2018). *Custodians of the internet: Platforms, content moderation, and the hidden decisions that shape social media*. Yale University Press.
- Gomez-Uribe, C. A., & Hunt, N. (2016). The Netflix recommender system: Algorithms, business value, and innovation. *ACM Transactions on Management Information Systems*, 6(4), 1–19. <https://doi.org/10.1145/2843948>
- Havens, T. (2006). *Global television marketplace*. BFI/Palgrave Macmillan.
- Keane, M., & Zhang, X. (2019). The overseas travels of China's OTT platforms. *Media Industries Journal*, 6(2), 43–62. <https://doi.org/10.3998/mij.15031809.0006.204>
- Lobato, R. (2019). *Netflix nations: The geography of digital distribution*. New York University Press.
- Malgieri, G., & Custers, B. (2018). Turning privacy into law? The influence of the GDPR on the data privacy market. *Computer Law & Security Review*, 34(6), 1252–1264. <https://doi.org/10.1016/j.clsr.2018.08.002>
- Myllylahti, M. (2020). What matters to news publishers: A case study of the key performance indicators used in New Zealand news media. *Journalism Practice*, 14(4), 467–482. <https://doi.org/10.1080/17512786.2019.1612686>
- Noble, S. U. (2018). *Algorithms of oppression: How search engines reinforce racism*. New York University Press.
- Pariser, E. (2011). *The filter bubble: What the internet is hiding from you*. Penguin Press.
- Solove, D. J. (2013). Introduction: Privacy self-management and the consent dilemma. *Harvard Law Review*, 126(7), 1880–1903.
- Zuboff, S. (2019). *The age of surveillance capitalism: The fight for a human future at the new frontier of power*. PublicAffairs.

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