Why Loss of Net Neutrality Hurts Democracy

The principle of every person having equal access to the Internet represented a strong pillar of modern democracy — and its removal represents another victory for profit-dominated plutocracy, as Dennis J Bernstein explains.

By Dennis J Bernstein

Despite its importance to a functioning democracy in the Twenty-first Century, many people’s eyes still glaze over at the uttering of the term Net Neutrality. However, whenever there is a clear explanation available, people — Republicans and Democrats alike — overwhelmingly support the concept and understand that, once again, it will be big business and corporations that will benefit greatly from the purging of the concept of Net Neutrality, and poor and working-class people and their families who will suffer from the recent decision to end it.

For an in-depth primer on the subject, I spoke with Professor Victor Pickard about the implications of the recent actions taken by the Republican-led Federal Communication Commision. Pickard is associate professor at the Annenberg School of Communication at the University of Pennslyvania and author of the book America’s Battle for Media Democracy.

Dennis Bernstein: We turn now to the issue of net neutrality and its very serious implications for Internet users everywhere. Welcome Professor Pickard.

Could you start by giving us an extended definition of net neutrality? People’s eyes still tend to glaze over when you raise the topic of net neutrality.

Victor Pickard: In a way, it is an unfortunate term. We can thank Timothy Woo for coining it, but I think we’re stuck with it at this point. Essentially, it means an open Internet. Net neutrality is the safeguard that prevents Internet service providers such as Verizon and Comcast from interfering with your online content. It prevents them from slowing down or blocking content or offering what is known as “paid prioritization.” This is where they set up slow and fast lanes and a kind of payola system where they try to shake down content creators and force them to “pay to play” in order to load and stream more quickly. This changes the underlying logic of the Internet, which was meant to be an open medium with all voices created equal.

Bernstein: And it was hoped that net neutrality would be an equalizer, making it possible for people to have a voice who hadn’t had one before and be able to
access content that would not have been available before. Isn’t this essentially a question of democracy?

Pickard: Yes, the Internet has always had significant democratic potential. At least in theory, it can level power hierarchies. It can be used to give the voiceless more access to the public sphere. Of course, it never quite panned out this way. There have always been barriers to entry and there is still a major digital divide in this country. Nonetheless, the channels through which we access the Internet were meant to be kept equal and open, and without net neutrality that is no longer going to be the case.

As soon as you remove the basic safeguards, Internet service providers not only have the ability, they have a perverse incentive to make more money by charging us more for access to various types of content or charging content creators more to access the Internet. Of course, large corporations like Amazon and Netflix can afford to pay up. Those who will be hurt will be the activists and journalists, the people without the resources to pay to play.

That is what is so deeply troubling about this: It is going to hurt us as consumers—it is going to hurt us economically—but more importantly, it is going to hurt us democratically.

Bernstein: It is interesting, one of the consequences of the disappearance of newspapers, particularly investigative reporting, was the emergence of various independent investigative organizations online who have been doing an incredibly good job. They will suffer from this, won’t they?

Pickard: Yes, they will suffer disproportionately from this. Traditional newspapers and smaller independent news outlets depend on the Internet to reach broader audiences. They couldn’t afford to do this otherwise. Without having the resources to pay up, it is going to create a stranglehold on those kinds of investigative outlets. This is especially troubling now, at this perilous political moment.

Bernstein: What is problematic about the claim of [FCC] Chairman Ajit Pai that he “would hate to side with the Democrats, but this was Bill Clinton’s vision for the Internet”?

Pickard: Such a claim is disingenuous and ahistorical. While it is possible to argue that the Internet has traditionally been lightly regulated, in many cases this has simply not been true. In fact, we wouldn’t even have the Internet if not for massive public subsidies and regulations.

You have to go back to 2002, when then FCC chairman Michael Powell recategorized Internet services. Instead of considering it a telecommunications
service—which had always been heavily regulated—the category description became one of an “information service,” which is only lightly regulated. That is what really started this whole ongoing debate and policy battle. So you can’t say that this was a democratic position. That’s simply not true.

 Bernstein: What did the inventors of the Internet envision as its function and how could it potentially be an important democratizer?

 Pickard: Again, the Internet was created through massive public subsidies. The Pentagon’s Advanced Research Project Agency designed what was then called the Arpanet and which was based on the net neutrality principle that all online content should be treated equally. The pipes through which the Internet would flow were meant to be “dumb” in the sense that they were not discriminating against particular types of content.

 Into the Seventies and Eighties, this system was developed often through research institutes, so again, public subsidies helped expand the Internet. You had various public interest regulations that maintained a common carrier status. To give one example, you might remember the bad old days of dial-up Internet. One of the reasons we had such an explosion of dial-up Internet services was that the telephone companies who owned the wires had to share those wires with competitors.

 These various public service protections helped expand the Internet, which really cuts against the FCC Chairman’s narrative that the Internet is simply a creation of the free market. First of all, we haven’t really had a free market when it comes to the Internet. But to try to argue that the government is not involved in the Internet is a libertarian mythology. The government is always involved and the question should be how the government should be involved.

 Bernstein: Let’s talk a little more about the politics behind the Internet. We saw the Internet play a key role in liberation movements like the Arab Spring and the Occupy movement. Is this shutting down of net neutrality an attempt to undermine such movements?

 Pickard: Corporate libertarians like Chairman Pai who are opposed to even the lightest public service regulation are driven by a kind of market libertarian ideology that is really meant to accumulate more wealth within a corporation. In other words, I think this is more an economic agenda as opposed to a political agenda—not that the two can always be separated.

 Nevertheless, I think that it creates the potential for political misuse. To give an example, if you had an activist group that was launching a campaign against internet service monopolies, you can imagine that Comcast would want to
shut down that website. Without net neutrality protections, they would have the power to block or “throttle” online content. We have seen cases like this before and they could very well happen again.

Bernstein: We’re seeing now that you can pay extra and get in the fast lanes of various freeways (not to push the highway analogy too far). Can that be a way for people to think about it? You pay a little more and get there faster but what’s the rush, you’re going to get there anyway?

Pickard: That sounds fairly innocuous. There are a couple other analogies we could use. For example, setting up tollbooths all along the highway. I read an even better analogy in *The Washington Post* which likened it to the hellscap of airport security lines where, if you pay up and go through some kind of process, you might get TSA clearance, but otherwise you are stuck in line and may get hassled because of how you look or the language you speak. I think the dystopian outlook is probably more apt than this idea that we are all going to get to our final destination anyway so it’s not a big deal if we have to pay a little more for faster service.

Bernstein: Will this have an impact on the way people view television and access Hollywood productions and other entertainment? Will people be paying a lot more for these services?

Pickard: Mostly likely, yes. I think it is fair to say that what will happen to the Internet without net neutrality protections is that it will become more like cable television, where consumers pay for premium content. Overall, consumers will have to pay more. When a company like Netflix has to pay more to its Internet service provider, they will then offset their increased costs to consumers.

Bernstein: People have been paying a lot of attention to this and these decisions being made now are not very popular, are they?

Pickard: Not at all. In fact, polling data is showing that even the vast majority of Republicans want to keep net neutrality protections. This has been a deeply unpopular and undemocratic position. People are engaged and they realize that without net neutrality their daily lives will be impacted.

Bernstein: Has there been a lot of money thrown around on Capitol Hill by those who stand to gain from the elimination of net neutrality? Do you think we should worry about that?

Pickard: I think we should. I mean, it is rarely very overt. People are not walking into congressional offices with hundred dollar bills in their hands. But you do see tremendous amounts being spent on lobbying, you do see campaign
contributions.

The FCC is a little more subtle because they are not elected in the same way, but you do see what is referred to as “regulatory capture,” where, over time, a regulatory agency begins to harmonize its actions with the industry it purportedly regulates. Ajit Pai’s FCC is a textbook case. Basically, he has been granting the long-standing wish lists of the industries he is supposed to be overseeing.

Bernstein: Could you talk about the potential benefits of a more neutral Internet available to everybody? How can it contribute to a better society?

Pickard: Especially in the activist realm, you see various groups who have organized and leveraged the democratic potential of the Internet to really amplify their voices. We have seen this play out with many older forms of media, such as radio. When radio first started, it was similarly used by various activist groups and was hailed as a new democratizing force that was going to revolutionize the way that we communicate with each other, the way we govern ourselves. But it quickly became captured by a handful of corporations and I am worried that this is what we are seeing with the Internet today.

Bernstein: That brings me to my last question. What are the chances of this decision being flipped, if there is support for that among the various communities across the country? Do you have any hope that this can be turned around?

Pickard: Actually, I am cautiously optimistic that in the long run net neutrality will be upheld. In the short term, there will be challenges in the courts, where there is at least a fifty-fifty chance that net neutrality will prevail. The other crucial front is going to be in Congress, where there will be pressure to pass what is known as a Congressional Review Act, enabling Congress to put forward a resolution of disapproval. It is very important for all of us to be pressuring Congress to overturn the FCC decision.

But I also think that all of this public engagement is showing that there will be continued activism around this issue. Even if we win in the courts, there is going to be an ongoing battle. But as long as the public remains engaged, I really believe that in the long term we will have net neutrality.

Bernstein: Has legal action been taken already?

Pickard: Absolutely. We have already seen a number of state attorneys general challenging this decision in court. Various activist groups like Battle for the Net.com, Fight for the Future, Free Press, and Free Disclosure will continue to focus on this issue for months and years to come.
Dennis J Bernstein is a host of “Flashpoints” on the Pacifica radio network and the author of *Special Ed: Voices from a Hidden Classroom*. You can access the audio archives at [www.flashpoints.net](http://www.flashpoints.net).