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ENTREPRENEURS 5/14/2014 @ 10:09AM | 98,370 views

Am I The Only Techie Against Net Neutrality?

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If you watch the news, it seems just about everyone is in favor of “Net Neutrality” legislation. Despite being a tech-addicted entrepreneur, I am not. No, I am not a paid shill for the cable industry. [I am no fan of Comcast](#) or any other ISP I’ve ever had the “pleasure” of dealing with. I’m skeptical of large corporations generally and dislike the fact that in this debate I appear to be on their side. While I have no problem with net neutrality as a principle or concept, I have serious concerns about Net Neutrality as legislation or public policy. And since a false dichotomy is being perpetuated by the media in regards to this matter, I feel an obligation to put forth a third point of view. In taking this stand, I realize I may be the only techie, if I can aspire to that label, opposed to Net Neutrality and that I open myself to accusations of [killing the dreams of young entrepreneurs](#), [wrecking free speech](#), and [destroying the Internet](#). Nevertheless, here are three reasons I’m against Net Neutrality legislation.

I Want More Competition

Proponents of Net Neutrality say the telecoms have too much power. I agree. Everyone seems to agree that monopolies are bad and competition is good, and just like you, I would like to see more competition. But if monopolies are bad, why should we trust the U.S. government, the largest, most powerful monopoly in the world? We’re talking about the same organization that spent [an amount equal to Facebook’s first six years of operating costs](#) to build a health care website that doesn’t work, the same organization that [can’t keep the country’s bridges from falling down](#), and the same organization that spends [320 times what private industry spends to send a rocket into space](#). Think of an industry that has major problems. Public schools? Health care? How about higher education, student loans, housing, banking, physical infrastructure, immigration, the space program, the military, the police, or the post office? What do all these industries and/or

organizations have in common? They are all heavily regulated or controlled by the government. On the other hand we see that where deregulation has occurred, innovation has bloomed, such as with telephony services. Do you think we'd all be walking around with smartphones today if the government still ran the phone system?

The U.S. government has shown time after time that it is ineffective at managing much of anything. This is by design. The Founders intentionally created a government that was slow, inefficient, and plagued by gridlock, because they knew the greatest danger to individual freedom came from a government that could move quickly—too quickly for the people to react in time to protect themselves. If we value our freedom, we need government to be slow. But if government is slow, we shouldn't rely on it to provide us with products and services we want in a timely manner at a high level of quality. The telecoms may be bad, but everything that makes them bad is what the government is by definition. Can we put “bad” and “worse” together and end up with “better”?

I don't like how much power the telecoms have. But the reason they're big and powerful isn't because there is a lack of government regulation, but because of it. Government regulations are written by large corporate interests which collude with officials in government. The image of government being full of people on a mission to protect the little guy from predatory corporate behemoths is an illusion fostered by politicians and corporate interests alike. Many, if not most, government regulations are the product of crony capitalism designed to prevent small entrepreneurs from becoming real threats to large corporations. If Net Neutrality comes to pass how can we trust it will not be written in a way that will make it harder for new companies to offer Internet services? If anything, we're likely to end up even more beholden to the large telecoms than before. Of course at this point the politicians will tell us if they hadn't stepped in that things would be even worse.

If the telecoms are forced to compete in a truly free market, Comcast and Time Warner won't exist 10 years from now. They'll be replaced by options that give us better service at a lower price. Some of these new options may depend on being able to take advantage of the very freedom to charge more for certain types of Internet traffic that Net Neutrality seeks to eliminate. If we want to break up the large telecoms through increased competition we need to eliminate regulations that act as barriers to entry in the space, rather than create more of them.

I Want More Privacy

Free speech cannot exist without privacy, and the U.S. government has been shown to be unworthy of guarding the privacy of its citizens. Only the latest revelation of many, Glenn Greenwald's new book *No Place To Hide* reveals that [the U.S. government tampers with Internet routers](#) during the manufacturing process to aid its spying programs. Is this the organization we trust to take even more control of the Internet? Should we believe that under Net Neutrality the government will trust the telecoms to police themselves? The government will need to verify, at a technical level, whether the telecoms are treating data as they should. Don't be surprised if that means the government says it needs to be able to install its own hardware and software at critical points to monitor Internet traffic. Once installed, can we trust this government, or *any* government, to use that access in a benign manner?

While privacy and freedom of speech may not be foremost on your mind today because you like who is running the government right now, remember that government control tends to swing back and forth. How will you feel about the government having increased control of the Internet when Republicans own the House *and* Senate *and* Jeb Bush is elected President, all at the same time?

I Want More Freedom

“ *If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary.* – James Madison, [The Federalist No. 51](#)

Many of us see the U.S. government as a benevolent and all-knowing parent with the best interests of you and me, its children, at heart. I see the U.S. government as a dangerous tyrant, influenced by large corporate interests, seeking to control everyone and everything. Perhaps these diverging perspectives on the nature of the U.S. government are what account for a majority of the debate between proponents and opponents of Net Neutrality. If I believed the U.S. government was omniscient, had only good intentions, and that those intentions would never change, I would be in favor of Net Neutrality and more. But it wasn't all that long ago that FDR was locking up U.S. citizens of Japanese ancestry in concentration camps and Woodrow Wilson was outlawing political dissent. More recently we've seen the U.S. government fight unjust wars, topple elected democracies, and otherwise interfere in world affairs. We've seen the same government [execute its own citizens in violation of Fifth Amendment rights](#) guaranteed in the U.S. Constitution. Simply put—I don't trust the U.S. government. Nor do I trust any other government, even if “my team” wins the election. I see any increase in regulation, however well-intentioned, however beneficial to me

today, as leading to less freedom for me and society in the long term. For this reason those who rose up against [SOPA and PIPA](#) a few years ago should be equally opposed to Net Neutrality.

What Instead?

Internet bandwidth is, at least currently, a finite resource and has to be allocated somehow. We can let politicians decide, or we can let you and me decide by leaving it up to the free market. If we choose politicians, we will see the Internet become another mismanaged public monopoly, subject to political whims and increased scrutiny from our friends at the NSA. If we leave it up to the free market we will, in time, receive more of what we want at a lower price. It may not be a perfect process, but it will be better than the alternative.

Free markets deal exceptionally well in the process of “[creative destruction](#)” economist Joseph Shumpeter championed as the mode by which society raises its standard of living. Although any progress is not without its impediments and free markets aren’t an instant panacea, even [U2’s Bono embraced the fact entrepreneurial capitalism does more to eradicate poverty than foreign aid](#). Especially in the area of technology, government regulation has little, if any place. Governments cannot move fast enough to effectively regulate technology companies because by the time they move, the technology has changed and the debate is irrelevant. Does anyone remember the antitrust cases against Microsoft because of the Internet Explorer browser? The worse services provided by the large telecoms are, the more incentive there will be for entrepreneurs to create new technologies. Five years from now a new satellite technology may emerge that makes fiber obsolete, and we’ll all be getting wireless terabit downloads from space directly to our smartphones, anywhere in the world, for \$5/month. Unrealistic? Just think what someone would have said in 1994 if you had tried to explain to them everything you can do today on an iPhone, and at what price.

Update 6 February, 2015: Today, it was revealed by FCC commissioner Ajit Pai that [the proposed Net Neutrality plan the FCC is considering is 332 pages long](#). It will not be released to the public until after the FCC has voted. Pai claims this regulation will give “the FCC the power to micromanage virtually every aspect of how the Internet works.”

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