

Anarchist Perspectives on Net Neutrality

The Digital Enclosure of the Commons

CrimethInc.

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Yesterday, the FCC voted to repeal Net Neutrality. Without those protections, private corporations—and the class that controls them—can shape what information is available to people according to their own interests. Imagine a future in which the content widely available on the internet is comparable to what you could watch on network television in the 1980s! Today, the flows of information on the internet are almost identical with our collective thought processes: they determine what we can discuss, what we can imagine. But the fundamental problem is that the internet has *always* been controlled by the government and corporations.

It says a lot about the private sector that military development produced a comparatively horizontal framework that corporate control has rendered progressively less participatory and egalitarian. Unfortunately, there's no anarchist alternative, no people's internet to build up instead; this is the only one. State socialists have taken advantage of this opportunity to promote nationalizing the internet, arguing that this is an opportunity to formulate a vision of a better future. But if we don't want the capitalist class to control our communication, state control of the internet doesn't solve the problem: it is, after all, the state that is making the move to put corporations in control here, and the existing models for state control (think: China) are just as oppressive. We should take pragmatic steps to defend our rights in the current context, but a rights-based framework that takes the state for granted as the arbiter of social issues will never secure our freedom. If we want a truly liberating vision of a better future, we have to think bigger.

An anarchist approach must begin by rejecting the false dichotomy between corporate and state power. From there, we must dare to dream about decentralized forms of infrastructure that are resilient against top-down control. The internet, in its current form, is indeed indispensable for participating in society; but that doesn't mean we should take the current form of the internet—or of society—for granted as the best or only possible model. It was *our* resources, extracted from us in the form of taxes and labor and innovation, that helped create both in the first place. What could we create if our efforts were not shaped by the constraints of the state and the imperatives of the market?

Our long-term goal should be to seize back the structures that we helped build, but we will have to transform them to make them function in our interests—so we may as well begin experimenting with parallel structures right now. Even reformists must recognize that doing so is practically the only way to gain leverage on those who currently control the means by which we communicate.

Technology is never neutral. It's always political: it always expresses and reinforces the power dynamics and aspirations that gave rise to it. If engineers and programmers don't build from a political framework with the explicit intention of creating egalitarian relations, their work will always be used to concentrate power and oppress people.

Net Neutrality and the Feeding Frenzy

The last bulwark has fallen that stood between broadband providers and a profit-driven feeding frenzy the likes of which we've never seen before. On Thursday morning, the FCC, led by Republican Trump appointee Ajit Pai, voted in a 3–2 split to repeal 2015 regulations enforcing strong consumer protections on the provision of Internet services, popularly known as Net Neutrality. The repeal will allow Internet Service Providers (ISPs) to bundle Internet plans in much the same way as they do cable plans, allowing access to certain websites only when you pay

up. In addition, it also allows ISPs to create tiered levels of Internet access, forcing websites and content providers that have enjoyed the benefit of an equal playing field over the past years to pay more money in order to compete with properties owned by the cable companies themselves.

Want to buy bandwidth from your favorite Telecommunications company, like AT&T, Verizon, or Comcast? How about Telco Lite, with access to Wikipedia? That'll be \$59.99/mo. Oh, you want Telco Super, with YouTube bundled in? \$79.99. You dare to ask for Netflix, a competitor to Comcast's own Hulu service? Sure, Telco Ultra can give you that—for the price of \$99.99.

Let us be clear: this repeal only benefits the ISPs. It allows ISPs to use their privileged position as the proprietor of the physical infrastructure for home Internet access to squeeze out profit from both sides of the pipe they control—to gouge both content creators and regular users alike. Everyone else, like 74% of Americans who favor Net Neutrality, or the overwhelming majority of people who submitted unique comments to the FCC opposing the repeal in the public feedback phase, be damned.

In 2015, under the then-commissioner of the FCC Tom Wheeler, provision of Internet access was reclassified under Title II of the Communications Act. This meant that ISPs were regulated similarly to a utility, and that preferential treatment could not be provided to some websites over others. This is often referred to as an even on-ramp: when you open your browser, you'd see the same Internet everyone else sees. You'd have the same access to information as every other Internet user. Your ISP could still charge you for faster access in general, just not for faster access to particular parts of the net. Even with these regulations in place, ISPs have been found violating them over and over again. As recently as July, Verizon was caught throttling (read: slowing down) Netflix videos, in violation of FCC rules. But don't worry, Chairman Pai says—we don't need Net Neutrality because the ISPs will self-regulate. Yeah, right.

Dirty tricks abounded in the lead-up to Thursday's vote. In the aforementioned public feedback phase, millions of fake anti-Net Neutrality comments were submitted to the FCC website. These used variations of phrases—slightly modified to have the same meaning but using different words—in order to give the appearance of a unique comment being submitted. Especially disturbing was the fact that the comments were given under assumed names, often those of the deceased, or of those who are alive but never themselves submitted anything. So concerning was the practice that it prompted the NY Attorney General to open an investigation into the identity theft of New Yorkers whose names were used in fake comments, leading him to eventually publish an open letter to the FCC after failing to receive any response to repeated inquiries.

What's important for anarchists to take note of here is that a lot of the debate around Net Neutrality makes it seem like it pits one set of profit-hungry companies against another. Why should we care if ISPs or streaming services win? Let them fight each other, it doesn't affect us. But the reality is much more dire. Since the major broadband providers effectively run what amounts to oligopoly control over our access to information, they have much more direct ability to filter, throttle, and ban outright content which they deem unacceptable or unprofitable. So, yeah, it's about Netflix and Youtube. But it's also about access to radical or anarchist content from CrimethInc. or IGD. In addition to shaping traffic, **the repeal enables your provider to actually block content altogether.** This puts our ability to create our own radical subjectivities under an even greater threat than before.

Radical Alternatives

Regulatory control by the centralized federal agencies backed by state force is certainly no ideal to strive for, but (as is so often the case) the state has set itself up to play the role of savior. In that role it was holding back the forces of unmitigated private extraction of the information landscape. But could things have been different? As anarchists, could we have helped to shape the landscape itself in a more decentralized, autonomous manner? Can we still? Instead of corporations held back by state force, what would a non-corporate alternative to Internet provision look like?

There are some radical alternatives that challenge corporate hegemonic control over Internet provision at a very basic level. Exciting examples of community-based approaches are taking shape in hacker spaces from Oakland to New York in the form of mesh networks. The idea is simple: instead of relying on the existing physical infrastructure built out by the large telecommunications companies, we can build our own infrastructure. We can take our home wifi routers, and program them to talk to each other, to provide access to one another. This horizontal communication stands in stark contrast to the usual usage of these devices, which is mainly to facilitate access vertically, directly to the ISP uplink. In this way, we can build a net that is created and controlled by us. Pirate packets, jumping through the air.

The benefit for us is clear, and this is a fundamental, structural challenge to the current state and corporate control flows. So our challenge is twofold, both short-term and long-term. First, we must stop the immediate, existential threat that we face with the repeal of the most basic Net Neutrality protections, which threaten to silence our voices. Second, we must build a structural alternative to the current Internet, an other network, one where our voices can not be silenced by a mere regulatory shift because no one else controls it but the communities that comprise it themselves. A small example of this is the mesh networks that exist today, which are fledgling but precious examples of the prefiguration of power we wish to see.

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