

# THE ATTEMPT TO DESTROY NET NEUTRALITY

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Net Neutrality permits every point of view to be equally available to all providers and users- from the New York Times to Fox News to the folks who believe that humpback whales willed the tsunami in Japan. The absence of Net Neutrality means that Internet Service Providers (ISP's) such as Time Warner or Comcast would enjoy, exclusively, a faster, more expensive internet access whilst the rest of us would travel a slower, muddy, dirt road. Think of your best content being banished and impossible to find-sort of like being on Public Access TV. The public would not be able to find your sites no matter how great your content might be. Also your sites may become hard to load, heavily buffered...who knows what all the implications may be? What we do know is that the marketplace of ideas and creativity will be dominated even more by the homogenized and purchased large content providers and the preposterously wealthy companies with the resources to pay for speed. The internet would then become a CBS/NBC/ABC kind of world with a super-highway for the rich and powerful. The current free flow and accessibility for all ideas and websites would cease if certain members of the United States government, large phone companies, media conglomerates, and large broadband providers have their way. Your efforts are required to prevent the destruction of the internet highway of ideas and creative accomplishment, a lot of it admittedly dreck, but all of it free.

The First Amendment is preeminent among all because the founding fathers recognized that freedom of thought is a fundamental human freedom, and the ability to express and exchange one's thoughts freely is an essential means by which the freedom of thought can be protected and enhanced. The free exchange of ideas is, at the end of it, the guardian of all of our freedoms. It hardly requires much thought to understand how different the United States would be if freedom of expression resided in the hands of only the very few. All dictatorships recognize the vitality of freedom of thought and free communication of those ideas. That is why propaganda evolved greatly under the Third Reich and why the Soviet Union stationed guards at Xerox machines. It is why the first thing that the Chinese or Libyans did to stymie revolutionary thought and the possibility of revolutionary action is shut down the Internet.

In this country, brutality does not present itself naked, as it does elsewhere. It appears clothed in smooth talking executives, their lawyers, and congressman who live on their campaign contributions. Thus, we will never hear, "Let's shut down the net to dissenting voices." What we are hearing are arguments why there should be a fast internet lane for some, and a slow, encumbered road for the many. The "some" want Net Neutrality to come to an end.



*"If the freedom of speech is taken away then dumb and silent we may be led, like sheep to the slaughter."*

*-George Washington*



*Would the political uprisings of the Arab Spring have been able to happen without Net Neutrality?*

The issue of "Net Neutrality" is one about which I have written before: <http://tinyurl.com/348fcwc>. This is a very important subject because it concerns our ability to give and receive information and art. Preserving Net Neutrality is especially vital to all of us who are trying to make a living from "independent" art and commerce. Senator Al Franken has also written about Net Neutrality: <http://www.alfranken.com/index.php/splash/netneutrality>.

"Net Neutrality" refers to the fact that the internet is, for the moment, a level playing field. It is the only democratic and diverse medium that we have left in a vertically integrated industry of media cartels. Currently the internet treats everyone's website or content equally. [www.troma.com](http://www.troma.com), for example has the same chance to attract eyeballs (and, hopefully, revenue) as do Rupert Murdoch's 10,000 sites. The neutral internet is vital to all of us who are not Rupert Murdoch or who are not in Occupy's famous one percent. Thanks to Net Neutrality, if your content is interesting, people will find it and it has the chance to go "viral" and reach millions of people. If a rich and powerful entertainer puts his latest work online, no amount of money can make it go viral unless people really love it.



This free democracy of internet thumbs up or thumbs down; this referendum in daily action is regarded askance by large media, which seeks to live by saturation and thought-bending commercials of various kinds. Platforms like theatrical, home video and T.V. are mainly controlled by a small number of vertically integrated media conglomerates. The same conglomerates control the newspapers and periodicals. Most independent content providers are excluded from these platforms, so the general public finds itself saturated with an abundance of bland entertainment and art. The end result is to marginalize us "indies" so that we find ourselves without revenue. As it is, it is almost impossible to sell independent content to HBO, Showtime or Network T.V. For the most part, we "indies" are economically blacklisted from American T.V. and most T.V. worldwide. The few who are lucky enough to strike a deal with HBO, or the like, find the terms more and more onerous. Furthermore, no matter how important or good one's independent content may be, it will be denied coverage in mainstream cartel-owned publications or on the 24 hour T.V. news cycle. Something similar will soon be true on the internet if Net Neutrality goes away.



*If Net Neutrality goes away, be prepared for a climate and fear, inaccurate reporting, and outright blacklisting, which will make the McCarthy era seem like a trip to Disneyland.*

Yes, the entertainment and the news we receive through the mainstream media is the product of mainstream "gate keepers"; so very often we do not receive the "truth" or the news that we should be receiving! Civilization loses! Though the Net Neutrality debate has since been cast aside by the ever-churning 24 hour news cycle in favor of juicier material like Casey Anthony's acquittal and Miley Cyrus's salvia smoking escapades, the fight to maintain our last level media playing field has grown no less important or urgent. The way things stand right now everybody, from Donald Trump sitting pretty in his Manhattan skyscraper office to the pimply-faced Troma Films fangirl blogging from her parents' basement, have to compete for a slice of the Internet pie-- and that scares the vertically integrated media conglomerates. These corporate drones, greedy for ever greater revenues and terrified of falling ratings that would put their jobs and power to corrupt at risk, want their cartels alone to control the internet. That way their overpaid "suits" don't have to get up in the morning and actually use their grey matter to create innovative content.

Recently the House of Representatives approved House Joint Resolution 37, a bill which overturns The Federal Communications Commission's current very tepid support for Net Neutrality. Although the measure did not pass the Senate, and President Obama has indicated he would veto the measure should it ever reach his desk, the mere existence of the measure and the peril in which it places the most powerful engine of First Amendment expression, highlights the fact that we must fight daily to keep the internet free and open for everyone to use.

Right now the internet as we know it is in danger of becoming just as bland and homogenized as network television and corporate video store chains. By arguing that the FCC does not have the power to regulate the internet, powerful media conglomerates, telcos, and members of Congress are trying to invalidate the only instrument we have in our struggle to preserve Net Neutrality and by extension the public's right to a variety of political points of view and artistic expression....and our ability to get our product to the public for commerce and viewing. Also, in my opinion, the FCC, the current caretaker of Net Neutrality, as well as President Obama are extremely wobbly on the issue of protecting Net Neutrality on the internet.

The idea of wanting government regulation in order to keep the internet free and open may seem confusing to many people who view it as a contradiction in terms. A bit of history may be useful here to illustrate what led up to this point. The internet was originally largely text-based (due to crippling slow dial-up speeds) with pretty much everyone posting whatever they wanted. Once it became clear that the internet was a possible source of revenue, investments started to be made to upgrade from dial-up to broadband and to build high speed capacity for video and other forms of content that required better speed in order to function properly. This financial incentive also provided a reason for the ISP's/broadband providers to begin to discriminate between types of content. They were able to claim this discrimination as a result of technological requirements for good delivery but this soon led to further discrimination based on source, format and the actual content being sent. There is a huge conflict of interest with the ISP's who are both providing transport service AND offering their own content which competes against average every day internet users. We need the FCC to put back in place the original "rules of the road" where ISP's can only provide different levels of service when there is a real issue of network capability or illegality- NOT to use the network to eliminate the competition.



*Rupert Murdoch cannot hear you, unless you are a member of the corporate, labor, or bureaucratic elite... or when hacking your telephone.*



While much of the public does not even know what Net Neutrality is, the phone companies, ISP's, and mass media conglomerates have sent their lobbyists into Washington DC with tens of millions of dollars to destroy Net Neutrality. They say that by keeping the internet free and open, it will send us on a downward spiral of piracy and pornography. These same weak arguments were made at the dawn of home video by Media Industry Bosses. They used to say that home video would open the floodgates of porno and piracy and worse, that copyright law would be destroyed. Dissolve to five years later and not only was copyright stronger than ever, but Home Video became the Media Cartels' greatest source of revenue.

The internet is one of the few places where innovation is still happening every day, but by allowing large corporations to put themselves alone on the information super-highway (while forcing everybody else onto unconnected dirt roads), it would leave any young creative soul or independent film business entrepreneur who doesn't want to play by cartel rules out with the dogs while allowing those in power to churn out bland crap that consumers have no choice but to consume, brought to you by Hot Pockets and Burger King. Whenever there is new technology that favors the "independent", the mainstream tries to put a monkey wrench in the gears until it can co-opt the "dangerous" new technology and own it. This is the media cartels' current strategy regarding taking over the free, open and diverse internet and subverting it.

We as a country cannot stand idly by and allow this infringement of our First Amendment rights to take place. The conglomerates have taken over newspapers, movies, music, books, television and more. The internet is the last frontier where everybody can present content on an equal playing field, an oasis of ideas that exists among the parched landscape of old media. If we allow the conspiracy of the labor elites, corporate elites and bureaucratic elites to control cyberspace, it will be the final nail in the coffin of free expression in the media. If the First Amendment is important to you, and if you care about independent art and commerce, make your voice heard. Write to your local Congressperson and tell him/her/it that if they don't keep the internet free and open in your home you'll be sending them back to theirs. Also, write to the FCC and demand a free-flowing internet; and write to President Obama [1600 Pennsylvania Avenue NW Washington, DC 20500], to say, "If you really care about the First Amendment and the importance of the free exchange of ideas, put Net Neutrality at the forefront of your platform for 2012." Post and pass along this essay and urge your friends and colleagues to do the same. Now, let's make some art!



*We independent providers of art and commerce content are like Rosa Parks. We ride in the back of the 'internet-bus.' If the MPAA, giant phone companies, and mega-media conglomerates have their way with Net Neutrality, we'll be thrown under the internet-bus.*

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\*This article was written with the assistance of Roger Kirby, esq., Chelsea Holland and Chase Winslow Marotz.